

There was no objection.

Mr. DEFAZIO. Mr. Speaker, the House of Representatives has shirked its constitutional duties when it comes to the issue of Iraq.

The most solemn of duties that this body can undertake is the declaration of war, reserved to the United States Congress. Now, in the case of Afghanistan, the known perpetrators of the 9/11 attacks, Osama bin Laden and his collaborators in the Taliban, this Congress did act, with near unanimity. One person dissented. And we passed a resolution that was compliant with the War Powers Act and the Constitution of the United States to authorize an attack on Iraq and others who aided and abetted in the 9/11 attacks.

Now, if George Bush had had proof or had really thought that Saddam Hussein and Iraq were involved in 9/11, he would have needed no further authority. But, clearly, he had no proof, and he couldn't make the case. But he, nonetheless, wanted to attack Iraq. And Congress, reaching a new low point here, in my opinion unconstitutionally, vaguely delegated its solemn duties in the case of the making of war to the President.

Now, I don't believe that Congress can do that, but we did, and the President then, some 5 months later, used that very broad grant of authority to preemptively attack Iraq, ostensibly to remove weapons of mass destruction and the threat of Saddam Hussein, which later morphed into connections to 9/11, which later morphed into any number of other things, and which finally became we went into Iraq to bring freedom and democracy.

Now, since that time, this Congress, this Republican-led Congress, has refused to conduct any meaningful oversight of what happened about the distortion or the misuse of intelligence, about the huge scandals surrounding the more than \$10 billion which has disappeared in the so-called reconstruction effort or the actual conduct of the war itself, the unbelievable incompetence of Donald Rumsfeld and his cronies, and the impact on our troops in the military. Not one meaningful hearing. No debates here on the floor of the House.

So, finally, the Republican leadership says, well, we are going to have a meaningful debate. Now, let's see what they mean by meaningful debate. Tomorrow, the House of Representatives will take up a bunch of time, that is good, at least we are going to discuss it on the floor, but it will be to debate a nonbinding resolution; that is, something which has no force of law and no authority. It is a sense of the United States Congress.

And if you read that sense of Congress, you will find a nonbinding resolution which will not be amendable. No Democratic alternative or substitute will be allowed. What the Republicans wrote in secret will be voted on here on the floor of the House. That is it, up or down. This resolution, if you vote for

it, is a vote for the status quo. It is a vote for staying in Iraq indefinitely, perhaps a decade or longer. It is to continue the current policies with no end in sight.

On March 21, President Bush himself even said that the question of bringing home U.S. troops from Iraq will be decided by future Presidents. Future Presidents. Remember, unfortunately, he still will be President until 2 years from last January. Now, that is a pretty extraordinary statement for the President to make.

Now, I wish that the Republican leadership really wanted to have a full and fair debate. They could at least allow us to have and debate an alternative. I am a member of the Out of Iraq Caucus. I am a cosponsor of Representative JACK MURTHA's legislation, legislation that would lead to a thoughtful and appropriate redeployment of our troops, and would also say that we would be ready should they need to reintervene in a crisis situation in Iraq. But what it would do is get us out of the business of day-to-day getting between the Shiias, the Kurds, and the Sunnis.

Now, Bush administration said, well, we never could have predicted the Shiias, the Sunnis, and the Kurds wouldn't get along. Rummy said they would welcome us like liberators, with flowers and stuff. He just ignored the last 1,400 years of history, that is all. He also ignored the State Department and the intelligence agencies, other than the little select group he had who said the same thing.

And now, I believe that the Shiias, the Kurds, and the Sunnis, and many others, will not meaningfully move to share power, get their act together and develop a national government as long as we are staying forever, which is what the President and what this resolution says. So I believe that if we go down the path of adopting this resolution that there will be Members of Congress debating this issue years and years from today about what is the U.S. future in Iraq.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### IMMIGRATION

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to consume the time of Mr. JONES.

The SPEAKER pro tempore. Without objection, the gentleman from Nebraska is recognized for 5 minutes.

There was no objection.

Mr. OSBORNE. Mr. Speaker, immigration has been the number one concern of many Americans in recent months. The House passed a bill last December which dealt mostly with

tough border security. It provided for more Border Control agents, a 700-mile fence, different penalties for illegally entering the U.S., and substantial penalties for employers who employ illegal immigrants.

The Senate, more recently, passed a bill with tight border security but also had language which addresses the problem of the 11 to 12 million illegal immigrants now in the United States. Some believe the Senate's three-tiered approach to dealing with undocumented workers now in the U.S. amounts to what many would refer to as amnesty. Their approach is as follows:

Those illegal immigrants that have been in the United States for 0-2 years would be deported; those who have been illegally in the United States between 2 and 5 years would have to return to the border for processing and then reenter the country receiving a work permit; those who have been in the country for 5 years or more illegally would be able to obtain a legal status by paying a fine and meeting some other requirements.

So many have been concerned about this because it does mean that you could enter the country illegally and gain a legal status while still in the United States, which again many people would refer to as amnesty. So there is obviously tension between the House and the Senate bills, and the concern right now is that there may not be a bill that will be suitable to both bodies that can be achieved in conference.

The big concern I think, in the House at least, is what has been referred to as the three-tiered approach in the Senate. And, obviously, most people who are here illegally at the present time are going to claim they have been here 5 years. It may be very difficult to ascertain how long somebody who is undocumented has been in the country because they are undocumented. It is very hard to ascertain what records are valid, which are not, and how long they have actually been here.

As a result, I have introduced legislation that could represent some common ground. This obviously will be controversial. No one agrees entirely on how we might go about bringing the two bills together, but I have introduced a bill called H.R. 4065, and the basic requirement are as follows:

It would require illegal aliens to return home to apply for a visa. In other words, they would have to return to their country of origin and apply at their home country consulate. Much of the paperwork could be done in the United States before they leave here, but it would have to be stamped in their home country. They then could reenter the country with a legal status and cross that border with papers as documented workers.

Secondly, this would provide for a 3-year visa which is conditional on continuous employment. It would be renewed every 3 years. This would be open to undocumented workers with, first, a demonstrated U.S. employment

history. They would have had to have been somebody who is employed in the United States, has been employed satisfactorily, good recommendations by the employers, and then no felony convictions or any other major record of criminal activity or history.

So this would satisfy the argument that these people have come into this country illegally, remained here, and have gained a legal status. They would have to return to their country of origin.

So it establishes a new W visa for those who are classified as undocumented workers but have gone through these steps and stages at the present time.

Congressman PENCE has also introduced legislation which calls for illegal immigrants to leave the United States, report to centers located outside the country before reentering the country with a guest worker visa, which is somewhat similar to what I am talking about here. So this is not necessarily a novel or new idea, and many people have taken a look at it.

The requirement for all illegal immigrants to leave the United States and enter into the U.S. legally with a W visa may serve as a way to create common ground between the House and the Senate bills.

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It is important that an immigration bill pass this year. I think the American people are expecting it and hope it will happen. Yet we are so far apart in the two bodies that this may be difficult to effect.

So H.R. 4065 may serve as a catalyst to compromise and final passage. I would like to have my colleagues at least give it some consideration because we will have to think outside the box a little bit. I think it will take some innovative solutions to this problem. It is something that again is something that is really important for this body to accomplish before the end of this session.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. RES. 861, DECLARING THAT THE UNITED STATES WILL PREVAIL IN THE GLOBAL WAR ON TERROR

Mr. COLE of Oklahoma, from the Committee on Rules, submitted a privileged report (Rept. No. 109-502) on the resolution (H. Res. 868) providing for consideration of the resolution (H. Res. 861) declaring that the United States will prevail in the Global War on Terror, the struggle to protect freedom from the terrorist adversary, which was referred to the House Calendar and ordered to be printed.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### FLOOR DEBATE ON GLOBAL WAR ON TERROR

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from New Jersey (Mr. PALLONE).

The SPEAKER pro tempore. Without objection, the gentleman from Washington is recognized for 5 minutes.

There was no objection.

Mr. McDERMOTT. Mr. Speaker, a remarkable document showed up in our mailboxes this afternoon. It is called a "Confidential Messaging Memo" for the floor debate on Iraq and the global war on terror.

This is apparently a memo that Republican leadership provided to Members on their side so they would know how to go about rubber-stamping the President's every thought and deed and could do their best to make sure that we don't have the kind of debate that the American people deserve.

The American people deserve to have us talk about what is really going on in Iraq and how it does or does not make us safer. They deserve to have mistakes acknowledged and paths forward discussed honestly and frankly, admitting problems and working together to make things better.

They deserve a Congress that is more interested in their security than in scoring points for the November election.

According to the Republican leadership's tactical memo, this is precisely what the American people will not get. Instead, there will be confusion and intentional misdirection. There will be ad hominem attacks, and that means attacks on individuals, and attempts to make Saddam Hussein and 9/11 more or less the same thing, attempts to call Democrats' legitimate questions about the administration's rationale for war and conduct of the war into what, and I quote, "policies to concede defeat on the battlefield."

The memo is filled with advice on how to deflect, confuse, conflate and con. I would like to enter that memo into the RECORD so everyone will be able to read it and not be confused when they hear the debate begin tomorrow. They will know what the script is that the other side is following.

Mr. Speaker, let me read some portions now because I think we all have a right to know what Republicans are advising their Members to say and think.

"During this debate, our Republican Conference should be focused on delivering these key points:

"The Importance of Our Actions. It is imperative during this debate that we reexamine the conditions that required the United States to take military action in Afghanistan and Iraq in the aftermath of the attacks of September 11, 2001."

In other words, the Republicans are being told to continue the big lie that Iraq was behind 9/11 or had something to gain from 9/11, and it is all tied together in one neat package.

Secondly, the Republican leadership wants to make the point that they are smart and tough enough because they don't look back, they don't analyze, they don't admit errors, and they don't learn.

Now if they were a baseball pitcher who was this bad, Rumsfeld would have been jerked five innings ago. But, of course, our President ran the Rangers and gave Chicago Sammy Sosa, so we know his judgment in baseball.

Now to do anything else, according to their memo, is to be "prone to waiver endlessly" or "to abandon our efforts" against terrorism. It is as if the Republicans believe there is only one kind of effort against terrorism that has validity, and that any kind of thoughtful consideration of alternatives is a sign of cowardice and weakness.

"Republicans believe," the memo says, "victory in Iraq will be an important blow for terrorism." Yes, of course, it would be. But what is victory in Iraq and how do we get off the path we are on presently and onto that victory path?

We are forbidden to talk about those questions. It would be wrong for 435 fairly well-educated, loyal Americans, who have been sent here by their districts to help govern this country, to start raising questions about what we ought to do.

There will be one proposal with no amendments; that is it. It would be "weak" and "wavering" and a sign of "abandoning our efforts" if we attempt to make those efforts more rational and successful and relate them to the goal of making Americans safer.

We are in trouble in Iraq. We don't have a plan except to keep plowing ahead with the same old policy: a strategy that is getting Americans and Iraqis killed and driving Iraqis to despair and helplessness. We don't have a Congress that can step up and take responsibility and try to make the administration listen to reason.

The President's policy is to put the control of this in the hands of the Iraqis. When they stand up, we will stand down. Who is going to tell the Iraqis when to stand up? The clerics, of course. The Shiia and Sunni clerics will decide when they stand up. What if they don't tell them to stand up? We are there until it ends.

This is a charade. We will go through it tomorrow, but it will not shed any light on where we ought to be going as Americans.

And we don't have a Congress that can step up and take responsibility and try to make the administration listen to reason.

So the Republican leadership scheduled public relations time in the House in an effort to stop the Republican free fall in the polls.

Republican leaders cannot tell the American people what they intend to do except more of the same.