never fade. Justice Scalia influenced countless jurists, attorneys, law students, and everyday Americans. My thoughts and prayers have been with his wife, Maureen, Father Paul, and the entire Scalia family since the passing of this outstanding American statesman.

Regardless of whether one agreed with his opinions on the Supreme Court, this man's consistent integrity and admirable character cannot be denied. In both word and action, he was a man of the strongest character and deepest virtue.

□ 2000

This was evident in the commencement address he gave to the graduating class of the College of William and Mary in 1996, when he said: ''Bear in mind that brains and learning, like muscle and physical skill, are articles of commerce. They are bought and sold. You can hire them by the year or by the hour. The only thing in the world that is not for sale is character.''

The way he lived out the virtues of integrity and humility did not go unnoticed.

Several weeks ago, we here in Washington had the opportunity to go to the National Prayer Breakfast, which attracted Members of Congress, the President, Senators, Ambassadors, people from all over the world, and we were treated with an appearance by famed tenor Andrea Bocelli.

I think that Justice Scalia would have enjoyed his appearance and his appreciation for opera.

In addition to his wonderful renditions of ''Panis Angelicus,'' which, again would have been another treat for Justice Scalia, and ''Amazing Grace,'' Mr. Bocelli lamented the dark shadow that war casts on the world and expressed concern for its victims, identifying war as a major problem in our world today.

But then it was interesting. Mr. Bocelli stated: ''There is that small, hateful word, 'hubris,' already known in antiquity.'' The ancient Greeks used it to define pride and the arrogance it entails.

Bocelli's use of the word ''hubris'' was compelling in that he spoke it in the center of power here in the United States.

That word conjures a theme that we have seen in Justice Scalia's work. Justice Scalia went about his task of considering significant constitutional and legal issues of the day with a profound and seldom seen humility about the role of courts in our country.

They are not there to impose their own beliefs on the people, but to adjudicate competing claims in the context of a Constitution that has enduring meaning.

To interpret the law in any other way otherwise aggrandizes power to a select few, a power that was never intended by the Founders. This humility of position that Justice Scalia had I believe will be a lasting legacy.

Regardless of whether one agrees with Justice Scalia from a policy perspective, his writings reflect a profound respect for an understanding of our system of government and an unparalleled respect for an interpretation of the Constitution grounded in text and in history. For this our Nation should be forever grateful.

May he rest in peace.

Mrs. COMSTOCK. I thank the gentleman, and I thank all of my colleagues for their comments.

Mr. Speaker, I really appreciate this opportunity for all of our colleagues to join us in celebrating the life of this great man, Justice Scalia, who so many of us were privileged to know and count as a friend.

For anyone who would like to view the beautiful mass of Christian burial for Justice Scalia that was presided over by his son, Father Paul Scalia, who gave a beautiful homily, that can be found on C–SPAN. I appreciate that that was covered.

I also, again, appreciate this opportunity to celebrate this beautiful life, this family.

I yield back the balance of my time.

WATER QUALITY AND SUPPLY ISSUES IN THE UNITED STATES

The SPEAKER pro tempore (Mr. LOUDERMILK). Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I appreciate the earlier discussion about one of America's most longstanding and most noted Justices. His passing is mourned by all of us.

I do, however, today want to move to a different subject. I want to talk about, I think, one of the two most essential things that a human being needs to live. That is water and air. But today we are going to take the former of those two subjects and really talk about water.

Two weeks ago I put this up for all to see. This is tap water from Flint, Michigan. There has been a lot of discussion over the last month, month and a half, almost 3 months now, about Flint, Michigan, about the water supply in Flint, Michigan, lead in the pipes, lead pipes, about the public health emergency that exists there, and about what we could and should do about dealing with Flint, Michigan.

However, Flint, Michigan is not unique. This is how they get water in East Porterville. In the Central Valley of California, the San Joaquin Valley, just south of Fresno, California, the water supplies in the East Porterville area ran dry, in part, because of the drought, in part, because of inadequate water systems.

So the residents of East Porterville were required to get water from a cattle water trough, pretty much like I have on my ranch, although, hopefully, this water is a whole lot cleaner. Porterville, California.

Now we have two examples, one from the Midwest, another one from the Far West.

Any other problems about water supply? Well, yes. There are other problems about water supply.

This is a list of problems that we know exist in the United States—or most recently existed:

Flint, Michigan, we just saw that picture.

Toledo, Ohio, you remember, had to shut down the water system because of problems from algae blooms.

Sebring, Ohio; Baltimore, Maryland; Brick Township, New Jersey; Washington, D.C., lead release.

Wayne County, North Carolina; Greenville, North Carolina; Lakehurst Acres, Maine; Chicago, Illinois.

I decided not to put them all up there because it would take the rest of the evening to list all the communities in America that have water issues. And certainly we do in California.

I could put up another—well, maybe I will. Let me just put up a map of California. This is the largest population in the United States, approaching 40 million people.

And far north, the Pacific Coast, San Francisco Bay, Los Angeles, down here, Santa Barbara, and way down here, San Diego, and somewhere over here, Arizona and Nevada, the Sierra Nevada mountains, the coastal range, and the great Central Valley of California, where a whole lot of America's food and food exports come from.

Down here in the Tulare Lake Basin, there are well over 100 communities who have contaminated water from nitrates and other harmful substances.

So the issue of clean water, you know, shortage of water down here, and contaminated wells up and down—oh. The Salinas Valley. Monterey Bay and the great Salinas Valley, many, many of the wells in that area are also contaminated.

So we have got a water quality problem really throughout the United States, and we certainly have one in California.

We have another problem in California. Let me put this up, a little different map. The previous map, that one, nice and green. That is not California today.

We may be and probably are in the fifth year of the great California drought. This is a picture of the California drought situation. The yellow is a little less than normal. The red, far less than normal. This brown is really the way California will be as soon as this summer comes on. And that is called exceptional drought.

So the great Central Valley of California, the coastal range down into Los Angeles, even over to the east side of the Sierras, an exceptional drought. So the green California is really not so green.

Today we are about halfway through the rainy season in California, and the

current rain for the entire State is about 75 percent of normal. That is why you see this extreme drought occurring even as of February 18, 2016.

The Sierra snowpack is less than normal but is still a whole lot better than last year, when it was zero, as in no snow.

So what are we going to do? Well, we need to do something. Otherwise, we are going to have a whole lot more pain in California.

So what Senator FEINSTEIN and I have been doing over the last several months is trying to develop a solution for the immediate drought, to make the most of the water that is available, while still protecting the endangered species, the great salmon runs of the Central Valley of California, and the coastal rivers, as well as the species that live in the delta of California.

So we have been working, trying to put together a piece of legislation that would provide as much flexibility as possible, while still protecting the fish species and the flora and fauna of the State.

We think we have done it. We think we do have a piece of legislation that will do that. We call that the operational portion of the legislation. Senator FEINSTEIN has already introduced that legislation.

I intend to do so in the very near future here in the House of Representatives so that we can have a statement from the House of Representatives about how we can solve the drought problem—well, not solve it—do the very best we can in an extreme circumstance to deliver as much water as possible to the farms and the cities of all of California, while also protecting the endangered species.

Let me just put this up. This is the essence of the legislation. I am going to start here at the bottom and work towards the top. This is the short-term provision of the bill. I will go into this in more detail in a few moments.

The bill also has what we call long-term infrastructure needs. Those long-term infrastructure needs are storage reservoirs, aquifers beneath the surface of the earth, where we have groundwater—or we used to have groundwater, surface storage.

There are several new and expanded reservoir opportunities available in the State, some of them on the streams and rivers—and, of course, those will be controversial—and one or two that are off-stream, in the valleys and the mountains where there are no active rivers, those being somewhat less controversial.

So there is surface storage. There is underground aquifer storage. That is this one right here. Authorized $600 million for water storage projects, both aquifer as well as surface storage.

We also have this thing called conservation. Conservation is where you can get the most water. For every gallon of water that you conserve, that is a gallon of water that would be available for other purposes or to extend what little you have available. So conservation plays a major role.

In this legislation, there is money for conservation. There is also money for this recycling. Now, much of the Midwest recycles water. In fact, the entire Mississippi River system is recycled water, water that is used upstream by some city, cleaned, put back in the river, reused again as it flows down the Mississippi River and its tributaries. California doesn't do much recycling.

I don't have a map here of the—no, I don't.

But if one were to take a look at the whole Pacific Coast of California and the United States and Alaska and Central America and South America—so from Alaska all the way south to Chile on the West Coast, the Pacific Coast, of the Western Hemisphere—you would find that the fifth biggest river in all of that vast stretch—the great rivers of Alaska and Canada, the Columbia River, the Sacramento River, the Colorado River down here, and the rivers of Central and South America—the fifth biggest happens to be right here, here, here, and here.

□ 2015

The fifth biggest rivers are the sanitation plants of California that take water from up and down the entire area and from the Colorado all the way from the Rockies, use it, clean it to a higher standard than the day it arrives in the great cities of California, clean it to a higher standard, and then they dump it in the ocean. This is utter foolishness.

So in the Garamendi-Feinstein legislation, we have $200 million for water recycling so that we can recycle that water, reuse it, and make use of water that is already available.

We know, for example, that in Los Angeles there are approximately 1 million acre-feet of water that is not now being used. In fact, it is being dumped into the ocean. With this recycling program, 1 million acre-feet of new water can be available in southern California.

And, by the way, for those of you who are not familiar with California, we are talking about the Los Angeles basin here.

So the recycling in this basin can deliver 1 million acre-feet of water over the next decade or so, and that water can be put back into the great aquifers of southern California and even down into the San Diego area. These aquifers are now largely contaminated with various contaminants, but they can be cleaned and the water recycled, put back in the aquifers, taken out, cleaned, and round and round it goes.

One million acre-feet: What does that mean to northern California, to Colorado, our friends in Arizona, New Mexico, and Nevada? It means that that is a million acre-feet that Los Angeles, the great basin down here, does not need to take from the Sacramento River in northern California or from the Colorado River, taking pressure off those rivers. And as you saw from the drought map, those rivers are in severe trouble. So that is kind of a strategy that we put in place.

Now, we are not geniuses—well, maybe—no. We are not geniuses. But what we do know is that the State of California has already figured this out.

So what our legislation does is to tie directly to, mirror, augment, and push forward what California did in the 2014 election, which is to pass proposition 1, an almost $7 billion proposition for the development of water supplies for California.

So, look at this: Water conservation, storm water recapturing, increase local and regional supplies, $810 million. Our legislation would fit right in there with conservation and these other programs.

Safe drinking water. Remember talking about Porterville and water troughs for cattle from which the kids were taking water? Here you have the Safe Drinking Water Program. And guess what. It is in the Feinstein-Garamendi legislation.

Yes. There it is, money to help small communities through the Bureau of Reclamation expanding their WaterSMART and other programs so that we can mirror, augment, supplement, and advance what California already wants to do when proposition 1 goes into effect.

Let's see. Water recycling. Didn't I just talk about that? Yes, I did. So in the legislation that Senator FEINSTEIN has already introduced and what I will soon introduce here, we will be once again working with the water recycling. Not as much money, but still a major Federal effort to work with the State to maximize the water recycling.

This is also not on this list, but also desalinization, which happens to work for some parts of California as well as other parts of the United States.

I talked about groundwater. Yes. Our legislation mirrors the groundwater program that is in proposition 1, adds some additional money, and directs the Federal Government to work directly with the State on advancing the groundwater issues.

Now, for those of you that have been following the drought in California over the last several years—actually, the last several decades—California has been excessively using its groundwater so much so that, in parts of the great Central Valley of California—maybe I will put that map back up here—in the great Central Valley of California, particularly in this part of the Central Valley and the Fresno area and south, we have seen a significant fall in the surface of the Earth.

It is literally sinking as a result of the groundwater being pumped out. In many places, you can go down through this area and you will see wells that are way, way above the ground and the ground is down here maybe 10, 20 feet. You have seen subsidence in the area.

So the over-drafting in this area and some in the Sacramento Valley as well as in the Salinas Valley is a serious problem.

Part of what we want to do, mirroring what the State has already decided to do with proposition 1, is to

have the Federal Government work with the State on addressing the aquifers in this region to find ways to recharge the aquifers. There are many different ways that that can be done.

Some of it is simply pumping the water back into the ground rather than pumping it out. In other areas, the geology in various parts, particularly along the coastal mountains as well as along the Sierra Nevada mountains, there are gravel channels, old river channels that have historically recharged the groundwater basins in parts—actually, along most of the Central Valley.

So it has to be done. This is what we are trying to do with this legislation: Desalination research, which I discussed earlier, $100 million; water storage, $600 million; water recycling, $200 million; and $55 million for specific protections for the fish and wildlife species.

There is a whole series of projects that would fit into that. Once again, all of this infrastructure work is designed to coordinate specifically with what the State of California is doing with their multibillion-dollar proposition 1.

This isn't in effect yet, but this money is now working its way through the various environmental studies and various levels of government so that very soon these projects will be underway.

If we are able to pass the legislation that we want to introduce, we are going to see the Federal Government working very, very closely with the State government in addressing the California problem.

Now, who cares about California? If you care about food, your fresh veggies, you had better care about California. Over here in the Salinas Valley where lettuce comes from? Drought problems.

In the Central Valley, let's see. You name the crop, everything from rice to walnuts—oh, wine grapes are very, very important if you like your wine. In the central coast down here, the same thing.

So what we are trying to do with the legislation is to provide a long-term fix to California so that we can increase the supply of water, increase the storage during the wet years, put the storage in reservoirs and in the aquifers so that, when the dry years come, then we will do it.

There was a fellow by the name of Steinbeck. He wrote a book, ''East of Eden.'' In that book, he talked about the California droughts.

This is not a new situation, although 5 years and 4 years is definitely new. Usually, the droughts would be 1 or 2 years. But now we are looking at quite possibly a 5-year drought.

Steinbeck said this. It is not the exact quote, although I wish I had it. It was like this:

> In the dry years, they worried about where their water would come from. Then the wet years would come and they forgot about the dry years.

That has been the story of California for too many—too many—decades. Certainly Steinbeck saw that in the early part of the 20th century.

We are now in the 21st century and we cannot—we cannot—relive that old adage that Steinbeck wrote about.

So we need to build for the future. We need to be able to address this in the immediate as best we can and put in place the water systems.

I am going to describe those water systems to you just very briefly. Here in the north we have the great Shasta Reservoir up here on the Upper Sacramento River.

It could be raised. It could be increased. There are some environmental and certainly some cost issues associated with raising Shasta. That is one of the proposals of possibilities in our legislation.

The other one sits right about in here off stream. The Sacramento River flows down through the middle of the valley here, but off-stream over here in my district actually is a potential reservoir that has been talked about for maybe 50 years now called Sites Reservoir.

It stores about 1.8 million acre-feet of water. It could deliver annually 500,000 acre-feet of water. That is a lot of water. That is 1 foot of water across 5,000 acres. Did I say 5,000? It is 500,000 acres. So that is the Sites Reservoir over here.

That reservoir also does something really unique. Since it is off-river, it will take the water flowing down the Sacramento River during the heavy storms, put that water into the reservoir, and then, when summer comes or the drought comes, that water can be released back into the Sacramento River, providing water quality issues here in the Delta of California—and I will come to that in just a few moments—creating flexibility on the great reservoirs—Shasta, the Yuba system, the Folsom Reservoir here in Sacramento, and the big California reservoir in Oroville—allowing the operations of those reservoirs to be modified in such a way that they are able to store water rather than releasing it down the river for fish and wildlife.

It would then be able to release water from Sites Reservoir and keep that water back in these reservoirs. A major problem in Sacramento is that the Folsom Reservoir is at low tide. I will have tomorrow representatives from the east Sacramento area in my office, all of them saying: Oh, my goodness. We don't have enough water in Folsom Reservoir for our cities of Rancho Cordova, Roseville, and the like, east of Sacramento.

So Sites Reservoir could provide more water in the Sacramento region by keeping that water in the Folsom Reservoir.

Let's talk a little bit about the delta. I guess I had better finish the other reservoirs. Down here in the Fresno area on the San Joaquin River we have the big Friant Reservoir on the San Joaquin.

There is a bit of a problem with Friant. It managed to dry up the San Joaquin River, creating a big, big problem for the salmon. They don't do very well in dry rivers.

So there is an effort underway to try to restore some of the salmon on the rivers in the San Joaquin Valley, the Stanislaus, the Merced, and the other rivers as you move down towards the San Joaquin.

There would be a new reservoir that is proposed here at Temperance Flat. Is it possible? Yes. Is it environmentally controversial? Oh, yeah. No doubt about that. And it is expensive.

But, nonetheless, our legislation would authorize a continuation of the studies to see if it is worth doing. So that would be the Temperance Flat.

Over here on the hills to the east of Oakland there is another storage reservoir off-stream, and that one is called Los Vaqueros. Los Vaqueros is a reservoir that is controlled by the Contra Costa Water District.

They now have agreements with other water districts in the bay area to increase the size of that reservoir to store more water at that area. Again, that is off-stream.

It would take the high winter flows and put that water in storage off-stream as with Sites Reservoir to the north of it, all very, very important.

So these are the essential projects that would be long term for California. Again, they would be the surface storage reservoirs, two off-stream and three potentially on-stream.

They would be recharging the aquifers and the various infrastructure needed to do that, recycling in the great cities of Los Angeles, San Diego, and in the bay area to recycle water and, also, dealing with the contamination that occurs in many of the cities in the Central Valley, the San Joaquin Valley particularly, a little bit up here in the Sacramento Valley, and a lot of problems in the Salinas Valley in this area.

So those are the essential elements of the long term—I forgot conservation and desalination. So those are the long-term projects that are both in proposition 1 of the California water bond of 2014 and, also, in our legislation.

The second piece of the legislation deals with the operation of the two great water projects. These are the largest water projects in the world, although China is building one that might actually be bigger.

But, as of today, the largest water projects in the world are in California. What they basically do—maybe I will back up here a bit. It would be great if my colleagues here really had a sense of what is happening.

The basic water projects of California take the water from the Sacramento Valley, the Sacramento River, Mount Shasta up here, and the Trinity River, bring that water in through the Shasta Reservoir, hold the water there, and then send the water down the Sacramento River to the delta.

□ 2030

From the delta, that water is picked up in canals—two of them, one operated by the Federal Government, the other one operated by the State of California—and brings that water—the Federal Government—down into the San Joaquin Valley, where it provides hundreds of thousands of acres of irrigated agricultural production.

The other part of that project is here on the San Joaquin. That takes water down the east side of the valley, all the way to Kern County, down here in the Bakersfield area, and north up into the Madera County area here. That is called the Friant-Kern system. That is the Federal water project.

The State water project, like the Federal, takes the water out of the delta here and brings it down in the canal, all the way down here, providing water to Kern County, and then pumps that water 2,000 feet over the Tehachapi Mountains through tunnels and canals into southern California. It flows down through the western part of the Mohave Desert down here, and then flows into the Los Angeles area, and also into the Palm Springs area all the way over here. That is the California water project.

Some of that water flowing into the Metropolitan Water District is then available for the cities and water districts of southern California, all the way down to San Diego and into the Coachella Valley over here in the Palm Springs area. It is one huge water project, all of it dependent on the largest estuary on the West Coast of the Western Hemisphere. There is no other estuary anywhere from Chile to Alaska as large and as important to the aquatic species and birds as the great delta of the Sacramento-San Joaquin River system.

Unlike many deltas, this is an inland delta. This is the beginning of San Francisco Bay here. It goes on out. The Golden Gate Bridge and San Francisco are just further to the west.

Once again, the water flows southward down the Sacramento River, past the city of Sacramento, and flows down through the delta, picked up by the great pumps here at Tracy into the canals, and down the canals to the San Joaquin Valley and on to southern California.

Here is the problem: the pumping has significantly altered the ecology of the delta and, when coupled with the drought, has created a situation that has led to a very serious potential of the extinction of species in the delta, particularly the delta smelt. Because of the alteration of the Sacramento River system's normal flow, the salmon, which would normally migrate up the Sacramento River all the way to Mount Shasta and beyond or down the San Joaquin River system to Fresno, that migration pattern has been seriously altered.

In normal years, the management of the river is such that the salmon are able to get along, not as well as they once did when it was said you could walk across the river on the back of salmon—you can't do that today for sure—but, nonetheless, in a normal year these river systems, excluding the Lower San Joaquin, are able to produce a significant salmon run.

In the delta, the delta smelt have been under great pressure since the pumps were put in. The smelt is a little, tiny fish, but it happens to be like the foundation fish—all the bigger fish eat it. And it is also what we call the canary in the coal mine. If you remember what that is all about, you use canaries in a coal mine. When the canary keels over, you have got a serious problem because you are the next to keel over—bad air.

Well, here these delta smelt are considered to be the canary in the water. When they are in deep trouble—and they are today—the question arises: Is the entire ecosystem of the delta going to collapse? We think not. But California is severely stressed. California is still in drought. Today, the rainfall in California is 75 percent of normal. That is for the entire State. For the Sacramento region, February is 22 percent of normal, and I think we are rapidly approaching the end of February.

What that means for the delta is extraordinary stress—extraordinary stress—and a monumental California water fight. My great-grandfather came to California in the 1860s to mine for gold. During that time, there was a fellow out there by the name of Mark Twain, who was writing about the gold rush and other things that were going on in California.

He said a couple of things that are really interesting. About San Francisco, he said that the coldest winter he ever spent was summer in San Francisco. I think he was referring to the fog. He also said that in California in the 1850s, 1860s, and 1870s, he said: ''Whiskey is for drinking; water is for fighting over.''

So it has been. During the Gold Rush period, it was all about water. You couldn't mine for gold unless you had water, and people fought over water. They built incredible systems to get their hands on the water that came out of the Sierra Nevada Mountains.

Today, it is the same. We still fight about water. What Senator FEINSTEIN and I are trying to do is to reduce the friction, reduce the fighting that has been going on for the last decade, or last 5 years, about water as it flows through the delta.

My San Joaquin Valley colleagues, Democrat and Republican, have put forth two pieces of legislation that they believe would solve the water problem for them. What they have managed to do with that legislation is to basically wipe out the environmental protection for the species—salmon, smelt, and other species in the delta—and simply say: Turn the pumps on. We need the water. We have got the votes. We are going to get the water.

Those two pieces of legislation have not become law, and they never should become law, because if they did, the largest estuary on the West Coast of the Western Hemisphere would be in serious jeopardy.

What we propose is to work within the environmental laws and the biological opinions that have been put forth by the Federal and State fish and wildlife agencies and the National Marine Fisheries Service—the National Marine Fisheries Service concerned about the salmon; the fish and wildlife agencies concerned about the endemic species of the delta—to work within those biological opinions which are designed to protect those species and say the flexibility that is allowed under the Endangered Species Act, the Clean Water Act, and the biological opinions are sufficient to allow for the maximum amount of pumping to the south from the delta consistent with the protection of the species.

In order to accomplish that, we need to use science. The biological opinions are based on about 13- to 15-year-old science. What we are saying in our legislation is ramp up the science.

Senator FEINSTEIN was able to deliver $100 million to California fish agencies to put in place realtime monitoring. She was not able to write how that could occur, so in the legislation we would direct the agencies to conduct real-time monitoring, daily monitoring. As the winter flows—and there have been winter flows thus far this year, not enough, but they are there. As those winter flows enter the delta from the north and the south, the fish agencies study where are the smelt, where are the salmon coming down the Sacramento River, and also from the San Joaquin River.

If they are near the delta pumps, reduce the pumping, or don't pump at all, depending where those fish are. If they are not, if they have moved away from the pumps and there is water in the system, then turn the pumps on. Pretty simple: if the fish are endangered, reduce the pumping; if the fish are not endangered, then increase the pumping.

That is essentially what our legislation would accomplish. There are other elements to it, for example, putting in fish screens at the Delta Cross Channel on the Georgiana Slough, and also to improve the levee system within the delta.

We will see. We will see what happens here. We have a choice as Members of Congress and men and women that are supposed to solve problems. We can go the way of my San Joaquin Valley colleagues and simply push aside, negate, the environmental laws that provide for the protection of the salmon, the great fishing industry of California, the salmon runs up and down the coast.

By the way, the salmon that come out of the Sacramento River provide salmon all the way to the Columbia River in Oregon. So it is not just about San Francisco Bay. It is about the salmon and the fishing industry for much of the West Coast, also south through Monterey Bay.

Can we wipe out the environmental laws and simply turn the pumps on? Yes, if that legislation were to pass that has been offered by my colleagues from the San Joaquin Valley. Or we can work within the environmental laws, achieving maximum flexibility, understanding the science: Where are the salmon or the salmonoids? Those are the salmon that have hatched and are coming back down the river, little, tiny salmon. Where are they? Are they coming down the river and getting sucked to the pumps, or are they coming down the river and heading out to the bay? We don't know today. We are not doing real-time monitoring.

If we did real-time monitoring, we would know where they are. We would know where the delta smelt are and other species, and we could adjust the pumping to protect the species and to take advantage of the high flows that occur during the normal winters and also this year, even though it is well below normal.

I have confidence. I have confidence in the wisdom of the Californians who decided that they would pass a water bond to put in place long-range solutions for California—recycling, conservation, storage systems, underground aquifers—and to develop safe drinking water. I have confidence in the wisdom of California because they voted by over 60 percent for this project.

I have confidence in the Congress. I have confidence in the Senate. Senator FEINSTEIN has come up with a good bill. I had the honor to work with her on that bill, and I will soon introduce that bill here in the House.

I have confidence that we have the wisdom and we have the understanding of the systems of California water to maximize over time the water potential of California. And in the near term, in the near term when California, this great State that we would like to see as green, when California is faced with this, I have got confidence that we are wise enough and we are smart enough politically to maneuver ourselves into a situation where we can address the current drought to the maximum extent possible, delivering water to the San Joaquin Valley and on into southern California without harming the fish, without destroying the salmon of California and the fishing, the multibillion-dollar fishing industry that goes with it, and without jeopardizing the largest estuary on the West Coast of the Western Hemisphere.

That is our challenge. This is what we are going to try to accomplish. Senator FEINSTEIN's bill has been introduced. That version will be introduced over here in the next several days as we develop a better understanding among my colleagues of what we are trying to accomplish here.

□ 2045

I have confidence that the representatives of the southern California area will see the wisdom of putting aside what Mark Twain said we always do in California: Fighting over water and getting about drinking more whiskey. Probably a pretty good idea.

I think we are going to get southern California support for this. I think the San Joaquin Valley folks will look at this and say: Well, we can continue fighting as we have for the last 5 years with no progress, none, nada, zero.

Let's see if we can figure out how to do this in a way that protects the species, the salmon, the other fish, that protects the largest estuary on the west coast of the western hemisphere, and that provides the maximum amount of water that is available to California, which, by the way, has an economy that is ranked seventh in the world. So water is really important.

I know we can do better. I know that this Nation doesn't have to have this kind of water in Flint, Michigan. I know that this Nation doesn't have to have children in the Central Valley of California getting their water out of a cattle water trough.

I know that this Nation doesn't have to destroy the largest estuary and all of the fish, all of the salmon, and all of the industry that goes with that in its quest for water and that what little is available can be shared and maximized.

That is what we are going to try to do with the Feinstein-Garamendi legislation. I know we can do it. I know we have to do it. I know, at the end of the day, we are not going to destroy. We are going to build, we are going to create, and we are going to solve the problem.

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

IN TRIBUTE TO UNITED STATES SUPREME COURT JUSTICE ANTONIN SCALIA, A PREEMINENT MIND

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I rise tonight in tribute to one of the greatest jurists in this Nation's history. Justice Antonin Scalia had a preeminent mind following an excellent education. He has a beautiful family and has already been very sorely missed.

I thought it might be helpful, Mr. Speaker, to get a sense of the man and how profoundly concerned he was with the place in which this country finds itself after world wars, after depressions, after all kinds of threats: a massive civil war in the 1860s, all kinds of things that have threatened this Nation, even the War of 1812 during which this Capitol was set on fire.

There were all of these threats; yet, at this time in which we live, he could see and he tried to sound the warning alarms for what the majority of the Supreme Court was doing to this country.

It seemed to be encapsulated rather well back in the June 12, 2008, decision in the case of Boumediene vs. George W. Bush, President of the United States, combined with another case.

The decision of the majority of the Court, as Justice Scalia pointed out, was so totally inconsistent with the majority's own majority opinion in a prior case regarding people who were captured on the battlefield and who were clearly at war with the United States.

Throughout the history of warfare at least among civilized nations during the period of warfare, the civilized thing to do was to hold those who were at war with you until such time as the groups they represent, they come from, declare they are no longer at war with you.

Then they can be released unless they have committed some heinous crime for which they should account beyond that of being part of the war against the Nation.

The Supreme Court majority had previously said basically that, of course, the Constitution gives the Congress the power to create tribunals, to create courts.

As my former constitutional law professor said, there is only one Court in the whole country's Federal system that owes its creation to the U.S. Constitution, and that is the U.S. Supreme Court. All other Federal courts, tribunals, owe their existences and their jurisdictions to the United States Congress.

So the majority Court had previously said, in effect, that Congress could, in cases where enemy combatants are seized on the battlefield, hold them without right of writ of habeas corpus, because that has basically been the history of civilized warfare.

Obviously, in uncivilized warfare, people were taken, abused, tortured, made slaves. That has happened throughout the history of mankind. But for nations that were civilized, you simply held them, hopefully, in humanitarian conditions.

In the Boumediene case, Justice Scalia starts his dissent by writing:

"I shall devote most of what will be a lengthy opinion to the legal errors contained in the opinion of the Court. Contrary to my usual practice, however, I think it appropriate to begin with a description of the disastrous consequences of what the Court has done today."

Justice Scalia goes on:

"America is at war with radical Islamists. The enemy began by killing Americans and American allies abroad: 241 at the Marine barracks in Lebanon, 19 at the Khobar Towers in Dhahran, 224 at our embassies in Dar es Salaam and Nairobi, and 17 on the USS *Cole* in Yemen.

"On September 11, 2001, the enemy brought the battle to American soil, killing 2,749 at the Twin Towers in New York City, 184 at the Pentagon in Washington, D.C., and 40 in Pennsylvania.

"It has threatened further attacks against our homeland; one need only