

later, discovered, unfortunately, this was not an isolated activity. Sharing intimate photos without a consent is a problem that now we are seeing in the other branches of the military.

Such degrading behavior from troops in uniform is disgusting. As a veteran and a former commander myself, it is infuriating. In some ways it is not surprising, but it is intolerable, and we rise on both sides of the aisle today to say that we are standing together to help on our part, in our appropriate role to stop this.

Our servicemembers enlist to serve this country and protect it from our enemies. They should not have to watch their backs among individuals who are to be their teammates. Sharing explicit photos of fellow servicemembers undermines women and destroys trust and morale. It decreases effectiveness of our Armed Forces, and it embarrasses America. United States troops must be warriors. What it means to be a warrior is to embody courage, commitment, honor, trust, and respect. In all the services we have our core values. They are on and off duty. That is what it means to stand up. We stand in the gap for others. We are not the perpetrators. We are supposed to be the protecters. We are supposed to be the ones who are embodying and leading in those values that we hold dear.

The unearthing of this widespread problem has highlighted the difficulty in prosecuting Active Duty military members, though, who do this, who share private, intimate photos of their teammates without consent. This action is harmful, and it destroys the bonds of trust in the unit that are so critical for our warfighting capabilities.

So to look at the UCMJ, the Uniform Code of Military Justice, again, I am pretty familiar with this having been a commander and a retired colonel. We have a couple of articles, article 133 and article 134. Article 133 is conduct unbecoming of an officer. Article 134 is what we call anything that is prejudicial to good order and discipline. This is one I would say as a commander we often use as the catchall article. When we could not prosecute someone under another article, we go to article 134 because we knew their behavior was degrading good order and discipline.

Civilian law faces challenges in prosecuting this crime. Thirty-five States and the District of Columbia have statutes against sharing private, intimate digital media without consent, but the State laws vary in their proof, the elements, and the punishment.

The Marines recently created a regulation where they can charge these Neanderthals who commit these violations, but creating regulation isn't the same thing as strengthening the law. That is why I introduced the PRIVATE Act. Again, this is a bipartisan bill. My bill provides clear, unambiguous charge that gives commanders a sharper tool in the UCMJ for targeting and

prosecuting this behavior. It clearly defines this behavior as a crime, and it also addresses the issues of intent and free speech.

These actions are a symptom of a larger issue: why we must change the culture that promotes this behavior. While these blatant, disrespectful actions have been committed by a specific subset of our military, this is indicative of a larger cultural problem. I just came from speaking about that in our Air Force Academy hearings—I'm sorry, not just Air Force, all the academies.

This is not the first time that behavior like this or culture like this has really been addressed, nor will it be the last. Myself, as the first woman in the U.S. to fly in combat in a fighter aircraft and to command a squadron, I have personally experienced, confronted, and overcome sexist behavior in the military. I have been there, I have seen it, I have lived it, and, quite frankly, I am sick of it.

We need to do what we can together to stop it. We must confront the underlying issues that inculcate resentment toward women in our services. We need to address the topic now and send a clear message this behavior has no place in our military. The issue is developing at the speed of broadband, but our solutions are often stuck at the speed of bureaucracy.

I have met with the commandant of the Marine Corps, General Neller, immediately after this news broke. We had a very productive conversation, and I look forward to continuing work with him and the other service chiefs to address this issue.

We also can't allow this to turn into victim blaming, though. According to one victim who tried to have a video removed:

"I went to the police to get them to take it down, and they told me, because I didn't live in North Carolina, they couldn't do anything. I then went to his command, and they said: Why don't you stop making sex tapes?"

This is not a matter of free speech on the internet. This is a matter of military members who have infringed on the rights, the duty, and the basic respect of others. We can't afford to let another military member become a victim of this crime.

I appreciate everyone stepping up for this Special Order today. I appreciate the bipartisan support of the PRIVATE Act. It is not going to solve it by itself, but it is going to give the commanders another tool. I promise I am going to tirelessly be working and leading on this issue to protect our troops and make sure we have the best, most respected, and most trusted warfighting force.

I want to thank my colleague for giving me the opportunity to speak.

Ms. FRANKEL of Florida. Mr. Speaker, I thank Representative MCSALLY. We have come to, I think, a perfect ending here today—those of us who were here today. I know, on a bipar-

tisan basis, we look forward to fighting for the gentlewoman for what is right and to get this bill passed.

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

OUR TIME

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

Mr. FORTENBERRY. Mr. Speaker, before I begin my own remarks, I want to commend my colleagues for continuing to aggressively address the deep wound that so many people have experienced with this form of abuse in our military. Our military prides itself on its clear goal of protecting our Nation and doing their duty even to the point of self-sacrifice. So to think that certain members of the military would abuse others in this manner is not only unconscionable, but demands that this body act. So I want to commend my colleagues for their leadership in this regard.

Mr. Speaker, our Nation recently watched in horror as flight staff at a publicly traded airline, having failed to motivate volunteers with sufficient compensation, then called Chicago Aviation Police to forcibly remove one of the randomly selected passengers so they could seat their own employees instead. After the bloodied but unbowed victim was dragged from the flight, aircraft and airport personnel claimed they acted out of concern that they would lose their own jobs if they had not removed the passenger. The stated motive—that was later proven to be false—was that the flight was "oversold."

Now, Mr. Speaker, bizarrely, the airline CEO initially defended these actions. The corporation's airline personnel could have offered more money to find volunteers, but they did not choose to use that option. As a result, this airline-specific issue mushroomed into something far larger as Americans unleashed long-buried resentment against distant corporate structures that too often treat them just as incidentals.

Here is the problem, Mr. Speaker: in technocratic bureaucracy, one size fits all. Management and optimization replace the art of human interaction. When entities grow too large and too distant from the persons they are designed to serve, when technical procedures rule over prudential judgment, when process is improperly elevated to an unyielding standard, persons are not only treated like cattle by airlines, but individuals—in this age of information—sense that they no longer matter.

When you treat people as abstractions, it is easier to push them around, like data points on a spreadsheet. The broken-nosed, busted-teeth, and concussed passenger could only mutter the words: "Just kill me, just kill me."

One man's last stand against Leviathan. What he experienced on that airplane struck such a visceral chord with me and so many others. Indignity has its limits—even beyond the limits of the Big Money corporate public affairs teams to manage.

Mr. Speaker, last year, the United Kingdom voted to leave the European Union; and right now, similar debates are taking place across the continent most seismically perhaps in the upcoming French election.

At its core, what is at issue?

It is this: whether more and more power should be consolidated in massive and detached, centralized, and technocratic bureaucratic institutions.

Many people are demanding decentralized alternatives that better harmonize the needs of particular persons in their particular places with the shared goals of security, immigration stabilization, environmental stewardship, and economic well-being. That is what the deeper debate is in Europe and about the European Union.

At its core, Mr. Speaker, I think the issue is this: even more deeply, economic development without a soul robs us of our capacity to fully prosper. Regular people are wondering if they have a seat at the table anymore, and home-team advantage continues to seem to go to a triumvirate class of Big Business, Big Data, and Big Government—a type of transactional aristocracy disconnected from the deeper needs of persons. That is at the core of what is being debated here.

Now, Mr. Speaker, indicting large corporate and governing structures is not merely the point I am trying to make. Certain types of development that come with larger-scale entities has been very positive as goods and services and ideas freely travel at speeds across the world that were unheard of just a few years ago.

Worldwide poverty has declined significantly as underdeveloped nations use their comparative advantage on costs to lift themselves to a higher economic standing.

Moreover, the creative disruption that accompanies technological innovation has yielded new powerful tools for communications, for medicines; and in commerce, it has helped create the sharing economy.

However, a thriving marketplace needs to work for larger swaths of America, including Nebraska, where I live, which remain distant from power centers. For more and more Americans and their families, globalized supply-side elitism has delivered downward mobility, a higher cost of living, wage stagnation, and skyrocketing inequality.

When you couple this with social fragmentation, this is a recipe for disaster, and profit-driven technocracy will not be our answer. It will not solve these challenges. Economics, Mr. Speaker, is more than math, is more than efficiency, and is more than management. It is the art of living.

Now, regarding the airlines, after much embarrassment, they settled with the passenger and instituted important reforms. Maybe this belated gesture signals that we have a better ticket forward. However, unless a new vision emerges of the proper relationship of governing economic and political systems to the persons that they serve, we will likely continue to be told: Just stay in your consumerist seat—unless we deign, yet again, to violently rip you from it.

THE DEEP STATE

Mr. FORTENBERRY. Now, Mr. Speaker, a short distance from here, right through these doors, underneath the dome of our Nation's Capitol, hang eight large paintings that represent the scenes from our Nation's beginnings. In one of these paintings, George Washington is depicted. He is resigning his commission before the Continental Congress. This painting occupies a pride of place in our Nation's Capitol because it shows a profound and historic shift in the understanding of power. General Washington won the Revolutionary War. He enjoyed the support of his Army, yet he was not tempted to use that power for his own glorification. Instead, he returned it to the people.

□ 1900

Power is a tricky thing. It can be absolutely corrupting or it can be used for great good. Exceptional persons throughout history have used power to contribute to civilization. For others, power is a weapon to kill and plunder and crush others.

In our country, America, we embrace the noble way. In our Constitution, in its deepest sense, it really is about one thing: it is about the proper positioning of power, the proper control of power, and the proper transfer of power.

Mr. Speaker, let's now fast-forward to a recent event where a prominent Washington political insider recently wrote that he prefers "the deep state."

Now, what is that?

Although not widely known, the term "deep state" refers to a group of career employees of the military, intelligence services, and other agencies of the United States Government who have inordinate but often hidden power to influence policy and society.

It is posited that the deep state is particularly successful when it comes to halting or slowing implementation of government edicts deemed threatening to prudent stability or its own existence. This deep state, though, turns sinister when it operates outside of transparency and oversight. This concealed, controlling force, unfettered, can create an entirely new anti-democratic branch of our government.

However, I want to propose something, Mr. Speaker. This discussion about the deep state is bigger than the government itself. A broader understanding of the deep state requires insight into the network of institutions

that attempt to manage society in multiple ways.

Some in the media, for instance, academia, and corporations orchestrate self-reinforcing narratives of technocratic or expert superiority. Frankly, again, this is why so many people in our country feel forgotten and are suspicious of what might be called the government-corporate-cultural complex.

The notion that elites supersede the decision of voters and their elected Representatives is contrary to our democratic tradition. It is also deeply offensive to the American understanding of the source of proper governance.

On the other hand, maintaining some consistency for the sake of order has merit. Retaining career civil servants, for instance, with strong institutional knowledge and experience is necessary for the uniquely smooth and peaceful transition of power that we enjoy in this country.

Those who have committed themselves to a career of government service and risen in the ranks, those in the media who have taken a long view of civic responsibility, those in business who have achieved outcomes and wish to share them for the betterment of society, ensuring the stability and proper functioning of our Nation's core operating systems during times of disruptive change, are the persons who make up another type of body in our culture who are taking responsibility for the systems that we enjoy.

The point is any analysis of the deep state is complex. A deep state that is mysterious and enigmatic, unidentified, that effectively triumphs over the will of the people, marginalizes our voices. At the same time, political transitions without the backup of those who maintain a continuity of service can both be volatile and destabilizing. There lies the tension.

President Eisenhower warned us of the military-industrial complex. Perhaps the challenge of today's government-corporate-cultural complex is broader: a self-affirming, closed society that says there is only one way—our way—and you have to follow. Just plug into the technocracy and know your place.

Mr. Speaker, it could easily be said that George Washington was an elite of his day. Nevertheless, Americans celebrate him along with other great leaders because they attained their status through selfless service to our country and its founding ideals to a genuine civic state.

Mr. Speaker, on my desk there is a pile of letters. At one point, it approached about a foot high. It is a little smaller now, as I am digging out. I have to be honest. I am behind because I take the time to review the content of each letter that my constituents send me.

Lately, the mail has tripled, perhaps quadrupled in size due to, frankly, the present philosophical divide that is all

over our country and manifested in this body in the breakneck pace of governmental action and the important questions about what Congress is doing in key policy areas such as health care and immigration.

This is no complaint. I stand in the seat formerly held by the great Midwestern populist William Jennings Bryan, and it is my duty, responsibility—all of our responsibility—to hear and read what our constituents are telling us. It is also my duty to make judgments on their behalf. I have an obligation to read and study and analyze the facts of any situation, to listen to the people who are effective, and ultimately to make a decision.

I think that the irony of this great moment, of great tension in our country, Mr. Speaker, interestingly, has brought a renewed and refreshing attentiveness to this body, to the legislative branch. There is now a very impassioned and healthy engagement with the centers of government about the very nature of power and its purpose. As Americans, we believe that power is justly derived from the dignity and right of each person. When properly exercised, that power rightly informs the State.

Vigorous interaction is beneficial to our Republic when it is cordial and constructive, when all parties in an authentic attempt seek workable consensus. This can be harmful to our Republic when interactions descend into shouting matches, rude interruptions, orchestrated ambushes, or worse, violence toward people or property.

Mr. Speaker, I have a new friend who is an ambassador here in the United States from an African country. It is a fascinating nation that rebuilt after a difficult civil war. He was kind enough to have me over for dinner recently with one of my colleagues. My colleague is a brand-new Member of Congress, and he happens to be in the other political party.

On the ride over, we talked about the very real prospect that, if we could just have a conversation, if we just had the time or disposition to have a conversation, a genuine dialogue, then perhaps things would get a bit better in Washington.

Mr. Speaker, most of us crave dialogue. Our country needs dialogue more than ever. We have multiple new technological ways to conduct dialogue. However, we have lost touch with what genuine dialogue is. If we are racing to score points or impatiently, loudly bludgeoning each other, we are not engaging in authentic dialogue. We are engaging in monologue.

Clearly, there are many differences that cannot easily be solved here throughout America. We have to be sober about that. The tough arena of politics occupies a unique space in our country in the quest for answers, but holding it together depends upon a commitment to this ideal of the civic state, a broad attempt at friendship and goodwill to hold together the good that should be common for everyone.

Mr. Speaker, on a visit to the United States Naval Academy in Annapolis, Maryland, I noticed that, among its many noteworthy qualities, the beautiful, bucolic campus reflected a dignity, a call, if you will, to something higher. This special place creates a sense of place as a message for the ages, and that used to be reflected in the great tradition of American public architecture.

In one of the Academy's halls, a United States submarine commander named Howard W. Gilmore is honored. During World War II, Gilmore ordered his submarine to the surface of the ocean. The crew came out onto the deck. Unbeknownst to them, enemy planes were in the area and they spotted the vessel and began a strafing run.

The crew of the submarine scrambled back inside to go into dive mode, but as one crew member looked back, he saw Commander Gilmore lying on the deck, wounded. Looking at his commander in the eye, he heard him say, "Take her down." The commander knew he would be left behind to drown, but everyone else was saved.

Stories like this one appear repeatedly throughout our Nation's history, particularly among those who have served in the military. They detail the brave actions of honorable men and women who have served an ideal far greater than any superficial distinctions in the political debate that might separate them, the ideal that the sacrifice for just and enduring principles is a noble thing.

In this age of anxiety and petty strife, it is worth reflecting on why we now find this so hard.

In the wake of World War I, poet-politician W.B. Yeats wrote this:

Things fall apart; the centre cannot hold;
Mere anarchy is loosed upon the world,
The blood-dimmed tide is loosed, and every-
where
The ceremony of innocence is drowned;
The best lack all conviction, while the worst
Are full of passionate intensity.

Mr. Speaker, present-day Washington, as a microcosm of the Nation, routinely exhibits a lack of political community. Partisan discord and dysfunction do reflect the larger philosophical divides across America: market fundamentalists versus government fundamentalists, protectionists versus globalists, elites versus the common man—on and on and on.

We lack a unifying spirit. Part of this fracture is driven by monied interests in politics. Part of it is driven by competing world views that are earnestly derived about the core of what it means to be an American and about the core of what it means to have a functioning government for America. Part of it results from the lack of will and courage among lawmakers to move beyond these dispiriting constraints and find some higher ground.

□ 1915

But, Mr. Speaker, I will add this. Perhaps there is a silver lining. Let's

think about this. On a deeper level, the vehement animosity in the Capitol and across our country could, ironically, point to something good. Washington's inability to rally around big and meaningful ideas, reflecting longstanding, again, cultural and political divides in America, it might actually signal a desire for resolution. After all, if no one cared, our situation would be far more dire.

If we can stretch to see that all of this negativity is actually a search for solidarity, then perhaps we have a shot. Indeed, there might be a chance to recapture our democratic narrative, our special American identity by embracing something larger than the insistent demands of self, party, or narrowly focused advocacy groups. We are a country whose proper aim and purpose, whose very foundation is built upon that which is good and that which is eternal: fairness, self-determination, the rule of law. Perhaps this combustible moment is actually a yearning to reconnect. Or maybe not. Perhaps it is too far gone. We have to decide.

Mr. Speaker, yet, with all these attempts at lofty sentiments here, to successfully govern requires some type of consensus around core values. And, yes, it requires sacrifice for our ideals, for each other, and for America. So that the center might hold. Right before Commander Gilmore died, he looked at his crew and said, "Take her down." Perhaps the commander's advice to us today to America would be: "Lift her up. Lift her up."

Mr. Speaker, I had an incredible opportunity yesterday to meet hundreds of Vietnam veterans who came to our Nation's Capital on one of the honor flights from all over the State of Nebraska. I saw some people I knew, saw constituents, met many of the former troops who I had no idea they served. Isn't that the hallmark of many of our troops, doing so with a quiet selflessness, not needing to have anyone know?

But the Honor Flight actually gave them an opportunity to be welcomed home because particularly after enduring the Vietnam conflict, so many of our soldiers, so many of our troops came home to either no welcome or to, in an odd way, being blamed for the situation that they were trying to resolve. They never got a proper welcoming home.

So we spent a little time together yesterday at the Iwo Jima memorial. After a long day, they had visited the various monuments, including the Vietnam Memorial, the wall.

Of course, it was a tiring day for them, but many were, I would think it is safe to say, exhilarated by the chance to come, to be in solidarity as a community, to reconnect with the purpose of their service and perhaps, most importantly, to be welcomed home because when they got back to the Lincoln airport where I live, thousands of people were there waiting for them, chanting "USA, USA, USA."

Mr. Speaker, especially in times of significant duress like we are living in, I think it is particularly important to remind ourselves that America has tremendous capacity for replenishment. Unexpected opportunities give us a chance to reassess and realign in new and compelling ways, both to preserve our most valued traditions and to restore the promise of our Nation. This understanding is especially important as we confront dysfunctional government, economic stagnation, global violence, and the social fallout from the fractures and the pain in our culture.

I submit, Mr. Speaker, that one way to lift America up in this age of anxiety might be glimpsed through four mutually supporting principles: government decentralization, economic inclusion, foreign policy realism, and social conservation.

Now, what do I mean by this?

First, we should consider that a more decentralized government will restore the local source of America's strength. I am not a person who is antigovernment, but what we have done in our society is we have federalized every conceivable level of problem, and this institution ought to be about doing a couple of big things well.

We ought to respect the authority and the institutions that are closer to the people that have jurisdiction over things that they can better provide. Those closest to an opportunity or a problem ought to be the first to be empowered to seize the opportunity or solve the problem.

Economic inclusion, as well, should help America recover from a concentration of wealth and power into fewer and fewer hands. This primarily happens through a restoration of the small business sector, giving rise to entrepreneurial momentum once again. Mr. Speaker, we are in an entrepreneurial winter. This is where most jobs come from. I am not talking about even larger small businesses. I am talking about small, microbusinesses that employ one to five persons. For the first time in America's history, the number of small businesses dying is greater than those being born.

So if you want to restore a vibrancy and create the conditions for economic inclusion, a turn of focus to the small business sector, that great gift where people are using their talents of intellect and the gift of their two hands to make things, an imprint of their own dignity, to give rise to the ability to take care of themselves and those under their authority, their employees, to create benefits for others through exchange, that reinforces a community narrative of the longing and commitment and interdependence.

Third point, foreign policy realism. Based upon authentic relationships and genuine friendships, a foreign policy realism should chart a course between passivity and ad hoc intervention. In other words, we are a globalized society. We are interconnected in extraordinary ways. We are not going to turn

the clock back. We couldn't if we tried here. So isolationism is not an option. And yet, just entering into relationships that are transactional without having any authentic basis has led to the collapse of relationships and the conditions for them not to be long lasting.

Finally, social and environmental conservation preserves family life, faith life, civic life, and natural life. The ecosystem, which we all value and live, that is not a partisan issue. That is not even a bipartisan issue. These are transpartisan issues because they create the conditions in which the human heart, the human person can thrive. These are the institutions that give rise to a continuity of our great tradition, give a meaning to life and create sustainability for ourselves and our children.

We know we are confronting intensifying struggles about the direction of our country, the direction of our world. The fault lines can widen, they may widen, but we also can choose to lean into these serious challenges. We can still choose to rediscover commonsense governance, right-sized economic models, a proper foreign policy, and universal and foundational values that create the binding narrative of our country that so many persons have sacrificed for.

It is time to rediscover our purpose as a people and reclaim this sense of solidarity and to reempower our communities. As the military says: One team, one fight.

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

REPUBLICANS CAN ACCOMPLISH GREAT THINGS

The SPEAKER pro tempore (Mr. MAST). 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, before I get into the substance of my remarks, I would like to mention a little story.

When I used to work for Ronald Reagan years ago, he also said: Well, DANA always start off with a little funny story. So I thought I would share one that Ronald Reagan loved with all of you and the CONGRESSIONAL RECORD and those watching us tonight on C-SPAN.

What it deals with is a man who was struggling, struggling to get by. He lived in an area that had very little farmland left. My relatives all came from dirt-poor farms in North Dakota. They didn't have very good land up there. They were homesteaders, and it was rough going. But they did make a go out of it. They made a living out of it. This story is about a fellow in Kentucky, a guy who wanted to be a farmer but couldn't even find any land as good as my parents ended up with when they homesteaded.

One day he found a piece of land that he knew was very fertile. What it was

was an old riverbed. He decided he could plant that riverbed, and it was such good soil that he would have a great crop. Well, the trouble with it was that the riverbed was filled with tree stumps and rocks and all sorts of weeds and horrible obstructions to get anything done. He spent a year of his life cleaning out that riverbed. Every day after work, he would go and blow up the rocks, haul them out. He would get a mule team and pull the tree stumps out. He would take a machete and cut down all the weeds. The briars would scratch his body. It was a monstrous job, but he got it done and he planted a garden.

When that garden started to come in, it was so beautiful that he had to tell somebody, he had to brag to somebody. He went to the person in his little town who he respected the most. It was the preacher. He said: Preacher, I want you to come out and see this.

The preacher came out, and the preacher said: This is a miracle. Praise be to God. Look at that corn. I have never seen corn so big as that. And that watermelon, my gosh, and the berries. My goodness, I have never seen such a wonderful garden. Praise be to God.

He went through this, kept going: Thank God for this, thank God for that.

Finally, the young farmer said to him: You know, Preacher, you should have seen this when God was doing it all by himself.

Well, today, there is a lot of stuff going on in Washington, D.C. People are very active. Don't think that there is not a lot of activity. You may not be able to see it, but we in this new Congress, we are scurrying around. There are all sorts of people working on healthcare reform, tax reform. We have got the fiscal year '17 and fiscal year '18 appropriations. We have got border bills. We have got security problems and issues that are the highest order. We are working here. I believe that with the Republican Party under President Trump, we are going to accomplish great things. These are things that we are asking the help of God, but we are not waiting for God to do it.

I would like to discuss tonight a few of the creative proposals that I have made which I believe could impact and have a very positive impact on the United States of America and the American people.

First of all, I would like to talk about border security. And an issue, of course, in border security that is the number one issue that has been plaguing us for so long, so let's understand, there has been a massive flow of illegal immigrants into our country at least for the past 30 or 40 years. I trace it back, unfortunately, to the time I was in the White House. I trace it back to Ronald Reagan's amnesty of 1987.

□ 1930

Ronald Reagan was told that there would be 3 million people who would