

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. GRANGER) is recognized for 5 minutes.

(Ms. GRANGER addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

#### IMMIGRATION REFORM AND OTHER ISSUES OF THE WEEK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. Mr. Speaker, as always, I profoundly appreciate the privilege to address you on the floor here of the United States House of Representatives.

We have had quite a momentous week here, and it gives one a sense who has been in the middle of this environment that there are times when this Congress can work urgently and times when our priorities finally rise to the top. And as I watched the committee action and have been involved in it across on this Hill for these last 4½ years, but especially this last week, with the intensity we had at hearings and the intensity we had at markups, and transferring those markups here to the floor for consideration by the full body and debate and occasionally amendments offered, it has been an intense week, and it has been momentous.

Before I get into the meat of the discussion that I hope to take up this

evening, Mr. Speaker, I have to reflect upon what has transpired here just today on the floor of the House of Representatives, and that is passing legislation that improves our lobbying reform and puts more sunlight on the donations that come from lobbying. And I believe that, yet all of us are bound by our own ethical standards, putting sunlight on those activities allows for the public to make that judgment as well as the individual Member of Congress.

I very much support that philosophy, and I am particularly pleased that the motion to recommit spread that responsibility not just across private sector lobbyists, but also the public sector lobbyists as well. That is something that I believe should have been part of the bill, Mr. Speaker. It was something that I brought language to the Judiciary Committee to correct.

We had a significant and intense discussion on that in the Judiciary Committee, but yet the amendment wasn't quite ready for prime time, as they say. It has had a couple of technical flaws in it, so we withheld that amendment in the Judiciary Committee and brought it here as a motion to recommit tonight where it had significant support from Democrats and Republicans. So I am pleased that we have taken that step.

I am hopeful that we will be able to take up some other steps to provide more sunlight on this Congress. And particularly, the language that I offered in the lobby reform bill that passed the floor today and was eventually included in the bill was the requirement that the information be posted on the Internet in a searchable, sortable, downloadable format that would allow the bloggers across the country to be able to go on the Internet and see what is going on with campaign donations and those activities between the lobby and the Members of Congress.

Sunlight is the best disinfectant, and real-time reporting in searchable, sortable, downloadable format so that we are not putting people through the difficulty of having to reenter from a PDF or an Adobe file, or we are not putting them through the difficulty of trying to come up with some summarized information when easily it can go out there in a spreadsheet fashion and make it available in a format that says, we want you to know this; we want you to see this. In fact, we want that kind of oversight from the public, because this is the people's House, and the people are sovereign in America. And this legislation that passed the floor today helps with that.

But I would like to see that same level of scrutiny on the individual campaign contributions of our Members and in real-time reporting in searchable, sortable, downloadable format, Mr. Speaker. And if we can do that, if we can do our financial reportings so that they are to an exact dollar amount or within a narrow dollar fig-

ure within that dollar amount, and then file our own personal finances as well as our campaign contributions in real-time, searchable, sortable, downloadable format, hand it over to the American people with easy access on the Internet, and let them download, let them sort, let them draw their conclusions, let them write their op eds, let them fire up their base and run their Web pages, and let's let that dialogue be added to the mainstream media, the talk radio dialogue, the across-the-backyard-fence dialogue, all of the things that go together in this national conversation that we have that is an amalgamation of all of the opinions in America that helps shape and, in fact, does shape the consensus that America needs in order to move forward.

Then I would also, Mr. Speaker, suggest a fairly simple thing, and that is that when we are on the floor of this Chamber, and we are debating a bill and an amendment, the number and the name of the bill and the number and the name of the subject of the bill and the amendment are only available to a Member when they walk in here on the floor by going over there and asking staff or asking a clerk. That means then if Members of Congress can be watching this operation on C-SPAN, and walk from their Cannon or Rayburn or Longworth Office Building over here in about a 4½-minute span of time, and from the time of knowing what's going on by watching the television of the floor action and spending that 4 to 5 minutes to walk over here, the subject can change, the bill can change, the amendment can change. Two or three amendments can be passed by a voice vote in that period of time, and you will have no idea what kind of action is taking place on the floor when you walk in here without asking someone that is managing the bill or managing the opposition to the bill.

Yet I look up here, Mr. Speaker, into the gallery, and I see visitors on a daily basis, sometimes in significant numbers, and they can't know what is being debated here on the floor. They can't understand the debate or the actions that are here because we don't make it easily available to them. We don't want to make that a secret. We want people to know what is being debated here. In fact, that is one of the reasons why Members come here to the microphones is because they are able to speak, not just you, Mr. Speaker, but simultaneously to a national television audience.

Members want the public to know what we are doing, but the most obvious thing we could do we don't do, and the cheapest and simplest thing, and that would be just simply to project up here on the wall where we project our votes when we are voting the number and the title of the bill, and the number and the title and the author of the amendment. Post those things up there so that when the public comes in and

sits down, they can look and see precisely what the subject matter of the debate is.

That happens in a majority of the State legislatures of the United States, of the 50 States, and here we are stuck in time back in the 19th century or earlier, and we can't quite make that change, not because we don't agree with it, just because, well, it is a change, and change comes with difficulty here. So we don't have a crisis to cause us to step forward and make that change, and we are stuck with this reality that has gone on for a couple hundred years here.

So I would submit those changes. I hope we can move forward with those kind of changes, and I am looking forward to the opportunity to do that.

And then I take up the issue that just passed the floor of this House by a vote of 280-142. Mr. Speaker, that is finally the funding for our troops in the Middle East and Iraq and in Afghanistan. This is the emergency and urgent supplemental spending bill that the President asked for at the onset of this 110th Congress in January. This is something that we all knew needed to be done. Everyone here out of the 435 understood that you cannot put troops in harm's way and not fund those troops, and yet those who are opposed to the operations in Iraq, and I assume there are some there that are opposed to operations in Afghanistan as well, they wanted to tie conditions on the appropriations to the funding for our military, and so this debate began. And as this debate unfolded, by my count it is 108 days that this Congress has deliberated over a long Easter break while the Speaker went over to the Middle East and conferred with the Israelis and the Syrians, and a couple of other stops over there, those being the most significant.

That engagement in foreign policy is another subject perhaps for another day, Mr. Speaker. And I believe that we are all constrained by this Constitution. I don't believe any of us should be involved in negotiations with a foreign government, to engage in those acts that the Logan Act is specifically designed to prohibit. Yet, I think most of us are convinced that that is what happened. Negotiations were taking place over in the Middle East while our troops needed funding that needed to happen back here.

When General Petraeus came back here to brief Congress on the stage of the surge and the new plan and the new direction in Iraq, when he was here, he briefed a classified briefing to every Member of Congress; we were all invited. A reasonable turnout, Mr. Speaker, but the Speaker of the House was not there. The Speaker of the House couldn't work it into her schedule, at least by news accounts. She was able to go to the Middle East to negotiate over there in relations between Israel and Syria, the results of which I think both countries have some question about the message that was car-

ried, but not when General Petraeus was here in the United States Capitol, in these office buildings around this Capitol.

We had the opportunity to hear from him, and he let us know that funding was urgent, that daily our military were making decisions that had to be done because the funding stream wasn't coming. So different weapons programs that were going on, the development of weapons programs, the procurement process, many of those things, including the training of the Iraqi military, had to all be slowed down, adjusted, in some cases stopped because the funds that were in the pipeline needed to be redirected so that our troops weren't in further danger.

But troop readiness is essential. And that is obvious from the conditions that were attached to the appropriations bill, by the majority side I will add, and those conditions that require troop readiness were being undermined and diminished by the reluctance and the delay in the appropriations that we just did today, finally, for our military, 108 days later.

I have mentioned Israel. And I can't help but reflect that Israel has found themselves, from the inception of their Nation in 1948, in one of the most violent regions in the world surrounded by enemies, enemies that have lined up against them and attacked them on a number of occasions. They have fought off their enemies courageously and valiantly. And you see the American spirit also within the Israelis, their love of freedom, their tenacity to hang onto it, the difficulty that they had in carving it out and achieving it. And yet, I still look back upon their history, about 58 years old, and in that period of time, aside from their war for independence and a protracted lengthy war in Lebanon that was more a period of taking military positions there than a period of constant fighting, aside from that, Israel has never had a war that took as long to fight and achieve a victory or a settlement in all of their existence as it took for this Congress just to fund our military.

Mr. Speaker, think about what that means. If we can't turn around funding for our military and it takes 108 days, and they are waiting to be able to make their decisions, and they are doing intradepartmental transfers of resources that are already in the pipeline, suspending the development of weapons programs, stopping and/or suspending, at least to some extent, the training of Iraqi troops, putting our troops in jeopardy, all of that going on because it takes 108 days to do what everybody in this Congress knew had to happen anyway.

Well, it finally happened today. People were able to make their political points and score their political scores over the last 108 days. And the American people are tired of it, and the White House is plenty tired of it. So, finally, we come to this resolution, and finally our troops are going to be funded.

But if that bill had hit the floor of this Congress 108 days ago, it would have passed, and the funding would have been in their hands, and we would have been in a significantly better position for military readiness across all branches of the Armed Forces and a better position within the Middle East.

But what this has done is encouraged our enemies, it has undermined our troops, it has put them at risk, and it threatens also to rear its ugly head again sometime in September and start us all through this same process. Well, that encourages our enemy. They are sitting there watching what is going on, and they would like to influence the political process here in the United States. Thankfully, our military knows what their duty is, and they are sworn to uphold their duty and obey their commanding officers and ultimately their Commander in Chief. Because of their loyalty, because of their sense of duty, we have a solid tactical position in Iraq and in the Middle East.

□ 1930

If they acted like some of the people here in this Congress acted, Mr. Speaker, that operation over there would have fallen apart a long time ago. So I thank our military men and women.

We're moving forward towards the Memorial Day where this Nation not just pauses, stops, stops to reflect upon the ultimate sacrifice that's given by our military men and women, the sacrifice of their lives for our freedom. And they ask us, did we adhere to this Constitution and did we exercise the freedoms that they've defended and fought for us in a fashion that's respectful and worthy of their sacrifice?

So I will say that today, finally, passing this appropriations off this floor, even though I'd like to go through there and amend a lot of that language, was closer to anything we've done this year to show that we're worthy of their sacrifice.

But the message is still the wrong message. The message I want them to hear is, it was worth it. It was worth you laying down your life for the freedom of 300 million people, and we're going to move this Nation forward into the future so that we can reach our destiny. And this destiny is a brighter destiny and a brighter future than many of the critics of this appropriations, this funding for our military.

And so, Mr. Speaker, that wraps up the portion of this presentation that deals with the current events of this week and today. But I have to roll this thing back to the current events of last week, that being that last week, on Thursday afternoon, here in this city, about 12:30, if I remember correctly, there was a press conference that took place over on the Senate side. And a group of senators got together and announced that they had finally untied the Gordian Knot of immigration and put together the best immigration bill that could be put together. They called it comprehensive immigration reform.

And they stipulated that they had been negotiating and working on this with Senator KENNEDY of Massachusetts, who was one of the presenters, with the White House, President Bush, his representatives there, and that this delicately balanced comprehensive immigration bill could be and would be the vehicle that should pass through the Senate without amendment and come over here to the House, where we should certainly be respectful and just adopt the wisdom of the Senate, send the bill on to the President, who we know is waiting there with pen in hand, eager to sign the, what they would describe to be a comprehensive immigration bill.

And now, Mr. Speaker, I'd take you back, and the Members back to about January 6 of 2004. That would be the moment in time when President Bush gave his first major immigration reform speech. And I recall the speech that he gave. In fact, I pleaded that he not give it because it would split the Republican party. And it called for amnesty.

Now, we've had many debates on what amnesty is in that period of time, in that subsequent three, not quite 3½ years. And I will lay out the definition that I think emerges as the most consistent and the most accurate definition of amnesty.

Now, we know that amnesty is a pardon, plain and simple, a pardon for a violation of a crime, generally to a group or class of people. Black's Law Dictionary defines it pretty close to that. It also recognizes that the 1986 bill that was the Immigration Reform Act, Immigration Reform and Control Act, IRCA, was an amnesty bill. And that's identified in Black's Law Dictionary.

But I'll define amnesty as a way that I think it works a little bit better for the American people, Mr. Speaker, and that is, to grant amnesty is to pardon immigration law breakers and reward them with the objective of their crime; a pardon and a reward.

So what I'm talking about that's going on with this comprehensive immigration reform isn't just amnesty, but it's amnesty plus a reward. And the reward is the objective of their crime.

Now, some will say it's amnesty if they get to keep a job because that's what they want. Well, some want to work. Some don't. In fact, 7 out of 12 are working; 5 out of 12 are not. So it doesn't work to define that they're getting amnesty because they get to have or keep a job here in the United States.

Some come here to be homemakers. Some come here because they are attracted by a relation. Some come here too young to work. Some come here too old to work. Not that many of those, I might add.

But they have a whole different variety of motives for coming into the United States illegally or overstaying their visas.

But the objective of their crime, and it is a crime to enter the United States

illegally, and those people who do so are criminals by any definition. It doesn't do to march in the streets and say, you're not; if you committed a crime to come here, you're a criminal.

So to pardon immigration law breakers and reward them with the objective of their crime, pardon and reward. The objective is whatever is on their list, whatever their motivation is, we grant them. And that's what the Senate proposes to do with the legislation that they have before them in debate there this week, is that they propose to not only pardon those who enter the United States illegally, but to grant them the objective of their crime. And that means we're going to let you stay here and work, but we'd like to have you working, but you don't have to work. You can follow your own path. After all, this is America.

And so to argue that it's not amnesty, first I would back up just a little bit, Mr. Speaker, and point out that the language that is comprehensive immigration reform, that phrase encompasses amnesty. And the administration has argued, and the Open Borders Lobby has consistently argued that they are not for amnesty; they're opposed to amnesty. And yet, they're proposing that everybody be forgiven, and all of those who are not convicted of a felony or three serious misdemeanors, if you haven't had your fingerprints taken in America, they want to give you amnesty. They want you to be able to stay here. And they want to give you an automatic provisional permit to stay in the United States.

They keep talking about 12 million. Well, first I want to submit that comprehensive immigration reform now means to the American people amnesty. The administration and the Open Borders Lobby has not been successful in redefining the term amnesty. They can't convince you or me or the American people that it's not amnesty if you grant someone a pass or a pardon to stay here, because it might be coupled with paying a fine, and the fine somehow is supposed to be a substitute for 6 months in jail and/or deportation.

But whatever the current penalty is for violating, the law is what it is. If you reduce that penalty and if you change the law, that means you've provided a pardon, and that's amnesty; and especially when the fine that they're proposing is a fine that's generally significantly less than it would cost to hire a coyote to bring you, smuggle you into the United States.

Yes, I know. There's a fee of \$4,000, and coyotes are \$1,500 to \$2,500, what the going rate is. But that can be paid over increments, and it's stretched out over a period of time.

The talk is, well, what else are you going to do with the 12 million people? Well, first of all, it's not 12 million people; 12 million people is not the ceiling; it's the floor. It's the beginning. It's a minimum of 12 million people, Mr. Speaker, and that number goes up.

If you go back to the Immigration Reform and Control Act of 1986, it was

predicted that that was going to provide amnesty to a million people.

President Reagan, Lord bless his memory, told the truth. He said, I'm going to sign an amnesty bill because I believe it's the best alternative. And so he signed the bill. It was for a million people, and it became 3 million people because the quickly growing cottage industry of document fraud provided for the kind of phony documents that allowed three times as many people to apply and be approved. And there was a significant percentage of those applications that were later, upon Congressional oversight, proven to be fraudulent documents that granted people a green card and a path to citizenship here in the United States, even though it wasn't consistent even with the amnesty law that was signed by President Reagan.

Now, here we are. What else are you going to do with 12 million people? We're going to give them a provisional legal status here in the United States. In 18 months, they submit that they will sign everybody up, and now we'll have everybody's fingerprints, and we'll be able to do a background check on everybody. And some of those background checks have to get done within 24 hours. You aren't going to have a private company do that. Background checks have to be done by government. Private companies do not have access to those databases of fingerprints, NCIC files, the kind of violations that are there. And government doesn't move so quickly that they can swallow up, in a matter of 18 months, the 12 million applications that are envisioned by the Senate that would be processed; 12 million applications. We have backlogs there now. We have delays there now. And the 12 million is not the ceiling; it's the floor. It begins at 12 million.

Then the document fraud, then the miscalculations, then the erroneous census and erroneous estimations on how many people are here in the United States start to show up, and those that have a clean record or have some means to present a clean record are going to come forward.

But I would ask the Members of the Senate, Mr. Speaker, even if this all happens the way you envision it, even if the good people come forward and they put their fingerprints down and that goes through the NCIC database and comes back, and even though they may be clean and they don't have felonies against them, or three serious misdemeanors, maybe all of that could happen, I guess maybe in another world it would happen that way.

But if it all happened, what are you going to do about the people that don't come out of the shadows? What can be done about the people that are here under false identification, about the people that have a criminal record in their home country and they're afraid we are going to find that out with a background check, difficult to do. What are we going to do about the people that stay in the shadows? What are

we going to do about the people that came here to live in the shadows and decided already they want to stay in the shadows and live there, that they don't have an interest in becoming part of the records of the United States?

How does that get resolved?

What do you do to provide an incentive for felons, criminals, people who have committed three or more serious misdemeanors? What do you do to get them to come forward?

And the answer to that is, if you want to deport them, they're not coming forward. If it's your goal to deport felons and triple violators of serious misdemeanors so that you can send them back to their home country, they are not going to come forward. They're going to stay in the shadows.

Some of the estimates say that 10 percent of the illegal population are criminals in one fashion or another beyond just violating immigration law. I don't know what that number is. I know that 28 percent of the populations within our Federal and State penitentiaries are criminal aliens. And so I would suspect that that percentage of population is greater.

But they're not coming forward. You'll not get felons to come out of the shadows. And so the very object of this grand idea from the administration and the Open Borders Lobby is, we can't enforce the border unless somehow we take these millions of people that are pouring across our border, legalize them so they don't clutter up our law enforcement, they don't get in the way of our law enforcement; and then, if we do that, now we can concentrate on the criminals, the felons, the triple serious misdemeanor violators, and that'll let us take our 18,000 Border Patrol officers and our extra 10,000-plus our existing ICE officers, and we will enforce the law, and we'll have more prison beds, and this is all going to work out in this grand scheme into a grand dream that will become reality.

But this grand scheme, grand dream is never going to become reality because there's such a thing as human nature. And human nature will resist if it's not in their interest. So we'll still have the negative elements out of this population that I will concede is predominantly good people, on balance. And yet the negative elements that exist there in significant proportions are not going to be brought forward by anybody's promise that, if you do so, we're going to grant you a legal status in the United States because we've already promised we're going to send you home.

So I ask this question of the Senators, Mr. Speaker, and that is, we're not willing to deport the people today that violated our immigration laws. We're not willing to pick up the 500,000 or more that poured out into the streets to demonstrate for what, benefits from the United States taxpayer that they want to go to people who are unlawfully in the United States. And I'll speak more specifically of those

demonstrations a year ago last May and in the previous march than I do for the ones I saw here because they were far weaker. But that's the people that are putting demands on the taxpayers.

And to presume that they're going to come forward is a flawed notion. They will not. And we're not willing to send people home today who are just in violation of our immigration laws. So why would I, why would anyone who would contemplate voting for this Senate bill, why would we believe that the people that promote it, the Teddy Kennedys, and the other personalities over there, including the White House, if they won't enforce the law today, why do we think they'd enforce the law as this proposal matures in 4 years, 8 years or add the 18 months, the sign-up period to it, 9½ years, when they would deport the first person who was just unlawfully present from the United States?

□ 1945

The proponents of this bill won't do it today. They resist that, and they say you can't deport 12 million people; so that is your only other alternative except ours. Well, no. Truthfully, Mr. Speaker, I would say, yes, we could deport 12 million people. No, I am not in favor of attempting that, but if we had the will, we could put together the ability. We had the Manhattan Project. How long did that take us, 3½ years, or was it 34 months, right in that area, to decide that we were going to develop an A-bomb and detonate it? And if we did that, if the United States makes up its mind we are going to act, we can act, and we can get things done.

No. We don't have the will. We don't have the will to enforce the law because our heartstrings are tugged upon by our neighbors who we know are here illegally, but they are good workers and good family people. That is a constraint.

But what we need to do is we need to step up and take a look at this thing and fall back in love with the rule of law. It is one thing to have affection for your neighbors, but it is another to pay that price off and at the expense of it to be the rule of law. And that is what is presented here. It is a plain, straight-up amnesty policy. It is the destruction of the rule of law in America. And the rule of law is the most essential pillar of American exceptionalism.

If you pull the rule of law out of our Nation's history, and you decide whom you are going to enforce against and whom you are not, and let people pick and choose, and if you can get a large enough constituency group out there, like 12 million or 20 million, then you can ignore the rule of law, or you can amend the law to accommodate the constituency group that is out there.

No matter what your interests are, if you don't adhere to this Constitution, and if you don't adhere to this rule of law, and if you take the rule of law out of our history, and then you replay his-

tory forward again, back it up to July 4, 1776, pull the rule of law out of the equation, and then march forward and see what you get, Mr. Speaker, and I will submit this: You don't really have a reason to have a Revolutionary War. You don't have a reason to throw the yoke of tyranny off of our back. You don't have a reason to bring patriots forward to put their lives on the line to fight for freedom that was shaped by our Founders, and the legacy of the Founders would be out then and taken out of the continuum of American history. And if you pull the legacy of the Founders, the Declaration, the God-given rights that come from Him through the Declaration and are established in our Constitution, if you pull that all out of the equation, try to march forward towards freedom without the rule of law. Try to march towards prosperity without the rule of law. Try to march forward towards a free Nation that is conceived in liberty and dedicated to proposition that all men are created equal, and do that without the rule.

I think, Mr. Speaker, we are starting to see what kind of Nation we would have had if the people in this Congress who preceded us would have had such cavalier disregard for the rule of law, as there appears to be over in the United States Senate, as I fear there may be here in the House of Representatives. The most essential pillar of American exceptionalism is the rule of law, and it would be sacrificed on the altar of cheap labor.

The rule of law is the first thing to go, and the second thing is the middle class. It is another pillar of American exceptionalism, Mr. Speaker, the middle class. And here in the United States, because of our prosperity, what we have done is we have expanded this middle class. We have provided an opportunity for everyone to get a free public education, and that education has put them forth so that when they got out of the public education process, they went to work. And people who decided they didn't want to go on to college, every generation up until this generation had an opportunity to put on a blue collar and punch a time clock and live with a level of moderate prosperity that allowed them to aspire to buy and own a home and raise their family and live their lives in a productive fashion if that was what they wished, because we ever broadened and raised the opportunities for the middle class. But the middle class, Mr. Speaker, will be destroyed by the Senate proposal because the costs of this proposal are astronomical.

We have never done anything that had this kind of economic impact. And the economic impact, as laid out by Robert Rector of the Heritage Foundation in the study, shows that if we go forward with the language that is in the Senate or with some of this that is contemplated here in the House, the Social Security burden comes crashing into the Social Security Trust Fund at

almost precisely the time that that trust fund goes into the red. And when that happens, it puts a \$2.5 trillion burden on the American taxpayers. That burden and the painful march up to that period of time in the future puts such a burden on our producers in this country and the welfare benefits and the public services that will be used up by those who can't produce enough to carry their load in this society. And it is not their fault. They just can't, by their educational background and their lack of skills. Then forever this middle class is diminished. It is narrowed, and it is lowered.

So you have an ever-expanding nouveau riche at the top. You have a new aristocracy that has emerged that believes that they have a birthright to cheap labor, not just to work in their factories, but to clean their mansions. That is the cheap-labor people that are part of this. And you have the cheap votes side of this of people who know that they will get a powerful new constituency base. Those are the two ends of this, the sacrifice of the rule of law, the sacrifice of the great middle class that has been a principal pillar of American exceptionalism.

The third thing, and the least important of the three, is what happens to the Republican Party? That is where we are going if we adopt the philosophy that is presented over in the Senate. That is where we must not go if we love the destiny of this country. We must have a national debate. We need to have a CBO score, an OMB score on the Senate bill. When it changes, the Senators need to know the fiscal impact of what happens not just in the next 10 years, but what happens in the next generation or two.

This Nation has plenty of labor. The argument that this economy would collapse if everyone woke up legally in their home country tomorrow morning is false. And it is flawed on its face.

Mr. Speaker, I will take that up perhaps a little later. But what I see on the floor at this moment is the gentleman from Tennessee. And when I see that look in the face of the gentleman from Tennessee, I know I want to hear what he has to say, and I would be so happy to yield to Mr. ZACH WAMP.

Mr. WAMP. Mr. Speaker, I thank the gentleman for yielding.

And I did not know he was coming to the floor tonight on this topic, but when I heard that he was here, I wanted to come and join him. I thank him very much once again for bringing this important issue to the American people. And I just want to touch on a couple of points tonight, as the gentleman from Iowa yields to me, about this bill.

Many people out there may say how is the Congress responding in this kind of a way to this problem? And I just want to say, having served over 12 years in this body, that I compare the U.S. House of Representatives especially to a very large church-building committee, well-intended people who have the ability to get together and

make colossal mistakes, because everyone here wants to try to do a better job of fixing the problem than the person beside them. And it is almost a proliferation of do-gooders that get together and make colossal mistakes even though their intentions are good. And as physicians have to swear an oath that, above all else, do no harm, we need to remember that as lawmakers, when we look at the problems that our country faces, that we need to ensure that the solutions that we propose do not cause more problems than the current challenges that we face. And that is exactly the devil in the details of this so-called comprehensive immigration reform proposal that the Senate is moving this week.

The most problematic element of this whole bill to me is Title VI. It is the Z visa path to citizenship. It is amnesty. No matter how they package it, how they spin it, how they explain it, it is amnesty. It is something that, at 4 years at a time, can be extended all the way through that illegal alien's life. They can stay here. It's just that simple, and that is amnesty.

Z-1 is the illegal alien themselves. Z-2 is their spouse or their parents. Z-3 visa is their children, which basically means all of these people are given permanent residency, a path to citizenship in this country. And as the gentleman pointed out so well, it flies in the face of the rule of law. And how much can you water down the rule of law than not having the rule of law in this country?

And I want to point out two things that I see are very problematic in this kind of a solution where the Congress gets together trying to solve a problem, and the Senate product actually creates a whole lot more problems.

The provisions in this bill are not practical or workable, and you almost have to be, sometimes in our position, handling casework for people in your district that come to your office and say, we have someone working in our company that are trying to become United States citizens, or they have a family member that right now is going through the process of being cleared or checked through a background check or an FBI investigation. I have got one in my district. I can't disclose the names or the details, but it has been pending for over 2 years. Yet in this bill they somehow think that magically we are going to be able to, this government, approve these people quickly and do background checks.

That will not happen. The backlog will be enormous, given what we have seen with the rise of immigration into this country in recent years. And 20 years ago was Simpson-Mazzoli with 2½ million illegals. They came up with a solution that was very similar at that time to what the Senate is proposing today, and it was a catastrophic failure in the sense that we did not enforce the provisions in that law, and 2½ million illegals became 12 million illegals over 20 years. Why would we

think that doing the same thing again will produce different results?

I will guarantee you this legislation will not be enforceable. It will be a colossal mess. If you thought at the Medicare prescription drug bill that this Congress passed without my voting for it, I voted against it, but if you thought it was problematic in its implementation, wait until this bill becomes law and they try to implement all of these details associated with this legislation. It will be ridiculous and absurd, their trying to actually bring this about.

And then I want to close with this: These individuals are not like traditional immigrants. My family has German roots. Those relatives on my father's side of the family, they wanted to come to this country and be American citizens. They came here throwing it all into this country. The people we are talking about here are here for one reason and one reason only, and that is money, so that they can make money. Because of cell phones and Western Union, this money and this support goes back to where they are from, and they are here simply to make money. They are not here to assimilate. As a matter of fact, a lot of them proudly carry the flag of their country of origin around with them, not wanting to be Americans and carry our flag, but actually carry the flag of the country they came from. They are even protesting in the streets that they should be able to stay here illegally and, frankly, defy the rule of law. So these people are not trying to assimilate to become citizens, or, as what former Senator Phil Gramm used to say, they don't want to pull the wagon; they want to ride in the wagon.

□ 2000

And we have all the documentation showing that they are a huge drain on the U.S. taxpayer. Respectfully, most of them do not have a high school equivalency, and therefore they will actually draw three times as much out of the Treasury as they will contribute to the Treasury. So just do the math, and we are talking a multi trillion dollar burden on the U.S. taxpayer over time by opening up the country to more and more immigration at this level. We are not talking about an H1B Visa increase for high-skilled technical workers who actually contribute more to the U.S. economy than they take from it. We're talking about the people that come in and take more from the government than they contribute. That's not the American way. They don't want to assimilate. They don't want to dedicate themselves to our country's principles. They're here for money.

So many people in the Immigration Reform Caucus might disagree with me, but a limited Guest Worker Program that says, on a temporary basis, you can work here is fine with me; we can do that. But let me tell you, this solution goes so far beyond trying to

regulate the workers that we need here that it should be rejected wholesale. They should go back and start over.

The border security is necessary. In the last 2 years, we have made great strides to secure the southern border. Actually, Secretary Chertoff hasn't received the credit that he is due, or this administration, on the steps that we have taken to secure the southern border. We no longer have Catch and Release, which was a policy that evolved, or devolved, from the 1986 legislation, where for years, if you were caught coming across our southern border, you were released into our country on your own recognizance pending your court date. And we all know they didn't show up for court, and 2.5 million illegals became 12 million illegals. We no longer do Catch and Release. It's Catch and Return; 99 percent of the people coming across the southern border that are apprehended today are returned to their country of origin, and we detain them. We consolidated the prison space. We have detained them; all of this has happened in the last 24 months. So great strides are being made.

But job one here is, secure the southern border. For national security reasons, to restrict this illegal immigration problem, the enforcement of our existing laws, the workplace enforcement, these things need to be done. But to go into this title 6Z Visa Path to Citizenship, my goodness, that's going to cause more problems than we have today. It's going to cause more immigration than we have today. It's going to cause more stress on the Federal budget than we have today. And the thought that these individuals would draw from our Social Security system and our Medicare system, or walk in our fee-for-service hospitals that guarantee emergency room care. And they're there; you go to any one of the 100 safety net hospitals in this country on a Friday and Saturday night and you will see these people getting health care at the most expensive point of service, which is the emergency room, because it is guaranteed to people in this country.

We can't afford this legislation. We can't afford this response to this problem. This is a large church building committee gone amuck; well-intended people who are getting together and making a bad situation even worse. So we need to reject it and start over. And if ever there was a time for restraint in the United States Congress, it is on this immigration bill. Because they call it "comprehensive," and it goes so far beyond the cure that is necessary that it should be rejected. Go back, get to the bare bones minimum of enforce the law in the workplace, internally in this country, with law enforcement, secure the southern border, restrict illegal immigration, and then manage the people that are here.

You're right. You're right. It's possible to round up 12 million illegals and deport them, but it is not practical at all. Let's manage the ones we have, but

let's stop 12 million illegals at 12 million illegals. And let's give them a way, with a counter-proof card, you can't counter-proof the card, for a Guest Worker Program. They've got to rotate in and out of this country. That is the only solution we need; not comprehensive, no Path to Citizenship, no amnesty. Reject it.

And as the Democratic leadership sent word to the President of the United States it was going to take 70 Republicans in the House of Representatives to send this legislation to the President so that he can sign it, I hope and pray that there is at least 70 of us that will stand against this legislation so that they will be forced to go back and just do what is necessary, not all of this extra stuff, like a Path to Citizenship, which is bad for the rule of law and bad for this country.

Mr. KING of Iowa. I thank the gentleman from Tennessee, who brings his typical insight and vigor to the floor of the House of Representatives.

And I pick up where we left off, and that is, the colossal mistakes that are often made by large bodies. And I reflect upon one way that I analyze it when I find myself in the minority of the vote, and that is, the people's judgment is what is at place here. That's what goes up on the board in this Chamber, Mr. Speaker. And the response to that, when a colossal mistake is made is, "Nor is the people's judgment always true. The most can err as grossly as the few." And I would submit that there are potentially people poised to err grossly and take us down a path for which there is no return. There are no do-overs. There is no putting the toothpaste back in the tube. If we do this, it would be a colossal mistake. And something that is a basic tenet in the Senate for their negotiations, and I believe a basic tenet here in the House for theirs, is that the bottom line for Democrats is, those who are here illegally get to stay. That is their standard. They don't want to send anybody back. They won't ask anybody to go home. They won't ask them to comply with the law and self-deport.

And if you're not willing to send people home, you can't have an immigration policy. So I ask the question, when would you, under the Senate proposal of the bill, deport the first person that was just unlawfully present in the United States and hadn't broken any laws? And the answer to that is, they don't know the answer. And the answer you get from the other side over here, Mr. Speaker, is they don't know the answer either, at least they can't confess to the answer, which is, not today, not next month, not next year, not in the 18 months of voluntary sign up for provisional legal status, not in the 4 years subsequent to that, which you could sign up with for a Z Visa, not in the next 4 years which you could extend it for, and not in the next 8 to 9½ years at least, and in fact, we know that not now, that not ever would they be willing to deport some-

one who was just illegally in the United States. And if the proponents of this plan aren't willing to deport people, then they can't have an enforcement law at all. All they can have is, we're going to sign everybody up, and we're going to hope that the felons and the criminals will sign up, too. And if they do, we will hope they don't walk back out the door, and we can maybe identify them and send them home someday. I don't know if they've examined the idea that they aren't going to show up to sign up if they think they might be deported. And if you ask them to go back to their own country and do a touchback, they aren't going to go back unless you guarantee they can come back into this country. And in fact, that's one of the other promises that they made in the Senate; well, you can go back to your home country. You have to do that if you're the head of a household, and I believe it's if you want a Path to Citizenship, unless there are exceptions of course. And so the list goes on and on.

The argument that comes is, well, it's not amnesty because it's not an automatic Path to Citizenship. So I asked the question, when have we given an automatic Path to Citizenship to anyone? And the answer to that is, we have done that five times in our history. The last time was a few years ago to the Marquis Lafayette, the brave Frenchman who fought so well to help preserve, protect and promote our liberty here, posthumously by a couple of hundred years, but we gave him automatic citizenship. The one prior to that was Mother Teresa, another one very, very well deserving, a saint. We granted her automatic citizenship posthumously. There are three others whose names I don't have uploaded into my memory, but five people in the history of America have received automatic citizenship.

So one of the best talking points that the Senate has and the White House has is, well, it's not amnesty because they don't get automatic citizenship? I mean, that is a speechless argument designed to throw you off the track.

And so I looked through a few more of these pieces, and there is language that comes out that is part of their commercial that is designed to convince us that we should be for this bill. And one of the languages is also, here we go, this is from the proponents of the bill. They say rest easy because "no illegal alien should be able to gain employment in the United States." Well, oops, I left out one word. "No illegal alien should be able to gain legitimate employment in the United States" once this proposal is adopted. Now, think about that, Mr. Speaker, wouldn't that be the case today, that no illegal alien can gain legitimate employment in the United States today? Because if they gain employment, it's illegitimate employment, isn't it? And so this is their commercial, no illegal alien should be able to gain legitimate employment in the United States. Well, none can now.

So, you have a series of benchmarks and a series of triggers. And when you look at what that means, it's quite interesting. The triggers are not based upon performance, they are not based upon getting operational control of the border or security, they're just based upon spending money. So if we spend enough money and we build some fence on the border, up to 370 miles of that fence, that releases one trigger, and it legalizes this. Well, the trigger is the Path to Citizenship, by my view. Those who get provisional status here are everybody that walks forward that we don't have their fingerprints and that have not committed a felony or a serious misdemeanor.

So one of the triggers, to build some fence; that doesn't mean that you can't build it in such a fashion that we are building. They will go around the end. But it is not the 854 miles of fence that this Congress has mandated, that passed the floor of this House, that passed the Senate by a vote of 80-19, that went to the President where he signed it, without ceremony, I might add; without significant ceremony. No, the American people are being docked 484 miles of double wall and fence because the trigger is 370 of it built. Now they say they are going to go ahead and build the rest, but it's not appropriated, and you know how that goes. We have appropriated money to some fence, and that is \$1.187 billion to that.

Then another trigger is that, let's see, that we hire up to 18,000 Border Patrol officers. That is a trigger. Well, we've got a turnover there that the new hires only have an average turnover of 24 months. So you've got to hire a lot more to keep them in place. That's two of the triggers.

But it's today in law, Mr. Speaker, that the Secretary of Homeland Security certify "operational control of the border." And the definition of "operational control of the border" is a real operational control of the border, and that means to effectively and definitionally eliminate illegal border crossings, to force all crossings through the ports of entry, to have sufficient conditions there so that we can interdict contraband and illegal border crossers. That's one that could be a trigger that is already in law. It's not the trigger. The trigger is, cut back the fence and wall by 484 miles and build 370 of it only.

What's not in the trigger? The U.S. VISIT exit system. After September 11, we required that we establish a U.S. VISIT system that would, by computer, you could swipe your card, and it would tell you when you came into the United States; you went up on a tally sheet as in the United States. When you left, the exit portion of U.S. VISIT tallied that you left. And you have a list of the sum total of the people that are here in the United States, but the administration said we can't build U.S. VISIT. We can't make it work in the exit system, and we're not going to try. That was a few months

ago. Well, this can't work without an exit system for U.S. VISIT. That's not the trigger. They think maybe they are going to go forward and build it, but it's not in the trigger, and it should be because their system can't function without it.

I said operational control of the border. Twenty thousand additional beds to help us be able to process these illegal border crossers, they don't have to be in place, but that is something that has to happen. None of this is funded, by the way.

And so, if I look at the other missing portions of this, the sanctuary cities, the significant number of large cities in America that have an executive order, or their city council has passed an ordinance or other political subdivisions that prohibits their law enforcement officers from cooperating with Federal law enforcement officers with regard to immigration status. So they say you can't even gather information on people whom are in the United States illegally even when you know they are there illegally, even when you know they are gang members. You can't go in there and interdict them and deport them because they want to be a sanctuary city. And yet, when we come across the people that don't sign up, according to the Senate version of the plan, somehow we are going to deport them, without the help and support and cooperation of local law enforcement, who are allowed to draw down billions in Federal dollars, but defy Federal law and prohibit their local law enforcement officers from even cooperating and gathering data so that they can cooperate with the Immigration Customs Enforcement people, with the ICE people.

Sanctuary cities are not addressed. They have a sanctuary in this bill to defy Federal law. We must have them in order to do that and in order to make this work.

And then, an annual hard cap. They say it's 12 million. I say it's a lot more than 12 million. I think it's more than 20 million. But they don't consider that; the 12 million is the floor, not the ceiling. There is no ceiling. And so they will sell this package without a real estimate on how many it will be, Mr. Speaker. And when you ask them, will they support or will this House, and they will get their chance to do it, will they support putting a cap at 12 million? You think it's 12 million? Fine. Put it in law that you're not legalizing or authorizing any more than those you say that you're authorizing right now. And I'll submit that they will resist that hard cap. In fact, I don't think it has been a serious discussion over in the Senate. I saw the looks on their faces when I brought up the issue, and it's like we haven't really thought of that.

□ 2015

I think there needs to be a hard cap. I believe we have enough labor. I know there are 69 million Americans working

age that are not in the workforce. There are about 6.9 million working illegals. You could hire one out of ten of the people not in the workforce today of working age and replace all illegals. That is all it would take.

The illegals that are in the workforce are 4.7 percent of the workforce. They are producing 2.2 percent of the work, for skill reasons, and we know that. If you think that would be cataclysmic on the American economy if we got up tomorrow morning and we didn't have that labor to do that work, some places would make some dramatic adjustments, yes. But if it were your factory and your workers, you found out at 7:30 in the morning when they clocked in at 8 that 2.2 percent weren't going to show up, your alternative would be this: You would simply send out a memo to all of your people and you would say sorry. Today your coffee break in the morning and afternoon gets cut from 15 minutes down to 9½. We are going to pick up the 2.2 percent of the production, and we will still be clocking out of here and you can go home at 5 o'clock.

That is how much labor that is. That is how much production 2.2 percent is. And then you would start to hire the people to fill the gap. Hire the people that are here legally, put the people to work that are here riding already in this cart, as was mentioned by Mr. WAMP.

So we have the solutions to this here in this country. We need to adhere to the rule of law and preserve and protect the most essential pillar of American exceptionalism, that rule of law.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ENGEL of New Jersey (at the request of Mr. HOYER) for today on account of family medical reasons.

#### SPECIAL ORDERS GRANTED

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

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

Ms. WOOLSEY, for 5 minutes, today.  
Mr. SARBAKES, for 5 minutes, today.  
Mr. McDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.  
Mr. SCHIFF, for 5 minutes, today.  
Ms. KAPTUR, for 5 minutes, today.  
Mr. WYNN, for 5 minutes, today.

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

Mr. BILIRAKIS, for 5 minutes, today.  
Ms. GRANGER, for 5 minutes, today.  
Mr. SALI, for 5 minutes, today.  
Mr. JONES of North Carolina, for 5 minutes, today. (The following Member (at his own request) to revise and extend his remarks and include extraneous material:)