

today differing opinions regarding policy; ideas of what is good for this country, what is right for this country. That is part of the strength of this country. That is the freedom that we have, which is to bring different ideas.

The whole idea of this Chamber is to bring different ideas and different policy opinions to the floor and debate them, and those ideas and opinions that have the support of a majority of the Members are moved forward.

But at some point in the past, we have transitioned beyond just arguing over ideas and we bring rhetoric that is distasteful. We attack the person and their families. I just believe that we can do a whole lot better in this Nation if we, once again, find the ability to agree to disagree and respect the rights, freedom, and the liberty of the other person to have their opinion. If we can do that, then we can engage in discourse and we will lessen the amount of violence that we see that is driven by political rhetoric.

That would be the message that I would pass off to America on the anniversary of the shooting because that is the idea that people like John Yates lived their lives for and fought their battles for, was for the freedom that we have in this Nation to continue to exist.

I believe America's greatest days are ahead of us, but we have got a little work to do to actually grasp hold of it.

Mr. Speaker, I thank you for allowing me to honor the memory of my good friend and colleague, John Yates.

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

#### FEDERALISM ISSUES

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

Mr. GOHMERT. Mr. Speaker, I heard my colleagues across the aisle discussing the issue of Special Counsel Mueller. Since there are one or two possibilities about some of the things they said regarding Republicans, especially on a committee, either Mr. COHEN's memory is terrible or he is falsely, intentionally misrepresenting things.

I am not saying that is the case. I am saying it is one or the other, and I will get to that momentarily.

The hearing we had this week in the Judiciary Committee with Deputy Attorney General Rod Rosenstein was deeply troubling to those who want the Department of Justice to be about justice; those who want to see the FBI be that great arbiter, that great entity that will ensure that justice is done. We need an entity like that.

The ATF, their reputation was sorely soiled back during the attack by the ATF on Waco at the facility where some folks had been sucked into basically a cult. It didn't have to happen. And as we found out, local law enforce-

ment said that they knew that David Koresh went to Sam's Club right there on Belle Meade—I think they said Tuesday. And if the ATF had told us they wanted to arrest him, we could have helped them arrange to pick him up as he walked out of Sam's Club with grocery sacks in his arms. There would have been no incident. No lives would have been lost, no children burned up in a fire, no people killed. It was so unnecessary, but the ATF apparently wanted to make a point and wanted to have a big show. Actually, there were constitutional issues there.

I read in the paper that a gentleman who served with me at Fort Benning in Georgia, during my time in the Army, had advised the post commander out at Fort Bliss that he should not allow the U.S. Army tanks or equipment to be used, in violation of the posse comitatus, unless he had a direct order from the President himself.

As we found out after the fact, the President made clear that: Oh, that was Reno's deal. You have to talk to her about that.

So, clearly, he did not order the U.S. military to use equipment and allow their equipment to be used against civilian American citizens. So there were all kinds of terrible things that came out and it really made the ATF look bad.

□ 1415

I was a fan of the ATF, the Federal ATF. I knew them to have done some great things, and I had some very dear friends, and still do have some very dear and very great friends, who are in the ATF.

But the point is that such horrendous judgment in the ATF set up what they knew or should have known would probably result in losses of lives, including severe injuries to ATF themselves. I don't think they lost anybody, but they certainly were severely wounded and treated there in Waco. But that kind of outrageous judgment that puts political and news interests ahead of just doing the job and seeing justice done ends up being such a terrible blot on the reputation of any entity that it is hard to work back from that.

I still hear people who refer to that incident nearly 25 years ago, and still it is such a blot on the ATF that it is hard for people to consider the ATF without thinking how terribly, just inappropriate, the ATF acted at times and caused people to wonder: Is that the general rule, or was that an exception? People, after some other episodes, began to think it is the rule with the ATF. Some claim: Let's get rid of it.

What has gone on now and is currently going on now with the Deputy Attorney General taking all three positions that he sees no evil, he hears no evil—he doesn't know of any evil going on. He thinks everything is like the poet said: "God's in His Heaven, all's right with the world." I believe the author had a little girl saying that.

But it is not right with the world. It is terribly wrong. America and the world sit in a position of Western civilization where potentially the most incredible and amazing strides in healthcare, in energy, and all kinds of areas of life on this Earth have been made better exponentially, and the United States of America is at the very heart of those great developments.

A majority in the United States throughout our history would always say: We call those blessings from God.

Now, maybe it is and maybe it isn't a majority, but we are ever getting closer to a position where this grand experiment in self-judgment is potentially on the verge of being lost. History is not being taught as zealously as it once was. Places like Hillsdale College or Liberty or Regent, there are some places where it is being taught. I had fantastic history teachers, which is what I majored in at Texas A&M because I knew I was going to do 4 years in the Army, at least, and if we were at war when my 4 years were up, I would have continued to serve.

But our students don't know history anymore. Why? Because President Carter decided that the Federal Government intervention into education, even though it is not an enumerated power under the Constitution, and it is, therefore, a power that is reserved to the States and the people and not the Federal Government, we have been acting extra-constitutionally, that means outside the Constitution, for quite some time going back to the late seventies under President Carter.

Our students have suffered as a result. They don't know history. Someone had advised me that even though history is not an important part of the federally mandated test, there are things that in different subjects are mandated by the Federal Government. Here is an element that students should know about the subject. I was advised that the one area that the federally mandated test, the only area historically that students were required to know, is that when the United States dropped two atomic bombs, one on Hiroshima and one on Nagasaki, it raised serious questions about the United States' morality, which is absolutely fictitious unless the ignorance of the authors requiring such a thing did not allow them to know the truth.

The truth is that Truman was advised that because the Emperor of Japan had ordered the Japanese people to fight for their homes to the death, then the Allied Forces would have to land in Japan. They would have had to move across the country, and it was considered a very fair and possibly quite conservative estimate that there could be 10 million people losing their lives if Allied Forces had to land and were fighting the Japanese people home to home to home.

So the morality of the issue is: Would we morally be better off in this absolute war that the Japanese started

against the United States, would we be better off losing the horrible tragedy of 300,000 or so lives, or would we be better off having 5 or so million Japanese people killed and 5 or so million Allied Forces being lost?

The morally correct decision was that a Democrat, a man who apparently really wrestled with the issue from a moral standpoint, decided to put the American bombers at risk, those flying the planes and taking the atomic bombs, and to put 200,000 or 300,000 or so people at risk in an effort to avoid losing 5 million or so Japanese and an equal number or more of the Allied Forces. I think he made the correct moral decision.

So that doesn't raise moral issues about the United States. It raises ignorance issues about the federally mandated test. We would be so much better off if we got back to allowing local school boards to decide and States to decide—as they had been for many decades—deciding what their students should learn. That was the beauty of a federalist situation where States would have so much power.

But as is often the case when the Federal Government takes over an area like education, then it gets worse. I was on the board of directors of the Texas A&M Association of Former Students, and I can recall the president advising us that the official SAT had to change the scoring system for the SAT because students across the board were doing so much worse than they did when classes around my era, in the 1970s, had done, that we had done, overall, so much better than the students who came through after the Federal Government took over education.

So I don't know if it was accurate, but I had educators back at that time say that there is a formula; so it is hard to say. But if you scored, say, 1,400 out of 1,600 on the SAT in the seventies, then under the new scoring system it would probably be scored closer to 1,600, 1,500 to 1,600, maybe a couple hundred points that they had to add to the system, because after we had a Federal Department of Education, then students started doing worse. So to keep it from looking like the Department of Education here in Washington made education as poor as it helped to do, we had to raise the SAT scores basically on an arbitrary basis.

We know that the students coming through in the eighties, nineties, and then this new millennium have the potential to do better than we ever did, but because the Federal Government got involved, I don't think it is just a great irony when the Federal Government took over education under President Carter that, wow, ironically, isn't it amazing, at the same time students were doing worse and worse. So that is what often happens when the Federal Government gets involved.

We saw that with Waco. If they had gotten the help of the local law enforcement, there would have been no loss of life, in all reality, but the ATF

was going to bust in and make a big show out of it, and it cost an awful lot of lives.

You would like to think that, when the FBI comes in, you don't have to worry, they are going to do the right thing. I know so many incredible, outstanding FBI agents. But for Mr. COHEN to continue to say, even after he has been advised and reminded that I have been raising Cain about Robert Mueller for over a decade, I guess, he came in, sworn in in January of '07, as I understand it. Initially, when I questioned Robert Mueller as FBI Director when I first got to Congress, I was carrying that image of the great FBI, the image that so many of the agents still carry, thousands of them still carry, but with more and more difficulty because of the cesspools that have developed here in Washington and the way in which it has been used, as we saw with the IRS, during the Obama administration, weaponized and used as a political instrument.

Now, how do we know that? We didn't know near as much as we continue to find out, but Robert Mueller ran off thousands of years of experience, and I contend it was because he wanted nothing but yes people. He didn't want the experienced people around the country who might try to point out to the director when he made one of his many mistakes as FBI Director or chose software programs, chose law enforcement programs that created problems because they had more experience than he did, he did not really want people around the country to have more experience than he did because they might question something that he ordered inappropriately, and he just wanted people to salute him, salute the flag, figuratively speaking, and drive forward.

That means when Mueller wanted somebody to bust down the door in the middle of the night, even though there was no threat of the individual fleeing, no threat of the individual hiding evidence, it was done, as we are now seeing the Mueller special counsel group, team, SWAT unit, unofficial SWAT, of course, but we are seeing them use these types of tactics.

Now, I don't really know Paul Manafort. He doesn't seem like a fellow that I would enjoy getting along with. Nonetheless, it certainly appeared that he was very materially mistreated because Mueller wanted to make sure he got his point, and he knocked down the door, or at least went in in the middle of the night, however they got in. We have heard this before, this heavy-handed Federal Government, and there was no reason for that other than bullying, mean, Federal agents at the top wanting to bully people around.

We saw that kind of conduct with Mike Flynn as he was set up. He had been, as part of the transition team, talking to people at the FBI about different issues, and now we know Strzok was part of that, this man that absolutely loathed President-elect Trump, he loathed everything about Trump

and those he was going to be bringing into office. We didn't know how badly they despised or loathed the President and Republicans supporting him until we got more information.

□ 1430

But these kind of things are things that Robert Mueller should have known. He should have known the Department of Justice's reputation and hope for being considered righteous was all riding on him and what he did. Yet he rode in with his black hat—figuratively, for those in the mainstream media who don't understand those type of references—and he began to overreach.

We heard yesterday from the guy that appointed Mueller, Rod Rosenstein, that, to have a special counsel, you have to believe that a crime was committed. So it would seem to reason that Mueller was appointed to investigate something that they had reason to believe that possibly a crime had been committed.

Yet because of whether it is incompetence or zeal in wanting Mueller to go on a witch hunt, to just keep searching until you find something, even if it is a poor guy like Scooter Libby who devoted his life to helping his country, we need somebody's scalp. It doesn't look like Donald J. Trump was colluding with the Russians, so we have got to have somebody's scalp. Let's intimidate some people. Let's bully our way into homes in the middle of the night. Let's do whatever we have got to do and maybe we will scare somebody into admitting something.

Like many are saying, Michael Flynn didn't lie. To be a lie, you have to have intent to deceive. But whether they are right or wrong about that, the word is he was bankrupted by an overzealous bully.

All my friends on the left are talking about bullying. I was small for my age. In my class, I was bullied. I had a black eye, a bloody nose. A fifth grade teacher, after a big bully took my football and I tried to get it back and ended up with a bloody nose and a black eye—our teacher loved the bully back then—pulled me in front of class while I was trying to get my nose to stop bleeding and told the class: This is what happens when little boys try to play with big boys.

I know something about being bullied and I recognize it in a government group when I see it. The Mueller team has been bullies, but that is what Mueller wanted. Why do you think he went and hired Weissmann, who destroyed thousands and thousands of employees' lives who worked for Arthur Andersen in a joust at windmills that cost these people their livelihoods, caused more pain and suffering than imaginable, for what the Supreme Court said, 9-0: You are a fool. This was not a crime. You made this up?

That is who Mueller wanted on his team. This is the same Robert Mueller, as I have been pointing out for years,

who has been grossly unfair in running off the thousands of years of experience that he did so he could have great people, wonderful people.

Not only were they new and young, but he was eliminating the older folks who had the experience that could bring them along, because Mueller wanted them created in his image and to get rid of all the wisdom of the ages that could be found throughout the FBI before he took over.

I am sure there are a bunch of people that needed to go, but you don't destroy an entire entity like the Federal Bureau of Investigation just because you want a bunch of yes men. That is what Bob Mueller did. That man shouldn't have been close to being a special counsel. He couldn't stand Trump.

As the Washingtonian magazine was glorifying James Comey—I believe it was in a 2013 issue where they said, basically, in essence, if the world were burning down, James Comey knew that the one person who would be standing with him would be Bob Mueller—Comey is the very guy who admitted leaking information out in order to try to get a special counsel appointed.

As I covered with Mr. Rosenstein yesterday, this is part of an FBI typical employment agreement. Everybody is supposed to sign this thing and swear to it: "All information acquired by me in connection with my official duties with the FBI and all official material to which I have access remain the property of the United States of America. I will surrender upon demand by the FBI, or upon my separation from the FBI, all materials containing FBI information in my possession."

If a man like Comey goes to a meeting in his official capacity of FBI Director with the President of the United States and he comes out of this and types up a memo, even though it appears it was a pretty less than unbiased memo trying to make President Trump look bad, so he commemorates it with a memo, that memo, as I discussed with Mr. Rosenstein yesterday, is probably government property. That is government information, government property. And the question is: Did he commit a crime when he leaked that information?

There is a decent chance it is, yes.

So where is the FBI in its investigation of James Comey's potential crime?

When you look at the record and you go back, now we know from that one incident this is the person to whom he leaked, and then that got to The New York Times. Well, here is another meeting where he was the principal character there, the most likely person to have leaked.

Well, lo and behold, his same conduit for leaking information that he has admitted to ends up being in place in this story. There may be at least six other places where he has leaked information, and some of them will be crimes, but because the special counsel was all

about trying to strip the winner of a Presidential election, we are not going after Comey. We are not going after any of these other people. They are trying to find something.

As we know from the text messages of FBI Agent Strzok, they wanted an insurance policy so that, in case Trump won, they could still get rid of him. Poor Strzok believed that no one in this country should vote—not a single person, not even Donald Trump's family—should vote for him. It ought to be 100 million to zero.

But, Mr. Speaker, it is so clear, in my days of trying cases in Federal court and State court, where you are asking questions of a jury panel to see who would be fair enough to sit on a jury, we can see that these people who were working and have been—and some still are—for the FBI, for the Department of Justice, have no business getting close to this investigation unless they are a target of investigation.

Andrew Weissmann should never have been a part of the special counsel team.

Peter Strzok, this is only some of the text message he sent, but he says:

He asked me who I'd would vote for, guessed Kasich.

It goes on:

God Trump is a loathsome human.

Yet he may win.

Good for Hillary.

It is.

Would he be a worse President than Cruz? Trump? Yes, I think so.

This, of course, is an exchange between Peter Strzok, or PS, and his mistress, Lisa Page, who is also working for the FBI. These people had done irreparable damage to the FBI. But worse than that, they have made a mockery of justice in the United States.

What really gets me is I know how upset I was in the Bush administration when I saw somebody doing wrong. I didn't care if he was appointed by a Republican or a Democrat. I didn't care that President Bush had appointed a man or a woman to a position. What I cared about was them being righteous and doing the right thing.

Now, where is my Democratic friend who will stand up and say this isn't right?

We know Alan Dershowitz, a great Democrat, brilliant intellect, has done it. But where are people across the aisle who would do what I did during the Bush Presidency, pick up the phone and say: This is an outrage. What has happened under this Attorney General should never have happened. He has got to go?

Where is the Democrat who has a sense of moral outrage when the justice system is just shaken to its core by people who want to take out a President because they didn't support him, they didn't want him to be there, they didn't think any American should vote for him, and they are destroying the sense of justice and our justice system?

It is time for Americans to wake up. It is time to clean house, get rid of Mueller, and get some fair people in there to investigate.

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

The SPEAKER pro tempore. Members are reminded that remarks in debate in the House may not engage in personalities toward the President, whether originating as the Member's own words or being reiterated from another source.

## ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, December 15, 2017, at 5:30 p.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3390. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Tolerances for Emergency Exemptions (Multiple Chemicals) [EPA-HQ-OPP-2017-0563; FRL-9969-16] received November 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3391. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's temporary final rule — Investment Company Reporting Modernization [Release Nos.: 33-10442; 34-82241; IC-32936; File No.: S7-08-15] (RIN: 3235-AL42) received December 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3392. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ziram; Pesticide Tolerances [EPA-HQ-OPP-2016-0536; FRL-9970-38] received November 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3393. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of California Air Plan Revisions, Sacramento Metropolitan Air Quality Management District [EPA-R09-OAR-2017-0196; FRL-9970-92-Region 9] received November 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3394. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Boscalid; Pesticide Tolerance [EPA-HQ-OPP-2016-0600; FRL-9968-95] received November 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3395. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ethofumesate; Pesticide