

When we do so, we are going to save our budget. We are going to save our budget a great number of consequences by being that powerful force that will do things academically, soundly, wisely, effectively, efficiently.

That is what this business is about, a thoughtful response, a heartfelt response that, by the way, is the budgetwise thing to do.

Let us respond as a government, as a nation.

Mr. GARAMENDI. Mr. TONKO, thank you so very much.

Mr. Speaker, I think we will end there and simply say that this is not the last time that we will be speaking on this issue on the floor.

I would hope the next time that we speak on this issue that the House of Representatives will have increased the research budget by 50 percent, from \$566 million to close to \$900 million. That is a big leap. It is not sufficient. It is not what is necessary to really get at this disease, but this is one we can tackle. This is one we have to tackle for the strength of the American Government budget. It is one we have to tackle.

This is where you have been with this entire discussion, Mr. TONKO. This is about families. It is about individuals. It is about the suffering, the angst, and the fear that exists out there with this devastating disease. We can do this. We really can.

My message to the American people is one that you put out a few moments ago, Mr. TONKO. That is, for anybody who is watching out there, for anybody who is interested in the Federal deficit, for anybody who is interested in the quality of life of their families as they age and even before they age, talk to us.

Tell us that you want us to spend your tax money on solving this problem, on the research that will lead to the solution for what is now an unsolvable mystery.

Mr. Speaker, I yield back the balance of my time.

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REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 160, PROTECT MEDICAL INNOVATION ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 1190, PROTECTING SENIORS' ACCESS TO MEDICARE ACT OF 2015

Mr. BURGESS (during the Special Order of Mr. GARAMENDI) from the Committee on Rules, submitted a privileged report (Rept. No. 114-157) on the resolution (H. Res. 319) providing for consideration of the bill (H.R. 160) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices, and providing for consideration of the bill (H.R. 1190) to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board, which was referred to the House Calendar and ordered to be printed.

#### OVERRULING THE HOUSE OF GOD

The SPEAKER pro tempore (Mr. WESTERMAN). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, this week, there will be important decisions made here on the House of Representatives' floor.

We are told, this month, the Supreme Court may well play God and overrule what has been considered to be the house of God, as given by Moses, for the dramatic amount of history, including up through the President's own statement that he believed marriage was just between a man and a woman.

When he was running for office, apparently, according to his campaign manager or whatever he is—whatever he was—he felt he wouldn't get elected if he said what he really believed.

Nonetheless, in 6½ years, we are told things have changed to the point we are now in a position to overrule what Moses said, which is that a man will leave his father and mother and a woman leave her home and the two will come together. That would be marriage—Moses, who is the only full-faced profile above us in the gallery, with the side profiles of all of the great lawgivers, the greatest lawgivers as they were thought to be years ago.

I will also note that, as I sat and listened to the Supreme Court's entertaining arguments on whether or not Texas could keep our monument dedicated to the Ten Commandments on our State campgrounds—and it was joined with a case from Kentucky on whether they could keep their Ten Commandments that were posted inside the door—and as they were arguing about whether or not the Ten Commandments could be attributed in that manner, I looked up on the marble wall to my right in the Supreme Court's chambers, and there was Moses, looking down with both tablets of the Ten Commandments, looking down—interesting, very interesting. It is the kind of mental gymnastics that have been played in the Supreme Court throughout its history.

We know Dred Scott was a dreadful decision, and there have been others that were poor. Sometimes, in being human, they get them right, and sometimes, they get them wrong; but there is one thing that is very, very, very clear, and it is in the United States Code. It is United States law.

It is volume 28 of the United States Code, section 455, and section (a) is very clear: "Any justice, judge, or magistrate judge of the United States shall"—no room for question—"disqualify himself"—that is generic, meaning mankind; it could be male or female—"in any proceeding in which his impartiality might reasonably be questioned."

That is the law, and the only way that we can remain a nation that believes in the rule of law is if the courts that decide whether a law can stand or

must fall abide by the laws that apply to them. If the highest court in the United States blatantly violates the law and especially blatantly violates the law in deciding a case, then is it really law that they have made if they have violated the law to create it?

In knowing that the law is very clear, a United States Supreme Court Justice "shall disqualify him or herself in any proceeding in which his impartiality might reasonably be questioned." Then we must look next to see if there are any indications of partiality on the part of any of the Supreme Court Justices.

Here is an article that was published by foxnews.com back on September 1, 2013, and it reads the following: "Two months after the Supreme Court's landmark ruling to expand Federal recognition of same-sex marriages, striking down part of an anti-gay marriage law, Justice Ruth Bader Ginsburg officiated at a same-sex wedding.

"The officiating is believed to be a first for a member of the Nation's highest court.

"Ginsburg officiated Saturday at the marriage of Kennedy Center President Michael Kaiser and John Roberts, a government economist."

I was just out at the Kennedy Center this weekend—it may be the only weekend; I am here in Washington all year—and was delighted to be there. Apparently, if Michael Kaiser is still the president, he is doing what appears to be an excellent job there.

Further down in the article, it is quoting Justice Ginsburg, and it reads: "'I think it will be one more statement that people who love each other and want to live together should be able to enjoy the blessings and the strife in the marriage relationship,' Ginsburg told The Washington Post in an interview.

"'It won't be long before there will be another' performed by a Justice. She has another ceremony planned for September."

The last line—it is not the last of the article—but it reads: "Justices generally avoid taking stands on political issues."

The rest of the article goes on: "While hearing arguments in the case in March, Ginsburg argued for treating marriages equally. The rights associated with marriage are pervasive, she said."

Anyway, it reads further down: "Before the Court heard arguments on the Defense of Marriage Act, Ginsburg told The New Yorker magazine in March that she had not performed a same-sex marriage and had not been asked. Justices do officiate at other weddings, though.

"'I don't think anybody's asking us, because of these cases,' she told the magazine. 'No one in the gay rights movement wants to risk having any member of the Court be criticized or asked to recuse. So I think that's the reason no one has asked me.'

"Asked whether she would perform such a wedding in the future, she said, 'Why not?'"

Apparently, the Associated Press also contributed to that report.

It doesn't sound as if it could be any more clear that Justice Ginsburg has a very solid opinion that gay marriage, same-sex marriage, same-sex weddings are constitutional, despite its being something that is reserved to the States and to the people under the 10th Amendment for decisions.

On September 22 of 2014, in *The Hill*, written by Peter Sullivan, an article reads: "Supreme Court Justice Elena Kagan officiated a same-sex wedding on Sunday, a court spokeswoman told the Associated Press.

"The ceremony in Maryland for a former law clerk is the first same-sex wedding that Kagan has performed. Justice Ruth Bader Ginsburg and retired Justice Sandra Day O'Connor have both performed same-sex weddings in the past.

"Gay marriage has been a divisive topic at the Supreme Court as it has been elsewhere in the country."

Further down, the article reads: "The Court could decide as early as this month whether to take up the issue again in the coming session, this time to consider a more sweeping ruling declaring a right to same-sex marriage across the country.

"Ginsburg said last week that, unless an appeals court allows a gay marriage ban to stand, 'there is no need for us to rush' on a Supreme Court ruling."

Clearly, Justice Kagan has made her feelings clear on same-sex marriage. There could not be a more clear, unequivocal statement that any just judge or Justice could ever make on the issue of same-sex marriage than to actually perform, officiate, in a same-sex wedding.

Here is a *Newsmax* article from May 18, 2015, by Greg Richter: "Supreme Court Justice Ruth Bader Ginsburg sparked speculation on Sunday when she mentioned the Constitution while officiating a same-sex wedding."

Further down is a quote from Maureen Dowd, a columnist for *The New York Times*: "With a sly look and special emphasis on the word 'Constitution,' Justice Ginsburg said that she was pronouncing the two men married by the powers vested in her by the Constitution of the United States, Dowd wrote."

□ 1915

Then it also says in the article, "Nevertheless, guests applauded loudly, Dowd said, and Ginsburg 'seemed delighted.'"

For Justice Ginsburg to state publicly that the Constitution of the United States gives her the power to officiate and unite a same-sex couple in marriage is an unequivocal, clear statement as to what she believes the Supreme Court should do in their decision. If there was ever any doubt—and there wasn't. Once she performed a same-sex wedding, there was no question about her feelings on the matter.

An article from *National Review* by Edward Whelan, February 19 of this

year, the article, just a small part of it here: "At her Supreme Court confirmation hearing in 1993, Ruth Bader Ginsburg repeatedly explained that the judicial obligation of impartiality required that she give 'no hints, no forecasts, no previews' about how she might 'vote on questions the Supreme Court may be called upon to decide.'"

As she declared in her opening statement: "A judge sworn to decide impartially can offer no forecasts, no hints, for that would show not only disregard for the specifics of the particular case, it would display disdain for the entire judicial process." That was Ruth Bader Ginsburg in 1993. Apparently, she sees things a great deal differently now.

Further down in the article, Edward Whelan writes: "Human nature being what it is, it's not easy for a Justice to recuse in a closely divided case that she obviously cares passionately about. This is exactly the situation Justice Scalia faced a dozen years ago in the wake of his public comments criticizing a Ninth Circuit ruling against the Pledge of Allegiance. As Slate's Dahlia Lithwick wrote at the time, Scalia was 'intellectually honest enough to know that he slipped,' and he thus, 'recused himself from what would have been one of the most important church-state cases of his career.' His recusal meant that 'the Court may well split 4-4 on the case, in which case the Ninth Circuit's decision will stand for all the States in its jurisdiction.'"

We also have a quote from Justice Sonia Sotomayor: "I suspect even with us giving gay rights to marry, that there's some gay people who will choose not to, just as there's some heterosexual couples who choose not to marry. So we are not taking anybody's liberty away."

Justice Sotomayor has obviously stated her position very clearly on the issue of same-sex marriage.

This is an article from May 27, 2009, Lisa Keen from the Keen News Service. She says in an article: "Long-time gay legal activist Paula Ettelbrick said she met Sotomayor in about 1991 when they both served on then-New York Governor Mario Cuomo's Advisory Committee on Fighting Bias. 'Nobody wanted to talk to . . . ' and uses a slur for a homosexual 'person at that time,' said Ettelbrick, who represented Lambda Legal Defense and Education Fund. 'She was the only one on the advisory committee who made a point to come over and introduce herself. She was totally interested in gay civil rights issues and supportive.'"

Evan Wolfson, head of the national Freedom to Marry organization said: "From everything I know, Judge Sotomayor is an outstanding choice, fair and aware, open, and judicious. I believe she has demonstrated the commitment to principles of equal protection and inclusion that defines a good nominee to the Supreme Court." Wolfson said the President "has made a strong and appealing nomination that

should and will receive the support of those committed to equality for lesbians and gay men." The National LGBT Bar Association issued a statement saying it was pleased with the choice, noting that it represents "more diversity on the bench."

In view, actually, of her quote, it seems that she has clearly stated her position with regard to same-sex marriage. Anyway, the article further down said Kevin Cathcart, executive director of Lambda Legal Defense and Education Fund, said the organization was pleased that the nominee is a woman of color. "While women, people of color, and self-identified gay people continue to be woefully underrepresented in the Federal judiciary, Judge Sotomayor's nomination represents a step in the right direction," Cathcart said.

So, anyway, if those quotes are accurate, then certainly they would be supporting evidence of her quote that "I suspect even with us giving gay rights to marry . . ." she is already stating in this quote that she, not the Creator, not God, not almighty God, not the Constitution—"us giving," obviously the Supreme Court.

So, as Jefferson pointed out, you know, he trembles for the country when he realizes that God is just and his justice will not sleep forever. It is not the Supreme Court that gives rights. We get our rights, according to the Declaration of Independence, from our Creator, and they are embodied or supposed to have been embodied in the Constitution. And yes, it took a Civil War to ensure that the Constitution meant what it said, and it took an ordained Christian minister named King to push peacefully until such time as the Constitution was more thoroughly forced to mean what it said.

We are talking about marriage here. For anyone who is a Christian, that means they believe in Jesus Christ, they believe His teachings, they believe He is Savior, and they would have to believe when He quoted Moses, who said he was giving the law from God, and Jesus said: A man shall leave his father and mother, and a woman leave her home, and the two will become one flesh, and what God joined together, let no one put asunder. He put His stamp: this is marriage. It approved what Moses said was marriage, and in this Nation, throughout the Nation, until some said we have become smarter than we have ever been, once again defying Solomon's statement: There is nothing new under the Sun. This is not new. We are not more enlightened than other civilizations have been.

But if the Supreme Court in a majority decision destroys the constitutions of numerous States across this Nation, and the majority opinion has Justices who are violating Federal statute regarding what a judge shall do, then it would appear that their law would be no more valid than if someone here cast the deciding vote on legislation that becomes law, and it is determined

that the deciding vote was cast by someone who was not legally a Member of Congress. There would be reason to say that is not a valid law. It did not pass the House of Representatives. And especially, if it turned out that, say, 20, 30, 40 percent of those casting the majority votes on a bill were disqualified at the time of the vote from casting a vote, that would not be a legitimate law.

I hope, and since I believe in prayer, I pray that those Justices who have made clear by their statements and their actions that they are disqualified, will do the lawful thing and recuse themselves. If they do not do that, they will be casting a ballot, casting a vote, and if that vote is the majority decision, and if that decision overturns massive law on marriage across the country, and by its statement says: We know more than Moses, we know more than Jesus, we are the U.S. Supreme Court, it certainly sounds like they will have produced an unlawful decision of the Supreme Court. I hope they will not put this Nation to such a constitutional crisis by violating the law to push through their legislative agenda, but we will see. Will they start a constitutional crisis by violating the law to push their legislative agenda through the Court? We will see. I hope and pray that they will follow the law and disqualify themselves.

Mr. Speaker, I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FATTAH (at the request of Ms. PELOSI) for today after 5 p.m.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 565. An act to reduce the operations and maintenance costs associated with the Federal fleet by encouraging the use of remanufactured parts, and for other purposes; to the Committee on Oversight and Government Reform.

#### ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 17, 2015, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1842. A letter from the Assistant Secretary for Legislation, Department of Health and

Human Services, transmitting Fiscal Years 2011-2012 Report to Congress on the Family Violence Prevention and Services Program, pursuant to 42 U.S.C. 10404; to the Committee on Education and the Workforce.

1843. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Summary of Benefits and Coverage and Uniform Glossary (RIN: 1210-AB69) received June 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1844. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's final rule — Summary of Benefits and Coverage and Uniform Glossary [CMS-9938-F] (RIN: 0938-AS54) received June 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1845. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Update of the Motor Vehicle Emissions Budgets and General Conformity Budgets for the Scranton/Wilkes-Barre 1997 8-Hour Ozone National Ambient Air Quality Standard Maintenance Area [EPA-R03-OAR-2014-0652; FRL-9929-07-Region 3] received June 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1846. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Di-n-butyl carbonate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0176; FRL-9928-63-OCSPP] received June 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1847. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Revision to the New York State Implementation Plan for Carbon Monoxide [EPA-R02-OAR-2013-0192; FRL-9929-11-Region 2] received June 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1848. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; South Carolina; Charlotte-Rock Hill; Base Year Emissions Inventory and Emissions State Requirements for the 2008 8-Hour Ozone Standard [EPA-R04-OAR-2014-0915; FRL-9928-88-Region 4] received June 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1849. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Sethoxydim; Pesticide Tolerances [EPA-HQ-OPP-2014-0161; FRL-9928-20] received June 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1850. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, and continued by the President each year, most recently on November 7, 2014, pursuant to 50 U.S.C. 1703(c) and 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

1851. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the annual report pursuant to

Sec. 2(9) of the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 2580. A bill to provide for a technical change to the Medicare long-term care hospital moratorium exception, and for other purposes; with an amendment (Rept. 114-156). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURGESS: Committee on Rules. House Resolution 319. Resolution providing for consideration of the bill (H.R. 160) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices, and providing for consideration of the bill (H.R. 1190) to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board (Rept. 114-157). Referred to the House Calendar.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 2506. A bill to amend title XVIII of the Social Security Act to delay the authority to terminate Medicare Advantage contracts for MA plans failing to achieve minimum quality ratings with an amendment (Rept. 114-158, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 2507. A bill to amend title XVIII of the Social Security Act to establish an annual rulemaking schedule for payment rates under Medicare Advantage; with an amendment (Rept. 114-159, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 2579. A bill to amend title XVIII of the Social Security Act to improve the risk adjustment under the Medicare Advantage program, and for other purposes; with an amendment (Rept. 114-160, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 2581. A bill to amend title XVIII of the Social Security Act to establish a 3-year demonstration program to test the use of value-based insurance design methodologies under eligible Medicare Advantage plans, to preserve Medicare beneficiary choice under Medicare Advantage, to revise the treatment under the Medicare program of infusion drugs furnished through durable medical equipment, and for other purposes; with an amendment (Rept. 114-161, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 2506 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 2507 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce