

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1694, FANNIE AND FREDDIE OPEN RECORDS ACT OF 2017; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. WOODALL (during the Special Order of Mr. CLAY), from the Committee on Rules, submitted a privileged report (Rept. No. 115-96) on the resolution (H. Res. 280) providing for consideration of the bill (H.R. 1694) to require additional entities to be subject to the requirements of section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes; providing for consideration of motions to suspend the rules; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

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ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, President Trump recently signed an executive order that made abundant sense for those who are in the world of common sense where good sense is common, which at least is not the case in the Federal courthouse in San Francisco.

Our friend, Andrew McCarthy, has written an op-ed for National Review regarding the decision of the oligarch masquerading in the Federal courthouse in San Francisco. Judge William H. Orrick III is amazing. In fact, his arrogance is only exceeded by his ignorance.

It is an excellent article. Normally I wouldn't read an entire article, it is not that long, but this is so well written by the prosecutor of The Blind Sheikh that it bears hearing the words from Andrew McCarthy.

He said: "A showboating Federal judge in San Francisco has issued an injunction against President Trump's executive order cutting off Federal funds from so-called sanctuary cities. The ruling distorts the E.O. beyond recognition, accusing the President of usurping legislative authority despite the order's express adherence to 'existing law.' Moreover, undeterred by the inconvenience that the order has not been enforced, the activist court—better to say, the fantasist court—dreams up harms that might befall San Francisco and Santa Clara, the sanctuary

jurisdictions behind the suit, if it were enforced. The court thus flouts the standing doctrine, which limits judicial authority to actual controversies involving concrete, nonspeculative harms.

"Although he vents for 49 pages, Judge William H. Orrick III gives away the game early, on page 4. There, the Obama appointee explains that his ruling is about . . . nothing.

"That is, Orrick acknowledges that he is adopting the construction of the E.O. urged by the Trump Justice Department, which maintains that the order does nothing more than call for the enforcement of already existing law. Although that construction is completely consistent with the E.O. as written, Judge Orrick implausibly describes it as 'implausible.'"

I would interject at this point, Mr. Speaker, that upon hearing President Trump's executive order requiring sanctuary cities such as San Francisco, where their heart is so calloused on the side figuratively facing people like Kate Steinle, innocent people who are just trying to live freely their own lives, and is greatly softened on the side of those criminals who have come into the United States illegally who would tend to shoot lovely, law-abiding daughters like Kate.

So it seemed eminently reasonable what I had read was in the order. I didn't read the whole order originally, but it made eminent sense, of course, the President of the United States saying that he is authorized by the Constitution in carrying out enforcement and by Congress in carrying out enforcement, saying we are not sending Federal money to sanctuary cities—to any cities—that are refusing to use the money for the purpose for which it is intended. That makes eminent sense, because if you are not going to follow Federal law, if it is made clear to the whole world that you would rather see people like Kate Steinle shot and killed dead so that you can have criminals committing the worst kinds of violence on law-abiding citizens. That makes sense to these people who are ruling in San Francisco. One ruler is Judge Orrick who we reference here.

There was a time in America when people in power thought it was a good idea for everyone to follow the law. But we have devolved in some areas of the country where we are no longer a nation of laws, where at least at one time there was a goal of pursuing absolute fairness where everyone could live under the same laws following the same laws. There was that time.

Yet we have people who are educated far beyond their mental ability to absorb education since it has used up all the gigabytes that might have otherwise been used for wisdom for cluttered knowledge that has prevented this judge and others from being able to use common sense to follow the law to protect people who are counting on the courts and law enforcement officers to follow and enforce the law themselves.

There was that time when Manifest Destiny was being pursued, people were moving West. The areas West were not actual States within the United States. There was a lawlessness. People were yearning in those territories to be States so that they could count on the Federal Government to provide fairness—ultimate fairness—and provide a life that would be lived under the United States Constitution. They felt, in those days, if we could just get the Federal Government to have a Federal marshal here and a Federal Court here, wow, life would be so much better. Now we have seen it has lived beyond the usefulness it once had and has become quite a burden to overcome in reaching fairness and constitutionality.

So, Mr. Speaker, before I continue with Andy McCarthy's piece, I want to point out we are in preparation of a bill that would eliminate any Federal district court or circuit court from having jurisdiction over matters regarding immigration. Certainly, we had that power. In fact, we have the power to eliminate the Ninth Circuit Court of Appeals altogether. We have a bill that would, in fact, limit the Ninth Circuit Court of Appeals to California, and all of the other States that comprise the Ninth Circuit would be part of a new 12th Circuit. In that new 12th Circuit, whoever the current President is when the law is passed would appoint the entire banc of judges for the 12th Circuit Court of Appeals.

Following the Reid rule in the Senate, if we were to get that passed through the House and Senate, I feel sure President Trump would sign it into law, and then President Trump would have an entire circuit where he appoints the judges, where people would know they would have judges of the quality of Judge Gorsuch—at least the quality he is supposed to represent—and people would know they weren't going to get oligarchs as judges, they were going to get people who at least maintain some semblance of trying to follow the Constitution and trying to live up to the oath that they took to defend the Constitution—just support the Constitution for goodness' sake.

McCarthy goes on. He says: "Since Orrick ultimately agrees with the Trump Justice Department, and since no enforcement action has been taken based on the E.O., why not just dismiss the case? Why the judicial theatrics?"

"There appear to be two reasons.

"The first is Orrick's patent desire to embarrass the White House, which rolled out the E.O. with great fanfare. The court wants it understood that Trump is a pretender: For all the hullabaloo, the E.O. effectively did nothing. Indeed, Orrick rationalizes his repeated misreadings of what the order actually says by feigning disbelief that what it says could possibly be what it means. Were that the case, he suggests, there would have been no reason to issue the order in the first place.

"Thus, taking a page from the activist leftwing judges who invalidated

Trump's 'travel ban' orders, Orrick harps on stump speeches by Trump and other administration officials. One wonders how well Barack 'If you like your plan, you can keep your plan' Obama would have fared under the judiciary's new Trump doctrine: The extravagant political rhetoric by which the incumbent President customarily sells his policies relieves a court of the obligation to grapple with the inevitably more modest legal text of the directives that follow.

"Of course, the peer branches of government are supposed to presume each other's good faith in the absence of a patent violation of the law. But let's put aside the unseemliness of Orrick's barely concealed contempt for a moment, because he is also wrong. The proper purpose of an executive order is to direct the operations of the executive branch within the proper bounds of the law. There is, therefore, nothing untoward about an E.O. that directs the President's subordinates to take enforcement action within the confines of congressional statutes. In fact, it is welcome.

"It is the President's burden to set Federal law enforcement priorities. After years of Obama's lax enforcement of immigration law and apathy regarding sanctuary jurisdictions, an E.O. openly manifesting an intent to execute the laws vigorously can have a salutary effect. And indeed, indications are that the cumulative effect of Trump's more zealous approach to enforcement, of which the sanctuary-city E.O. is just one component, has been a significant reduction in the number of aliens seeking to enter the U.S. illegally."

□ 1715

"In any event, 8 years of Obama's phone and pen have made it easy to forget that the President is not supposed to make the law, and thus that we should celebrate, not condemn, an E.O. that does not break new legal ground. Orrick, by contrast, proceeds from the flawed premise that if a President is issuing an E.O., it simply must be his purpose to usurp congressional authority. Then he censures Trump for a purported usurpation that is nothing more than a figment of his own very active imagination."

He is talking about the judge here. What an imagination.

"Orrick's second reason for issuing his Ruling About Nothing is to rationalize what is essentially an advisory opinion. It holds—I know you'll be shocked to hear this—that if Trump ever did try to cut off funds from sanctuary cities, it would be an epic violation of the Constitution. Given that courts are supposed to refrain from issuing advisory opinions, the Constitution is actually more aggrieved by Orrick than by Trump.

"In a nutshell, the court claims that the E.O. is Presidential legislation, an unconstitutional violation of the separation of powers. Orrick insists that

the E.O. directs the Attorney General and the Secretary of Homeland Security to cut off any Federal funds that would otherwise go to States and municipalities if they 'willfully refuse to comply' with Federal law that calls for State and local cooperation in enforcing immigration law.

"According to Judge Orrick, Trump's E.O. is heedless of whether Congress has approved any terminations of State funding from Federal programs it has enacted. In one of the opinion's most disingenuous passages, Orrick asserts that the E.O. 'directs the Attorney General and the Homeland Security Secretary to ensure that "sanctuary jurisdictions" are "not eligible to receive" Federal grants.'

"But this is just not true."

In other words, Judge Orrick lied in his opinion.

"Orrick has omitted key context from the relevant passage, which actually states that 'the Attorney General and the Secretary, in their discretion and to the extent consistent with law, shall ensure that jurisdictions that willfully refuse to comply with 8 U.S.C. 1373 are not eligible to receive Federal grants.'

"In plain English, the President has expressly restricted his subordinates to the limits that Congress has enacted. Under Trump's order, there can be no suspension or denial of funding from a Federal program unless congressional statutes authorize it. The President is not engaged in an Obama-esque rewrite of Federal law; he explicitly ordered his subordinates to follow Federal law.

"It is not enough to say Orrick mulishly ignores the clear text of the executive order. Again and again, Justice Department lawyers emphasized to the court that Trump's order explicitly reaffirmed existing law. Orrick refused to listen because, well, what fun would that be? If the President is simply directing that the law be followed, there is no basis for a progressive judge"—like Orrick—"to accuse him of violating the law. Were he to concede that, how would Orrick then win this month's Social Justice Warrior in a Robe Award for Telling Donald Trump What for?

"Orrick can't confine himself to merely inventing a violation, either, because there is no basis for a lawsuit unless a violation results in real damages. So, the judge also has to fabricate some harm. This takes some doing since, in addition to merely directing that the law be enforced, the Trump administration has not actually taken any action against any sanctuary jurisdiction to this point.

"No problem: Orrick theorizes that because San Francisco and Santa Clara receive lots of government funding, Trump's order afflicts them with 'pre-enforcement' anxiety. They quake in fear that their safety-net and service budgets will be slashed."

Mr. Speaker, I would inject that it appears that Judge Orrick and leaders in San Francisco must be deeply in

need of a safe space where they can go sit in the dark, suck their thumbs, hold their blankets, and feel comforted somehow because of the illusions that they have generated of all these bugaboos that are threatening in their wild imaginations.

Mr. McCarthy goes on:

"Sanctuary cities? Maybe we should call them snowflake cities.

"As noted above, there is a transparent agenda behind Orrick's sleight of hand. The judge is keen to warn the President that, if ever his administration were to deny funds to sanctuary cities, it would violate the Constitution. It is in connection with this advisory opinion that the judge makes the only point worthy of consideration—albeit not in the case before him.

"Here, it is useful to recall the Supreme Court's first ObamaCare ruling. While conservatives inveighed against Chief Justice Roberts' upholding of the individual mandate, the decision had a silver lining: The majority invalidated ObamaCare's Medicaid mandate, which required the States, as a condition of qualifying for Federal Medicaid funding, to enforce the Federal Government's generous new Medicaid qualifications.

"In our system, the States are sovereign—the Federal Government may not dictate to them in areas of traditional State regulation, nor may it conscript them to enforce Federal law. The Supremes, therefore, explained that State agreements to accept Federal funding in return for adopting Federal standards, e.g., to accept highway funding in exchange for adopting the Federally prescribed 55-mile-per-hour speed limit, are like contracts. The State must agree to the Federal Government's terms. Once such an agreement is reached, the Feds may not unilaterally make material changes in the terms, nor may they use their superior bargaining position to extort a State into acceding to onerous new terms in order to get the Federal money on which it has come to depend. Whether a particular case involves such an extortion, as opposed to a permissible nudge, depends on the facts. If the Feds are too heavy-handed, they run the risk of violating the 10th Amendment's Federalist division of powers.

"Who knew Federal judges in ur-statist San Francisco had become such Federalists?

"Orrick contends that if Trump were to cut off funds from sanctuary cities for failure to assist Federal immigration-enforcing officials, it would offend the 10th Amendment. This is highly unlikely. First, let's remember—though Orrick studiously forgets—that Trump's order endorses only such stripping of funds as Congress has already approved. Thus, sanctuary jurisdictions would be ill-suited to claim that they'd been sandbagged. Second, the money likely to be at issue would surely be nothing close to Medicaid funding. Finally, Trump would not be

unilaterally rewriting an existing Federal-State contract; he'd be calling for the States to follow Federal laws that, A, were on the books when the States started taking Federal money and, B, pertain to immigration, a legal realm in which the courts have held the Federal Government is supreme and the States subordinate.

"Still, all that said, whether any Trump-administration effort to cut off funding would run afoul of the 10th Amendment would depend on such considerations as how much funding was actually cut; whether Congress had authorized the cut in designing the funding program; whether the funding was tightly related or unrelated to immigration enforcement; and how big a burden it would be for States to comply with Federal demands. Those matters will be impossible to evaluate unless and until the administration actually directs a slashing of funds to a sanctuary jurisdiction.

"If that happens, there will almost certainly be no legal infirmity as long as Trump's E.O. means what it says—namely, that any funding cuts must be consistent with existing Federal law. But it hasn't happened."

And for our poor, miseducated Judge Orrick sitting on the bench with his head crammed full of mush, but none of it entangled with the U.S. Constitution, he fails to understand that Federal courts are not allowed to issue advisory opinions. There is no standing. There is no jurisdiction of the court. But don't let the Constitution nor Federal law get in the way of Judge Orrick's ego.

McCarthy points out:

"If that happens . . . any funding cuts must be consistent with Federal law. But it hasn't happened. And as long as it hasn't happened, there is no basis for a court to involve itself, much less issue an anticipatory ruling.

"Such niceties only matter if you are practicing law, though. Judge Orrick is practicing politics."

Mr. Speaker, this is exactly the kind of judge that really should be removed from office. He is allowed to sit as long as he exhibits good conduct, but this is not the conduct that is good, when he takes an oath to be judicious, follow the law, and defend the Constitution. It is certainly unbecoming to a judge.

Yes, here in Congress we debate and go back and forth. Before the courts, lawyers go back and forth. But the judge is supposed to be judicious and follow the law.

It is time for us to take away all authority of any Federal district court, any Federal magistrate, any Federal judge of any kind other than the Supreme Court when it comes to issues such as this.

We have created immigration courts, but when it comes to appeals and to lawsuits filed regarding immigration and naturalization, I think, Mr. Speaker, we should restrict that to the one and only Federal court that, as Professor Gwen used to say in constitu-

tional law at Baylor, only one court in the United States Federal system that owes its existence to the Constitution.

□ 1730

All other Federal courts of any kind owe their existence and their jurisdiction to the United States Congress. So the Congress giveth when it comes to courts, and the Congress can taketh away. It is time to start removing authority from some of these courts that Congress has created that have now created more problems than they have solved.

An article here by Stephen Dinan and Andrea Noble in The Washington Times basically says what so many of the news media did that a Federal judge, Judge Orrick, says Trump is wrong to tie Federal funding to sanctuary status and blocks the executive order. But really it turns out, when you get the actual order and you find out what really happened, there was no such order because there was no violation. There was no harm. The plaintiffs had no standing. The court had no jurisdiction. This is a zero in the effect in this country other than the politics that this Federal judge was playing.

Unfortunately, when a Federal judge acquires a lifetime appointment and he starts running for an office he already holds when there is no opponent, he is acting outside the realm of the Constitution, and we really should have debates over what good conduct means. It doesn't matter whether or not a judge voted Republican, Socialist, Libertarian, it doesn't matter. If he or she is not acting within the confines of their oath, they need to be removed from the bench.

I do hope, Mr. Speaker, we will take up—I know my friend DARRELL ISSA and others have filed bills about the Ninth Circuit Court that has more cases filed in it because lawyers know it is more likely to gut the U.S. Constitution and ignore the Constitution, so anybody who has a claim that is not particularly meritorious under the Constitution, as written, wants to be in the Ninth Circuit because there they have got a shot that the oligarchs out there will do what a judge basically is quoted as saying before, that, gee, we know we don't follow the Constitution or we don't care about precedent, don't care what the Supreme Court says, but that is why we come out with so many decisions. We know the Supreme Court can't reverse them all.

That is a court that really ought to be disbanded. When you have a court that is ignoring their oath, ignoring the Constitution, it is just really time to get rid of it.

We have a report, too, Mr. Speaker, after the great work of the two main leaders—and I do mean that in every good sense of the term "leaders"—MARK MEADOWS and JIM JORDAN, especially MARK MEADOWS, working in the last couple weeks, working to try to have a solution even though, apparently, according to one of my col-

leagues who is not a part of the Freedom Caucus, he was hoping that we would stay here until we got an agreement on a healthcare bill but was told, no, we want the Freedom Caucus to go home and let their constituents yell at them, and then they will be ready to sign or vote for whatever we put in front of them.

Actually, most of us, it sounds like from our discussions, have been reaffirmed and encouraged by our constituents. In my case, it certainly felt like, as I traveled throughout east Texas, apparently not being at the places where the Democrats who call themselves Indivisible were appearing, but going to veterans' groups, chambers of commerce, banquets, meeting with many constituents, but hearing about three-fourths of the time, which was my percentage, basically, with which I won the last general election, people are saying: Hang in there. Don't give up.

So with the encouragement of constituents that most of us in the Freedom Caucus have had, we came back still willing to negotiate, still trying to work. MARK MEADOWS has done some good work.

I still have trouble understanding why we didn't just go ahead and bring to the floor, bring out of committee—it has been through committee before—the bill 2 years ago. I mean, it had hearings, passed out of the House and Senate. It repealed most of ObamaCare, not all of it, but more than the current bill being taken up in this Congress. Why not just bring that to the floor? Then we pass that, and we could take other steps. One that is absolutely critical—and I do applaud Speaker RYAN for bringing it to the floor. It was a very critical step in getting competition in health insurance, not to be confused with health care.

For too long, going back to 1993 when Hillary Rodham Clinton was talking about everybody deserves health care, she was using "health care" and "health insurance" as if they were synonymous. Those terms are not synonymous. People can get health care without health insurance. I know because, after ObamaCare was passed, Congress was mandated to have ObamaCare, and then President Obama, Harry Reid, and John Boehner, as Speaker—come to think of it, all three people who are no longer in positions of power—came together, and they agreed to act as if the Affordable Care Act, ObamaCare, did not say that Members of Congress could no longer receive the subsidy that every Federal employee in America gets to help pay for healthcare insurance. So they just ignored the law, made very clear. Even though every other Federal employee gets that assistance—and with my wife and me paying off kids' student loans, because if I had never run for elected office, they had money set aside, that we had set aside, would have paid for every year of their college. We didn't think that they should have to have big student loan debt because their father felt

the calling to be a public servant. So we are paying off student loans, and this will be the first year that I will be able to file a financial disclosure that doesn't have student loan debt listed because when it falls below \$10,000, you don't have to list it. So we have made progress.

But because of that, we were not in a position to pay the massive amount that the insurance was going to cost, so I went without insurance up here in Congress. I know what it is to have health care and not have health insurance. I still don't have government-funded or healthcare insurance here. I have insurance now, but it is not through the Federal Government. So I understand the difference between insurance and health care.

I look forward to the day when we keep blurring that line because, when the line is totally blurred, then Americans are more easily duped into allowing the Federal Government to turn the best health care in the world's history into VA-styled problems of treating people. Most of us don't want that. Most Americans don't want that. They didn't want it in 2010. They don't want it now.

But the bill Speaker RYAN brought to the floor had over 400 votes, and it is an important bill. We are going to bring down the costs, have real competition in health care and in health insurance; and what that bill did was eliminate the exemption from antitrust laws that health insurance companies have had since the McCarran-Ferguson bill passed in 1945. Although people have talked more about buying insurance across State lines, the fact is, if we don't end the exemption from antitrust laws of health insurance companies and we do allow people to buy their insurance across State lines, then instead of having 30 to 50 monopolies as we may have now in the health insurance business, we will end up with one monopoly in the whole country; because, if you don't have to follow antitrust laws, if you don't have to avoid taking actions to create monopolies and to force others out of business using antitrust tactics, then you can become the monopoly, and you will become the monopoly.

If it is legal for an insurance company that is the biggest insurance company in a town, State, or country to go to a hospital or go to a healthcare network and say, you know, we have got most all of the health insurance business in the country and we want to put you in our network, but you are going to have to agree to let us pay you a fraction of what you normally would get, and if you ever allow any of these new entrepreneurial health insurance companies to have you in their network, then we will cut you out of our network.

Well, hospitals, networks in their right minds would say, we can't turn these people down, we will go out of business because they are the big company. If we are not in their network,

then we will go out of business. But, unfortunately, that would also mean all these other brilliant entrepreneurial-type insurance ideas, whether it is Medi-Share, Christians coming together and sharing expenses, whatever it is, the big monopoly health insurance company can run them out of business, and that needs to be prevented.

I applaud the Republican leadership for bringing that bill to the floor. I applaud the leadership, people like PAUL GOSAR, Dr. GOSAR, and AUSTIN SCOTT. They have done a good job, and I would like to think I have been pretty vocal on that issue as well. We had a vote on that, and over 400 people voted to end the exemption from antitrust laws of health insurance companies.

I know good and well, if the Senate brings that same bill to the Senate floor, it will also have a huge—I don't know if it would be unanimous, but it would certainly be a huge victory. It would certainly be bipartisan to pass it. I think that is the kind of thing Americans are wanting to see.

But as I talk to people around east Texas, most people have never heard of that because the newspapers around east Texas are more interested usually in talking about this Democratic group that calls itself Indivisible, as if everybody doesn't know that they are basically Democrats.

□ 1745

I think a meeting that called itself a townhall over in Longview got all kinds of good press. It was sponsored, as I understand it, by Democratic Women of Gregg County and Stonewall, a Democratic group. It wasn't a local group, the Stonewall group. Anyway, I would be busy around the rest of the district at Chamber banquets, meetings, and things like that.

But it has been refreshing to talk to real Americans, people that are just trying to make a living, people that are just trying to pay their bills. I know some people talk in bold terms about how we are on vacation. But it is fantastic when Members of Congress go home and hear from their constituents. And I do. I hear those, Mr. Speaker, that are part of the 26 percent that want to keep ObamaCare. But I sure have my heart set on keeping our promises.

In my district, the 74 percent said: "We need ObamaCare repealed. We need the Federal Government to get out of our private lives. We need better jobs. We need the economy going much stronger."

I am excited about President Trump's proposal that he rolled out today. Having talked to my friend KEVIN BRADY, a good friend from Texas, the plan they are rolling out, I have come to have very grave concerns about the border adjustment tax.

But if we do as President Trump proposed, bring our corporate tax down to 15 percent, as the President proposed today, manufacturing jobs will come rushing back to America. They will.

I know there are the pseudointellectual elites that like to tell themselves that we have evolved somehow into this service society where we don't denigrate ourselves to the point that a lot of us have been throughout our lives, and so no problem, and that is doing hard labor, producing products, and manufacturing. It is a good thing.

America needs manufacturing jobs back. It is a good thing to have a job. I know there are those that are quite cynical, those who are atheist, agnostic, and other religions. But for those who believe the teaching in the Bible, when God created the world and there was a Garden of Eden, everything was perfect. And even in a perfect Garden of Eden, God felt like it was good for people to have a job. So he gave Adam and Eve a job. He said: Your job is tending the garden. And in some form or other, Mr. Speaker, that is the job we have—tending the magnificent garden.

We can use the resources, we can continue to make the world better—cleaner air and cleaner water. Nobody wants dirty water and dirty air. And it is continuing to be clean in Texas, whether there were a Federal EPA or not. Our agencies in Texas are doing a good job.

Our Federal Government needs to allow the brilliance, the creativeness, and the entrepreneurial spirit of Americans to bloom. If we drop the largest tariff that any nation in the industrialized world places on its own products, if we get rid of that, or at least drop that down to 15 percent, manufacturing jobs will return to America and our economy will explode for the better.

Some of these young people that have come out of school—high school, college, graduate studies—so many have no idea what it is to have counter offers for their employment. They don't know. They had to move home and live at home for awhile. But it is exciting when you are wanted by more than one employer, and money is offered, and it is good money. It makes you feel good about yourself. Mr. Speaker, I am ready, like most Americans, to see that happening in America again so our young people can have that feeling of self-worth because there are so many jobs.

One of the first steps was to repeal ObamaCare and allow health care that would be affordable—insurance that would be affordable. Well, the bill we are taking up is not going to do that. But I have advised the House leadership, Republican leadership, and the President and Vice President that I will vote for the bill in its current form. It is not what I wanted.

It is not a full repeal, but it does enough now that it will bring down premiums. And it won't be 10 years under the law the way it is written right now.

It protects those who have pre-existing conditions.

It allows people 26 years of age and younger—I wouldn't mind it being 50,

but it is 26—be on their parents' insurance as dependents. That is not being touched. That is there.

But some of the mandates are being repealed the way it sits now. I am not thrilled with it. But I have talked to enough people that have just got to have help on the premiums. The bill, the way it was, was not going to help them. We have got the bill to a point where it will help much more quickly with premium assistance.

I am looking forward to getting that behind us, moving on to dropping the corporate tax rate to 15 percent so we can return manufacturing jobs in droves, and seeing this economy explode.

There is reason to be optimistic. Not everybody is as mindless as Judge Orrick, so there is reason for optimism.

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

#### ISSUES OF THE DAY

The SPEAKER pro tempore (Mr. JOHNSON of Louisiana). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from California (Mr. ROHRABACHER) for 30 minutes.

Mr. ROHRABACHER. Mr. Speaker, let me just note that today I am paying close attention to the healthcare issue. I don't want anybody to think when they look at me giving this speech on the floor of the House that this is evidence that there is arm-twisting going on here in the Capitol about trying to get people's vote on the healthcare issue. No, it is just humorous.

This is a shoulder replacement. I had this one replaced, actually, 4 or 5 months ago, and it is doing fine now. This one was a week ago. The cause of this, of course, has been excessive surfing. When I was older, I should have understood that you cannot surf as much as you can when you are younger without eliminating the cartilage that is there, then the cartilage is gone, and the bones grind on each other.

Well, that is just one example, however, of a healthcare issue that is going to be with us much more frequently now as the population of this country is growing older. The older people get, there will be other infirmities that really were not suffered on such a scale when we died off at a younger age.

So what we need to do is to make sure that we set down policies and a system that will provide the American people with the greatest and the most effective care that is possible within the budget that we have to deal with.

Today I thought I would talk about that, of course—health care. But there are a few other issues I would like to discuss.

Tax reform, of course, is something that is being focused on today as well—tax reform for fiscal year '17. And, of course, fiscal year '18, the appropriations bill. Border security, of course, has to be on this list.

These are issues that we are every day talking about here on Capitol Hill. The work is intense, people are serious, and there is a job for us to do. President Trump is in the White House, and he is working hard as well.

This is not the time for the other side to be politicizing every issue that comes up, but, instead, to admit that Republicans now have legitimately won the election for President and legitimately won a majority in both Houses of Congress.

Thus, we should put in place policies that are, yes, fair, honest, and effective. But, also, we have to realize that it is fair, honest, and effective based on what those people who are elected by the people to make the decision believe is fair and effective.

Unfortunately, what we have now, and we see this across the country, are people who—and I don't even know if they understand the system at all, but they are arrogantly trying to be engaged with disrupting the system because they did not win. That cannot be tolerated for long. I would hope that people have a change of heart and work with us. We are willing to work with Members of the other party, the Democratic Party, to make sure we come up with both health care and tax reform that the American people will accept and applaud.

First, let's take a look at health care. Tonight I would like to discuss with whoever is listening and whoever is reading the CONGRESSIONAL RECORD an idea that I am proposing for the healthcare industry. And for the bill that is being put together, as we speak, where people are negotiating and compromising out, I have thrown this idea into the mix. And that is that we are—and we have to recognize—making progress toward replacement of ObamaCare.

I am asking my colleagues to give serious consideration to this simple amendment that I believe will revolutionize health care in America by protecting the formation and operation of healthcare cooperatives.

Now, let's get back to that. I am trying to suggest that a small change could actually bring about a revolution in the way health care is delivered to the American people today.

Let's first admit that our healthcare system today seems to be run by the insurance companies. Yes, insurance companies have almost more influence than doctors do on the policies that we have on health insurance. That is not something that we need to put up with much longer if there is an alternative.

What that should mean to Americans is that we need to open up the system of health care. We need to make sure that health care is being looked at as a target for a multiapproach that will come to grips with those challenges, both financial and technical, et cetera, and that we need to open it up, rather than just having such a major influence by those people who are the money changers—the insurance companies.

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My amendment which I am proposing would go a long way towards opening up a whole new avenue. Now, when I say free enterprise—and I believe in free enterprise. When I say free enterprise, I don't just mean—and this is where, unfortunately, a lot of people have made a mistake in thinking that free enterprise approaches are simply the approaches that are based on greed and are based on profit motive. And instead of other things and motivations that are available, they believe that that is what free enterprise means, whether it is health care or whatever.

Well, I would submit that free enterprise means a lot more than just depending on the profit motive and competition and greed but instead, also, includes, and should include—but we have excluded this avenue—cooperation; cooperation among free people for their own benefit and the benefit of their families. We need it not only just in health care, but that is what we are discussing today, to make sure that Americans can cooperate together for their own benefits and the benefits of their family.

Now, how do I get this? How do I get this consciousness? My mom and dad were both born on very small farms in North Dakota. In North Dakota where we have homesteaders and others who are relatively poor, in North Dakota, the farmers may have been given the land—by a Republican President, I might add. Abraham Lincoln is the one who initiated the Homestead Act.

But they didn't have the money for the equipment, maybe even the money to buy seed. And what they did is, they formed farmers' collectives. What they called them, farmers' cooperatives. In Russia, they might have called them collectives, but they had the iron hand of evil in Russia, the iron hand of despotism, and a political control. But the cooperation in the United States was based on people gathering together, voluntarily working together to create a better situation. And you had cooperatives that would buy—farm cooperatives that would buy the machinery that was necessary for a small farm to succeed.

Well, that worked. I noticed that when I would go up to work on the farm when I was younger, and I noticed these farm cooperatives around. And that is totally consistent with free enterprise, the cooperation among people to share with each other the burden of buying that type of equipment.

Well, the amendment that I am proposing, in terms of our health care, falls right into that category. The amendment I am proposing stipulates that no provision in current law, or the underlying act, which we are amending, may restrict cooperative arrangements between individuals or organizations to jointly cover healthcare related expenses. The provision would further stipulate that such cooperative arrangements shall not be subject to any of the requirements, bureaucratic