

from Eric Holder, and that I think implicitly comes from President Obama. And Janet Napolitano, who knows him well, made remarks that would imply that she had come to a conclusion that there were biased violations of people's civil rights under the enforcement of Sheriff Joe Arpaio. There is no basis for it, but they stirred up enough furor that a few of the American people began to believe that there was a basis for it. I went down and took a look at Tent City down in Phoenix. And if I remember my numbers correctly—and this is from memory, not from notes, Mr. Speaker, so it's subject to correction—but about one-third of the inmates in Tent City were there because they were illegal, and about two-thirds of them were there for other reasons. A peaceful group of people. They're there in striped uniforms, and they do get some pink underwear. It's not the nicest place, and it doesn't need to be the nicest place. We don't want to advertise it as a place to come back to. It's a place to leave and not come back to. That's why we have jails.

But this situation in Arizona, we've got to stand with them. I stand with Governor Brewer. I stand also with Representative Pearce in Arizona for the work that he has done. And he is very, very articulate in stepping up to defend immigration law. I encourage and look forward to making a new effort to establish a new fence and barrier on the border, one that works out to be a cash flow.

And I also look forward to moving legislation in the aftermath of this November election that adopts the New IDEA Act. The New IDEA Act is the legislation that I have introduced in the last couple of cycles, and there aren't very many new ideas under the sun. It takes a little audacity to declare a bill a new idea, but I think it is a new idea.

□ 2210

But I think it is a New IDEA. And New IDEA stands for the New Illegal Deduction Elimination Act; New IDEA.

What it does is it recognizes that there are agencies out there that are pretty aggressive in enforcing their turf. I have noticed that the IRS is pretty aggressive in enforcing their turf, the Internal Revenue Service. So I asked myself, of all of these agencies, which one would be the most aggressive. It comes back to me that the IRS would be useful people. It is like when you go to have a pickup game and you start choosing up sides. I look across here and I think, Who do I want on my team if I want to get something done? If I am going to have to defend the border, give me the military first. They will get the job done. I don't want to get into the argument about the Army, Navy, Air Force, Marines, or Coast Guard. They all get the job done. So if I were to chose, I would say first give me the military. Let us go to the border and let's seal the border with the military. They will get the job done.

Then I would look around at who else would I like to pick for my team. Of all the government agencies, if I want somebody to help me enforce immigration law, would I pick somebody from the EPA? No. They would stand in the way. Would I pick somebody from the USDA? No, not likely. But of all of those agencies, maybe somebody from the Department of Homeland Security. Yes, but at the top they are not given a very defined mission. It looks as though their mission is being subverted by the Secretary, Janet Napolitano. So I would pick the IRS for my team because they are effective. They are good at doing what they do.

Here is how I would bring the IRS into this effort to help control immigration law. This legislation, the New IDEA Act clarifies and establishes the wages and benefits paid to illegals are not tax deductible for income tax purposes.

And so let's just say you have an employer that has been paying a million dollars a year out to a good number of employees at a rate of \$10 an hour. That million dollars a year is tax deductible because it is a business expense like electricity, heat, fuel, or merchandise that is purchased for resale. All of those things are business expenses. New IDEA clarifies that the wages and benefits paid are not tax deductible. So the IRS would come in, and during the course of their normal audit, they would take the list of employees, punch the Social Security numbers of those employees into the E-Verify database, and if it comes back that they are not lawful to work in the United States, the IRS would take those wages and say, Sorry, employer, this million dollars is not tax deductible for you.

So it goes from the expense side, pushed over into the column that makes profit. If you calculate that profit, at the time I did this, it was 34 percent corporate income tax rate, and you add the interest and penalty, the effect of that million dollars denied as a tax deduction becomes an addition of about \$6 an hour. So your \$10 an hour illegal becomes a \$16 an hour illegal because of the audit of the IRS. And, by the way, it is required to grant safe harbor to an employer who uses E-Verify in a legitimate, reliable way. So we give the employer safe harbor if he uses E-Verify. We give the IRS the authority to deny that deductibility if they are not able to work lawfully in the United States. And we put interest and penalty on there as well as the tax liability. Your \$10 an hour illegal becomes a \$16 an hour illegal. And what will happen all across this country is 8 million illegals will be looking for work, and there will be 8 million jobs that will open up for American workers, lawfully present people who can work in America with a green card or American workers.

That solves about half of our unemployment problem right there, and it legitimizes the employers and gives

them something they can count on. There are some things that need to be cleaned up with that, in addition, Mr. Speaker.

Another one is E-Verify must be changed so employers can use it on legacy employees, that means current employees, and also use E-Verify with a bona fide job offer, rather than the law right now requires the employer to hire the worker and then find out whether they are legal or not. By that time, the employer has invested training in them and they have passed up somebody else to fill that job. So they will have somebody there for perhaps a week, they will have to pay them, and so the employer ultimately has to break the law to find out if they are breaking the law. They need to be able to use E-Verify with a bona fide job offer. They need to be able to use E-Verify to verify those legacy employees that work for them now, their current employees.

We can do all this. We can seal the border with a concrete wall and a secondary and a tertiary fence where it matters. We can put sensory devices there. We can build a road to patrol it. We can put cameras up and monitor it. We can man it effectively; in fact, more effectively with fewer personnel than we have if we build the barrier. We need to shut off the jobs magnet in the interior. We can do that by enforcing current law and by passing E-Verify to establish that the IRS is part of a team member that would be required to cooperate with the Social Security Administration and with the Department of Homeland Security. So the right hand, left hand, and middle hand all knew what the other was doing.

It is pretty simple to solve this problem. It has been solved in 60 minutes, Mr. Speaker, and if anybody has any questions, they can easily visit my Web site, [Steveking.com](http://Steveking.com), where I will be happy to answer any questions that might come up.

Meanwhile, I appreciate your attention on this subject matter, and I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON LEE of Texas (at the request of Mr. HOYER) for today on account of an emergency.

#### 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 Ms. SUTTON) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. KOSMAS, for 5 minutes, today.

Ms. KILROY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. JOHNSON, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.  
Ms. SUTTON, for 5 minutes, today.

(The following Members (at the request of Ms. ROS-LEHTINEN) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, May 19.

Mr. JONES, for 5 minutes, May 19.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, May 18 and 19.

#### ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1121. An act to authorize a land exchange to acquire lands for the Blue Ridge

Parkway from the Town of Blowing Rock, North Carolina, and for other purposes.

H.R. 1442. An act to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909.

#### BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on May 6, 2010, she presented to the President of the United States, for his approval, the following bills.

H.R. 3714. To amend the Foreign Assistance Act of 1961 to include in the Annual Country Reports on Human Rights Practices information about freedom of the press in foreign countries, and for other purposes.

#### ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 17 minutes p.m.), the House adjourned until tomorrow, Thursday, May 13, 2010, at 10 a.m.

#### BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111-139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 959, the Officer Daniel Faulkner Children of Fallen Heroes Scholarship Act, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 959 AS TRANSMITTED TO CBO BY THE HOUSE BUDGET COMMITTEE ON MAY 10, 2010

By fiscal year, in millions of dollars—

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
Statutory Pay-As-You-Go Impact .....	0	0	0	0	0	0	0	0	0	0	0	0	0

Net Increase or Decrease (–) in the Deficit

Note: H.R. 959 would amend the Higher Education Act of 1965 to set the expected family contribution used in determining student aid eligibility to zero in the case of a student applicant whose parent or guardian died as a result of performing service as a public safety officer.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7434. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Cranberries Grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Changes to Reporting Dates [Doc. No.: AMS-FV-09-0073; FV10-929-1FR] received April 26, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7435. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Papayas From Colombia and Ecuador [Docket No.: APHIS-2008-0050] (RIN: 0579-AC95) received April 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7436. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Milk in the Northeast and Other Marketing Areas; Order Amending the Orders [Doc. No.: AMS-DA-09-0007; AO-13-A78, et al.; DA-09-02] received April 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7437. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Cranberries Grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Revised Nomination and Balloting Procedures [Doc. No.: AMS-FV-09-0070; FV09-929-1FR] received April 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7438. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — U.S. Honey Producer Research, Promotion, and Consumer Information Order; Referendum Procedures

[Doc. No.: AMS-FV-07-0091; FV-07-706-FR] (RIN: 0581-AC78) received April 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7439. A letter from the Acting Under Secretary Research, Education, and Economics, Department of Agriculture, transmitting the Department's final rule — Veterinary Medicine Loan Repayment Program (VMLRP) (RIN: 0524-AA43) received April 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7440. A letter from the Under Secretary, Department of Defense, transmitting the annual report on the payment of incentive pay to members of precommissioning programs pursuing foreign language proficiency for Fiscal Year 2009, pursuant to Public Law 110-417, section 619; to the Committee on Armed Services.

7441. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's annual report for fiscal year 2009 on the quality of health care furnished under the health care programs of the Department of Defense; to the Committee on Armed Services.

7442. A letter from the Chair, Congressional Oversight Panel, transmitting the Panel's monthly report pursuant to Section 125(b)(1) of the Emergency Economic Stabilization Act of 2008, Pub. L. 110-343; to the Committee on Financial Services.

7443. A letter from the Assistant General Counsel for Regulations, Office of General Counsel, Department of Education, transmitting the Department's final rule — Emergency Management for Higher Education Grant Program received April 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7444. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Race to the Top Fund [Docket ID: ED-2010-OESE-0005] (RIN: 1810-AB10) received April 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7445. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's

final rule — Health Care Reform Insurance Web Portal Requirements (RIN: 0991-AB63) received April 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7446. A letter from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting formal response to the Government Accountability Office's report number GAO-09-120; to the Committee on Foreign Affairs.

7447. A letter from the Principal Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-017, certification of a proposed technical assistance agreement to include the export of technical data, and defense services, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7448. A letter from the Principal Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-005, certification of a proposed technical assistance agreement to include the export of technical data, and defense services, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7449. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting letter regarding the proposed opening of five new passport agencies; to the Committee on Foreign Affairs.

7450. A letter from the Secretary, Department of the Treasury, transmitting as required by section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Foreign Affairs.

7451. A letter from the Deputy Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.