

sense of the word and all brave Americans who have laid down their lives so that we may be safe, so that others might live without fear, and so that our country can remain safe and secure and strong.

Let us also remember today those brave Americans who are serving their Nation now here at home and in harm's way in places all around the globe. By choosing to serve their Nation in uniform, these sons and daughters, mothers and fathers, are continuing hundreds of years of a tradition of selflessness, excellence, and courage in protecting the freedoms and values we are blessed to enjoy as citizens of this beloved country.

Mr. Speaker, may the House of Representatives always do right by these fine men and their families, and may we never forget the price of freedom and those who have laid their lives down in service to this great Nation.

Ms. WASSERMAN SCHULTZ. I am really privileged to have been here to listen to the gentleman acknowledge the patriots that gave their lives and that have served our country so faithfully from his community, and I can tell you that the constituents of the district that he represents in Indiana have no greater friend, no greater advocate, than JOE DONNELLY.

With that, I yield back.

ILLEGAL IMMIGRATION AND THE ECONOMY

The SPEAKER pro tempore (Mr. MURPHY of New York). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, as always it's an honor and privilege to be recognized by you here in the House to address you in the presence of the folks that are here in this Chamber.

I appreciate my colleagues in their presentation in the previous hour and their discussion about Jewish American Heritage Month. I want to say also to my friend, Mr. DONNELLY, the support for our troops and the grief that we have for those that we have lost goes deep for all of us, and I appreciate that sentiment as well.

I look at the democracy in the Middle East and the demonstration there that in 1948, a Nation that stood up and created a Nation, actually a people that stood up and created a Nation. I am very well identified with Israel, in particular because the generation of my life has almost mirrored the generation of the life of the Nation of Israel.

□ 2210

And so I would very much encourage the people in this administration to support Israel, support them in their self-defense in the Middle East, and understand that there have been some things that have taken place in this country that undermine the national defense of Israel and to send a message that might encourage their enemies.

I would like to send a message here tonight to encourage the nation of Israel, the Prime Minister, Benjamin Netanyahu, and all the people that stand up for liberty and freedom in that part of the world. It is one thing to defend your freedom and your liberty throughout the generations as we have through this country; it is another to be completely surrounded by enemies that would like to annihilate you as a people and as a country. We have no neighbors that draw maps of the world that erase the United States from that map—we do have some neighbors that would like to take some chunks out of the great Southwest of the United States and change the map of the United States of America.

We don't have any neighbors who seek to, when they educate their children, eradicate all of the United States of America. But that is the case with a number of the neighbors of the nation of Israel. And to be surrounded by those kind of people, people who raise their children and little girls to put suicide vests on at age 3 and walk them around to justify the homicide bombing activities that have taken place all over Israel over the years—and by the way, while I'm on the subject matter, many of those bombings have been reduced dramatically, significantly across Israel, and a lot of that has to do with the barrier they constructed between themselves and the West Bank. I've been there. I've seen that barrier and watched how effective it has been. And I've been a strong proponent of the construction of a barrier that would be that effective on our southern border in particular, where we have millions of illegal border crossers every year coming across our southern border into the United States. And there are those that will say that those that are coming across are just coming here to get a job. They just want to work. They just want to take care of their families. In fact, Mr. Speaker, many do, many do, but there are also many who do not.

Ninety percent of the illegal drugs consumed in the United States come from or through Mexico. And out of that huge human haystack of humanity that pours across our southern border every night, while the numbers are down a little bit—at least by the way we keep statistics, we can't be sure because we don't know—but the numbers, when I did have a reasonable measurement, there were 4 million illegal border crossings a year. I think if you take—and this is from memory, Mr. Speaker, so hopefully the accountants in the world won't hold me too accountable, but 4 million illegal border crossings a year divided by 365 days comes down to about 11,000 illegal crossers a night, on average, every night.

I have spent some time down there on those crossings at night at places like San Miguel's crossing to sit down there on the border. And some of the places along there, at its best, is three

or four barbed wires that are stretched apart where illegals cross through, 11,000 a night, Mr. Speaker. And so you can take your historical measure by Santa Anna's army of someplace between 4,000 and 6,000 that surrounded and attacked the Alamo. It's 11,000 a night. So one might argue, and I think very effectively, that it is two to three times the size of Santa Anna's army that invaded Texas, every night, on average. And no, they don't all come with muskets and they're not in uniforms, but that is the magnitude of it every single night, on average.

And now I'm going to say, thankfully, the President of the United States has announced, I believe yesterday, that he was going to ask for \$500 million and 1,200 National Guard troops to bolster the security at the border. Now, some of the people on my side of the aisle were immediately critical of it as being not enough, and I won't take issue with them on that part, it is not enough, but it is a good baby step. We have taken so many giant steps in the wrong direction, especially economically, in the effort to do so culturally and socially, that when I see a little baby step in the right direction, like 1,200 Guard troops going down to the southern border, that's a good thing. Little steps in the right direction are a lot better than giant steps in the wrong direction.

So 1,200 Guard troops at \$500 million works out to be this, Mr. Speaker. That is an increase of border patrol personnel security of 6.5 percent, and it is an increase, from a budgetary perspective—\$500 million divided by the roughly \$12 billion we're spending on the southern border comes to about a 4.2 percent increase in the budget part of it.

Importantly, it sends the right message. And we need to emphasize and reinforce the message that's been sent, that this country, Democrats and Republicans—albeit in significantly different percentages within the parties, but it is a bipartisan position—that we need to stop the bleeding at the border, Mr. Speaker. All the rest of the things we might want to do don't account for much—as a matter of fact, they don't count for anything—if we don't stop the bleeding at the border.

I just came from a dinner where I sat down and listened to the narrative of an individual—whose wife actually told the greatest part of the narrative—who was kidnapped by the Mexicans in Mexico. One of the cartels that were the top-of-the-line human kidnappers had asked initially for \$8 million in ransom and for 8 months kept this man in a box. He watched his weight go from 165 down to 80 pounds. And finally, finally after those 8 months and down to 80 pounds, he was released. That doesn't happen to all. Some aren't released. Some are killed in captivity. Many of them are brutalized. But when you see a person's weight shrink in half, you know that is brutalization. And this is what's going on in Mexico. There are

these kinds of activities that are threatening to throw out the politics of South America in countries like Brazil, for example, and Colombia would be another, and Peru would be another.

As I watch this unfold, it isn't a big surprise to us. When we see all the violence in the Southern Hemisphere and in Central America, it shouldn't be a big surprise to us when that violence spills over the border. And when Phoenix becomes the second highest kidnapping city in the world—and it would be first if it were not for Mexico City—I think it should be pretty clear to all of us here in the United States of America, Mr. Speaker, that the violence of the drug trafficking country of Mexico has spilled over into the United States, and the lawlessness that is a part of what goes on south of the border is now in greater numbers becoming the lawlessness that they are living with in Arizona and border States along the way. And when Arizona passed their immigration law, we heard, Mr. Speaker, what I would call a primal scream of desperation come up out of Arizona. And they passed the legislation that they could. They passed the legislation that they needed to protect and defend themselves.

Mr. Speaker, that is a long and deep subject which I intend to go into a little more deeply, but I recognize that the astute gentleman from east Texas, the "Aggie" himself, the judge, Mr. GOHMERT, is here with some actual facts and data that come off of a printed sheet rather than out of that globe of his that has so much knowledge in it.

And I would be so happy to yield as much time as he may consume to the gentleman from east Texas (Mr. GOHMERT.)

□ 2220

Mr. GOHMERT. Well, I do appreciate so much the comments of my friend from Iowa, and we do appreciate the comments of our colleagues in the hour previous to this, about the wonderful Jewish heritage in this country.

It is Jewish Heritage Month, and it does mean so much to this Nation when you look at the contributions of the Jewish immigrants into this country. This country has benefited so immeasurably from immigration, but it has to be legal, and there are a number of different aspects.

First of all, we've got, basically, a Third World immigration service. It needs to be cleaned out from top to bottom and from side to side. It needs to be streamlined and made more efficient, more effective. That has got to be done. It wasn't done effectively in the previous administration. It has got to be done. It is not being done now by this administration, and it has got to be done. It has grieved me much, in my 5½ years here, to hear people come down to the floor who talk about laws, who are spouting off things as facts, which are wrong, because they haven't read the bills.

My friend knows that, in our Republican Conferences, nobody had been more loud and emphatic than I in begging my colleagues, when we were going through the TARP bailout, to read the bill.

If you'll just read the bill, you'll see we don't do this in America. We don't give one person \$700 billion.

We didn't have enough people read the bill. They didn't realize how much we were giving away the farm when the TARP bailout passed.

Likewise, we have people, including down Pennsylvania Avenue here, who have talked about this Arizona bill. I've got it here. It's 19 pages. That's with the amendments. It includes the amendments that were passed to make clear their position. I've gone through and, you know, I've highlighted different parts. It's what I do. I am not technically challenged. I love doing things on the Internet, finding things and doing good research on the Internet, but there is something about having a hard copy which I can go through and highlight, and that's what I've done here. This is not rocket science.

If you have read the law as it has come down from the Supreme Court and as passed by this Congress, you'll find out that this Arizona law is actually not as tough, as stringent as existing Federal law. You'll find out what this Arizona bill talks about in terms of what a law officer will do because it reads: For any lawful contact stop, detention or arrest made by a law enforcement official—well, a "lawful contact stop" means a law officer cannot stop you unless it is authorized under State or Federal law. In fact, if he were to violate someone's civil rights by unlawfully stopping someone, he has got a lawsuit. We've got a Federal law that allows you to go sue Arizona or the local law enforcement if they were to abuse their power. That's why the civil rights laws are there.

Any lawful contact.

There is a type of arrest that has been known since 1966 as a Terry Stop, and there is probably not a certified law officer in Iowa, in Texas, or in the country who has not had a class on what a lawful stop, a Terry Stop, is because under Terry vs. Ohio 1966, the Supreme Court discussed this. They said that you've got to have a reasonable suspicion that there has been some crime committed in order to have a detention stop. You can't just, you know, willy-nilly stop people.

Also, it could be a lawful stop if you see that somebody is violating the traffic laws. Sometimes officers will have a lawful stop, and they'll give you a warning. They could have given you a full ticket because they saw that you had violated a law or that maybe you had a taillight out or something, but it's a lawful stop. They stop you and wonder, perhaps, you know, are you carrying illegal drugs or something. Well, they're authorized to stop you for violating the traffic laws, and they're not bound to put on blinders when they

do in order to see if you've violated something else while you're there, but not unreasonably.

If they've lawfully stopped a person for some purpose other than immigration and if they have a reasonable suspicion that the person is an alien, that a person is not lawfully present in the country, then this law allows them to make, as it says here, a reasonable attempt, when practicable, to determine the immigration status of the person.

Now, what Terry vs. Ohio made clear is a "reasonable suspicion" means you can't just say, Well, I suspected something. That's not good enough. In law school, when we studied Terry vs. Ohio, there was some terminology I had to practice saying before I got to class so that I could say it without, you know, stumbling and looking more ignorant than I might otherwise already look. The word was "articulable." It rolls off pretty easily nowadays, but you can't just suspect. Well, I just had this suspicion. That's not good enough. It has to be a reasonable suspicion based upon articulable facts. If you cannot articulate facts that justify your suspicion, it's not reasonable. It's an unlawful stop, and it's probably a civil rights violation that's going to get the community or the State of Arizona sued successfully.

The Federal law allows even further stopping just to check to see if somebody may be legally present in the country. Federal law officers have the ability to do that if they think it appropriate. Arizona is just trying to deal with the fact that they have so many criminals in Arizona.

My friend mentioned a kidnapping. It is intolerable that one of our 50 States of these United States would have a beautiful, wonderful city like Phoenix and that that United States' city, here in the continental United States, would be the second most prolific kidnapping capital in the world. This isn't a Third World country where we have coups d'etat constantly and governments constantly changing hands so that you don't know who is going to enforce the law. This is the United States of America. Arizona is not some Wild West territory. To have Phoenix have the second most kidnappings in the world is intolerable, and it is an embarrassment for which this Federal Government owes an apology to border States like Arizona for allowing this kind of thing to go unstopped, unchecked.

This law is very reasonable. You know, basically, there is just one page—if people would bother to go check. On page 5, it talks about lawfully stopping someone who is operating a vehicle if he has a reasonable suspicion to believe the person is in violation of any civil traffic law. I mean, this is not an unreasonable law, but it does say repeatedly that a law enforcement official or agency of this State, county, city, town or other political subdivision may not consider race, color, or national origin in the

enforcement of this section except to the extent permitted by the United States or Arizona Constitution. Well, the Arizona Constitution cannot allow it if it is forbidden by the United States Constitution. So this is not some horrific bill as the President and others, including our President, have made it sound.

That's why it is a little bit irritating to have the President of Mexico come into this body as an invited guest, as a guest in this House, and say: I strongly disagree with the recently adopted law in Arizona. It is a law that not only ignores a reality, that cannot be erased by decree but that also introduces a terrible idea, using racial profiling as a basis for law enforcement.

□ 2230

That is why I agree with President Obama, who said the new law "carries a great amount of risk when core values that we all care about are breached."

He comes in here as an invited guest and completely misrepresents the facts, and tells the world here in this body to our faces that the Arizona law ignores a reality that cannot be erased by decree, and introduces a terrible idea that racial profiling is a basis for law enforcement?

I am sure that he does not lie, but that statement is a lie; that is not true. He just needed to read the bill, and apparently no one, I don't know if the Attorney General has read it yet, he hadn't read it when he came before our Judiciary Committee. Secretary NAPOLITANO, she owed the State of Arizona better than she gave it, and she had not read the bill, and she is out there condemning it. And then to have our invited guest come in here and condemn a law that he clearly had not read—I would be glad to give him a copy. It is not hard to get. But to come in here, that is just so outrageous.

But then he comes in and says, "Because of your global leadership, we will need your support," this is President Calderon, "to make the meeting in Cancun next November a success." And that is because he has come in and touted global warming.

For those that can't understand the politicalness that is used in here, what that statement means, and what all these 100 and some countries around the world have said, when they said we have got to have the United States' global leadership come into this global warming conference, what they mean is, if the United States doesn't come in as the patsy who is willing to pay all these other countries out of some guilt complex, then nobody else in the world is going to come in and start redistributing the wealth from America into all those other countries.

I appreciate President Calderon saying that, but the trouble is we are distributing plenty of wealth to Mexico. He mentioned it himself. The Merida Initiative, as I recall. This body passed a bill to give them \$500 million, as I re-

call, to use to buy law enforcement equipment to help enforce their laws. We are pouring plenty of money into Mexico, so he doesn't need to try to go to some global warming meeting and try to construct some method of extorting more money out of the United States. We are giving them plenty.

Mr. KING of Iowa. Reclaiming my time, I thank the gentleman from Texas. I wanted to go back through a couple of points the gentleman has made with regard to the Arizona law.

One of them would be, my recollection is that "lawful contact" was amended to say "stop, detention, or arrest." I happen to have had a copy that has the amendment integrated into the overall bill, and I was able to sit down and read that on Saturday morning.

Mr. GOHMERT. If the gentleman would yield, yes, it does say any lawful contact, stop, detention or arrest.

Mr. KING of Iowa. Didn't they strike "lawful contact" and just put in "stop, detention, or arrest?"

Mr. GOHMERT. This is supposed to be the updated law as amended.

Mr. KING of Iowa. Your copy doesn't reflect that. I recall mine did.

Mr. GOHMERT. The gentleman needs to understand that "lawful contact stop" means you can't stop them unless you have a reasonable suspicion.

Mr. KING of Iowa. Let me suggest that "lawful contact" would mean, among it, "lawful contact" would be "stop, detention, or arrest," so specific within those individual subcategories of lawful contact. So I think I make a distinction without a difference in the language as I recall it, and that is carefully crafted language.

When we look at the reasonable suspicion component of this, Mr. Speaker, I think about this; that I wrote the reasonable suspicion law in Iowa as a State senator for the Workplace Drug Testing Act that we passed in 1998. It has been in law for all of 12 years, and in that period of time, in fact 12 years and 2 months, I happen to remember it was St. Patrick's day in 1998 that it was signed into law, Mr. Speaker.

But we provide for an employer or employer's designee to direct an employee to undergo a drug test, and generally that will be a urinalysis, based upon a representative of the employer declaring that the employee in question has a reasonable suspicion that they are using or abusing drugs. That might be any of the indicators that have to do with bloodshot eyes, or dilated pupils, or erratic work habits, or showing up late, or let me say agitated nature or nervous nature, something of that nature.

So the designee of the employer can point to an employee and say, I have a reasonable suspicion that you are using drugs. Go get a drug test right now.

That has been an Iowa law for 12 years. It is more draconian than the Arizona reasonable suspicion law with regard to requiring the law enforcement officer to draw their reasonable suspicion and make a determination

when he has reasonable suspicion as to the lawful presence of the individual that he has had lawful contact with and had a stop, detention, or arrest.

A reasonable suspicion, I would add also to the gentleman from Texas, who went to law school down there, that if I remember correctly, it is a specific, articulable fact, so that it has to be specified as well as articulable. I have trouble practicing that word too. I am doing it here. So I didn't go to law school to learn that.

But the reasonable suspicion language that is there is well settled, and it has been completely utilized for decades in the United States, and for at least 12 years in Iowa. Maybe it is the janitor, or it is the nurse or the truck driver, or maybe it is the accountant or the keyboard operator that is the designee of the employer, that has received 2 hours worth of training to start out and one hour worth of training each year to refresh them, and they are the ones that get to point their finger at somebody and not say, let me see your papers; it is, we will send you into the clinic here, and you can fill this jar up, and we will check it out and see if you are using illegal drugs.

I would submit that it is a little bit more invasive in a person's privacy to require a urinalysis than it is to require that they show their papers. Yet we have people across this country that are demonstrating against Arizona's immigration law, when all it does is ask the local law enforcement officers to carry out the function of enforcing immigration law, Arizona immigration law, which mirrors Federal immigration law in that practice, and it has been a requirement for a long, long time, perhaps half a century, that those who are in this United States that are not natural born citizens or naturalized citizens have to carry their papers if they are 18 years old or older. That has been a common practice. There appears to be no offense taken about that practice.

But here, behind where I stand, Mr. Speaker, we had President Calderon take issue with Arizona's immigration law. He said he strongly disagrees with the Arizona law, that it is a terrible idea that could lead to racial profiling. That is pretty close to the quote, not exact. Mr. GOHMERT provided it exactly.

So if President Calderon is so offended by the law that Arizona has passed, I would take him back to the simplest lessons in deductive reasoning that were perfected by the Greeks 3,000 years ago, and it would be this: President Calderon, if you are not offended by the United States Federal immigration law that sets a standard that is more stringent than the Arizona immigration law, but you are offended by the Arizona immigration law, the only logical deductive reason that could remain is that he is offended that Arizona law enforcement will be enforcing Arizona immigration law. So that would tell me President Calderon is insulted or offended by Arizona's State

and political subdivision law enforcement officers.

And I will suggest that the former Member of Congress from Colorado and my friend, Tom Tancredo, got it right when he said you can understand what is going on by the objectors of the Arizona law; the higher the level of hysteria, the greater their fear that the law is going to be effective.

□ 2240

They don't want the law to be effective. That's why they're demonstrating. They don't believe, if they've ever read the bill, they don't necessarily believe that it's unconstitutional or it violates a Federal preemption standard or that there's case law out there that prohibits local law enforcement from enforcing Federal immigration law. That isn't all a matter of their issue. They're contriving arguments that help them arrive at a result that they want, which is open borders, full-bore amnesty, paths to citizenship, more voters, more people coming into the United States to cash into this giant ATM called America.

And there was a point that was raised this morning in a breakfast that I hosted for the Conservative Opportunity Society. I will put it this way, since it's a confidential discussion that takes place in there. It was raised by one of the members from the upper Midwest, and I'll call it a rust belt State, who said he has watched as generations of Americans have arrived here from foreign lands, different countries other than the United States because they had a dream, because they had a passion. They wanted to build on that dream, and here they could have the freedom to do so. They have all the constitutional rights and protections that man has ever known, the right to property, the rule of law, in a nation that was founded on Judeo-Christian principles, which means we need less law enforcement than anybody else in the world. And people came here to build on that, and that vitality is a great core of the American experience and the American civilization.

But he raised the point that, when you start bringing in tens of millions of people who come here for a different reason, a different reason rather than to build, that people coming here believing that they can cash in on the welfare state, that there is somebody else that's going to do the work and there's going to be money that gets kicked out of this government machine—this giant ATM is the shorthand that I use for it—he worries about the future of our Nation because they and their children and their children's children would have a different view about what the work ethic is, for example; the responsibilities we have to stand up and support the rule of law and hold everyone accountable to the American Dream, which embodies a responsibility that we have to utilize this blessing that we have that's passed to us from the previous generations and to

leave this world and this country in a better place than it was when we found it. That's an American Dream obligation. And if they come here for a different reason, this is a new phenomenon that hasn't taken place because we've only been a welfare state about a half a century.

When my grandmother came here a little over 100 years ago, she came into a society that was a meritocracy. And if people walked across the great hall at Ellis Island and they had a limp or a gimp or a bad eye or both eyes looked a little crazy or a little too pregnant, if something wasn't right, even though they'd been screened before they got on the boat, they put them back on the boat and shipped them back to the country that they came from. About 2 percent of those that arrived at Ellis Island were put back on the boat and sent back to the country they came from because the United States of America was filtering for good physical specimens, good mental specimens, generally, people who could sustain themselves in this growing country, a meritocracy. But today it's anything but.

Only 7 to 11 percent of the legal immigration in America is based on merit. The rest of it is completely out of our control, with family reunification and a whole lot of other plans under the sun, but not based on merit. And what kind of a country would not establish an immigration policy designed to enhance the economic, the social, and the cultural well-being of the United States of America?

That's one of my, I think, salient points, and I'd be happy to yield to the gentleman from Texas.

Mr. GOHMERT. Thank you. And the point is quite salient. And it brings to a point something I think my friend from Iowa and I can agree with part of the quote from our President that was quoted by President Calderon. And to give you the exact quote again, President Calderon, in talking about the Arizona law said that "it introduces a terrible idea using racial profiling as a basis for law enforcement." Now, that is just blatantly not true, absolutely not true. Using racial profiling as a basis for law enforcement. That is, it flies in the face of the facts and the facts of this bill.

But then he goes on, and here's the part where I believe my friend would agree with me in congratulating the President, not on the first part of the quote, because he's applying this to the Arizona law, but he says the new law "carries a great amount of risk when core values that we all care about are breached." But the part that is in there is so important to us in the United States, and that is that there is "a great amount of risk when core values that we all care about are breached."

Now, I grew up with my mother and dad telling me if I ever have an emergency, if I'm ever in trouble, look for someone in uniform because I can trust them. That's the way I grew up in

Mount Pleasant, Texas, and that's the way I have taught our three girls growing up their whole lives, growing up in Tyler, Texas, that if there's a problem, even if you're worried you might have done something wrong, you go to somebody in uniform. You can trust them. And I've taught them the same thing.

You know, if somebody were ever kidnapped, no matter what the note said or whatever, you call the FBI. You can trust them. And I know so many FBI agents, and I do trust them. They're some wonderful agents. And I know they would lay down their lives in a second.

But what about when we come to the point when the Federal law enforcement is told by their commander in the White House that enforcing the law is a bad idea? That's problematic. And then that spills over until you have somebody who is charged and his whole job is enforcing the immigration laws, and he says, if Arizona sends somebody that they have detained because they're illegally in the country, he may not even enforce the law. See, that flies in the face, just like the President's quote says. There's a great amount of risk when the core values that we've taught our children, that we all care about, are breached.

And I'm telling you, when you have someone in the Federal Government charged with enforcing the law and they're being taught, and it's coming top down, ignore the law, don't enforce it, they're violating all the core values that we've tried to instill in our children and the things that we grew up believing, and this country is not the country we hoped for, that we dreamed for. It becomes like the country that so many immigrants flee illegally, because they're not based, their country does not have the rule of law that's in force. Too much graft and corruption.

You come to this country, don't ask us to ignore the rule of law. Some of us, like 4 years I had in the Army, time as a prosecutor, as a judge, as a chief justice, 5½ years in Congress, taking that oath that was given by the Speaker to the new Congressman DJOU from Hawaii, I mean, we took an oath to follow the law and we're supposed to support and defend the Constitution. This flies in the face of all those oaths when you say ignore the law, it means nothing; we'll get around to enforcing it some day down the road. It means I've spent most of my adult life for nothing because the rule of law means nothing.

So I would implore people, do not come to this country and ask me to say that my adult life has been for nothing, because the rule of law means something. It means nothing to them. It does mean something. It's meant something to me, and it always will, because I know, and I know my friend from Iowa knows, I know the Speaker knows, if we don't have the rule of law that's applied across the board, and I think better in this country than in any country in the history of the world, then we devolve into the ashes

from which we rose, and we are just a historic memory and nothing more.

I yield back to my friend from Iowa.

□ 2250

Mr. KING of Iowa. I thank my friend from Texas. I am standing here listening, thinking about what it means to be in a country that in the history of the world there has been no country that has more profound respect for the rule of law. And the thought that all this life in the law as a prosecutor, as a judge, as a Supreme Court Justice, all of that activity, to have someone declare that it's all for nothing, that it really didn't have any meaning, that behind it all it was a facade that was simply there to facilitate somebody's political agenda is what it would come down to.

And I think back throughout this course of history. And earlier I spoke of the Greeks, but I would take this law, this rule of law back to Rome, Roman law, Roman law that survived the Dark Ages and manifested itself as the foundation of old English common law, that came across to this country and arrived here, let me suggest, with the Mayflower 390 years ago, with the Pilgrims who came over here for religious liberty and religious freedom to get out from underneath the thumb of the King, and also to be able to worship as they pleased, and those traditions of old English common law that came here.

But the injustices that still came from English common law were the injustices that were corrected in a large way in the traditions and defined in the Declaration and corrected in the Constitution of the United States.

We are here and one of the reasons that we are a great Nation, one of the reasons that we are the unchallenged greatest Nation in the world is because one of the essential pillars of American exceptionalism is the rule of law, Mr. Speaker.

When we look at the difference between the country represented by President Calderon and the country represented by President Obama, our traditions are entirely different. As I listened to President Calderon's speech, he said we are founded on the same principles. He said they were founded 200 years ago on the same principles as the United States is my recollection from the speech. I don't have it in front of me.

It struck me that I would like to ask that question of him personally to explain that to me, how we are founded on the same principles, the right to life and liberty and the pursuit of happiness. Could that be in a Mexican Constitution somewhere that is 200 years old? I am not aware of that. I hope it is. I hope I just missed it, but I am not aware of that.

Life, liberty, and the pursuit of happiness, Mr. Speaker. This country was founded for religious liberty. It was founded on the rule of law. It was founded on the basic principles that

our rights come from God, and that we hold these truths to be self-evident, that all men are created equal, and we are endowed by our Creator with certain unalienable rights, and among them are life, liberty, and the pursuit of happiness, Mr. Speaker.

And America was founded by a Nation who believed in freedom, a Nation of farmers and small shopkeepers, a Nation that rejected the aristocracy, a Nation that wrote in its Constitution that we are not going to confer any title or royalty on anybody in this country. We are going to shed those trappings of royalty, and we are going to be a Nation that is empowered from rights that come from God that come directly to the people, and the people bestow the responsibility on government. That's what America was founded upon.

And we believed for a long time that our voices mattered. We have been engaging in these debates well before the Declaration of Independence. Patrick Henry's speech was a manifestation of many decades of Americans seeking to rule themselves before they threw the yoke of King George off in 1776 and culminated with the ratification of the Constitution beginning in 1787 and finishing in 1789.

We are a different Nation. When I asked the Historian of Mexico in Mexico City a couple of years ago about the colonial experience of Mexico versus the colonial experience of the United States, his response was, well, about 7 percent of Mexico are the aristocracy, and they have run their country from the beginning. And 93 percent are the people who are being run. And they have no tradition of being able to have a voice that actually changed and shifted the government and directed the government. Not a government of the people, but a government of the aristocracy run for the aristocracy that managed and controls the people.

Now, I hope President Calderon is breaking that mold. I hope Vicente Fox started it along the way, and I hope President Calderon is breaking that mold. And I applaud him for the courageous approach that he has had in taking on the drug cartels. They have suffered thousands and thousands of casualties in the middle of this war against the drug cartels, but they have a very heavy lift down there. It isn't that Mexico mirrors that experience of the United States, in my view. I think it's a different history, it's a different experience, it's a different culture, and a different set of traditions.

And, yes, we can be friends, and we are trading partners, and we need to enhance those trades. And I want to be supportive of the effort to shut down the drug cartels. And we have, Mr. Speaker, a responsibility in this country to shut down illegal drug consumption so that we can turn down the magnet that draws so many illegal dollars out of the United States into Mexico and the violence that's committed there and points south, and there and

points into the United States. All of that is part of the picture. We haven't addressed our side of this problem very well at all. And we point our finger at Mexico. I want them to do their job too.

But we can, by golly, shut off the bleeding at the border. That we can do. And there are \$60 billion a year that are wired out of the United States into the Western Hemisphere, points south. About \$30 billion of it goes into Mexico; about \$30 billion goes into Central America, the Caribbean, and South America. And the Drug Enforcement Agency does not even have an estimate on what percentage of that \$60 billion is laundered illegal drug money.

I would hang that point out there and yield to the gentleman from Texas.

Mr. GOHMERT. Thank you. Some say, well, if you are a caring Nation then you ought to just welcome anybody that wants to come. The problem is because this Nation has been so richly blessed, and because we have been a Nation that believed in the rule of law and enforced it more fairly across the board than any nation in the history of the world, then opportunities have abounded here. And so it has been a draw.

And I know my friend from Iowa was chairman of the Immigration Subcommittee on which I was privileged to serve, and so I know he is aware of these statistics, but it's estimated that between out of the over 6 billion people in the world that 1 billion to 1.5 billion people in the world would like to come to America. And as most folks know, we have over 300 million in this country now.

But if we were to just say there are no borders, you want to come, come on, we are just giving up on our obligation to protect the economy and the people and the way of life in this country, so come on. One billion to 1.5 billion people would overwhelm this Nation. It could no longer be the greatest Nation in the world because you couldn't have an organized, sustained society with a government that functioned. It would be overwhelmed.

So in order to continue to be that light on the hill, that beacon that Reagan talked about, we have to make sure that we have managed immigration, that we continue to be a beacon so people want to come here, but that we control the immigration so it doesn't overwhelm the economy so that this becomes a matter of regret for those who have come here.

Now, I know, as my friend from Iowa has done, and I guess most of us, assist people who have immigration problems. And so we have some wonderful dear Hispanic friends, constituents whom we are helping to try to legally get in family because they want to abide by the law. They want to do the right thing because they know the law is important.

And some people that I love very dearly are Hispanic immigrants. And, you know, having been invited to come

to family functions and back when I was a judge, one of the great honors of my time as a judge was to marry a couple. And her parents were immigrants. And it was just so moving. It brought tears to my eyes. But I look around at this Hispanic group of family, and what comes to my mind when I am with them, when I see them is they believe in the things that made America great.

This family, these dear friends, they believe in God, they have a love of family that's unrivaled, and they have a hard-work ethic like virtually nobody else can even aspire to. It's a beautiful thing. And I have great hopes that those three things that you find generally so often in Hispanic communities are what's going to reinvigorate this country and get us back on track and get us back to the very things George Washington prayed for this country when he resigned as commander in chief of the Revolutionary military. Those are good things.

But we owe it to all of the people, those who have immigrated legally, those who have been here, grandchildren, great grandchildren of immigrants, people that are Native Americans, we owe it to all of them to keep this country strong so it continues to be a land of opportunity.

□ 2300

I come back to that prayer that George Washington had when he wrote, himself, that was at the end of his resignation, and of course, it was the only time in human history where someone led a revolutionary military, won the revolution, and then resigned and went home. Never happened before, never happened since.

At the end, Washington's words were these, I now make it my earnest prayer that God would have you in the state over which you preside in his holy protection.

I know my friend had people, as an employer, providing paychecks, you probably had people resign. You may not have had people put prayers like this on the end of their resignation, but Washington goes on that he, God, would incline the hearts of the citizens to cultivate a spirit of subordination and, get this, and obedience to government. To entertain a brotherly affection and love for one another, for their fellow citizens of the United States, and particularly for the brethren who have served in the field, and, finally, that he would most graciously be pleased to dispose us all to do justice.

That's part of the prayer. How can you do justice? You follow the law. You are just. To the rich and the poor you are just to everyone. Race, creed, color, nationality, religion, prayer, that was part of Washington's prayer.

Then he goes on to love mercy, you can't have mercy unless you have justice in the first place.

Washington goes on: And to demean ourselves with a charity, humility, and pacific timbre of mind which were the characteristics of the divine author of

our blessed religion, and without an humble limitation of whose example in these things, we can never hope to be a happy Nation.

He signed it, I have the honor to be, with great respect and esteem, your Excellency's most obedient and very humble servant, George Washington.

Now, that's a resignation, that's a prayer.

Mr. KING of Iowa. Did he sign that in the year of our Lord?

Mr. GOHMERT. This resignation he did not, but, of course, we know that most things were signed in the year of our Lord, including our Constitution. So I find it remarkable when some people around here have said, well, it would be unconstitutional to sign things around here in the year of our Lord. I pointed out how can it be unconstitutional to sign things in the year of our Lord, whatever the year number is, when that is exactly how the Constitution itself is signed and dated.

Mr. KING of Iowa. I reflect back on talking about George Washington and the eloquence that he had and the love for his fellow man and for his country and how great it would have been if Fidel Castro would have stepped down about the time that he finished a term or two in Cuba and how much different this Western Hemisphere would be.

What if we didn't have people like Hugo Chavez down there that seek to be President for life and impose their version of Marxism, their version of emperor's law, which is one of the foundations of empire. If you look around and you look at empires, they are run by emperors. They are run by the law of the emperor, not the law that comes from God that sees justice blindly, and the level kind of justice for whomever it might be, rich or poor.

I am thinking about this Arizona law again and how it's been misrepresented across this country. I am not very forgiving for what has happened here. When you have the highest official and officials in the United States Government that either shoot from the hip or willfully misinform the American people, and it starts with the President of the United States himself.

When the Arizona law was passed he almost immediately said that a mother and her daughter could be going to get some ice cream, and they could be targeted because of how they looked and be required to produce their papers. That was a race card thrown into the middle of this debate based upon no fundamental facts, Mr. Speaker.

Then behind that we had Eric Holder the Attorney General, testifying before the Judiciary Committee a week and a half ago, if I recall correctly, about a week and a half ago with Eric Holder. As he was asked these series of questions, he had made the point that he thought that there was a potential for racial profiling that could take place. Then, Mr. Speaker, we found out, and I think Eric Holder may know by now, that he misunderstood the law, but he hadn't read the law.

We found out, when Congressman TED POE, also a former judge from Texas, asked him the question, have you read the bill? He said, no, he hadn't. He hadn't been briefed on the bill.

But he had a few things to say about it, and prior to the Judiciary Committee, about its lack of constitutionality. Well, that's the Attorney General, who also testified that he is a nonpartisan office, that he is simply going to enforce the law.

Then we have the Secretary of Homeland Security, Janet Napolitano, and she had remarks to make about how the bill could be used for racial profiling. It's obvious that she didn't read the bill. In fact, she confessed to Senator MCCAIN in a hearing that she didn't read the bill.

Then we had the Assistant Secretary of Homeland Security, who heads up ICE, John Morton, who made a statement, I believe it was to The Chicago Tribune newspaper, that he wasn't committed to necessarily picking up the individuals that would be incarcerated by Arizona law enforcement that had violated U.S. and Arizona immigration law.

The law enforcement officer, the chief law enforcement officer for Immigration and Customs Enforcement, sent a message, not yet to be retracted, that he wouldn't commit to picking up these individuals that had been picked up by Arizona law enforcement, because he disagreed with the law. Breathtaking.

What would George Washington have said to think that the top enforcer of American immigration law, the Assistant Secretary of Homeland Security John Morton, would even intimate that he had any options about enforcing the law?

I would say, Mr. Speaker, that it isn't his option. It's not the option of the President of the United States to decide whether to enforce the law. It's not the option of the Attorney General to decide whether to enforce a law, or, the Secretary of Homeland Security, or the Assistant Secretary of the Immigration and Customs Enforcement; none of them have the option. They are executive branch employees. Their oath is to uphold the Constitution to the best of their ability and to faithfully execute the laws. That's their job.

This Congress sets the legislation and sets its policy. The executive branch carries it out. They don't get to have discretion. I will submit to John Morton, Janet Napolitano, Eric Holder, or even President Obama. President Obama could do a John Adams.

Come back here, run for office, come to Congress. If you like to set policy, get in the legislative business. Don't be in the enforcement business.

I am not seeking to enforce a law myself. I am saying here is the law. The Federal Government has immigration law, and you have an obligation, if you are the President of the United States, or an executive branch officer

with that duty, to enforce that law. Our job is to set the policy and pass the laws.

You know, I will go even further. Michael Posner, Assistant Secretary of State, he said he brought it up early and often to the Chinese that we had a problem with a law in Arizona that could bring about racial profiling. These are the people, we have got 40,000 Chinese in the United States that have been adjudicated for deportation. The Chinese won't take them back. And we are sending them some 550-year-old bones from paleovertebrates, so they can keep their artifacts straight.

We need to send them the 40,000 Chinese that they won't take, deport them as well as the bones, Mr. Speaker. And, additionally, Felipe Calderon on top of this. The American people have been misinformed by the President, by the Attorney General, by the Secretary of Homeland Security, the Assistant Secretary of Homeland Security, by the Assistant Secretary of State Posner. Then the President of Mexico takes his talking points from the White House and comes to this floor and lectures and chastises us that we have a law here, that I will say is completely constitutional. I will make this further prediction, Mr. Speaker, and that is that the announcement came out today that the Justice Department under Eric Holder now has a legal brief that recommends that they bring suit against Arizona.

□ 2310

Here is my prediction: ACLU has written that legal brief for the Justice Department. That apolitical, non-political Justice Department has a brief that one day we'll get our hands on, a draft brief. Release the draft is what needs to happen from the Attorney General. But in that draft we'll find the ACLU that has already sued Arizona with a 98-page case, there is the document that they're using to put their brief together in the Justice Department.

The President gave the order to the Attorney General to look into Arizona's law. And the Justice Department, under Attorney General Holder, looked at the lawsuit that's been brought by the ACLU and MALDEF and other organizations that are hardcore left wing, including SEIU, and they have lifted the language right out of that lawsuit, and that will be the draft, Mr. Speaker. That's my prediction. I put my marker down. When we get our hands on the draft from the Attorney General's office, I will take that draft and I will take the language and I will highlight the language right out of the ACLU's lawsuit. And I'll show you how the Justice Department lifted that language out of the lawsuit of the ACLU and MALDEF—the Mexican American Legal Defense Foundation—and put it right into their draft advisory. And the Federal Government will be conducting and carrying out the order of the President—in a nonpolitical office, sup-

posedly, according to Holder's testimony—at the direction of the ACLU and MALDEF and LARASA and the other organizations, SEIU and many others that are hardcore, leftist organizations in this country.

If we're going to have the rule of law, it's got to be impartial. It's got to be objective. It's got to be constitutional. It's got to be statutory, and it's got to be consistent with case law. Arizona's law is all of those things, but this Justice Department's unjustified attack on Arizona is anything but.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas.

Mr. GOHMERT. I just want to say, the President said he would fundamentally transform America. And when the executive branch charged with enforcing the laws of the country won't read them, won't follow them, and won't enforce them, that's a fundamental transformation.

Our friend, CYNTHIA LUMMIS from Wyoming, prepared this chart. One final note on fundamental transformation: This chart, when you have the blue line, the private job sector hiring, shooting down like this and the red line, the public government hiring, shooting up like that, you have fundamentally transformed America.

With that, I yield.

Mr. KING of Iowa. Reclaiming my time and, Mr. Speaker, yielding back the balance, should there be any.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 4213, TAX EXTENDERS ACT OF 2009

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111-497) on the resolution (H. Res. 1403) providing for consideration of the Senate amendment to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5136, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111-498) on the resolution (H. Res. 1404) providing for consideration of the bill (H.R. 5136) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KILPATRICK of Michigan (at the request of Mr. HOYER) for today.

Ms. JACKSON LEE of Texas (at the request of Mr. HOYER) for today after 2:30 p.m.

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. TOWNS) to revise and extend their remarks and include extraneous material:)

Mr. TOWNS, for 5 minutes, today.

Mr. HASTINGS of Florida, for 5 minutes, today.

Ms. BEAN, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. LINDA T. SÁNCHEZ of California, for 5 minutes, today.

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

Mr. BOOZMAN, for 5 minutes, today.

Mr. WHITFIELD, for 5 minutes, May 27.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5139. An act to provide for the International Organizations Immunities Act to be extended to the Office of the High Representative in Bosnia and Herzegovina and the International Civilian Office in Kosovo.

ADJOURNMENT

Mr. PERLMUTTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 13 minutes p.m.), the House adjourned until tomorrow, Thursday, May 27, 2010, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

7649. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyprodinil; Pesticide Tolerances [EPA-HQ-OPP-2009-0551; FRL-8818-8] received April 28, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7650. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Phosphate Ester, Tallowamine, Ethoxylated; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2009-0165; FRL-8816-4] received April 28, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.