

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

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

ISSUES OF THE DAY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"There appear to be two reasons.

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

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