

call on all of my colleagues to stand up and be counted on this issue, seriously consider what the chances of success are, and if they agree with me that the approach being taken of sending more troops in, that we stand up and we prevent this policy, like the policy of sending our troops into Beirut without bullets in their guns. And we should not assume that just sending those guys there will be accomplished because other people will watch over and make sure the job's done correctly and that our troops are safe.

It is up to us, each and every one of us, to insist that this strategy of simply sending in more troops, at \$35 billion, a strategy that's more likely to work and accomplish what we want to accomplish, is put into place, a strategy that will keep faith with the Afghan people, instead of just simply relying on Americans doing more of the fighting, help them rebuild their country, rearm them, arm them so they can do their own fighting. We owe it to our troops. We owe it to our marines, we owe it to the Sergeant David Battles who have given their lives over the years for our country, to make sure we do our duty by them as they do their duty by us.

9/11 CHANGED EVERYTHING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes.

Mr. GOHMERT. Mr. Speaker, it's a pleasure to be here on the House floor, especially when you know the history of this floor and all that's been done to keep Americans safe, the reactions on this floor by great American leaders after tragedies such as we had after Pearl Harbor, when the President of the United States spoke from that lectern right there after Pearl Harbor. Before 9/11 that was the worst attack on American soil. But 9/11 changed things substantially. For one thing, I never thought during my 4 years in the Army, going back to the 1970s, that we'd ever see patriotism at a level that it is today, where people actually appreciate people being in the service. The Vietnam Vets knew what it was like to come home and to be spit at and ridiculed. I know when I went through basic at Fort Riley, there was an order not to wear our uniforms off post because there was supposedly violence that was done. There were people beat up who were in the service.

But somehow, for a while there, 9/11 brought this Nation together, where people began to take notice and care about first responders, and they began to care about each other. And on September 12, there on our courthouse square in Smith County, Texas, we had people of all walks of life join together, a huge group came, and it culminated in everyone holding hands and singing God Bless America. And as I looked around, there was not one single hy-

phenated American. We were all just Americans, all kinds of races, genders, creed, colors, national origins. But we were just Americans.

Well, after 9/11 we realized that for the first time in our history the oceans did not provide the protection that they once did. As an old history major at Texas A&M, and continuing to be a student of history since, I don't know of another Nation in the history of the world that has been so blessed and protected as we were with the Atlantic and the Pacific oceans. Even Australia, which was surrounded by water, always had to fear invasions. But after the War of 1812, for the most part, we didn't have to worry about external threats so much as we were able to think about Manifest Destiny, moving and settling the continent, the Industrial Revolution, having the effort to make the Constitution mean the same for all people, no matter what race, creed, color, gender.

But 9/11 sent a message that the oceans no longer protected us, that we were going to have to take more measures to protect ourselves. I recall back in the 1980s it being said that one of the great things about the Atlantic and Pacific, if somebody intended to be a suicide bomber, they would lose their nerve crossing the ocean. And certainly, anybody that moved here and lived among the American people would begin to see how much freedom we had here, and they would come to love America as we do, and they would not want to blow up their friends and neighbors. Again, 9/11 changed all that.

So if someone doesn't know the lessons from history, then they are destined to repeat it, as the old saying goes. Well, the Constitution, and I have a pocket Constitution here, article one, section 8, says that Congress shall have power to—and one of the things that we have the power to do in Congress is constitute tribunals inferior to the Supreme Court. And you get over to article three, section one, the judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish.

Even the Supreme Court, over in section two, where it's talked about, it says in all of the other cases before mentioned the Supreme Court shall have appellate jurisdiction, but it's the law in fact, with such exceptions and under such regulations as the Congress shall make. So the Supreme Court owes its existence to the Constitution. Every single other court in America, Federal court that is, owes its existence to the Congress. We create the courts. We establish their jurisdictions. We have the right to establish their venues. And when we dealt with this issue back in 2005 and 2006, of having to deal with terrorists who are captured on the foreign battlefield, what do you do with them? You certainly don't want to bring them onto American soil, because if you did that, there'd be

some court that would say, well, they have all the rights and privileges of an American citizen, which shouldn't be true, but until some court says it's true, and at that time, since we believe in following the law, even though some courts do not, they create it instead of follow it, we follow even the renegade courts when it's the law of the land.

So, we had to deal with this issue. Following all of the precedents, and I believe Justice Scalia does a phenomenal job of discussing precedents, as does Chief Justice Roberts in the *Bimidian* case. But we had to deal with people like Khalid Sheikh Mohammed. Khalid Sheikh Mohammed was captured in Pakistan on March 1, 2003, by the Pakistani ISI. It may have been a joint action with agents of the American Diplomatic Security Service, but he's been in U.S. custody ever since that time. In September of 2006 the U.S. government announced it had moved Mohammed from a secret prison to the facility at Guantanamo Bay detention camp.

Now, some came to believe that Guantanamo is such a horrible place. That is where we waterboard people and things like that. The waterboarding that apparently occurred, never occurred at Guantanamo. That was elsewhere. Guantanamo Bay is a place I've been a couple of times. And, having been a judge, I've had the opportunity to explore and tour many different types of prisons.

□ 1945

Attending a tour of the Guantanamo Bay facility was not unusual except that it is unusual to get there. You don't take a commercial flight to Guantanamo Bay, which is one of the reasons it's such an ideal spot for people who are a threat to our way of life.

We have also Ramzi bin Al-Shib who was captured by Pakistani forces in Pakistan around September of 2002. He was transferred to Guantanamo Bay, Cuba, on or about September 26 where he also has remained.

You have other people being detained there that we know have been self-confessed terrorists and under the pleading that was filed by Khalid Sheikh Mohammed, as he said, "We're terrorists to the bone, and if we terrorize you, kill you," basically, "thanks be to God."

These are people who do not believe we should have the freedoms that we do in America because they think freedom ultimately leads to degradation of the individual and the country. Therefore, people should not be allowed freedom, they should be told what they can or can't do; and they believe that they get a special place in Paradise if they are able to go out in this life having destroyed and killed what we consider innocents and what they consider infidels.

So we come to the announcement by the U.S. Attorney General when he announced that the Department of Justice will pursue prosecution in Federal

court of five individuals accused of conspiring to commit 9/11 attacks. He said further, "I've decided to refer back to the Department of Defense five defendants to face military commission trials, including the detainee who was previously charged in the USS *Cole* bombing. The 9/11 cases that will be pursued in Federal court have been jointly assigned to prosecutors from the Southern District of New York and the Eastern District of Virginia and will be brought in Manhattan in the Southern District of New York."

He goes on and ends up saying, "In each case, my decision as to whether to proceed in Federal court or military commissions was based on a protocol that the Department of Justice and Defense developed, and it was announced in July. Because many cases could be prosecuted in either Federal courts or military commissions, that protocol sets forth a number of factors, including the nature of the offense, the location in which the offense occurred, the identity of the victims, and the manner in which the case was investigated that must be considered. In consultation with the Secretary of Defense, I have looked at all of the relevant factors and made case-by-case decisions for each detainee."

Well, it wouldn't seem that he has considered the safety and the best interests of the people that survived the attack on 9/11 in New York City, the most densely populated area in our country.

In 2005, 2006, this Congress considered these issues—and I would submit gave it better consideration than our current Attorney General—and when the Bush administration had formulated a military tribunal system without the input from Congress, it was struck down, and rightfully so. So Congress got involved. Now we have the Military Commissions Act that was passed in 2006.

The Obama administration did not like the term applied to the enemy combatants that were captured on the battlefield around the world who had made efforts and participated in the murder and destruction of American lives and American property. So, the way that bill was amended, it now reads "any alien unprivileged enemy belligerent is subject to trial by military commission as set forth in this chapter."

You have to look back.

Alien. The term "alien" means an individual who is not a citizen of the United States. You look at unprivileged enemy belligerent. The term "unprivileged enemy belligerent" means an individual other than a privileged belligerent who, A, has engaged in hostilities against the United States or its coalition partners; B, has purposefully and materially supported hostilities against the United States or its coalition partners; or C, was a part of al Qaeda at the time of the alleged offense under this chapter.

The term "hostilities" means any conflicts subject to the laws of war.

As it says in 948(h), Military commissions under this chapter may be convened by the Secretary of Defense or by any officer or official of the United States designated by the Secretary for that purpose. Unfortunately, the Attorney General has elected to bring self-confessed terrorists to New York City.

I did want to walk people through what it takes to prepare a case for trial from a judge's standpoint, from a logistical standpoint. All evidence has to be transported by different individuals, whoever may have it, to the courthouse so it can be used as evidence there—sometimes it's held in different places—but eventually to the courthouse. Normally you have to keep a very careful chain of custody on any evidence, but unfortunately, this is from a battlefield where in order to get the official chain of custody started, our soldiers in harm's way would have to walk out in the middle of hostilities—perhaps there are bullets flying—and say, "Time out. I want to gather evidence that we may need to use some day in a civilian court because we have a President or Attorney General who wants me to go out in harm's way and gather fingerprint, the forensic evidence that may be used in establishing the chain of custody, never mind that it may get me killed trying to gather such evidence forensically on a battlefield," which we have never done before. It's never been necessary because people who were leaders in this country knew enough about the history of the country to avoid putting our men and women at additional risk in order to try people who wanted to kill us and destroy our way of life into a civil court, a civilian court. It just hasn't been done. It was not appropriate.

Now this is an unusual war, of course, because although the individuals who have planned, participated in killing American citizens through the 9/11 terrorist attacks, they declared war on us but we didn't officially declare war on them because they're not actually a country, which makes it more difficult. But make no mistake, war has been declared on the United States, and either we respond by fighting back in this war or the war with terror goes on from the terrorists until they win. It becomes a very one-sided war until eventually we either lose the country out of fear or terror or the American citizens decide, Gee, the risk is so great, let's just make our President king and go to a dictatorship because so often in history, people prefer a dictatorship or a king or a Caesar if they can assure that they're going to be better protected.

That is why I decided since it didn't appear that the best of judgment had been used in wanting to bring terrorists who said they participated and planned the 9/11 attacks—they just hoped to kill a lot more than 3,000 people and perhaps had hoped to kill tens of thousands of people if the buildings had collapsed sooner—it seems to me we needed to fix this.

So we are working on the language—hope to file it tomorrow, no later than Thursday—that will make this mandatory: that any alien unprivileged enemy belligerent shall be exclusively subject to trial by military commission as set forth in this chapter, words along that line, so that it is not an option for people who do not understand the risk to which they put American citizens.

Once you gather the evidence, once you have the terrorists in New York City, I would expect that is probably strategically when the defense attorneys would file a motion to change venue. Of course, the terrorists may want to keep it in New York City even though they might allege they couldn't get a fair trial because perhaps every single person in New York City eligible for jury duty might have heard about 9/11 and may have drawn opinions about what happened that day, it is a better place for terrorists to remain and be held and drag out a very long, sustained trial. Because as you find if you have been around the judicial system, if a defendant has access to tremendous amounts of money, then you can expect them to call expert after expert after expert. And yes, Federal judges can rein in the number of experts, but if they're creative enough, they may be able to come up with enough experts to drag this thing out.

And, of course, we have the rules in Federal court as State courts as well that the judge has to be the gatekeeper of what experts will be allowed to testify. They have to be found to be competent in the area to which they are going to testify. And so the judge may have weeks and weeks and weeks of hearings on whether an expert will be allowed to testify. There may be weeks and weeks and weeks of hearings regarding change of venue evidence and whether the case should be transferred, and if so, where it could be transferred where a fair trial could be had.

Amazing, but some of these things I do not believe got adequate consideration before action was taken.

So we have terrorists who are going to be brought to New York, perhaps some to Illinois. As they're awaiting trial, the thing gets dragged out, perhaps the friends of the terrorists—because we know people can get into this country illegally. We know people have come in legally, overstayed their visas, and we are not enforcing visa terminations adequately. So they could have friends here illegally. They could have people here legally. But you can bet they are going to be testing out the adequacy of the court system in which their terrorist buddies are being tried. And having read the pleading by Khalid Sheikh Mohammed that they intend to terrorize us, they intend to defeat us, to destroy us, then their friends will be looking for such a way to do that.

What better way than in the most densely populated area in this country to have some terrorist threats go on? And what you normally have when the

terrorist threats go on is evacuations, and that's when it is extremely helpful to have a community organizer in the White House because you will need lots of community organization in order to adequately evacuate massive areas of the most densely populated area in America, as the threats will likely be coming.

I have seen them happen in my own courthouse when I was a judge. I normally didn't evacuate. I had that luxury since I could order the deputies to leave me alone. But you will have those types of things.

Can we be sure that there will not be a truck, a vehicle, loaded with explosives to perhaps commit some act of terrorism in one of the tunnels? Or a vehicle. You could have a number of vehicles coming through the tunnel, coming across the bridges, loaded with explosives. Things to instill fear in the minds of American citizens.

□ 2000

Apparently these terrorists enjoy seeing Americans flee in fear. We have had an evacuation here a couple of times since I have been in Congress. My brother called after the first time since I have been here and said, I didn't see you running out of the Capitol on video. I said, Perhaps that is because I was the last one out. I would rather be killed by a terrorist than to have them see legislators running in fear because there is some terrorist threat to the Capitol. Just take me out. I know where I am going when this life is over, so I am not terribly worried about what happens in the interim.

Back to the trial. Those kinds of acts, those kinds of threats could normally be expected during the course of a trial. And as the trial goes on, you think about the jailers who are maintaining a watch on the terrorists in New York City. Think about their families. Maybe their immediate family, their wife, their children, or if it is a female, their husband and their children. Think about perhaps even their mother or father, siblings. Who will be safe, because you know as much research as went in so carefully to the planning and the destruction of the World Trade Centers, that planning will likely go into the next terrorist attack, and what better time than when terrorists are on trial in New York, because to their warped, distorted way of thinking, what a great time to be blown up with all of these infidels surrounding them in New York City—infidels to them, innocents who deserve protection to the rest of us.

So as you get through the trial, you have not only the jailers, you have bailiffs, you have jailers who transport them. You have people working on the vehicles that will transport them. You have people working on perhaps air cover and working on the aircraft that will provide air cover, if any. You will have people who will be in those vehicles and aircraft. You have people all along the way, and every single person

is a potential link that may be exploited by terrorists, either of their families or of those individuals, because these individuals intend to scare us and to show that we can do them no harm, but they can sure scare us. So what better opportunity.

During the course of the trial, of course, it is a daily thing to transport prisoners back and forth from the courtroom. You have people all over the courthouse. It may be more restricted during the trial, but it is really difficult to restrict the ongoing business in New York City. And especially since, as I read, the Attorney General says they intend to have them brought in Manhattan in the Southern District of New York, to Manhattan itself. Unbelievable. Unbelievable.

So there are a lot of people who are at risk, including the people in New York City. And in case someone, Mr. Speaker, is tempted to think, "Well, this is 2009; that occurred September of 2001. I am sure those people have gotten over the panic, the fear, the trauma, the tragedy of that horrible day on 9/11," well, you don't have to go very far back and recall the insensitivity of this administration in having Air Force One fly over New York, accompanied by a fighter jet, which caused a sheer panic, as some may have seen on You Tube, among citizens in New York because they thought it is happening again and a fighter may have to shoot down Air Force One. It was unbelievable insensitivity, and as some may recall, at least one person lost their job over it.

It won't take much to start the panic all over again. The insensitivity is just amazing, just amazing.

So we are told, in addition, not only should we bring these terrorists to New York City, the most densely populated area in the country, but we should keep in mind that we are one of the largest Muslim Nations in the world, that we are not a Christian Nation.

I can't help but in this hallowed Hall, this incredible historic building, go back to the painting of George Washington down the hall as he extended his resignation, and the end of it, the resignation, after he had won the revolution, as he resigned, which was something which had never before or since been done in the history of mankind, lead a revolution and military, win, and then just go home after you did your job. Washington was an extraordinary man.

At the end of his resignation, he says, "I now make it my earnest prayer"—that's right, prayer—"that God would have you and the State over which you preside, in his holy protection, that he would incline the hearts of the citizens to cultivate a spirit of subordination and obedience to Government, to entertain a brotherly affection and love for one another, for their fellow citizens of the United States at large, and particularly for their brethren who have served in the field," which is what we just did on Veterans Day. These are

Washington's own words that he wrote in his resignation at the end. "And finally, that he would most graciously be pleased to dispose us all, to do justice, to love mercy, and to demean ourselves with charity, humility and pacific temper of mind, which were the characteristics of the divine author of our blessed religion, and without an humble imitation of whose example in these things, we can never hope to be a happy Nation."

And he signed, "I have the honor to be with great respect and esteem Your Excellency's most obedient and very humble servant, George Washington."

That was our first President, our first Commander in Chief. Those were his words. That is what he thought. He thought we had a divine author of our blessed religion. He didn't know what our current President knows, apparently.

Out here we have a painting right outside, a massive painting of the Constitutional Convention. After nearly 5 weeks of accomplishing virtually nothing, Benjamin Franklin, 80 years old, about 2 and a half years away from meeting his maker, brilliant, witty, charming, quite the man, stood up and he was recognized.

He said we have been going for nearly 5 weeks. We have more noes than ayes know. He said, "In this situation of this assembly," and we know these were his words taken by James Madison, "groping as it were in the dark to find political truth, and scarce able to distinguish it when presented to us, how does it happen, sir, that we have not hitherto once thought of humbly applying to the Father of Lights to illuminate understanding? In the beginning contest with Great Britain, when we were sensible of danger, we had daily prayer in this room for the divine protection. Our prayers, sir, were heard and they were graciously usually answered."

"All of us who were engaged in the struggle must have observed frequent instances of a superintending providence in our favor. To that kind of providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have we now forgotten that powerful friend? Or do we imagine we no longer need his assistance?"

See, this was during the founding, the creation of the Constitution. The Founders felt like it was okay to pray to God for divine protection and they were not worried if that insulted someone because it is what they believed.

Franklin stated, "All of us who were engaged in the struggle must have observed frequent instances of a superintending providence in our favor." He believed God was answering our prayers.

Anyway he goes on and says, "I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. And if a sparrow cannot

fall to the ground without his notice, is it probable that an empire can rise without his aid? We have been assured, sir, in the sacred writing, that 'except the Lord build the house, they labor in vain that build it.'

"Firmly believe this," Benjamin Franklin said. He went on and said, "I also believe that without his concurring aid we shall succeed in this political building no better than the Builders of Babel. We shall be divided by our little partial local interest; our projects will be confounded, and we ourselves shall become a reproach and bye word down to future ages. I therefore beg leave to move that henceforth prayers imploring the assistance of Heaven, and its blessings on our deliberations, be held in the assembly every morning."

It was seconded and unanimously adopted. From that day to this, we do not begin in this Chamber, or prior when the Congress met in other chambers, we don't meet without starting with prayer, without apologies.

You go on to Abraham Lincoln, one of the greatest theological discussions, and this came from a man who basically was self-educated, well read, self-taught, voracious reader, but he loved reading the Bible. He believed in God as indicated throughout his writings. And as he tried to reconcile the horrible, bloody Civil War that had gone on, profound words he wrote. As he wrestled—you can feel the inner conflict in himself when he tries to reconcile the North and South fighting, brother against brother, family member against family member—he said these words that are inscribed on the north side of the Lincoln Memorial, "Both read the same Bible and prayer to the same God, and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not, that we be not judged. The prayers of both could not be answered. That of neither has been answered fully. The Almighty has His own purpose. 'Woe unto the world because of offenses; for it must needs be that offenses come, but woe to that man by whom the offense cometh.'

"If we shall suppose," Lincoln said "that American slavery is one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him?"

"Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away."

□ 2015

Lincoln continued: "Yet, if God wills that it continue, until all the wealth piled by the bondman's two hundred

and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said 'the judgments of the Lord are true and righteous altogether.'

"With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

"To bind up the Nation's wounds"? Does anyone think that we do that by bringing terrorists back to instill more terror in an area where the wounds have not yet been bound up and have not yet healed? It's a terrible mistake being made. A terrible mistake being made. And it may gain some knowing nods and smiles at some international cocktail party where members of this administration may go and say, see, we brought terrorists back to New York City, back to the most densely populated area. We inflicted upon ourselves even more terror. Aren't we wonderful? Self-flagellation, aren't we great? We beat ourselves up. Don't you love us?

We've seen there is no appreciation in the world when the United States hurts itself either by spending too much money or by opening its doors to terrorists who want to destroy our way of life and we do nothing about it until it's too late.

We're dealing with the PATRIOT Act. And I've had severe concerns about the national security letters when we found out that they were being abused under Director Mueller's watchful eye. But it needs to be reauthorized. There needs to be greater oversight than there was. There have been corrections made, but there are some protections in that act that have afforded us the ability to stay without a major terrorist attack for 8 years. This is no time to open ourselves up to additional terror by bringing terrorists on our soil, potentially allowing them to go free on our soil, potentially allowing them to go free anywhere.

They declared war. The tradition and the history of mankind is when you are from a group that declares war on another people, another country, and you're captured, you remain captured. You remain a prisoner until such time as your friends cease the war. And there is no intent to cease the war on behalf of the terrorists, as we have seen.

There are those who think that this administration is trying to create a situation where there is more damage and destruction financially, perhaps, through terrorists so they have to declare martial law and take over. I don't believe that for a moment. I just think there is a terrible lapse in judgment that may allow those things to happen.

But you go back to Thomas Jefferson. He said, "The natural progress of things is for liberty to yield and government to gain ground." You had John Adams, who said, "Property must be secured or liberty cannot exist."

We helped secure property when we kept the terrorists who want to destroy our way of life off of American soil over in the Middle East and then in the last 2 or 3 years at Guantanamo Bay.

Of course, Washington said, "Government is not reason. It is not eloquence. It is force. Like fire, it is a dangerous servant and a fearful master."

Of course, Abraham Lincoln went on to say, "We have been the recipients of the choicest bounties of heaven." Lincoln went on and he said, "We have grown in numbers, wealth, and power as no other nation." Lincoln finished his comment by saying, "But we have forgotten God."

We are creating self-inflicted wounds and it's time to stop. And hopefully we will have enough people on both sides of the aisle who will sign on to this bipartisan bill. I'm hoping it will be very bipartisan because Congress, as I have already read, has the obligation to set up all the courts inferior to the Supreme Court to set out their jurisdiction, set out their venue in the collective wisdom of this place.

And if we have a Chief Executive who's not aware of the coming damage and destruction that may occur by bringing people to the most densely populated area in the country in which to try them and have their friends try to destroy the trial itself, then it is the duty of this body to step up and say, you know, hey, under the Constitution this is our job. We're supposed to create the courts so you know where to try them. And we're going to eliminate the choice that you now have so that you put them in the right place. That's what should be done. That's what we need to pass. That's what the Congress was supposed to do according to the Constitution.

But we have already seen this year when Congress punted and when the Supreme Court punted. And so unelected, unconfirmed people meeting in secret as part of the White House decided what businesses would fall in the auto business, what would gain. They destroyed all the years of bankruptcy law, all the incredible wisdom that came together in the bankruptcy law, and turned it upside down.

Secured creditors were treated like dirt. Unsecured creditors were catapulted, because it involved unions, to the top. Turned the law upside down.

Well, that shouldn't have been allowed to stand. The Founders wanted us to step up and utilize the power that they gave this body. So you had dealerships, and in some places they had borrowed millions of dollars to buy the dealership, and all of a sudden some people that didn't even own cars were saying, you know what, close their dealership, maybe even give it to somebody down the road. And those people

were left owing their banks the money they borrowed because some unelected, unconfirmed bureaucrat said this is the way we're going to do it. Oh, yes, well, of course, they did have to run into a lazy bankruptcy court's judge. Maybe he's not lazy; maybe he's just ambitious, who would sign off on that and give it the color of law.

But some may not know bankruptcy judges have to stand for reappointment, and many bankruptcy judges hope that they will invoke the favor of a President who will elevate them to a Federal district bench for life rather than on the bankruptcy court. And that has happened before many, many times.

But Congress stood mute and let the Constitution be turned upside down, let the laws that this body passed be turned upside down. So then the last hope of all the checks and balances put in place by our Founders was the Supreme Court. And Justice Ruth Bader Ginsberg, to her credit, put a 24-hour hold on that fiasco, that abomination under the laws of the United States and the Constitution. But she withdrew it, or it died at the end of the 24 hours, and all checks and balances on power were avoided, and we did exactly what the Founders hoped would never happen: we ignored the power of all the different branches so that one unelected, unappointed group could just run things as they wanted.

We can't let that type of action happen again here. We created the military commissions in this Congress under our authority of the Constitution. It is our obligation as a Congress to step in and protect the people of New York from the terrorism that will in all likelihood flow. And if you don't believe it, then go read the unclassified pleading filed by Khalid Sheikh Mohammed. If you don't believe that they mean harm, then you can check out the accounts of what goes on at Guantanamo.

What we have seen, found out in trips to Guantanamo Bay, shows that these guys are being treated better than prisoners I've ever seen in State or Federal prison in Texas and in other Federal prisons in the country, maximum security prisons, that is. They're fed well. They get several hours a day outside. They are given movie hours to watch movies.

In fact, one of the biggest problems at Guantanamo is not for the prisoners but comes from the prisoners. They are so brilliant and innovative, they figure out ways to throw urine and feces on our guards. But the standing order at Guantanamo, as told by the commander to me, the standing order is whoever has urine or feces thrown on them from one of the inmates may go and shower and change and take the rest of the day off. But to my knowledge, nobody has taken the rest of the day off. They go shower, clean up, and then they come back to duty.

I was told that there was one service-member who, from having feces thrown

on him, actually lost his temper and yelled at the inmate, and for that he received an article 15 punishment for losing his temper after he had body excrement thrown on him.

When I have tried to find out if there wasn't some way to punish the prisoners who commit those types of assaults on our guards, I'm told that because there are so many international visitors, including Red Cross or whatever groups, come, Amnesty International, the groups that come, they come often enough that the people at Guantanamo did not want for these groups to come and find they put somebody in solitary confinement, despite the physical assaults. So there is no real punishment that is inflicted upon inmates that commit assaults on guards.

But, in fact, they may take a couple of their 4 hours of movie watching away; and if it's a bad enough assault on one of our guards, they may take away some of their time outside, which the inmates enjoy, of course, very much, and they get more of than most any prison that I've been to, maximum security prison.

□ 2030

A maximum security prison, that is what we are dealing with in Guantanamo. People are well taken care of. But they are dangerous, and they want to destroy our way of life. And until their buddies declare that the war is over, we ought to continue to maintain them and keep them locked up away from American soil. And if the administration is absolutely intent on trying them before their buddies cease this war upon America, then it ought to be before a military commission, as Congress created in 2006 and has been amended even this year at the request of this administration.

So that's why I'm going to be filing a bill and asking, Mr. Speaker, colleagues on both sides of the aisle to please join in. Let's protect the families of victims of 9/11 in New York from having to endure this insufferable blow of having smirking, happy terrorists come to New York and gloat over this destruction and death they caused there. They do not deserve to gloat over the deaths and destruction they brought to New York City. They do not deserve to gloat over the destruction and death in Washington, D.C.

They deserve to be kept confined for the rest of their natural lives, but at least until their buddies say they are no longer at war, and they all give up, and then we can pound our swords into plowshares. Until that time, this body owes a duty to American citizens to protect it, to see that the administration doesn't subject it to unnecessary harm.

So with that, Mr. Speaker, I will yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for from 2 p.m. until 3:15 p.m. today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 955. An act to designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the "John 'Bud' Hawk Post Office."

H.R. 1516. An act to designate the facility of the United States Postal Service located at 37926 Church Street in Dade City, Florida, as the "Sergeant Marcus Mathes Post Office".

H.R. 1713. An act to name the South Central Agricultural Research Laboratory of the Department of Agriculture in Lane, Oklahoma, and the facility of the United States Postal Service located at 310 North Perry Street in Bennington, Oklahoma, in honor of former Congressman Wesley "Wes" Watkins.

H.R. 2004. An act to designate the facility of the United States Postal Service located at 4282 Beach Street in Akron, Michigan, as the "Akron Veterans Memorial Post Office".

H.R. 2215. An act to designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the "John J. Shivnen Post Office Building".

H.R. 2760. An act to designate the facility of the United States Postal Service located at 1615 North Wilcox Avenue in Los Angeles, California, as the "Johnny Grant Hollywood Post Office Building".

H.R. 2972. An act to designate the facility of the United States Postal Service located at 115 West Edward Street in Erath, Louisiana, as the "Conrad DeRouen, Jr. Post Office".

H.R. 3119. An act to designate the facility of the United States Postal Service located at 867 Stockton Street in San Francisco, California as the "Lim Poon Lee Post Office".

H.R. 3386. An act to designate the facility of the United States Postal Service located at 1165 2d Avenue in Des Moines, Iowa, as the "Iraq and Afghanistan Veterans Memorial Post Office".

H.R. 3547. An act to designate the facility of the United States Postal Service located at 936 South 250 East in Provo, Utah, as the "Rex E. Lee Post Office Building".

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles: