

very arbitrary and capricious, and the enforcement of the metal detectors has been very arbitrary and capricious.

Hopefully, those being utilized to harass Members of Congress—especially since a couple of our folks have missed votes. If they hadn't had to go through the metal detector, they would have gotten in here in time to vote.

□ 1345

It is time to open things up. Then we get word: Well, we are going start opening up, but you have to go through us, tell us anybody you are proposing to meet with and what the purpose is, this kind of stuff. We are not letting a good crisis go to waste. We are going to be very Orwellian here, and we are going to use this as an excuse to control who Members of Congress can see, who they can talk to, and really have an iron grip on what people can do.

It has gotten really sad around this place.

Here is an article from Stephanie Pagonis, "Cities such as Austin, L.A., Minneapolis, New York City, and Portland have shifted funds from police departments." Obviously, this lady, Stephanie, knows that when Democrats have said they are not defunding the police, that is not true. Democrats around the country are pushing for and actually getting budgets slashed for police departments.

"Cities in parts of the U.S.," she said, "that slashed their police department funding last year, in part as a result of police-involved shootings, have seen an uptick in certain crimes over the past year, according to data analyzed by FOX News. Cities such as Los Angeles, Minneapolis, New York City, Portland, Oregon, and Austin, Texas, have shifted funds from police departments to social services programs. Such cuts have led some departments to lay off officers, cancel recruiting classes, or retreat from hiring goals.

"As police departments were left to make do with shrunken budgets and less support, some big cities have seen sometimes drastic upticks in murders and other violent crimes. . . . The 'defund the police' movement is not necessarily about gutting police department budgets, though some groups have tried. And budget cuts were already expected as a result of alternative needs for funding because of the coronavirus pandemic."

Then, the article goes on and looks at the cuts that some of these cities have had.

Here is an article: "Democrat Representative MAXINE WATERS Demanded Special Police Motorcade and Escort Before Calling for Violence at Anti-Police Event," by Jordan Davidson at The Federalist.

Daily Caller's Henry Rodgers reports: "'The Squad' Pushes to 'Defund the Police' While Spending Thousands on Private Security to Protect Themselves."

You have to have some protection from somewhere. Otherwise, you are

not going to be able to maintain a position of authority in government. There are always going to be evil people, in this world at least, who are going to attempt to bring down people in authority.

This article is from Matt Palumbo, December 30, 2020: "2020 Homicide Surge Sets RECORD Amid 'Defund the Police' Hysteria." It has facts and figures on that.

One other thing I want to touch on. Since we have some people who believe climate change is the most pressing issue of our time, I was surprised to hear the former leader of NASA say that they had found that our Moon, the Earth's Moon, is slightly changing its orbit because I had not read that or seen that anywhere, and that even Earth's orbit around the Sun is slightly changing.

Of course, I had seen previously that the ice caps were melting, and some people say it is because of the cars, pollution. But it still doesn't explain to me why the ice caps on the planet Mars have melted or have been melting for cow flatulence or different things here on Earth. How is that causing the ice caps on Mars to melt?

Here is an article from NASA, from February 27, 2020. It says: "Our lives literally revolve around cycles: series of events that are repeated regularly in the same order. There are hundreds of different types of cycles in our world and in the universe. Some are natural, such as the change of the seasons," that is one form of climate change, "annual animal migrations, or the circadian rhythms that govern our sleep patterns. Others are human-produced, like growing and harvesting crops, musical rhythms, or economic cycles."

It goes on to point out something called the Milankovitch cycles, and they include: "The shape of Earth's orbit, known as eccentricity; the angle Earth's axis is tilted with respect to Earth's orbital plane, known as obliquity; and the direction Earth's axis of rotation is pointed, known as precession." It goes on to discuss this.

Apparently, there is another article from Forbes from April of last year, "Earth Is Spiraling Away From the Sun for Now, But Eventually Will Crash Into It." I had not heard or read that before, about our Moon's orbit changing at all or the Earth's orbit around the Sun changing at all. I don't know what, if anything, could be done about that, but there is no question that the Moon's orbit changing or Earth's orbit changing around the Sun can't help but have significant effects on our climate.

This article, the headline says that Earth will eventually crash into the Sun. Well, it is amazing. I remember in the 1970s reading that we were at the beginning of a new ice age. It was very early in the new ice age, but eventually, Earth would be covered by ice. It would mean the end of life as we knew it.

As a Christian, I was thinking that is not how the Earth is going to end, and

I didn't really believe that. Lo and behold, it wasn't too many years later we find out, or we are told: Well, the Earth is warming, and the Earth's warming is going to destroy the planet. It is global warming.

Then, of course, global warming, we found out some places it was cooling. As one witness said some years back, actually, the Northern Hemisphere is not nearly as warm as it was back when the Norse were coming over and having these big farms in what we now call Greenland.

There are cycles, and there is something that could come into play in the great design of our Creator that would keep Earth from crashing into the Sun. But in the meantime, it is important that we not run around like Chicken Little and destroy the rich blessings we have out of fear that we may miss out on other blessings. Let's use the wisdom and common sense that most of our constituents have.

In the meantime, I think we really need to find out more about the changing orbit of Earth around the Sun and the changing orbit, if any, of the Moon around the Earth. It is a lot to learn.

If we are going to help contribute to the downfall of the greatest experiment in self-government in the history of the world, then making our Nation's Capital where it could be subject to being extorted, held hostage, then these other things may not matter anyway.

In the meantime, we have a responsibility to the Nation, our oath, and the Constitution to ensure that we keep this experiment in self-government going.

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

#### WAITING FOR ANSWERS ABOUT JOSHUA JOHNSON

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentleman from Texas (Mr. GREEN) is recognized for 60 minutes as the designee of the majority leader.

Mr. GREEN of Texas. Madam Speaker, and still I rise. And I rise today because I am deeply saddened.

I am saddened because today represents the day in the life of a constituent that she will never forget, that her husband will never forget.

I rise to call to the attention of the world the words of a constituent. These words were printed in the Houston Chronicle. I am grateful to the Chronicle for publishing this story because this story speaks to a circumstance unlike that with George Floyd. I will say more about that in just a moment.

But I rise, grateful to the Chronicle, with the words of a mother. Here are her words: "Our son was killed before George Floyd, but we are still waiting for answers."

Their son lost his life 1 year ago today in Houston, Texas, in my congressional district. He lost his life several houses down from his home, the

home of his parents. He lost his life while housesitting for a neighbor. He was 35 years of age, well-liked.

I spoke to many of his neighbors, many of his friends, many of the people in the neighborhood. I never heard one unkind thing said about him. He was a person who was always there to be of service. He lost his life while housesitting, trying to help a friend, a neighbor.

He served in the military. Here is a photo. He served in the military, a graduate of a local high school, Westbury High School. He loved the Dallas Cowboys. He was a typical young person. His name was Joshua Johnson.

Joshua's parents, the Bearys, Mr. and Mrs. Beary, are grieving. They have been grieving since he lost his life a year ago. They have been grieving because the circumstances are questionable.

But these circumstances, unlike the circumstances that we had with George Floyd, are circumstances where there was no body camera. There was no witness to record what happened. These circumstances occurred early in the morning, perhaps around 6 a.m., 1 year ago.

□ 1400

The parents were not present. Mr. Beary took his wife to work. He returned home, and she received a phone call. Here are her words: "It was April 22, 2020, around 7:30 a.m., when my husband, Richard, who had just dropped me off at work an hour earlier, called me and said the words that changed my life and his forever. He said, 'Someone shot and killed Josh.'"

They would go as close as they could to the actual scene, which is just a few houses down from where they lived, and they would encounter a peace officer.

I like the term "peace officer" as opposed to "police officer." Both are good terms, but to me, the term "peace officer" carries with it something that I think is important for us to consider, as we consider the great issues of our time.

Policing is one of the great issues of our time. A peace officer is always there to make peace, to help us acquire peace, to help us maintain the peace, to do the peaceful thing whenever possible. I know that it is not always possible, but whenever possible.

So, they went as close as they could to the scene, and they encountered an officer who was investigating. They wanted to know what happened to their son, which is what any parent would want to know: What happened to my son?

It is not an unreasonable question. It is not unusual, by the way, for parents to have some emotional characteristics at the time they are posing questions because they just lost their son. They don't know what happened.

This officer proceeded to explain to them that their son approached an un-

dercover officer, that their son approached this officer, who was seated in a vehicle, and when he approached this officer, he had his phone in one hand and a gun in the other hand.

There were persons who were with them at the time the officer was explaining this. These persons sought to intercede and said he had a BB gun. The officer acknowledged that it was a BB gun.

They were told by this officer that the officer who was seated in the vehicle, the officer who was undercover, around 6 a.m., that he told the son to lower his BB pistol—he didn't say BB pistol, but to lower what he thought was a gun.

The story gets murky, but the officer who was undercover said to the son: Lower your pistol. Lower your gun.

He said that their son, Josh, did not do so, that he, in fact, raised it, and the officer responded by shooting him—not once, but twice.

The parents were obviously moved by what they were hearing. By the way, all of this is recorded. What I am saying to you now was being recorded. I have the recording.

They were moved by what was said, and they were wanting more answers. This officer told them that this is how it happened. Maybe not in these exact words, but Ms. Beary quotes him as saying: "This is how it happened," and there is "no reason to believe it happened any other way."

Well, let's examine that statement, "no reason to believe it happened any other way." The officer investigating said this without the benefit of a body camera, unlike the George Floyd case where there were multiple cameras, and we saw different angles. No body camera; no camera recording by someone who was a witness standing by; no camera available to the officer who now, within a few hours at most, is giving this rendition of what happened to their son.

He said what he said without the benefit of speaking to a medical examiner. The medical examiner had not arrived. He came to his conclusions without the benefit of what would ordinarily be an autopsy that would be performed at a later time. No autopsy had been performed, so he couldn't have come to these conclusions after perusing an autopsy report.

He came to these conclusions without speaking to the officer who shot her son. No autopsy report; no ballistics report; no conversation with the medical examiner; no body camera. But he indicated that "this is how it happened," and there is "no reason to believe it happened any other way." No other way?

You haven't had a conversation with a medical examiner. You haven't talked to the person who actually did the shooting. You have no body camera. No other way?

You have no ballistics report. No other way?

That story became the actual story that has been published and repub-

lished, and it causes great grief for this family because they believe that there has to be a better investigation, that this officer was too quick to draw these conclusions.

In court, we call these things a rush to judgment, a rush to judgment within just a few hours, without having completed an investigation.

He didn't do a walkthrough, hadn't done the walkthrough. For those who may not be familiar with walkthroughs, this is where the officer gets with the person involved, the officer who was in the car, and they walk through and point out certain things that may have happened. He couldn't have had the walkthrough because he didn't talk to the officer who did the shooting.

The family, desperate for help, finally contacted my office. I was, quite frankly, amazed myself when I heard the recording of this officer who was investigating.

By the way, before we go any further, I need to say this: This is not an indictment of all police officers, not an indictment of all peace officers. We are talking about a circumstance that happened in my congressional district.

So, they came to me, and I decided that I would, at a very minimum, go out and see what they were trying to call to my attention.

I was a judge for a quarter of a century of a lowly justice/small claims court. I was known to go out and look at things, to go to the scene of things that occurred, so I went. Thank God I did.

After going out to the actual site, things became even more murky. I was there, getting an understanding as to where the officer was supposed to have been at the time the encounter with their son took place. The son is Joshua, and I am not going to call the name of the officer who did the shooting. At the time the encounter took place and the shooting occurred, it became difficult to comprehend some evidence that was found in a location many feet away, over behind some cars, near a garage, across a street, behind not one, not two, but three cars.

It became difficult to understand how this piece of evidence was at this location, difficult to understand because the piece of evidence was a bullet, a bullet that was fired from the shooter's weapon, made its way to this very difficult location, hit the garage, and bounced off onto the pavement.

This was found the same day that the investigation was taking place. It is difficult to comprehend how it got there, given the angles involved and the location of the garage. It is difficult to understand.

Later on, after talking to more people, we concluded that it would be appropriate to ask the sheriff for a visit. The sheriff was very generous with his time. He did visit with the family, and he brought others with him, another person with him. They had a visit.

We talked, and the sheriff gave assurances that there would be a thorough investigation.

After having that conversation with the sheriff, something else was discovered. This family had a camera. We didn't know about the camera at the time they heard from the initial officer who was investigating.

So, there is a camera that monitors the street that runs past their home. This camera picked up what appears to be the shooting officer, who was undercover, parked on the street. It picked him up as he left the scene. This is important.

Their son is shot twice. Apparently, based upon what has been said and what the evidence seems to reveal, he walked away after he was hit twice. He went over to a car, his car, parked some feet away. He made his way into his car, sat on the driver's side, under the steering wheel. Apparently, having done this—this is, without question, he did these things. Apparently, he is shot twice. The officer drives away after shooting him twice. He leaves the scene, and the person shot, to go out to some other location.

Now, if this is true—and I say “apparently” because you look at the cars and then you have to draw conclusions. But if this is true, what kind of officer—assuming that all of what he said was the case, do you really leave the scene? Do you leave a person who is armed, if you believe the person to be armed? Do you leave this person who you believe to be armed to be out, such that someone else might be harmed? There are a lot of questions to be answered.

□ 1415

There a lot of questions to be answered. The family needs to know. I have some of the questions that the family would like to have answers to. I am going to share a few of these questions with you because it is a year later. They have not had any indication that they will receive justice in the near future, perhaps, but not the kind of indication that they are looking for.

Here is a question: How could an investigating officer present an accurate assessment of the facts to Mr. and Mrs. Beary, near the scene, within a few hours after Joshua, their son, was killed, before having done the walk-through, without talking to the deputy who did the shooting, without the benefit of a camera recording, before the medical examiner examined the body of their son, before an autopsy report was completed, and, in fact, an autopsy was performed, before a ballistics report was produced? How could he present an accurate assessment?

And this assessment has been published and republished many times.

Second question: How did the bullet hit this garage of the neighbor across the street with no clear path from where the shooter indicated the shooting took place or where it was indi-

cated by someone that the shooting took place?

Third question: Why would the deputy leave the scene immediately or sometime shortly after firing those shots?

This is a questionable circumstance. It is not comparable to what happened to George Floyd.

And the question that we are going to have to grapple with is: What happens when the cameras are off and no witnesses are available, and you have evidence that seems to contradict the story of the investigating officer, that was given before he had an opportunity to perform a fair and accurate investigation?

What happens when you don't have what we have in the George Floyd case?

Notwithstanding all that we had in the George Floyd case, I don't know of a single person who thought that there would be a guilty, guilty, guilty; who thought that the officer would be found guilty on all three of the charges. I don't know of a single person. Perhaps you do.

But notwithstanding all of the evidence that we saw, all of the testimony that we heard, there were people—I was among them—who literally had great concern for what the verdict would be and how it would be responded to. I had my concerns. I think they were legitimate concerns to have in this case, given our history in the case of questionable shootings, police-civilian encounters, and a person ends up losing his life.

I heard the verdict with my colleagues right here on campus in this facility, and I believed it after a moment of disbelief. It wasn't something that you just automatically, axiomatically believe. But it was something that I believed, but I had a moment of disbelief. But I knew that verdict could be a seminal moment in time that will impact the rest of time.

I believe that those jurors will be treated very kindly by history. I think that history is going to show that they were people who rose to the occasion. Jurors do this, they can rise to the occasion. These did, and I am grateful to them.

I believe that those officers who testified rose to the occasion. They separated themselves from that which is perceived to be egregious, and that is being kind, but they separated themselves from that conduct. History will be kind to them.

But there was overwhelming evidence, and we know what happened with overwhelming evidence. This case has not been ruled upon or judged by a grand jury, and, as a result, we don't know what will happen. All we know is that this family is still grieving. It has been a year since their son lost his life—a year today, around 6 a.m.—and they are still waiting for a decision.

I have some concerns now about the decision. Hear my concerns.

Let us assume that it goes before a grand jury, this case. When I say “it,”

I mean this case goes before a grand jury. And let's assume that it results in a no bill, the grand jury does not indict. It does not return a true bill, which would be an indictment. Let's assume this is a no bill in this case. What happens before the grand jury stays with the grand jury. This family won't have answers.

There was supposed to be a ballistics report.

Will they have the opportunity to read the ballistics report?

I hope so. But the grand jury works in secrecy. It is shrouded in secrecy. And I am not antithetical to grand juries. But my point is, will this family get answers if there is a no bill?

The system has got to change. You cannot leave a family under these circumstances with more questions than answers after the case has made its way through the judicial system. You can't leave them like this. They will suffer the rest of their lives. They have got to know what happened.

The system has to change. There has to be a way for these families to know more about what happened when the cameras are off and no witnesses are available. There has to be a way for them to at least know what happens when the case is presented.

They are not allowed to be there when the grand jury deliberates. I am not going to quarrel with this. I understand that grand jurors have a right, to some degree, of protection because what they do can bring harm to them. But what I don't understand is why we don't have a system that allows for the evidence to be made available to people who have lost someone near and dear, someone that they love.

In Texas, there is another way that would be perceived as novel. It is only in Texas, by the way. Only in Texas. There is something called a court of inquiry. In Texas, if you believe that a crime has been committed, you can take your evidence to a district court judge, and you can ask that judge to review what you have. And if that judge believes that there may have been a crime committed, that judge would go to an administrative judge. We will call this person a presiding judge. And then that judge can require—that second judge—so you have two judges involved—happens to concur. And then witnesses can be called, and we can examine what happened. But this is only in Texas.

I am looking at legislation to give us the opportunity at a national level to do something similar to what we can do in Texas, because people need to know. These parents would feel much better and get through the grieving process, something that we all will go through at some point in our lives if we live long enough. It would give them—if they had the transparency, if they could just know what was said, what was the decision really based upon if there is not a true bill, an indictment. They need to know.

But they represent many other families who have circumstances where

they have lost someone; questionable circumstances, no camera, no witnesses; and in some cases where there are witnesses who are not believed; in some cases where the camera reveals what others would have us not believe when we see it with our own eyes. There are some cases where we have had video, but we are told that we can't believe our eyes.

Thank God the jurors in the George Floyd case believed their eyes, believed what they saw, believed those officers who gave testimony.

I hope that we will, at some point in our history, reach a time when we won't have a Member of Congress have to engage with family members under these circumstances, but some things have to change before we will get to this time.

One of the things that will have to change is a belief that has been called to our attention by some people who have been demeaned and vilified. And the belief is that Black lives matter.

This is a powerful movement.

Are there some persons who associate with the movement who may have done some things that I don't approve of?

Yes, many have.

But this is a powerful movement. We have got to have persons who are armed, those who have the power of life and death, believe that Black lives matter. We have got to have them believe that you don't have the right to punish a person after you have arrested the person.

Notwithstanding what you heard a former President say, you don't have the right to punish after you have arrested. And you know he said it.

□ 1430

He told peace officers—I like peace officer as opposed to police—when you are arresting a person you don't have to be nice.

Madam Speaker, once you have a person within your care, custody, and control, that person's well-being is in your hands. You don't have the power or the right to punish them. You may have the power, but you don't have the right to. You don't punish 9 minutes and 29 seconds, a knee on a neck—cruel and unusual punishment. You don't have the right to do this. You may have the power, but you don't have the right. If Black lives matter, then you wouldn't do it.

Not all police officers—not all peace officers—I prefer peace officer to police—not all, but those who do have to be punished, because we have got to let the world know that Black lives matter and that you have got to treat people with the same level of dignity and respect that you want your child to receive and that you want your mother to receive, the same level of dignity and respect because Black lives matter.

I will be with the Bearys this weekend. There will be a vigil in Houston, and I will be there with them. My hope is that we will have heard something

about their son's demise from the officials who are charged with the responsibility and an obligation to perform a just and fair investigation. My hope is that this will happen and that they will have some closures.

Madam Speaker, I want Mr. and Mrs. Beary to know that I am never going to give up on this. Their son's life mattered to me. I never met him, but his life mattered. I will be with them. I will be with them until the end. His life mattered.

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

#### THE CRISIS AT THE SOUTHERN BORDER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentleman from Florida (Mr. C. SCOTT FRANKLIN) for 30 minutes.

##### GENERAL LEAVE

Mr. C. SCOTT FRANKLIN of Florida. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in order to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman?

There was no objection.

Mr. C. SCOTT FRANKLIN of Florida. Madam Speaker, I yield to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Madam Speaker, this has been a confusing time period I think for most of America, and why the confusion is becoming so cluttered among us all is because we are using definitions that sometimes don't seem to make sense for the situation that we are in.

So I was thinking back, and not too long ago we were told that we don't have to worry about our borders because we really don't have a crisis there, what we have is a challenge.

As we seem to constantly redefine or put different labels on what we know to be true, I think it is time for a moment of clarity. I went to Oxford Languages to find out just what a crisis is.

So this is not my definition. This is what Oxford Languages has said: A crisis is a time of intense difficulty or trouble or danger; a time when a difficult or important decision must be made.

So what is it I am talking about?

I am talking about our crisis at our borders.

So why would a guy who lives in western Pennsylvania worry about what is happening on the borders in Texas and Arizona? That is almost 2,000 miles away from where I live. That is almost 2,000 miles away from the people I represent. How could it possibly impact them?

So I would tell my friends that if you don't think this is going to have an impact in the community you live in, this is coming to a town real close to you real soon.

In Erie, Pennsylvania, we are now housing about 150 young girls who have come from the border. Now, I don't know where their starting point was. I know where their entry came, and I know now that these unaccompanied young ladies—they are 7 to 12 years old—have now been shuttled to Erie, Pennsylvania, into housing which is much better than what they were experiencing at the border. They are living there now, and I am not sure that they know what the consequences of this relocation means to them.

I have been told that of those people who have come in, those little girls who have come in, approximately 30 of them have COVID.

We sit in this House—the people's House—and we debate issues that are sometimes very confusing and very conflicting and separate us as a people. This is not an issue that should separate us. If we truly believe that there is a humanitarian crisis, then we should fix it in a humanitarian way.

I have often been told that you can't beat something with nothing. The previous administration under President Trump had a very clear policy about how we were supposed to handle the surge at our borders, a very clear process, very clear what was to take place. That all changed. As the Biden administration came in, they said, no, this policy from the previous administration is untenable, it is not humane, and it is no longer going to be in existence.

Again, Madam Speaker, you can't replace something with nothing. My question to the administration through several letters and through several requests for the HHS and the Office of Refugee Resettlement, was answered with no answer at all. So if you have no policy you have no answer.

If you continue to say that we really don't have a crisis at our border, then you are either unaware or just choose not to say what you really have in mind, and you can only do that if you don't really have anything in mind.

Madam Speaker, I think that in the people's House—and we are always defined as who is in the majority and who is in the minority and who represents whom and whose best interests are being upheld, and I would just suggest that this is the people's House. It is not called the Republic House or the Democrat House. It is called the people's House, and the people—the American people—need to have an answer to what is our policy on the border?

What is our policy going forward?

How are we going to relocate these children?

They are children. My wife and I being the mother and father of four children and grandparents of 10 children, I cannot imagine in my life handing over my grandchildren or my children to somebody I don't know and saying: Would you please get them to America where I know they will be safe, sound, and well-treated?

This is truly a crisis. More importantly, this is a dereliction of duty by