

a canyon where there was a wetland, which would have been the natural break to stop the fire from the other side. You see, they never needed to burn that land.

These things happen in the course of fighting fire. It doesn't mean they are right. But rare is it that somebody ends up 5 years in prison.

Let me tell you what the senior judge said when he sentenced the Hammonds the first time, Judge Michael Hogan, senior Federal judge, highly respected in Oregon. He sentenced Dwight Hammond to 3 months and Steve to a year. There were different offenses here.

He said: "I am not going to apply the mandatory minimum because, to me, to do so, under the Eighth Amendment, would result in a sentence which is grossly disproportionate to the severity of the offenses here."

The Judge went on to say: "And with regard to the Antiterrorism and Effective Death Penalty Act of 1996, this sort of conduct would not have been conduct intended under the statute.

"When you ask, you know, what if you burn sagebrush in the suburbs of Los Angeles, and there are homes up the ravines, it might apply. Out in the wilderness here, I don't think that is what the Congress intended.

"In addition, it just would not meet any idea I have of justice proportionality. It would be a sentence which would shock the conscience, to me."

Senior Judge Mike Hogan, when he did the original sentencing.

But, you see, under this 1996 law under which they were charged and convicted, it turns out he had no judicial leeway. He could not mete out a sentence that was proportionate to what the crime was.

So yesterday, Dwight and Steve went to prison again. Dwight will be 73 when he gets out. Steve will be about 50.

Meanwhile, in Harney County, on the ranch, Susie will continue to try and survive; 6,000-acre ranch, she needs grazing permits to make this happen. It would be a cruel and unjust act, by the way, if access to those grazing permits that allow that ranch to work were not extended. What possible good could come out of bankrupting a grandmother that was trying to keep a ranch together, while the husband sits in prison, her son sits in prison? What possible good?

They will serve their sentences. There is nothing, short of clemency that only the President can offer, that we can do. But we can change that law, and we should, so that nobody ever is locked in like that for a situation like this, where a senior judge, literally, on his final day on the bench, says this goes too far, it goes too far. They appealed that, by the way, and lost. But I believe that the judge was right.

We have to listen to the people. We have to understand why events like this are taking place in our communities. They are taking place in cities. We have witnessed that, and we try and get our heads around it.

There are more people from the cities, so there are more Members from the cities. There aren't many of us that represent these vast, wide-open, incredibly beautiful, harsh districts like the one I do.

The people there love the land. It was the ranchers who came up with the concept of the cooperative management. It was the ranchers who loved Steens Mountain that know that for them to survive they have to take care of the range.

□ 1945

They are good people. Their sons and daughters, by a higher proportion, fight in our wars and die, and I have been to their funerals. So to my friends across eastern Oregon, I will always fight for you. But we have to understand there is a time and a way. Hopefully the country through this understands we have a real problem in America: how we manage our lands and how we are losing them.

It is not like we haven't tried here, Mr. Speaker. Year after year we pass bipartisan legislation to provide more active management on our forests so we don't lose them all to fire, and we are losing them all to fire. We are losing firefighters' lives, homes, and watersheds—great resources of the West. Teddy Roosevelt would role over in his grave. He created this wildlife refuge in 1908.

There were some bad actors there in the 1980s, by the way. They were very aggressive running the refuge, basically threatening eminent domain and other things that took ranches. It was bad. That lasted for at least a decade or more. It has gotten better though. It is not perfect. There is a much better relationship, and the refuge and the ranchers work closer together. In fact, during this fire in 2012, the refuge actually opened itself up to the ranchers for hay and feed because theirs was burned out because of this big fire. So there was a better spirit there.

But there are still these problems: the threat of waters of the U.S. shutting down stock ponds and irrigation canals and a way of life, the threat of fire every year that seems to not be battled right and just gets away, and no one is really held accountable; the continued restriction on the lives of the men and women who, for generations, have worked hard in a tough environment. It has just gone too far. It is hurtful.

I hope people understand how serious this is felt and how heartfelt this is by those who pay their taxes and try and live by the law and do the right things and how oppressed they feel by the government that they elect and the government they certainly don't elect, and how much they will always defend the flag and the country, and their sons and daughters would go to war, some will not come back—and they have not from this area.

There is a better solution here. The President needs to back off on the

monument. The BLM needs to make sure Susie Hammond isn't pushed into bankruptcy and has her ranch taken by the government and added to those that have been. We need to be better at hearing people from all walks of life and all regions of our country and understanding this anger that is out there and what we can do to bring about correct change and peaceful resolution.

It is not too late. We can do this. It is a great country. We have the processes to do it right.

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

CRIMINALIZATION BY REGULATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for the remainder of the hour as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, I do appreciate the words of my friend from Oregon. These are difficult times, and it is even more difficult when unfairness comes from the United States Government with all its power, with all its resources, when it begins to pick on American citizens, when it uses its resources to snoop on Americans, especially when it uses resources to spy on Americans in order to help maintain power of the government over the people.

One of the problems with ObamaCare is it provides every American's medical records to the Federal Government—as if the Federal Government didn't have enough personal information. The Consumer Financial Protection Bureau is in the process of gathering people's credit card and debit card information supposedly to protect individuals. What we have seen in our Judiciary Committee as we have had hearings on the abuses by Federal Government bureaucrats is there seems to be this desire among different agencies and departments: They have no business having a SWAT team, but they want one. They want military power to go out and take people down whenever they get ready.

For many years, Congress has not done an appropriate job of keeping in check criminal laws. There are far too many criminal laws, the number of which we don't know exactly, but which allow a violation of a regulation to be a crime, which allows the full power of the Federal Government to go after individuals.

We heard the horror story about the fellow from the Northwest trying the create a better battery. He gets run off the road by three black Suburbans, hauled out of his little gas-efficient car, thrown down on his chest, boot in the back, handcuffs on, and no idea what he had done. He never even had a traffic ticket. It turns out that he hadn't violated any law necessarily, but he had mailed a package to Alaska

that he knew needed to go by ground only, so he checked the box “ground only.”

He didn’t know that he needed a little sticker with an airplane with a line through it. So he didn’t put that on. The result was he was run off the road, thrown to the ground, handcuffed, dragged to jail, then drug off because the Federal Government gets to pick their venue. And since they knew he didn’t really know people in Alaska, and that is where the package was going, they dragged him to Alaska to prosecute there.

When he was finally acquitted—maybe it was jury nullification, they just thought it was too unfair—then the prosecutors, the power of the Federal Government and the vindictive people that control things, decided they couldn’t let him get away with only having done months in jail; so, having ransacked his home under a search warrant because he didn’t put the little sticker on the package he mailed, they went back through all of the accounting of items found, the inventory, and found that there were some chemicals that are required not to be abandoned, and a regulation—again, a regulation some bureaucrats put in place, not Congress—that required those substances were never to be left for more than 14 days. Since the prosecutors had had him dragged off to Alaska and put in jail up there, he was involuntarily forced to leave the substances. They were properly stored, but they were successful in prosecuting him for abandoning the substances.

Or the retired gentleman down in Houston who wasn’t able to testify before our committee because he had had a stroke while he was incarcerated because of the overaggressive prosecution by the Federal Government. He had a greenhouse and raised orchids. He sold to some local florists. He had gotten a package from South America. Apparently, it wasn’t properly packaged according to some bureaucrat’s regulations, and therefore he had his home raided and ransacked. His wife testified she called home and didn’t recognize the voice of the person answering. She asked who it was. He said: Well, who is this? She said: I called my home to talk to my husband, and I have a right to know who you are.

Well, it was a Federal agent. He was handcuffed in his own kitchen because somebody sent him a package from South America that didn’t meet some cubicle jockey’s idea of what was properly sending a package. During the year and a half he was imprisoned, he had a stroke and couldn’t communicate.

Or the poor guy that had lobster shipped to him. He was arrested, incarcerated, and charged with violating not American law, but American law that says, if you violate a foreign law, then you can be arrested in America, and they alleged that he violated a Caribbean island’s laws. That country’s attorney general said: No, we don’t be-

lieve he violated our laws. Nonetheless, he was incarcerated.

The stories go on and on of abuse when a government becomes all powerful the way this one has come close to being. When Congress doesn’t adequately rein it in, there doesn’t seem to be a lot of hope for Americans across the country to be able to stand in the face of such an overwhelming power as our Federal Government.

So I appreciate my friend from Oregon talking about the situation with the Bureau of Land Management, Fish and Wildlife Service. It seems that there are people within the Interior Department that have an insatiable appetite for acquiring more and more and more land, and more and more and more private property taken away from private individuals. It is getting out of control.

If any landowner dares to say, “I want to keep my own private property,” then they can have a right to worry that the Federal Government will come after them, harass them, and make their lives miserable until they finally consent. It is why we should have removed the President’s ability to just name land as a national monument, as President Clinton did, one of the world’s largest deposits of coal in Utah, just put it off limits by calling it a national monument. It was never intended for those purposes. That is why we should have ended—well, actually, it had ended the program that allowed billions of dollars to be accumulated and spent buying more and more land for the government to control.

□ 2000

It is very difficult in my district. It is not like the Federal Government owns one big swath of land. It can surround private property and make the lives of private property owners miserable, make it unbearable, being a horrible neighbor. Even if the Federal Government doesn’t own the private property, they can make usage of that property very unpleasant.

Is it any wonder right now in America that Donald Trump is leading in the Republican primary in so many of the polls? TED CRUZ is viewed as an outsider, though he is in the Senate, because he stood up against the establishment, the status quo. Americans are tired of the Federal Government being unaccountable and becoming so big that it is out of control.

Having prosecuted felony cases early in my career, having been a judge handling thousands of felony cases in Texas, I understand crime. I understand how it has to be stopped. But I also see when the Federal Government becomes a part of the problem instead of part of the solution.

When we had this horrendous shooting in San Bernardino, so many people killed at a Christmas party—or this administration preferred to call it a “holiday party”—where Christians and Jews get singled out, of course this administration won’t prosecute a hate

crime against a Christian or a Jew and then continue to warn us that they certainly will protect against any hate crime against a Muslim. Nonetheless, we find out there was a straw buyer who broke the gun laws to buy a weapon for the killers. We don’t need a new gun law. The man violated the gun laws. And then we found out that actually this administration has been prosecuting fewer gun violations than the Bush administration, and in recent years continues to prosecute fewer and fewer and fewer gun violations.

If one were cynical—especially in view of the Washington adage that no matter how cynical you get in this town, it is never enough to catch up—you might say: Wait a minute. This administration, for example, compared to the Bush administration—in ’04, the Bush administration prosecuted nearly 9,000 gun violation cases brought by the ATF. This administration, in 2013, prosecuted around 5,000, and it has prosecuted fewer each year since. It is almost as if—and I know there wouldn’t be an improper motive. The House rules tell us that. But it is almost as if you had an administration that is not prosecuting gun violations so they can turn around and demand more laws restricting law-abiding gun rights because, if they really wanted to stop gun violence, they would be prosecuting more aggressively.

When we think about the losses of lives, all the lives that could be saved if this administration would simply enforce the laws that exist, it is heart-breaking. You think about those families who lost a loved one because this administration didn’t prosecute the gun violations that could have stopped those losses of lives. It is tragic that this administration will continue to clamber for more laws when the solution should lie first in enforcement of the laws we have before it clambers for more laws.

There is an article published January 5, 2016, saying: “Obama Announces Gun Control Actions, Expands Background Checks” on FOX News.

The article says: “The President, speaking at the White House, said background checks ‘make a difference’ and will be expanded so that they can cover purchases online, at gun shows and in other venues.”

It quotes the President saying: “Anybody in the business of selling firearms must get a license and conduct background checks or be subject to criminal prosecutions.”

Mr. Speaker, we have got to get President Obama some good help. The people around him certainly would not be dishonest enough to misrepresent to the President what the law is, but somebody is misrepresenting to the President what is true and what isn’t because we know he would not be dishonest. He would certainly not intentionally misrepresent to the public when he says that you can just go online and buy a gun without a background check when that is not true.

If you are a criminal, I am sure it is true that that could be done. But for law-abiding individuals, the kind that don't go out and commit crimes, they followed the law. The law requires for gun dealers, whether it is a transaction over the Internet or not, there has to be a background check.

But somebody keeps feeding the President false information that he passes on to the United States citizenry. We have got to get the President some help so he can get the facts straight that he conveys to the American public.

I haven't bought a gun online, but talking to people that have, if you go online to buy a gun, there is going to be a background check. You cannot just have the gun mailed to you. You have to go to a gun store. They don't really appreciate having you buy a weapon online and then come to the store where they have brick and mortar invested in the local economy. They are the ones that have to make sure the law is complied with. But you can't just go online and buy a gun unless you are an outlaw already violating the law, in which case more laws won't make a difference. Only enforcement of existing laws would stop that kind of conduct.

There is an article from Paul Bedard, January 5: "Obama's New Gun Control Force 8X the Size of Pentagon's ISIS Commando Team." It points out: "According to a White House fact sheet, the President plans to deploy 200 more Bureau of Alcohol, Tobacco, Firearms and Explosives agents 'to help enforce our gun laws.'

"He also plans to add at least 230 new FBI agents to pore over the backgrounds of gun buyers . . . In Iraq, by comparison, the White House is moving to install an estimated 50-200 Special Operations Forces to take down ISIS."

Here again, it is not enough to simply add FBI or ATF agents when this administration refuses to prosecute gun violations, gun law violations, even as aggressively as the Bush administration did. Of course, this administration seems to think the Bush administration was too lax on gun policy, but yet they won't even prosecute but a fraction of the cases that the Bush administration did.

It is also worth noting that, when this article compares to the actions in Iraq, having been to the command center there in northern Iraq myself, having talked to people on the ground there, having talked to people who have done surveys, done studies of what is going on there with ISIS, you find out this administration, yeah, they are sending planes up, but a majority of the ordnances aren't dropped. Apparently, according to one source, even though they see trucks carrying weapons to ISIS, they are not allowed to take the trucks out. If they see supplies going to ISIS, they are not allowed to stop them. They are not allowed to crater the road they are using. This administration has rules of

engagement in place that don't allow the United States to actually defend ourselves against ISIS.

Is it any wonder that it was reported that the radical Islamist terrorists in the Middle East have no fear of this administration or of America because they see how ridiculous the restrictions are that we put on ourselves, our fighting people? They fear, more, Israel because Israel will take legitimate actions to win.

□ 2015

There is an article from AWR Hawkins, 5 January 2016, which reads, "A January 4 White House executive order fact sheet previews the executive gun controls Obama will announce Tuesday.

"The five most offensive aspects of those controls:

"One, the main policy would not have stopped any recent mass shootings," which would indicate—since that appears to be the fact, that nothing he has proposed would change the mass shootings—then, obviously, they are more concerned about either, A, putting on a show or, B, curtailing law-abiding citizens more than actually stopping the mass shootings.

"Two, 225 years of precedent destroyed without any legislative due process."

Some say, "Yes. But we already have background checks. So the President is not changing that." The law is very clear as to what a gun dealer is. He is somebody who is in the business of selling guns.

This administration is now saying, "Hey, if you sell one gun, that can mean being in the business," and that has never been the law. This President is unilaterally attempting to change the law so that, if an uncle wants to sell to his nephew, then this President would try to be a wedge there.

We are not going to prosecute nearly the gun violations like the Bush administration did, but, yes, we will come after that uncle and get between the uncle and the nephew. We are going to be as big an impediment to law-abiding citizens as possible in the way this administration is approaching this; whereas, we are turning a blind eye to so much of the criminal activity, which is the way it appears.

This article from TheBlaze, "Obama's Executive Action on Guns Changes Privacy Rules Between Doctor and Patient," talks about how it will push doctors to report patients they believe may have a problem with the proper use of guns. It is putting a wedge between doctors and patients.

Another article here is from Stephen Gutowski: "Obama Executive Order May Require Those Selling Even a Single Firearm to Become Licensed Dealers." That is not the law. This President is changing the law without there being the congressional passage of a law that he would sign.

Another article is from John Lott, dated January 5. Dr. Lott knows the

gun laws and knows the gun facts. This is from the National Review. Dr. Lott points out, if you really want to fix things, don't charge gun buyers for the background checks. Fix the system so it stops falsely flagging the law-abiding people. This article also points out that 99 percent of the flags turn out to be improper flags.

Three, stop using background checks as de facto registration, which appears to be what they are actually trying to do.

The article from Kelly Riddell, dated July 23, 2014, points out "Obama's Empty Tough Talk: Gun Prosecutions Plummet on His Watch," with the numbers and figures to back that up.

By failing to prosecute gun violations while pressing for more gun laws, it makes one wonder if that is kind of akin to our servicemembers who are in harm's way. For example, in Afghanistan, in the 7¼ years under Commander in Chief George W. Bush, I believe the number of precious American military lives lost was just over 500. Under Commander in Chief Obama, I believe it is at least three times that many or more than that.

What is different? The war is supposed to have basically gone away. We ended it, according to the President. Yet, under his command, people got killed in multiples when the war was supposedly over.

Our military members tell me it is the rules of engagement. We can't defend ourselves. We have a motorcyclist terrorist—a radical Jihadist—come blazing up toward a checkpoint, killing people. You realize, wow, we have a lieutenant that this administration, under Commander Obama, sent to Fort Leavenworth—to prison—for, apparently, giving the order to shoot an Afghan on a motorcycle because he was not slowing down as ordered, he was not yielding to the gunfire over his head. A good way to get Americans killed is to put them in prison if they try to defend themselves or those under their command.

So it just leaves you with the question: Who is this administration really trying to protect? Are we trying to protect our own military members who are in harm's way? It doesn't appear so. Not enforcing the laws against criminals for their gun violations and, instead, demanding more and more control over law-abiding citizens in their use of weapons.

Mr. Speaker, I know a lot of seniors who may not be able to tell you how much money is in their bank accounts; so, they have someone helping them with their bank accounts. But they can sure tell you when somebody is breaking into their homes and when they need a weapon.

We were taught in my 4 years in the Army that a gun is a great equalizer. So if you are 85 years old and somebody is breaking into your home—someone who is strong and powerful and can break your body over his knee—a gun is a great equalizer. But under this

President, if you are not managing your own account, look out. This administration is going to leave you unprotected against those intruders.

It is time America started responding, Mr. Speaker. It is time this year that Americans made clear that we want an administration in America that is more concerned about the law-abiding people than it is with taking away the rights of law-abiding Americans.

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 3762, RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015

Mr. WOODALL (during the Special Order of Mr. GOHMERT) from the Committee on Rules, submitted a privileged report (Rept. No. 114-387) on the resolution (H. Res. 579) providing for consideration of the Senate amendment to the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016, which was

referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 712, SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 1155, SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT OF 2015

Mr. WOODALL (during the Special Order of Mr. GOHMERT) from the Committee on Rules, submitted a privileged report (Rept. No. 114-388) on the resolution (H. Res. 580) providing for consideration of the bill (H.R. 712) to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes, and providing for consideration of the bill (H.R. 1155) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUSH (at the request of Ms. PELOSI) for today on account of attending to family member's medical procedure.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1893. An act to reauthorize and improve programs related to mental health and substance use disorders; to the Committee on Energy and Commerce.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 8 o'clock and 23 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 6, 2016, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first, second, and fourth quarters of 2015, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, EMILY MURRY, EXPENDED BETWEEN MAR. 27 AND APR. 4, 2015*

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Emily Murry	3/28	4/4	Burma		2,079.00		15,666.10				17,745.10
											-190.00
Committee total					2,079.00		15,666.10				17,555.10

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
 * Amended.

EMILY MURRY, Dec. 18, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO HONG KONG, TIBET AND BEIJING, CHINA, EXPENDED BETWEEN NOV. 5 AND NOV. 14, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Nancy Pelosi	11/7	11/9	Hong Kong		757.42		(3)				757.42
	11/9	11/13	China		829.20		³ 1553.74				2382.94
Hon. James McGovern	11/7	11/9	Hong Kong		757.42		(3)				757.42
	11/9	11/13	China		829.20		³ 1553.74				2382.94
Hon. Betty McCollum	11/7	11/9	Hong Kong		714.84		(3)				714.84
	11/9	11/13	China		829.20		³ 1553.74				2382.94
Hon. Tim Walz	11/7	11/9	Hong Kong		757.42		(3)				757.42
	11/9	11/13	China		829.20		³ 1553.74				2382.94
Hon. Joyce Beatty	11/7	11/9	Hong Kong		757.42		(3)				757.42
	11/9	11/13	China		829.20		³ 1553.74				2382.94
Hon. Alan Lowenthal	11/7	11/9	Hong Kong		757.42		(3)				757.42
	11/9	11/13	China		829.20		³ 527.74				1356.94
Hon. Ted Lieu	11/7	11/9	Hong Kong		757.42		(3)				757.42
	11/9	11/13	China		829.20		³ 527.74				1356.94
Wyndee Parker	11/7	11/9	Hong Kong		714.84		(3)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94
Kate Knudson Wolters	11/7	11/9	Hong Kong		714.84		(3)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94
Emily Berret	11/7	11/9	Hong Kong		714.84		(3)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94
Reva Price	11/7	11/9	Hong Kong		714.84		(3)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94
Jorge Aguilar	11/7	11/9	Hong Kong		714.84		(3)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94
Admiral Brian Monahan	11/7	11/9	Hong Kong		714.84		(3)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94