We expect to hear the ruling on the individual mandate across the street at the Supreme Court. The individual mandate was the centerpiece of Republican health care proposals until the Obama administration embraced it. Then the Republicans decided it was an outrageous infringement on personal liberty.

Here in this Chamber, we will debate Operation Fast and Furious. Most Democrats, including me, don't really even quite get what the supposed scandal is about, but have always thought that gun sales in large quantities to drug cartels was just generally a bad idea. For Republicans, on the other hand, the gun sales that were part of Operation Fast and Furious appear to be the only gun sales they've ever had a problem with. We will also have a 180-degree reversal on the issue of information that Congress can require as part of our oversight powers.

I was an Oversight Subcommittee chairman for 4 years. I believe congressional oversight is an important check on the executive branch of government, an established, important part of our Republic system of checks and balances. I support investigations that might make an administration of my own party look foolish or worse. I want people who have the power of government, of either party, to be accountable for their decisions. I want them to pause over how they will explain their decisions in public; and if they can't explain them, maybe they shouldn't do it. Congressional oversight exposes and deters abuses of power and garden-variety stupidity of which there is plenty in the public sector, in the private sector, and in all activities in which human beings are involved.

But the courts have also recognized that uninhibited, candid discussions improve decisions. Decisions are less likely to be stupid when they are carefully discussed, and the courts protect the privacy of some discussions within the executive branch to further the goal of fewer stupid decisions. The courts recognize a strong privilege for discussion between the President and his top advisers and a lesser privilege, a qualified privilege, for other debates within the executive branch.

When I was an Oversight Subcommittee chairman, I read many of the court decisions that discussed those privileges. Anyone who says that the law is clear, in that what is privileged and what is not is well defined, is misinformed or dishonest.

Five years ago, the Democratic majority disagreed with a Republican President over whether information we sought as part of our oversight powers was privileged. There was plenty of partisan acrimony at the time, but we found a simple solution. We filed a lawsuit to ask a judge to decide whether we were entitled to the testimony and the documents that we had subpoenaed. The Bush administration argued that the court shouldn't decide the case. The judge disagreed. The judge said that enforcing subpoenas and deciding what testimony or documents are privileged is something courts do every day. Judges expect lawyers to make careful, calm arguments based on the law and the facts; and they have little patience for tedious, dishonest talking points or personal attacks.

The debate here tomorrow will not even remotely resemble a legal argument in court. So we could go now to a court to clarify the law. I would support that. Many Democrats would support that—but no. Instead, House Republicans are going to force a vote to prosecute the Attorney General for the crime of taking a plausible position on uncertain legal issues. Instead of asking for a careful, calm decision by a judge on a legal issue, House Republicans are choosing an intemperate, acrimonious debate here in this Chamber over legal issues about which few Members have the first clue.

Why? The only possible reason is that House Republicans just like partisan acrimony.

HONORING THE LIFE OF SPECIALIST JARROD LALLIER, AN AMERICAN HERO

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) for 5 minutes.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise today with a heart full of sadness and sorrow to honor the life of Specialist Jarrod Lallier.

Jarrod was a proud member of the prestigious 82nd Airborne Division, serving his first tour in Afghanistan. He was a graduate of Mead High School and a lifelong resident of Spokane, Washington. He was an athlete, a son, a brother, and an American hero.

Jarrod was just 20 years old when he lost his life last week in Afghanistan. He was just 20 years old when men in Afghan police uniforms turned their weapons on his unit and robbed him of his life. He was just 20 years old when he said goodbye to his family forever.

He would have celebrated his 21st birthday this week.

But since he is not here to do that, I want to celebrate the life he lived and the country he served.

Today, we celebrate a man who dreamed of serving America since he was young. We celebrate a man who fought for America, who protected America, who defended America. We celebrate a man who died in the name of American freedom.

Today, my thoughts and prayers and gratitude are with Specialist Jarrod Lallier and with all those who will carry on his legacy forever: his father, Gary; his mother, Kim; his sister, Jessica; and his brother, Jordan.

May God bless this great American hero, his family, and all the brave men and women who have answered America's call to freedom.

□ 1050

THE PATHWAY OF CONTEMPT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, this is a solemn place and a solemn moment when Members come to express their views.

A previous speaker drew us to heroes, and we thank those who have served us in the United States military. This morning I draw us toward constitutional and congressional responsibility. It is all intertwined in the honor that we have in serving in this august institution entrusted to us by the American public, our individual constituents.

I first suggest that earlier this week the Supreme Court established the superiority of the United States Government in immigration reform. In all of the points that were brought by the State of Arizona, two-thirds were rejected under the understanding and the law that the United States Government is in charge of immigration enforcement, immigration benefits, and that we should do our job.

For the one provision that remained standing—and as the ranking member formally of the Immigration Subcommittee and on Homeland Security, I see this every day. Having just come from Arizona, I have seen the good work Congressman GRIJALVA and Congressman PASTOR and others are doing. I know that we are working to ensure the safety of the border, but I also recognize the need for the dignity of human beings. I fight for the dignity.

Congress should get out of the way in terms of being in the midst of confusion and stand in the way and close the gap on immigration reform. The only provision left standing was a provision that the Court warned the State that if they engage in racial profiling, that too may be proven unconstitutional.

Law enforcement officers have always had the right in a legitimate stop to ask for the credentials of anyone they stop. The question is now burdening those officers to see who they stop and why they stop. Again, I speak to the issue of congressional responsibility.

Now I come to the act that is going to take place tomorrow, and a number of us are writing the Speaker and asking and imploring him, as Speaker Newt Gingrich did in 1998, refusing to bring forward a contempt charge against Janet Reno that was pointedly personal. We suggest now that there is much work to be done. As my colleague indicated, this case could be taken to the courts to determine what documents should be brought in.

In addition, the work has not been completed. Kenneth Melson, who headed the ATF, has never been allowed to speak before the committee to explain that he never told any of the officials, including the Attorney General, about the intricacies of Fast and Furious. The former Attorney General, who has