

suffering. That is true humanity. If the United States leads, others will stand shoulder to shoulder. Mr. President, we need you to lead.

We hear talk about countermessaging. Well, here is something every American can help with. News stations, stop putting ISIS recruiting videos as B-roll on your newscasts. Replace it with crosshairs and explosions of their defeat, or show the world their acts of barbarity, instead, for the B-roll. Stop using their images and their propaganda for furthering American newscasts. Americans, write your local news stations and tell them to stop it.

Iran, here is the cold reality and its impact on ISIS and Middle East unrest. Lifting sanctions on Iran will introduce tens of billions of dollars into these war-torn nations and will destabilize the entire region. Mr. President, do not lift the sanctions on Iran. They must show good action before we show good will.

Finally, we must go back to the drawing board on this so-called strategy of halfheartedness. Using American warriors should mean backing them with the full weight and might of this Republic.

Mr. President, do you not realize that our enemies hear you loud and clear when you say you will not sign the Defense Authorization? Secretary Carter, do you not realize that we are still negotiating it between both Houses of Congress? Why do you say you support a veto when we are still in the process of its negotiation? By such actions, one thing is certainly clear: nothing is too good for the troops, and nothing is what they will get.

Instead, lead, achieve, get an ISIS strategy worthy of this mighty Republic, sign the Defense Authorization, and let's get back to our constitutional requirement to provide for our Nation's defense.

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

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to a perceived viewing audience.

#### WEEK IN REVIEW

The SPEAKER pro tempore. 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, we had an interesting vote today on the trade agreement, and I know my friends at Club for Growth have scored that.

They wanted people to vote "yes" because they believed, as some have said, it is about free trade; but it is a bit ironic for those who follow politics because, on the one hand, Republicans were being told this will allow us to force the President to keep us apprised, to give us notice of what is going on so that we can reign anything in that is not helpful to the country.

I didn't have that impression of the bill, not when reading the TPA, not

going to the classified setting. I mean, I did that; I read the TPP, most of it.

Having been a lawyer and a judge, prosecutor, done defense, a chief justice, I have litigated a lot of loopholes. There are a lot of loopholes in that TPP. There were loopholes in the TPA.

□ 1430

One of my Democratic friends was telling me, Mr. Speaker, that he was being told that the whole reason the President came up here is that, by passing this trade agreement, it is going to allow the President to get his agenda done in the next 18 months without Congress being able to stop him.

Some of my Democratic friends prefer that Congress have more say than that, and some were not happy with the proposal at all. They also were smart enough to know there are a lot of American jobs that will be lost because of that bill. I am not an isolationist. I believe in free trade, but I don't believe in free rein for a President. I am afraid that is what it will do, and that is why I had to vote "no" once again.

But it passed, and now, we will see if what some of my Democratic friends were told is accurate in that the bill will allow the President to achieve his agenda without Republicans being able to stop him. It appears that way to me, in reading the bills, that he has got enough loopholes he can take advantage of.

Plus, even without loopholes, there is a requirement of notification. He was required to notify us before he released anybody from Guantanamo. He didn't do it. He went ahead and released five of the worst murderers in return for a guy who is, we are told, about to be charged with desertion.

The President doesn't seem to be bogged down by having to follow the law, but I am impressed with my friends who think—but, yes—if we pass one more law that makes him give us notice, after 6½ years of his not keeping us apprised as the law requires, this time, we think he really, really will.

I am impressed with that kind of optimism, even though the old expression here in Washington is, no matter how cynical you get, it is never enough to catch up. Sometimes, I think there is merit to that.

In any event, Mr. Speaker, there is an issue even far more important than trade that is about to hit this country. It could create a constitutional crisis of proportions that some of the Justices on the Supreme Court can't imagine. Mr. Speaker, I blew up the law. This is the law. It is not an ethical requirement.

I mean, having been a prosecutor, a defense—heck, I was even court-appointed to appeal a capital murder conviction. I don't know how many here on the floor have appealed a capital murder conviction. I begged the judge not to appoint me, but he did anyway, and when I got into the thousands of

pages of records, I found out he had not gotten a fair trial.

I fought for him in the highest court in Texas and got the death penalty reversed. Some clients felt like I was a pretty good lawyer. I was told before I went on the bench that I got the only jury verdict against what was then the largest oil company in the world. I don't know if it was or is. That is what I was told.

I know something about practicing law, and I know something about being a judge. I know that, with any case in which the public would suspect that I could not be impartial, I would have to recuse myself. Sometimes, judges will just recuse themselves so they don't have to make a tough call—I never did that—but there are times when you have such a strong opinion about a matter that you have no business sitting on that case.

Now, ethical requirements would insist that a judge conduct his performance as a judge in such a way that it comports with the requirements of the canons of ethics. However, this isn't an ethical violation that would get you a letter from some bar president or from somebody saying: We think you violated the canons of ethics.

This isn't it. This is United States law. This is the law of the land. This is part A. Part B goes into some different possibilities when a judge might have to recuse him or herself, but it is volume 28 of the United States Code, section 455, and section A doesn't have any subparts to it like B does. B is, like I say, other examples where the judge might have to recuse himself, but A is unequivocal.

"Any justice, judge, or magistrate judge of the United States shall"—that is a "shall"—"disqualify himself"—generic, male or female—"in any proceeding in which his impartiality might reasonably be questioned."

This is not some model code of ethics. This is the United States law. No one in the country, including on the United States Supreme Court, is supposed to be above the law. As we have talked about, we have two Justices who have performed same-sex marriages.

In fact, the article by Greg Richter, May 18 of 2015, is quoting from Maureen Dowd in her article in which Maureen Dowd writes regarding Justice Ginsburg: "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."

Now, there is no question that Justice Ginsburg is biased, prejudiced. She has her own opinion about this matter. She has had her opinion about this. That was clear in the first same-sex marriage she performed. For her not to disqualify herself is a violation of the law of the United States; yet we are told that Justice Ginsburg is not going to recuse herself, that she wants to be part of a majority opinion.

What happens when someone who is disqualified for sitting on a case sits on a case anyway in order to use her partial, biased position to bring about a majority opinion? It would certainly seem that that would be an illegal act, not criminal—this isn't criminal law—but it is an illegal act for someone to violate this law.

Then, of course, we also had Justice Kagan as mentioned in the fall of last year, in September of last year, in The Hill, when Peter Sullivan reported: “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 performed same-sex weddings in the past.

“Gay marriage,” the article reads, “has been a divisive topic at the Supreme Court as it has been elsewhere in the country.”

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.”

But they took the case up, and now, we are told they are going to rule by June 30 of this month.

Clearly, Justice Kagan is disqualified. She has had a profound opinion. It reads “in which the impartiality might reasonably be questioned.”

There are different standards of evidence in the law. Some States use different burdens of proof. You can have more likely than not if it is a group, like on a jury, one more than half. If there is a preponderance of the evidence that it is more likely than not, then you find that way.

Probable cause is an issue that has an evidentiary requirement. It has got to be, probably, something is likely or has occurred, a preponderance of the evidence. I mentioned that “beyond a reasonable doubt” is what most criminal courts have before you can find someone guilty. Evidence must be beyond a reasonable doubt. There are some courts that use a standard called “clear and convincing evidence.”

This United States law doesn't use any of those standards. It is a very weak threshold before a judge or a Justice must disqualify himself. He must disqualify himself. I hated the fact that Justice Scalia, some years back, had to disqualify himself, but he had already had an opinion expressed about, I believe it was, the Pledge of Allegiance.

He could not be sure that it wouldn't end up as a 4-4 decision, which meant the ninth circuit decision would stand, which struck down “under God” in the

pledge, as I recall, but he disqualified himself. Justice Scalia followed 28 USC 455.

He disqualified himself because his judgment—his impartiality—might reasonably be questioned. It appeared that he was partial, that he had an opinion in the case, so he disqualified himself. That is acting in accordance with the law.

Mr. Speaker, I keep coming back to this. It is a matter of a constitutional crisis when the Highest Court in the land not merely strikes down and says that their opinion is more important than Moses', depicted up there in the center point of this room, more important than Moses', depicted in the marble wall over the Supreme Court, holding the Ten Commandments.

The Supreme Court says theirs is more important than the opinions established and stated by Jesus Christ when he said—and he was quoting Moses—that a man shall leave his mother and father, a woman leave her home, and the two will come together and be one flesh, and what God has joined together, let no man put asunder.

That is the law of God according to Moses. It is the law of God according to Jesus. It is tough enough if you have a United States Supreme Court which, back in the 1890s, said this is clearly a Christian nation. Despite what any opinions may be, the evidence established. This country was established as a Christian nation.

The great thing is that, if a nation is established on Judeo-Christian beliefs, it allows anybody to live here and to function here and to do so without impediment to one's beliefs because one can be an atheist, an agnostic, a Buddhist, a Muslim.

You can be any of those things, as long as you are not trying to take over the country like some would like to do.

□ 1445

But otherwise, by basing a country on Judeo-Christian beliefs, we have provided more freedom for individuals than any nation in the history of the world. And yet we may have an ultimate crisis here when a Court says our opinion is more important than God, if there is one, more important than Moses, more important than Jesus. Our opinion is not only more important than those people, but it is the law of the land, and it is so important that our opinion count that we are going to violate the law ourselves in order to force our opinion—clearly what it is—our opinion on the United States of America.

I don't want anybody to be prejudiced against anybody else. I was sick to my stomach this morning hearing about the shooting in Charleston, South Carolina. This evil perpetrator killed my brothers and sisters. We are brothers and sisters in Christ. Skin color does not matter one bit. He killed my brothers and sisters.

I hope America joins me in mourning. I know the people on both sides of

this aisle do. At our prayer breakfast this morning, we prayed and will continue to pray for the families of those who were lost. Those Christians, we as Christians believe, as Jesus told the thief beside him: This day you will be in paradise with Me. We believe they are better off than any of us here in the United States or on Earth.

Because of their beliefs, we believe they are in paradise with Jesus himself, with the Lord, but it is the terrible wake they leave behind that is so tragic. State senator, from all accounts a good man, not only a Christian brother, but a really good man, pastor. Three men, six women. So our hearts go out to them. We don't want anybody to be prejudiced against anybody.

But when it comes to the founding block, the foundation of any solid society, it doesn't matter what relationships exist. It doesn't matter who loves or is friends with whom. As a Christian, I think I can love most everybody. There are a few it is kind of tough, but most everybody. I have got some Democrats over here. I love them. They are just wonderful people. They are wrong on issues, but I love them. They are great folks. There is no animus.

But when it comes to the foundation of this Nation, the home, a mother and a father, regardless of what other relationships may exist between siblings, between anybody else, what matters is you don't destroy the central building block.

I was intrigued when the Iowa Supreme Court back in 2009 didn't use these words, but basically said there is no evidence in nature to indicate a preference of a marriage being between a man and a woman. It was clear the people of Iowa spoke—I love those folks. They were awesome. They came out, and for the first time since the up-or-down retention vote started, I understand, in 1960 or 1962 or so, they threw out the judges that were up for reelection because the vast majority in Iowa knew that is ridiculous.

Nature makes very clear that you start a family, whether you keep both a mother and father, things happen. There are so many of our greatest Americans have arisen from orphanages or from single-parent homes, but still it doesn't get away from the optimum being nature says you are best off if you have a mother and father. They can produce children. Yes, you can adopt children, sure, but that is where nature comes in and says, yeah, but the optimum is a mother and a father in a home.

I know there are some who are involved in same-sex marriage. They are not able to love as I do. They hate anybody that disagrees with them. There are some that can love me, though we disagree. I hope that the continued hatred that has been growing among some in the same-sex community can be tamped down, but this is an issue that is foundational to any society that is going to maintain strength,

going to maintain viability for a long time into the future rather than show we just crossed another milestone on our way to the dustbin of history. This is something that is important to our society, to our foundation. Let's love everybody. Let's use law enforcement to stop those like the evil perpetrator in Charleston, like the leftwinger I think it was in North Carolina that killed the Muslims. There is no call for that. The man needs to go to prison. In Texas, we would say it is a multiple murder. I would say you need to get the death penalty for killing more than one Muslim. There is no place for that.

But again, when it comes to the optimum home, a loving mother and father can procreate, adopt, but regardless of who agrees or disagrees, this is going to be a civilization changer, and it is not going to be for the better. We are going to continue our divisiveness and destructiveness when the highest Court in the land has Justices that say: My opinion is so much more important than the Bible, Moses, Jesus. My opinion is so much more valuable that I am going to violate the law; I am going to break the law so I can sit on this opinion, so the country can have my forced opinion on it.

I know there are Christian leaders, some are ready to capitulate, but there are some that won't. But we are now to the point, STEVE KING and I and some others, addressed back when the hate crime bill was being discussed, that we are going to lead to the point where you ultimately persecute, eventually prosecute people because of their beliefs about sexuality. People then were wrong because they couldn't see the future, but this is where we have come.

Now, if you hold the same beliefs that David Axelrod says the President didn't, but he said it in order to get elected, that a marriage is a man and a woman, you hold that belief that most Americans have held and still hold, that the Founders all held regardless of their sexuality, they believed a family, marriage at least, was a man and a woman, that that was foundational.

So I am not sure what is going to happen in this country. I don't have that kind of crystal ball. But I know if we have two or three Justices who are clearly disqualified, who have clearly indicated—not only raised questions as to whether they could be reasonably questioned as to their impartiality, they made clear they are very, very partial. I don't know what happens, but it isn't going to be good at all.

Justice Sotomayor has made statements that indicate she has an opinion before this case was decided. So, Mr. Speaker, I hope scholars will look carefully at this and they will understand, if Supreme Court Justices violate the law in order to change the law dramatically, as they want to do, is that a valid law? I don't believe it is. If they break the law in order to make the law, it is a void law. They need to recuse themselves and let an impartial group on the Court make the decision. It should be left to the States anyway.

It is probably sufficient grounds for impeachment for a Supreme Court Justice to violate the law so that they can force their will upon the American people to push through their legislative agenda even though they are not legislators. Probably impeachment would be in order. If they break the law in order to change dramatically the law, they shouldn't be on the Supreme Court.

It is my hope and prayer they will do the legal thing, recuse themselves before the Court makes its final decision with regard to marriage. If they don't, they will go down in legitimate American history books as being exceedingly destructive, and history will note that they violated the law in order to change the law so that it would be the way they wanted, not with a constitutional amendment, not through a legislative process, not by a constitutional convention that article V provides for. They just had the feeling that they wanted to tinker with over 200 years of law and foundational societal structure and force America to abide by their legislative agenda. Again, I just can't get over that.

If they don't disqualify themselves, they will violate the law to try to change the law with the agenda they have made clear that they have. So, Mr. Speaker, I hope Americans will join me in not only hoping, but praying that their hearts will be touched, that they will decide not to act illegally, that they will be moved toward acting lawfully, disqualify themselves, and let us get a proper opinion from the Supreme Court.

I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RODNEY DAVIS of Illinois (at the request of Mr. McCARTHY) for today on account of family medical reasons.

Mr. JOLLY (at the request of Mr. McCARTHY) for today on account of a family emergency.

Mr. CLYBURN (at the request of Ms. PELOSI) for today on account of official business in district.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 2 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, June 19, 2015, at noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

1863. A letter from the Secretary, Office of the Executive Director, Commodity Futures Trading Commission, transmitting the Com-

mission's final rule — Proceedings before the Commodity Futures Trading Commission; Rules Relating to Suspension or Disbarment from Appearance and Practice (RIN: 3038-AE21) received June 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1864. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule — Grapes Grown in a Designated Area of Southeastern California; Increased Assessment Rate [Doc. No.: AMS-FV-14-0106; FV15-925-2 FR] received June 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1865. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing ten officers on the enclosed list to wear the insignia of the grade of rear admiral or rear admiral (lower half), as indicated, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

1866. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Bruce E. Grooms, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1867. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's direct final rule — Removal of Obsolete Provisions received June 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1868. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1869. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1870. A letter from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting two reports pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1871. A letter from the Attorney-Advisor, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1872. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Designation of National Security Positions in the Competitive Service, and Related Matters (RIN: 3206-AM73) received June 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

#### 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. McCARTHY: Committee on Homeland Security. H.R. 2390. A bill to require a review of university-based centers for homeland security, and for other purposes (Rept. 114-168, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.