

□ 1230

ISSUES OF THE DAY

The SPEAKER pro tempore (Ms. STEVENS). Under the Speaker's announced policy of January 3, 2019, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Madam Speaker, I appreciate the tribute of my colleague a few moments ago for law enforcement.

One of the things that arose out of the evil hatred that brought about 9/11's attacks was people began to appreciate our military again and began to appreciate our first responders again. That was a very welcome development. And it seems that in recent years so much of that respect and admiration has been clouded by false allegations against some law enforcement. So it is great to hear other colleagues talk about the importance of our law enforcement and the role they play.

Unfortunately, what many consider to be the greatest law enforcement agency or department in the world has been badly clouded by bad actors within the Federal Bureau of Investigation. I know U.S. Attorney Durham is investigating. We haven't seen any results come from that at this point. We have just seen terribly inappropriate if not criminal conduct from FBI agents in recent years that resulted in no punishment.

We had Christopher Wray, the director of the FBI, before our committee recently. I questioned him about the FBI agent who falsified information to submit to the FISA court, in essence, changing the information that said Carter Page did work for our intelligence agency to saying he did not, and instead of the director punishing him, he was allowed to resign. That is not hardly cleaning up criminal conduct.

The people that swore to applications and affidavits before the FISA court in order to get warrants to spy upon Carter Page—Papadopoulos—the Trump campaign was obviously the goal. We haven't seen people punished, but the reputation of the FBI and those good FBI agents who do enforce and follow and properly investigate the law, they suffered. It is going to take, obviously, a different director of the FBI in order to clean up the FBI and get their reputation back.

Simply allowing people to resign or retire when from all appearances they have engaged in criminal conduct when they are supposed to be investigating criminals, that is not enough. To deny and to turn the other cheek when you find out about improprieties within your department, that is not enough.

As Christians, we believe in what Jesus taught about turning the other cheek or loving your enemy, but there is a different role for Christians when they are in government, and that does not mean ignoring criminal improprieties; it means, like Romans 13 talks

about, if you do evil, you are supposed to be afraid because the government was not given the sword in vain. It is supposed to punish evildoers. And that is one of the roles.

We are supposed to have good oversight in Congress, and the FBI had been allowed to devolve into great problems here in Washington, and not just in Washington, but even working for the District of Columbia. The agent, possibly agents, that helped cover up for the Awan brothers further cast great clouds over the reputation of the FBI, but here again, that is in Washington.

Across the country, around the world we have good FBI agents. But when my very dear friend, brother, Philip Haney was found with a gunshot wound to his chest out in California, I wish I were comforted when we got word that FBI agents were being sent to assist Amador County in the investigation. I don't know which agents were sent. I don't know if they were good FBI or FBI like Strzok and Page and McCabe and others who had no problem being political and being dishonest in their jobs.

I know Inspector General Horowitz has come out with more information about another investigation, but the manner in which he did a great job of finding so many improprieties and then came to conclusions completely opposite of what the fact findings were is a bit disturbing.

We need the FBI cleaned up. We need the reputation back. But it needs to come back not through cover-ups like it appears to me has been going on in recent years, but from actually cleaning out those who have been abusing their authority.

We are supposed to be taking up the issue of a couple of provisions. The PATRIOT Act section 215 is coming up, fortunately, for sunset. We should be taking up the issue of the Foreign Intelligence Surveillance Act court, the FISA court. But when we address that, when it has come up, when we have had private discussions with Federal authorities, those of us on the Judiciary Committee in the past, going back to my first year here, 2005, we have been assured, this is FISA, this is the Foreign Intelligence Surveillance Act. The purpose is to help us go after foreigners who are known terrorists or are foreigners who have relationships with known terrorist organizations. That is who we are going after.

The only time we were assured years ago that we may pick up an American citizen is if they are in contact with known foreign terrorists or known foreign terrorist organizations, otherwise, we don't even pick them up. And we find out now years later, those were lies. The "F" in FISA stands for foreign, but what we have come to find out through the FBI dishonesty in pursuing the Trump campaign was that actually they go after American citizens on a regular basis. It is a regular thing. They use the FISA court to spy

I know there are so many women hearing this today who may be hearing their pain described for the very first time, and that is why I want to make sure that I give a voice to them today and say that it is okay to talk about this. That is why I decided to do what I am doing today.

See, I am in this position with a platform as a Member of Congress, and I can talk about this important issue that touches so many women across the U.S.

To be honest with you, I didn't say anything for years because I was afraid that people would think I was weak, that I couldn't do my job, but that is not true. I show up every day; I have done it for the last decade. I have represented my State and my District well, and it is not weak to talk about it.

In fact, the women who are living with it every day, they are strong as heck. It is time that people across the country know about what this is.

Every day, women are pushing through their pain and living their lives. They are not weak; they are strong.

And I am not standing here alone because once I started talking about this with my colleagues, I found out how many other Members of Congress are touched by this or know people who have this.

Again, we found out about sisters, comms directors they work with. In fact, even just this morning, after I started talking about it, there was another Congressman who came up to me and said his wife has it. As I talked about it more in my personal life, I have also met more women who struggle with endometriosis.

So I am standing here today with them and in support of them and their pain. And today, at the beginning of this Endometriosis Awareness Month, we are launching the very first Endometriosis Caucus.

Through this caucus, this bipartisan caucus, we are going to raise awareness with the public and in Congress to get more funding and the kind of support that this disease deserves. We need to end the stigma around endometriosis and bring more attention to this condition affecting millions of women, their families, and their friends.

Today, I ask my colleagues in Congress, and everyone watching, to join me in this movement, to join this caucus. We have to up endo funding, up endo research, and up endo awareness.

It is too important, and there are too many women across the United States and worldwide who deal with this every day to be ignored for far too long.

Madam Speaker, thank you for the opportunity to speak here today about this important issue.

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

on Americans, to spy on the Trump campaign, but even more than that, to constantly be grabbing up Americans' phone records. And there was a time when they could say with a straight face, look, all we are getting is the metadata. We don't know who these phone numbers are. They are just metadata that we can run algorithms and see if there are any terrorist numbers in there. Well, we know that is not what has been going on.

Maybe that has, but what additionally has been going on, and we saw this with Chairman SCHIFF, he was able to gather information about people in his own committee, phone numbers, people they had called because the days of being able to say, well, it is metadata, we don't know what all those numbers are; no, nowadays you can know very quickly whose number is where and what metadata. And they are spying on Americans.

So I have said before, unless there was a dramatic cleanup, and we have seen no indication from the FISA judges themselves that they have enough pride in their position that they would be offended by fraud upon their courts—I don't have a problem with the FISA courts going away. I mean, we succeeded in winning World War II when we had important national secrets, and we went through Korea, went through the Cold War, the worst of the Cold War years, without having FISA courts. They came into being in the 1970s. And now over 40 years or so later, we find out that the use of the FISA court has devolved into abuse of the FISA courts so that American citizens are routinely spied upon. And they are not foreign. They are American citizens.

I would love to see, and I really appreciated—we disagree on lots of things, but ZOE LOFGREN from California, most of us would say she is much more liberal, but she has always been concerned about American civil rights. In talking with her yesterday, I am still impressed, she is still concerned about America's civil rights, and we should not have Americans spied on. So I know Congresswoman LOFGREN has been working on ways to try to actually clean up the FISA court and make some reforms that would help clean things up.

But I am to the point with so many abuses that we have found that we could either do away with the FISA court and go back to the days—and, I mean, as a judge I have handled so many warrants, applications, affidavits for warrants, signed warrants—you had to have probable cause that a crime was committed, probable cause that this person probably committed the crime, and then you had to describe with particularity, that is a requirement of the Fourth Amendment, you have to describe with particularity the thing to be searched and the thing to be searched for. And it is often the case that none of those things are found in FISA applications, affidavits, and war-

rants, at least from the things that we have seen.

So the solution in prior days when there was no FISA court, you would file a motion with the court and ask for an in-camera review, ask that documents be sealed for national security purposes. There was normally a time limit, from the ones I am aware of, a time limit on how long they were sealed. And that was to protect national security, if it involved national secrets, national security secrets. But at least it would seem, and I certainly hope that if we are going to reform the Foreign Intelligence Surveillance Courts that we have an amendment that says, you know, since the "F" in FISA stands for foreign, then the Foreign Intelligence Surveillance Act Courts are not going to be granting warrants against American citizens.

If someone in Federal law enforcement, especially the FBI, wants to spy on an American citizen, they can go to an Article III Federal District Court to get their warrant. You shouldn't be able to go to this secret star chamber court to spy on American citizens. That was never, ever anticipated as one of the jobs of the FISA courts when they were created back in the 1970s. If we are going clean it up, and the FBI has shown no propensity to be able to clean it up themselves and to police themselves, and the FISA courts themselves have not shown that ability or propensity, and, in fact, many have been advocating since we found out about such widespread abuse in the FISA courts, some have advocated, well, maybe if we just allow or require the FISA courts to appoint an amicus, a friend of the Court to stand in for the interests of the person against whom a warrant is being sought, that should be an adequate reform.

Then that was proved to be totally bogus back in December when—after this FISA judge who had apparently insufficient pride in her court to punish people who committed a fraud upon the court—an amicus was appointed who happened to be the person who had been lying for quite some time in saying that DEVIN NUNES was lying when it turned out DEVIN was exactly right in the things that he put in his report and that the amicus that the FISA court appointed was the one who had been either lying or just completely ignorant. That is the lawyer that was appointed as the friend of the court.

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Clearly, the FISA courts are not capable of cleaning up their own messes. They enjoy, apparently, having fraud committed upon them and their courts as long as they get to keep signing warrants against American citizens without the American citizens having the right to come in and contest it.

I would love to see, especially if we are going to leave the FISA courts, at least let's have an amendment. And I surely hope that this will become a very bipartisan effort to say it is a For-

eign Intelligence Surveillance Act, so we are not going to allow a Foreign Intelligence Surveillance Act court to grant warrants against American citizens. If somebody wants those, go to an Article III court.

For those not familiar with the Constitution—I realize that there are more and more these days since more schools are having to teach to the federally mandated test, and there are no civics questions I am aware of that are compelled to be asked in the mandated Federal test. We don't have as many high school students, graduates from high school, who know about Article I, II, and III of the Constitution.

A recent survey, in recent years at least, indicated that, as I recall, more young people 25 and under can identify the Three Stooges than can identify the three branches of the Federal Government: executive, legislative, and judicial.

So Article III is the article dealing with the courts. As my old constitutional law professor, David Guinn, used to say, there is only one court created in the Constitution, and that is the Supreme Court. All other Federal courts owe their existence and their jurisdiction to the United States Congress. In other words, Congress brought them into the world, and Congress can take them out of the world.

So I would hope that if we don't eliminate the FISA court because of such broad abuses that would allow, encourage, and not respond to abuses when one administration is seeking to spy on and participate in a coup against another party's candidate, then it is time to eliminate the court, and if not eliminate the court, at least eliminate the ability of the Foreign Intelligence Surveillance Court to grant warrants against American citizens.

American citizens are supposed to be able to have those civil rights, and they have been taken away by the creation and abuse of the FISA courts. It is time that this Congress, in a bipartisan method, came together and said enough of the abuses.

Let's face it: President Trump has been getting Federal judges appointed and confirmed in record numbers. I think, from what I can tell, Attorney General Barr is doing what he can to clean up the Justice Department, and I am sure he would defend Christopher Wray. I just happen to disagree with the job that the Director of the FBI currently is doing.

But there are going to be some people who are interested in justice who replace those who have been extremely partisan, as we have seen.

I would encourage my friends across the aisle who have seen how helpful the FBI was to a Democratic administration politically just to keep in mind there are changes being made, and it is not going to be so helpful to one party over another in the future.

I would hope that colleagues on both sides of the aisle would come together to say: You know what? This really is

the time. We have to stand up for American rights.

It is one thing under the Constitution to have writs of habeas corpus suspended in a time of war, but it is quite another to prevent writs of habeas corpus, because American citizens don't even know that they are being spied upon by their own government and cases are being made against them through spying by their own government without probable cause, without proper warrants.

It is time to fix that, and I hope this will be the Congress that does so.

So, we have this article from *The Washington Times*, Jeff Mordock, yesterday. It says: "FBI missed chances to stop domestic terror attacks because of lack of follow-up," according to the Horowitz report, apparently.

In this article, it points out that the IG investigation revealed "lapses in the Bureau's assessments allowed perpetrators of some of the most deadly attacks in recent history to fall through the cracks."

That is understandable since the FBI was trying to help prevent Donald Trump from being elected President and then trying to participate in what certainly appeared to be an attempted coup, that, gee, they were just too busy to actually prevent some of these terrorist attacks, according to the article and the IG report: "Omar Mateen, who killed 49 people at the Pulse nightclub in Orlando, Florida, in 2016; Tamerlan Tsarnaev, who killed three people at the Boston Marathon in 2013; Nidal Hasan, who massacred 13 people at Fort Hood, Texas, in 2009; Esteban Santiago, who killed five people in a 2017 attack at the Fort Lauderdale-Hollywood International Airport."

"The FBI has acknowledged that various weaknesses related to its assessment process may have impacted its ability to fully investigate certain counterterrorism assessment subjects, who later committed terrorist acts in the United States," Mr. Horowitz wrote.

The article says: "The inspector general's report is the latest black eye for the Bureau," that is the FBI, of course, "which has been besieged by allegations of political taint and questions of competence."

"Anytime there is criticism, of course, it undermines the public faith in the Bureau, and that can never be good because the FBI depends on the public trust," said Lewis Schiliro, a former head of the FBI's New York field office.

But further down, it says: "Even after the FBI discovered lapses in its assessment of potential terrorist threats, field office managers failed to properly implement changes or conduct consistent oversight of counterterrorism investigations, the report said."

"Roughly 40 percent of the FBI's counterterrorism assessments went unaddressed for 18 months, even after Bureau officials discovered investigative lapses, Mr. Horowitz wrote."

"The FBI first investigated Mateen in 2013, 3 years before he carried out the deadly Pulse shooting. Agents closed the case months later and did not properly address Mateen's history of mental illness, the report said."

"Agents investigated Tsarnaev ahead of the Boston Marathon bombing. Even after an internal Bureau database flagged Tsarnaev, agents closed the probe after concluding he had 'no nexus to terrorism.'"

That was interesting, the Tsarnaev investigation. I had the opportunity to question an FBI Director named Mueller about that because Tsarnaev was identified by the Russians. He had been over in an area where some Muslims had been radicalized, making them, as radicals, a threat to non-radicalized Muslims, both Christians, non-radicalized Muslims, Jews, others who were not radicalized Muslims.

In fact, Russia had notified the FBI. To the FBI's credit, apparently, from what we found, they did send an agent out to question Tamerlan Tsarnaev. It sounded like basically they asked him if he was a terrorist, and he assured them he wasn't. They went above and beyond and questioned his mother, and she assured them that Tamerlan was a good boy, that he wasn't a terrorist.

As I put to Director Mueller: You didn't even go out to the mosque where they were attending and find out information that would have revealed whether they had been radicalized or not.

About all Mueller could come back with was that they did go out to that mosque, not to investigate Tsarnaev, but to actually just have part of their community outreach program.

And I said: You probably didn't even know who founded that mosque.

And he didn't. He didn't know, but it was founded by a man who was doing 23 years in Federal prison for supporting terrorism.

But before Mueller came in and purged the FBI of training materials that would allow FBI agents to identify who were the peace-loving Muslims and the small group that had been radicalized that wanted to kill non-radicalized Muslims, he purged them, as I have said before. One of our agents said: He blinded us of our ability to see who was a threat.

Thank you very much, Director Mueller.

He purged the training materials. There was an advanced course for FBI—I think 700 pages of training—and Mueller ordered all of that eliminated. Fortunately, after he left—and after we had more attacks and more Americans died—eventually, the training was brought back for some FBI agents. But it still needs work.

But these FBI agents, they didn't know what to look for because Mueller had eliminated the training materials that would have helped them know what to look for in radicalized attacks.

Of course, my friend, Philip Haney, who was found dead with a bullet hole

in his chest, he was investigating a group called Tablighi Jamaat. It is interesting that some of the training Tablighi Jamaat did, including for the killers in San Diego, there was certain training that they undergo that I am not going to get into, but if someone is undergoing that training, it should send up red flags, certain parts of that training, at least, that this person may be on the road to radicalization.

It is just very unfortunate that our most powerful investigating body had been so purged of people who could recognize radicalization that it put Americans at risk, and Americans died as a result of that effort by Director Mueller and others within the FBI.

This article goes on and points out that: "The inspector general said the Bureau bungled the case of Elton Simpson, who tried to ambush a Garland, Texas, art exhibit featuring cartoon images of the prophet Muhammad, the central figure of Islam. Although agents received information related to Simpson, they determined he was not a significant threat."

"Mr. Horowitz said that even after the FBI sought to address the problem, it failed to conduct the necessary oversight to implement the recommended changes."

I would humbly submit that when Comey took over from Mueller, he did not improve matters at the FBI when it came to identifying threats against American citizens.

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Mr. Speaker, I would like to address the issue of the coronavirus.

We have heard allegations that our President is just totally out of it, totally uninformed, and totally unprepared to deal with the coronavirus. Sometimes the best way to analyze whether or not a leader is, not out of it, but actually has taken bold steps to protect Americans is helped along by comparing to a prior administration, for example.

There is an article by ABC News, Dr. Angela Baldwin: "How Novel Coronavirus Compares to SARS, MERS and Other Recent Viral Outbreaks."

Dr. Baldwin points out that: "MERS, Middle Eastern respiratory syndrome, was first reported in Saudi Arabia in 2012. Of the 27 countries affected globally, 10 countries are in or near the Arabian Peninsula and 17 countries are outside of the Arabian Peninsula. Only two patients in the U.S. ever tested positive for MERS."

"To date, there have been nearly 2,500 laboratory-confirmed cases of MERS, with a death rate of about 34 percent."

"Influenza is another contagious respiratory illness with symptoms that are similar to SARS, MERS, and COVID-19. It is caused by the influenza A and influenza B viruses. Different strains of influenza are responsible for the flu season that occurs every year. The CDC estimates that there have been 18,000 to 46,000 flu deaths so far this season."

"The swine flu, or influenza A," which was the H1N1 virus, "caused the 2009 global pandemic. An estimated 151,000 to 575,000 people, worldwide, died from the H1N1 virus in 2009. Of those, there were an estimated 12,400 deaths in the U.S. . . . This strain continues to circulate as a seasonal flu virus each year"

But 12,400 American deaths from the H1N1 virus? I was shocked to read that. I didn't remember reading or hearing that, during the Obama administration, there was such a weak response to the H1N1 virus that we had 12,400 Americans die from the H1N1 virus.

So it is interesting. President Trump reacted immediately to the information of a virus of the nature of the coronavirus, or COVID-19, coming from China. He reacted by restricting travel from those areas.

And thank goodness he reacted so quickly, even though he was condemned by some Democrats for being racist and for being a xenophobe. All he was trying to do was protect Americans from this virus.

So he suffers the indignities, the slings and arrows, being called a racist and a xenophobe, but he didn't care because he was protecting the American people. Had he not reacted so quickly, there is no doubt we would have had many more Americans infected with the virus.

He also reacted with regard to our southern border that has been so porous, despite his best efforts. We, no doubt, have been saved from many more cases of COVID-19 arising here in the United States by the efforts of our Border Patrol and the Trump administration.

This article points out: "In comparison," talking about in comparison to the H1N1 virus, "COVID-19 has spread to more than 50 countries and infected more than 85,000 people, worldwide, since January of this year. In the United States, there have been about 70 cases"

I think there may be more than 100 now, but this article, dated March 2, says, "two people have died." But I believe there are more than that, maybe as many as 10 who have died here in the United States.

I wish that we were getting a report out that these are normally our senior citizens who have some preexisting health condition. So we should be encouraging senior citizens and retirement homes, they all should be very careful, because it seems that our seniors are most at risk here and around the world.

"While COVID-19 seems to spread easily, the symptoms tend to be mild, particularly for people who are relatively young and healthy. The SARS and MERS outbreaks had significantly higher death rates. Meanwhile, seasonal influenza remains an important cause of respiratory illness that can cause hospitalization and death"

"As Dr. Robert Glatter, emergency physician at New York City's Lenox

Hill Hospital noted: 'Make sure you get a flu shot. It's much more likely to contract the flu than the new coronavirus infection.'

"He also warns: 'Older persons should also make sure they get vaccinated against pneumonia and shingles, since these are more likely if they develop a viral infection such as the coronavirus.'"

But every one of those Americans who has died, 10 or so—I am sure the number will grow—it is a tragedy. It is devastating to the loved ones, and I am just surprised we didn't hear a whole lot about the 12,400 Americans during the Obama administration who died from the H1N1 virus.

So, obviously, the media gets much more up in arms over 10 Americans dying from the coronavirus than they did over the 12,400 that may have died in 1 year in America from the H1N1 virus.

I was concerned earlier here, an hour or so ago, to hear Majority Leader HOYER saying, as I understood him to say, next week, the majority here wants to prevent President Trump's travel bans.

We are finding out that, because of President Trump's travel bans, lives have been saved. The coronavirus has not spread, as it surely would have, and so the answer next week will be to restrict President Trump's abilities to save American lives by preventing people from coming into this country from areas where the coronavirus is found to be widespread, people coming in without adequate ability to make sure they are not infected. I was very sorry to hear that that is something that we, apparently, are going to take up next week.

There is an article here from PJ Media, by Victoria Taft, February 28, 2020, and the headline says: "Fact-Check: Obama Waited Until 'Millions' Were Infected and 1,000 Dead in U.S. Before Declaring H1N1 Emergency."

That is the virus we were just talking about. Anyway, that is a rather interesting article pointing out the difference between President Obama's response to the H1N1 and the thousands that died as a result of—actually, the other article talked about the 12,400.

There is an article here from the Centers for Disease Control, June 25 of 2012: "First Global Estimates of 2009 H1N1 Pandemic Mortality Released by CDC-Led Collaboration."

But it points out the "improved modeling approach which resulted in an estimated range of deaths from between 151,700 and 575,400 people who perished worldwide from 2009 H1N1 virus infection during the first year the virus circulated. . . ."

I don't really have information on how many Americans died. Apparently, that 12,400 was just in the first year, so no telling how many died during the 8 years of the Obama administration.

So we have got more work to do, but I don't think it is helpful to blame President Trump for trying to protect

American citizens from being exposed more and more to the coronavirus, or COVID-19.

On another note, we have heard about the Afghanistan peace agreement. My concerns have been hearing, during the Bush administration, that they took a great deal of advice from former Ambassador Khalilzad, and it sure sounds like he made a mess of the Bush foreign policy with regard to Afghanistan when discussions were being held—what kind of government should we give Afghanistan—and that troubles me.

We shouldn't be asking that question. That should have been a question for the Afghans. And though Khalilzad may have been an Afghan, he is an American; and he was listened to, as I understand, during the Obama administration, which explains some of their problems with getting out, as President Obama wanted to do. He said he was going to. He was sure trying, but problems kept arising.

I would think if somebody gives advice that didn't help the Bush administration and didn't help the Obama administration, then I deeply regret that anybody in the current administration would be taking advice from that same individual.

The Taliban were our enemies. They have never indicated that they want to stop killing Americans. As our allies who fought and successfully defeated the Taliban within 6 months of 9/11, by the end of February 2002, after the Taliban had been identified as our enemy, helping al-Qaida with the attacks on the United States on 9/11, we—well, I say "we," but, actually, it was our allies who defeated the Taliban. By the end of February, there was no real organized Taliban in Afghanistan. The groups had been devastated.

We provided aerial support. We had about 300 special ops people in there embedded with General Dostum's Northern Alliance groups, different tribal groups that we supported, and they outed the Taliban. Some fled to Pakistan, but there was no organized Taliban left.

And then the mistake occurred: What kind of government should we give them, and let's occupy Afghanistan for a while. Occupiers have never done well in Afghanistan, and that still remains true.

But the biggest problem I have was the advice. I could be corrected, but I am told by people who were around back in the second Bush term that Khalilzad was one of those saying: We need to give them a strong central government. You don't want to have a federalist government like we have in America where States have so much power, States and local government. Let's just have a strong President.

And we gave them a constitution that we basically forced on them that made the President all powerful, nearly.

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The President of Afghanistan appoints the governors, he appoints the

mayors, and he appoints the police chiefs. What I hear from some of our Afghan friends is he will often, whether it was Karzai—Ghani is not as bad as Karzai was, Ghani seems to be trying to do better—but sometimes they would appoint people who didn't even live in the province or the city to come in and rule over it.

What our allies, who fought with us and for us in initially defeating the Taliban, had begged for is for our help to get Afghanistan to amend their constitution so they get to elect their governors, they would get to elect their mayors, and they would get to select their own police chiefs because the constitution that we gave them is a formula for corruption.

Who pays off the president to become the governor or the mayor?

That is a formula for corruption. It is easy to see when we gave them that constitution that is where it was headed.

As some of our former allies, the former Northern Alliance, have told me:

Look, if we could elect our own governors, elect our own mayors like you do in America, and pick our own police chiefs, then, yes, we know—they have been saying this for years—we know you are going to have to pull out at some time. We understand. That is fine. You don't want to be an occupier, and we don't want you to be. But if you leave the president as all powerful and he picks the governors, mayors, and police chiefs, then all the Taliban have got to do when you leave is either knock him off or corrupt him, and then they will control the whole country, and there is nothing we can do about it.

In fact, all of us who fought with you Americans and helped defeat the Taliban—actually they defeated the Taliban initially—they are all going to be dead. We are going to all be dead, so that when the Taliban gets strong enough again, they attack you again and you come to Afghanistan looking for allies, we are going to all be dead, and nobody is going to want to be your ally because you allowed us all to die when you allowed the Taliban to take back over.

So, I would hope something that we will work toward is helping the Afghans.

I said: Well, what makes you think we could help you amend your own constitution?

I was told: Well, you guys pay most of our budget. If you say you are not going to pay the budget anymore, then we will amend our constitution. If you force us to do that, we will amend our constitution, and we will get to elect our governors like you do, elect our mayors like you do, and pick our own police chiefs like you do; and we won't have people brought in through corruption or favoritism, and we will be capable.

As Massoud said:

Look, when you leave, if we get to elect our own governors and mayors and pick our own police chiefs, yeah, the Taliban may be able to take over one or two provinces, but the rest of us will band together again, as we did in 2001 and 2002, and we will kick them out again. But if you leave us where the Taliban can take over complete control and where all the control is in the president of

Afghanistan, we are all going to be killed, and you won't have any allies to fight with you and for you when the Taliban hits you again.

So, I hope we will quit taking advice from a person, no matter how well-meaning or not, who just proved to be totally wrong in administration after administration. I think that we can do as the President truly wants to do, get out of Afghanistan and save American lives.

Mr. Speaker, I want to address one other thing, and that is the comments of the minority leader of the Senate made at the Supreme Court rally.

There is an article here from FOX News, Edmund DeMarche, which says:

"The American Bar Association said on Wednesday that it is 'deeply troubled' by a comment made by Senate Minority Leader Chuck Schumer, Democrat, New York, outside the Supreme Court that many said was a direct threat to two sitting Justices.

"Schumer was at a rally over a high-profile abortion case while the case played out inside. Schumer named Associate Justices Neil Gorsuch and Brett Kavanaugh and, in an impassioned speech, said: 'You have released the whirlwind, and you will pay the price. You will not know what hit you if you go forward with these awful decisions.'

"Justin Goodman, a Schumer spokesman, responded after Chief Justice John Roberts issued a statement on what he called 'threatening' comments. Goodman said that Schumer was addressing Republican lawmakers when he said a 'price' would be paid."

Now, I think it is very important to note the difference between a threat and total agreement with Supreme Court Justices. President Trump has disagreed with things the Supreme Court has done or comments that have been made. That is the American way. We can disagree whenever we want to. People in this body, including me, have been very disagreeable with some of the things the Supreme Court has done, and it is very helpful to voice that.

As Natan Sharansky points out in his book, "The Case for Democracy", he says, there are basically two societies, a fear society and a free society. In a free society he suggests an appropriate test is if you can go into the town square and say anything you want to as long as it is not a criminal statement, but otherwise you say whatever you want to, and if you don't have to worry about arrest or being harmed, that is a free society.

A fear society is one where you have to constantly be afraid because the government may decide to swoop you up or people may come beat you up for saying what you say.

For many years this country has been a free country, but even in a free country where you can say whatever you want, it crosses the line when you threaten individuals who are in government.

I understand this Goodman speaking for Minority Leader SCHUMER as saying, no, no, he was talking about Republican lawmakers. But if you look back at the quote, there is no mistake about what Senator SCHUMER said. He said: "You have released the whirlwind, and you will pay the price."

This is after he has called out Kavanaugh and Gorsuch, "and you will pay the price," and if there is any question at all about whom the threat was intended to go to, he said: "You will not know what hit you if you go forward with these awful decisions."

Now, these are not awful decisions he is threatening over by Republican lawmakers because the Republican lawmakers have nothing to do with the Supreme Court decisions. And he says "decisions."

This was a threat to two of our Supreme Court Justices, and that crosses the line from disagreement—as all of us probably in this body have done from time to time and should because the Supreme Court is not perfect. They make mistakes. Dred Scott was, I think, probably the worst mistake the Supreme Court has ever made, but they have certainly made many more since then, not to that level.

It is fine in America to disagree with the Supreme Court. It is fine for Senator SCHUMER to do that, but not when he threatens and says: "You will not know what hit you—" of course, the term "hit" is an assaultive reference—"you will not know what hit you if you go forward with these awful decisions."

Now, he could be speaking of this assaultive term figuratively, but regardless of whether it is figurative or literal, it is a threat upon two of our Supreme Court Justices.

Then, unfortunately, Senator SCHUMER has doubled down by his coming after Chief Justice John Roberts. I have certainly disagreed with him plenty of times, but he did the appropriate thing here in defending two of his Justices who were attacked or threatened. He doesn't need to defend them when they are verbally attacked as so often happens in the Senate or the House, but certainly when they are threatened he needed to step up and he did so.

For those who wonder, 18 U.S.C. section 115 of the U.S. Code says: That whoever threatens to assault, kidnap, or murder a U.S. official, a U.S. judge, a Federal law enforcement officer or an official whose killing would be a crime under such section—then it goes on and says—that person has committed a crime can be arrested.

So it is a crime just to threaten. I am not sure the term "hit" would be adequate to prove beyond a reasonable doubt that an assault was threatened, but something was threatened because they would not know what hit them, and that goes beyond the pale. As I understand it, people have been disbarred for making threats of that nature.

But we will see what happens. I certainly hope that there will be an apology by Senator SCHUMER because we

ought to disagree with the Supreme Court when they are wrong or when we think they are wrong, but no threats.

This should be the last bastion of civility where we can come, we can disagree, we can fuss at each other, we can complain, and we can expose ignorance, but not threaten. There is no place for that in the House or in the Senate.

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

The SPEAKER pro tempore (Mr. MALINOWSKI). Members are reminded to refrain from engaging in personalities toward Members of the Senate.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO VENEZUELA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 116-105)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13692 of March 8, 2015, with respect to the situation in Venezuela is to continue in effect beyond March 8, 2020.

The situation in Venezuela continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13692 with respect to the situation in Venezuela.

DONALD J. TRUMP.

THE WHITE HOUSE, March 5, 2020.

A THREAT TO TWO OF OUR SUPREME COURT JUSTICES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized to address you here on the floor of the House of Representatives.

Having listened to the gentleman ahead of me, Mr. LOUIE GOHMERT and some of the discussion that he had, I would pick up with the beginning here,

Mr. Speaker, with one of the places where he left off, and that is what happened before the United States Supreme Court yesterday and the statements that were made by the minority leader of the United States Senate.

I may have a bit of a different perspective than some in this House or Senate or across this land, but here is the language that was deemed offensive from Senator SCHUMER. I watched the video, and he was pointing. He pointed at the United States Supreme Court, and he used the names of two Supreme Court Justices. He said this: "I want to tell you, Gorsuch, I want to tell you, Kavanaugh, you have released the whirlwind, and you will pay the price. You won't know what hit you if you go forward with these awful decisions."

□ 1330

That was stunning. It was stunning to hear two Justices called out in that fashion before the Supreme Court. And I know that there was a crowd over there that was happy to hear those words. But as a constitutionalist and former chairman of the Constitution Subcommittee in the House of Representatives, I am troubled by the effort to try to sway judges through what appears to be verbal intimidation before the Supreme Court.

I have stood on those same steps and delivered any number of speeches, but I always confine them to the constitutional principles that were involved. I wanted the Justices to hear my speech. I didn't want them to ever hear it as a threat. I wanted them to hear it as a rational approach in a way as if I were actually arguing before that Supreme Court, before that Bench.

They are all well-learned and very, very capable people who are deeply steeped in our Constitution and in case law. They have their different philosophies, and that is clear. We often see a 5-4 decision on the Court.

Mr. Speaker, I thought when I first arrived in this town a number of years ago, I looked forward to going over to the Supreme Court to hear what I expected to be the profound constitutional arguments before that Bench. So I began going over there for some of the important cases, with that expectation. I recall sitting there, listening to an argument before the Court, and I understood—actually, this would be the Kelo decision before the Supreme Court. The Kelo decision is the decision that I believe amended the Constitution by the Supreme Court decision.

It was this. Let's see, New London, Connecticut. There was property there that was owned and utilized by owners who didn't want to sell that property to the developers. The local government wanted that property in the hands of the developers because they would develop that property into, I believe, a shopping mall, and then the taxes would be the revenue going into local governments. So local governments had an incentive in encouraging the development of the property, but

the property owners sat there with a constitutional guarantee in the Fifth Amendment of the Constitution that says: "nor shall private property be taken for public use, without just compensation."

That was the guarantee that, first of all, only governments could confiscate property. They needed to maintain that within their own possession, and it has to be for a public use. It can't be for a private use. It was a private business that they handed that property over to in New London, Connecticut.

Mr. Speaker, when I listened to the argument, I expected the argument would go back to the very language of the Fifth Amendment, and that would be argued, perhaps, certainly, on both sides. And I come down on the side of: The Constitution means what it says, and it means what it was understood to mean at the time of ratification by the people who voted to ratify it.

We can't go back and assign different definitions to words or simply say that it is a living, breathing Constitution that can adapt itself to changing times. If that were the case, there wouldn't be a provision to amend this Constitution provided by our Founding Fathers. The Constitution is an intergenerational, contractual guarantee between one generation of Americans to the next generation of Americans.

So, I hoped to hear those—in fact, expected to hear—those arguments before the United States Supreme Court. What I heard instead were arguments that were made to Justice O'Connor, and I think they considered her to be the swing vote. And she came down on, I believe, the constitutional side of it in the end. But there were just little tweaks that had to do with her background.

She was raised on a ranch. I think it is a B&B ranch down in southern Arizona, and I think it goes across into New Mexico, as I recall. I read her books years ago. And some of the ranch land that she grew up on was part of the Gadsden Purchase that came in right at the end of the U.S. and Mexican war.

But growing up on a ranch, property values matter, and property rights matter, and water rights matter in that part of the country. And her book is replete with those kinds of narratives. It is a really interesting way to get some insight into Justice O'Connor. But she understood this case in a way I didn't know until later.

But I came down here to the floor, and we brought a resolution in the House of Representatives, a resolution of disapproval to what was called the Kelo decision. In that Kelo decision, it upheld the decision of local government in New London, Connecticut, to confiscate private property, houses and residences that had a deed, and to take that land and compensate them for what they deemed the value was—condemnation—and hand them over to the private investors so they can take that