for 1 minute and to revise and extend her remarks.)

Ms. HAYWORTH. Mr. Speaker, this week marks the Holocaust Days of Remembrance. In 1938, there was a family that lived in Vienna, Austria. The father was a successful tea merchant. The boys were both talented and bright. And when the Anschluss came and the Nazis arrived, the younger son watched as his mother signed away all of their possessions.

The mother made her way to the United States, because she had relatives here. The older of the two boys was smuggled out of Austria in the trunk of a car. The younger boy was taken to an orphanage, a boy's orphanage in Belgium.

The father, Sigmund, was not able to obtain passage, as the boys eventually did to the United States, and he ended up in the free city of Shanghai, where he reestablished his tea business. He kept writing to his wife, Rose, over the ensuing 2 years, and then she stopped hearing from him. It turned out that Sigmund Haimovitz had died in Shanghai of malaria.

His younger son, Henry, was my father-in-law, and I want to remember Sigmund Haimovitz and his brave family and all those who perished as a result of the terrible events of the Holocaust.

IMPORTANT POINTS FOR AMERICA TO CONSIDER

The SPEAKER pro tempore (Mr. BUCSHON). Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my honor and privilege to address you here on the floor of the United States House of Representatives and to have an hour to invest in laying out some points here that I think are important for you to consider. And as America listens on, hopefully it will stimulate some of the thought process and help bring people to some conclusions.

The first thing that I think that any one of us wants to speak of and to is the President's announcement which took place very late on Sunday night that the Special Forces team had been successful in taking out Osama bin Laden.

Our first response to that news, that happy news for all of America, I think, is to congratulate the team that fast-roped down into that compound, those who put their lives on the line to put an end to the life of perhaps the most evil man on the planet, Osama bin Laden. And I congratulate the President of the United States for issuing the order and making the decision to go into that compound in the fashion that they did.

□ 1410

He had a number of options. As the news has reported, and I accept this to be fact, that the President sat in and led five different discussions to evaluate the quality of the intelligence that was available and the tactics that might be used in that compound and that he gave the order.

Some have said it was the most courageous order a President had given in their memory or lifetime. They were all from the administration. It was a good order, there's no question. I don't think it was the most courageous. It didn't lack courage. But there are a number of other big decisions that stand up there, I think, in a higher profile than this one. But it was the right decision, it was a good decision, and the President had to take a chance.

He could have ordered a massive bombing raid on that compound and, as some have said, turned it into a glass parking lot, which would have raised the level of the degree of success but firmly eliminated the chance to show that Osama bin Laden was in that compound. He could have dropped a single bomb, a one-ton-plus bomb from a Predator, that would have had a reasonable chance of succeeding in taking out the most evil man on the planet. Or he could have just done nothing. Or he could have ordered the Special Forces in to fast-rope inside that compound and do what they did. Of those options, I believe the President chose the right one, and I congratulate him for that decision.

Yet in sitting here and listening to the gentleman from California (Mr. LUNGREN) talk about the situation with the intelligence that we had, it is clear to me, and it has been clear to me for a long time, that one of the essential links in the intelligence that led us to Osama bin Laden in the compound in Pakistan was information that was given up in part by Khalid Sheikh Mohammed in enhanced interrogation encounters that he had, probably before he went to Gitmo. That information then was worked, it was matched up with other information, and the thread was followed. In fact, the courier was followed to the compound in Pakistan.

It's ironic that the President of the United States campaigned against such enhanced interrogation tactics. It's ironic that many whom I serve with on the Judiciary Committee lined up against George W. Bush and accused him of ordering torture against people who had been attacking and killing Americans, terrorists of the like of Khalid Sheikh Mohammed and a very small number of others.

I agree with the gentleman from California. Waterboarding is not torture. If it were torture, we would be torturing our own Special Forces troops. I would be willing to wager—and this I can't verify not knowing the identities of the individuals who did fast-rope down into that compound—that a number of those very same forces that went into the compound that took out Osama bin Laden in their training were likely waterboarded as a part of their training. I've sat in my office and I've gone out in the field and I've talked to those Special Forces personnel who were waterboarded as part of their training. It is not a painful procedure, but it is one that gives one the sensation that they are drowning. It's easy enough to go on the Internet and read the material there, Mr. Speaker. It's an enhanced and effective interrogation technique, and in all of the research that I did—and I read back in story after story of this and had others dig down in it—I found one case where there was a fatality that was nearly a century ago that was because of the brutal tactics that they used in conjunction with the waterboarding. In any case, there are many Americans that are alive today because of the information that our people were able to acquire because of enhanced interrogation techniques, and it's ironic that President Bush approved the methods that acquired the thread, the significant thread of information, without which no one can explain to me how we would have found Osama bin Laden in that compound.

And so the very President who campaigned against the tactics that George Bush was employing is the one that was able to take the information from those tactics and make the right decision to take out OBL. I'm glad that George Bush made the decisions that he made. I'm glad that he was strong and courageous and defended America's ability to gain information in the fashion that they did, because anyone will tell you that was involved with the interrogations, especially of Khalid Sheikh Mohammed, that once he understood what waterboarding was, he sang like a canary. If he had not warbled in the fashion that he did, I don't think we would be celebrating in the fashion that we are the end of the life of the most evil man on the planet.

So, I agree with the gentleman from California that the cloud of investigation around the American interrogators who are being investigated for the tactics that they were assured by the Justice Department were constitutional and were legal and now we have a Justice Department with a different opinion, it's putting some of our interrogators through an investigation with the cloud of an eventual indictment hanging over their head for doing the same type of tactics that were used with Khalid Sheikh Mohammed and a very few others to gather the information that allowed us to take out Osama bin Laden. This paradox needs to be resolved, Mr. Speaker, and I am hopeful that the President will give the order for the Justice Department to accept the conclusions that were drawn by the Bush administration and adopt that policy so that Americans can continue to be protected and safe in the face of this threat that we have from without, this threat that comes from radical Islam.

We are fighting radical Islam. Radical Islamists are seeking to kill Americans on a regular basis because they

disagree with western civilization and our philosophy. It's why they attacked us on September 11. That's why they attacked the Khobar Towers. That's why they attacked the Twin Towers the first time in the early nineties. That's why they attacked the USS Cole, the Marine barracks, the list goes on and on, the times that we have been attacked by people who reject our free society. They feel threatened by the liberty and the freedom that is America. They're threatened by the free enterprise that we are. They're threatened by the robust nature of our culture and our economy and our innovativeness where we lead the world in patents and trademarks. Because of that, we need to stand strong and hold ourselves confident.

I point out, also, that the probability that the intelligence was correct and that Osama bin Laden was inside the compound where the attack came from our Special Forces on Sunday, the probability that he was there was a probability that was probably less than 50 percent chance. The President took the chance. If they had gone in and attacked the compound and Osama bin Laden had not been there, I would like to think we would have never heard about it, Mr. Speaker. I don't have any information that says that they tried any other compounds or tried any other locations, although I suspect that we have checked a few more places. I'd like to think we checked a lot of caves up there in the mountains in Pakistan. It's where a lot of us thought he was. That's where our intelligence was telling us that he was. So I would like to think that we were going into some of those locations. But if they had gone into that compound in Pakistan and Osama bin Laden had not been there, we would have never heard about it, which is appropriate and proper, because the odds of this kind of intelligence being spot-on are always less than 100 percent, and in this case I believe it was less than 50 percent. In fact, if you compare the value of the intelligence that said there were weapons of mass destruction in Iraq before we went in there, when you had a universal intelligence conclusion that was drawn by the Israelis, the French, the Americans, as the universal global intelligence said, Saddam Hussein had weapons of mass destruction. The probability of those weapons being there in Iraq if you analyzed it from the intelligence we had at the time made that probability for WMD in Iraq greater than the probability that Osama bin Laden was even in the compound last Sunday when the attack came.

I make these points, Mr. Speaker, so that we can look back across this continuum of history and understand that intelligence isn't an exact science. It's a series of judgment calls. It's a series of connecting different threads of information together and following hunches and then coming to that and following the hunch and making the decision. President Obama made the right decision. The value of the intelligence we had, it wasn't a 100 percent piece of information that he had to work with, so whatever was the hunch, whatever was the conviction that caused him to make that decision, there's times you're going to be right and there's times you're going to be wrong. He was right this time. I'm glad he made the decision. I'm glad the world has seen the end of Osama bin Laden.

With regard to whether a photograph should be published of Osama bin Laden to give the world a higher measure of proof, I will give some deference to the opinion that came from the chairman of the Select Committee on Intelligence, MIKE ROGERS of Michigan, who said his measure is, does it make it harder for American military to work with, say, the Afghan people for intelligence and information on the ground in Afghanistan?

□ 1420

Does it make it harder or does it make it easier? Are the chances better or worse that our troops on the ground in Afghanistan will have a more successful time if the picture comes out or if it doesn't?

In addition to that position, I would say this, Mr. Speaker, that if the rumors that it's a hoax grow so great that they're able to use those rumors to recruit more al Qaeda, and if the rumors that it's a hoax strengthen the recruitment of the Taliban, then we should release the picture or the pictures or enough information that people can be completely convinced. I don't have any doubt Osama bin Laden was in that compound; Osama bin Laden is in the bottom of the Arabian Sea. And I don't have any doubt.

But we may have to get to the point where we have to erase the doubts, and I suspect it will be very hard to keep the pictures of this operation completely with a lid on them, although if anybody can do it, our Special Forces can. If that's their order, I expect that they will. I just don't know that the Pakistanis aren't sitting on something now that would get released.

Just another little irony I would point out as I transition, Mr. Speaker, into a little bit different subject matter. The compound is reported to have had 12- to 18-foot walls around it with barbed wire on top. It's pretty interesting that the Secretary of Homeland Security made a trip over to that part of the world to advise Afghanistan on border security and compared the Afghanistan-Pakistan border with the U.S.-Mexican border. It's interesting that the Secretary of Homeland Security has long said: You show me a 50-foot wall; I'll show you a 51-foot ladder.

It's interesting that the 12- and 18-foot walls weren't scaled by Special Forces personnel with 13- and 19-foot ladders. They put helicopters over the top of the compound and fast-roped down inside. The wall was effective and the wire on top of it was effective. That's why they put them there. They don't build all of these walls with wire on top all around the world if they're not effective. It isn't like ladders aren't available in Afghanistan or Pakistan.

My point is, and I often facetiously respond to this idea, that if you show me a 20-foot wall, I'll show you a 20-foot ladder, as if that just makes fun of anybody that thinks we can protect our borders with a wall. If anybody has been to a military compound, you will know there are fences and walls around the military compound. Why is that? It's to keep out enemy infiltrators. No, they don't keep out everybody. You have got to still guard it. People come along with wire cutters and they come along and dig underneath and they will detonate and blow a hole in a concrete wall. They did that in the wall around the Embassy in Saigon, if you remember. So it isn't that they're the only solution.

And when I say we need to build a fence, a wall and a fence on our southern border, Mr. Speaker, I'm not advocating that we build that and walk away and let somebody come up to the other side with a 21-foot ladder. I'm suggesting that, first of all, we don't have to build 2,000 miles of fence, wall, and fence, that we just build a fence, a wall, and a fence with a patrol road in between in those locations and build it until they stop going around the end.

If anybody has been down to the border, you will see the beaten path that goes through, sometimes right through what they're declaring to be fence, the 600-some miles of fence that they declare that we have. 646 I think is the last number that I saw. And when you go down and look at the real fence that's there, some of it is triple fencing that they call tertiary fencing. That's a little too sophisticated for me. If you go to the San Luis area in southwest Arizona, you can see 24-foot-high fences, triple fences. When I was down there last, I asked them directly, Has anyone defeated this triple fencing? Their answer, after several evasive responses and me point-blanking the question several times, was, No, they go around the end. Of course they do. It's a short fence. It doesn't go far enough. And so people go around the end.

So we just keep building a fence, a wall, and a fence until people stop going around the end. If we end up with 2,000 miles of fence, wall, and fence, we must have needed it because they were continuing to go around the end.

We can do this, and we can do this for a lot less money than we're spending today to chase people across the desert 70 and 100 miles north of our border.

Here's how the math works out, Mr. Speaker. We're spending about $12 billion protecting our southern border. That's 2,000 miles. Already, smart people have done this calculus and taken $12 billion and divided by 2,000 miles and come up with a unit price conclusion that we're spending $6 million a

mile to defend our southern border—$6 million.

Now, imagine this. For me, I'm an Iowa guy and I live out in the country on a gravel road, and it's a mile to concrete from where I live in any direction. So my west road, no one lives on it. It's a full mile of gravel.

If Janet Napolitano came to me and said, Congressman, I've got a proposal for you. I need you to guard this mile. Will you guard this mile and see to it that the people that go across it—you can let 75 percent of them through. No problem. Let 75 percent go through. And the 25 percent that you're required to stop, or you should be stopping, you just have to turn them around and send them back south again. And, by the way, I'm going to pay you, Congressman, $6 million a mile to defend this mile of your gravel road. I'd look at that and say, Could you give me a 10-year contract? That's what we do here in this Congress. We budget out for 10 years. That's $6 million a mile for 10 years. It's $60 million for the budget window of 10 years to guard a single mile.

The population that's going across that, 75 percent of those that try are getting through; 25 percent are being interdicted. This is a little bit dated information, but it's testimony before the Immigration Committee.

And so if they were going to pay me $60 million to guard this mile and I didn't have any kind of efficiency standard except turn 25 percent of them back, or so, first, I'm going to want an efficiency standard. I want a 100 percent efficiency standard. We ought to be developing infrastructure that gets us to that point. And so it wouldn't take me $60 million to build a fence, a wall, and a fence on that mile, that mile that runs from my house west. That's $6 million a year for 10 years, $60 million.

I would tap into the first year's annual budget and take one-third of it, $2 million, and I would build a fence, a wall, and a fence for the full mile. So it's 3 miles of structure. I would put a concrete wall in the middle of it. It would have a concrete foundation that made it difficult to dig underneath.

And one thing you know about concrete is you don't get through it with wire cutters. You don't get through it in a simple fashion like you might with a wire fence.

I would put a concrete wall in the middle. I'd have a fence down near the border. I'd move in about 60 or 100 feet and put a concrete wall in that's about 14 feet tall with wire on top, and I'd put another fence inside that. So if they got over my concrete wall, there's another corral. I would then hire fewer Border Patrol, and with needing less equipment, less pension plans, less benefit packages, I would put the first front money up in the infrastructure. You know that by the time they get through the fence, the wall, and the fence, you'll have a chance to catch them. We would put the sensory devices in, put the cameras up, put the vibration sensors in. Maybe we could get Boeing to perfect their system and add that to the fence, the wall, and the fence.

But it is foolish for us to think that we can just keep hiring more and more Border Patrol—we've more than doubled our Border Patrol—and then back off into the desert 70 or 100 miles and begin chasing people around in the sagebrush. That's not the way to do this. We need to shut off the bleeding at the border. This is not a recreational sport to be defending our border and chasing people down in the desert. If we can stop them before they get into the United States, that is the preferred way to go.

I have gone across the English Channel from England over to Calais, France, where the Brits have leased a chunk of ground because they want to stop the illegals before they get across the channel. They have leased this piece of ground from the French and they've set up a high security system there, and the trucks that come through go on ferries, and the ferries haul them across the English Channel, cars and trucks, just a constant rotation of ferries going back and forth across the English Channel.

The British have leased this piece of ground. They raised their technology and their manpower there to preempt access into the United Kingdom because they would rather deal with them on French soil than they would on British soil, because the British laws get a little sloppy like ours do. Once you pick somebody up inside the interior of the United States, they've got an opportunity to appeal, be adjudicated. It can cost us a lot of money.

□ 1430

The important thing is to keep them out of the United States. Let's build a fence, a wall, and a fence. We can do the whole thing for about $2 million a mile, and that leaves $4 million the first year left over to hire Border Patrol and to pay them wages and salary benefits and retirement packages and to give them some equipment with. Then the next year, there's another $6 million available every year—a little maintenance on that wall but not a lot. So that's a $60 million contract, Mr. Speaker, for a decade on a single mile. You put $2 million up front, and now you've got $58 million to play with.

I'll submit that we can do a better job by building infrastructure and using it to protect our border than we can by hiring a lot more personnel and chasing people around in the desert. It is a simple business equation. This political arena doesn't lend itself very well to simple business equations, but that is one, Mr. Speaker, and I'm going to continue to push to build a fence, a wall, and a fence; and yes, we need to put something on top of that. I don't care if it looks a little bit bad. If they don't want to see wire on top of the wall at the border, why do the Mexicans build walls at the U.S. border with concertina wire on top? They're not offended when they put up it up. Why would they be offended if we put it up, Mr. Speaker?

It's part of our immigration situation that we need to address, and I'll continue with that in that ''stop the bleeding at the border.'' That is the way to do it. We can force all traffic through our ports of entry, and we should beef up our ports of entry, widen them out, and invest in infrastructure there. We should put personnel there so that we can use surveillance techniques that are state of the art so that we can efficiently move through the traffic that is relatively safe and that is unlikely to have contraband in it. Then we can even better scrutinize those pieces of traffic that are likely to have illegal persons or illegal contraband in them. That would stop the bleeding at the border in a significant way.

We forget that 90 percent of the illegal drugs consumed in America comes from or through Mexico—90 percent. The drug enforcement people tell me that, of every illegal drug distribution chain in this country, at least one link in that distribution chain is someone who is here in the United States unlawfully. Many times, the whole chain is a chain of custody of illegal drugs going from Mexico through and up into the United States—pick Chicago—and all the way to the end user, and the drugs never go into any hand except of somebody who's here illegally in the United States. Imagine, 90 percent of the illegal drugs in America come from or through Mexico.

Headless corpses are showing up by the dozens in Mexico, and they're starting to show up here in the United States. I went to a meeting in Columbus, New Mexico, a town hall meeting. There were people there who, on their way to church, drive parallel to the border. On their way to church on a Sunday morning, four heads were on display for them to see, which was a warning to, apparently, the other drug cartel. This is spilling over into the United States. Those heads were on the Mexican side, I'll point out, Mr. Speaker, for the point of accuracy, but they're showing up on the U.S. side of the border.

The drug trade here in the United States is extremely lucrative. I've been trying to get these numbers from the drug enforcement personnel, and they've been very hard to get. Yet Fox News reported that the illegal drug trade in America is a $40 billion industry—$40 billion. It has been reported that at least $60 billion is wired from the United States into points south. A lot of that may come from the wages of people who are working here in the United States—and a lot of them working here illegally. There are around 8 million illegals working in America, taking jobs that legal immigrants or American citizens should be doing. But there is $60 billion a year wired south.

Half of it, $30 billion, goes into Mexico, and the other $30 billion goes into the Caribbean, Central America and some into South America—$30 billion into Mexico, the other $30 billion scattered around in the rest of the southern part, south of us, in the Western Hemisphere.

We don't know and they don't speculate on how much of the $60 billion is just laundering illegal drug money. I don't know the basis of the $40 billion number that Fox News reported on the value of illegal drugs that are consumed in America. That's just the only number that's out there that I can find. I don't think we have the basis of enough intelligence to be able to bring a real solution to this.

I don't think our people at the top have done enough work to quantify the problem. They're not talking about the problem. Instead, I see an emphasis on our southern border, a shift that took place under the Obama administration, that causes some of our Border Patrol to pivot. Instead of looking south to say, Hold it. Don't come into the United States illegally, they started to turn around and look north and try to interdict cash and guns that are coming from the United States and going into Mexico. A lot of these guns, by the way, are perfectly legal in the United States but not legal in Mexico.

So do we have the personnel to filter that at the Mexican border?

It's fine to interdict the cash, because that raises the transaction costs of those who are smuggling drugs into the United States, and it's fine to work and cooperate with the Mexicans if they need a little help on guns that become illegal when they get across the border; but we need to focus on people who are smuggling illegal drugs into the United States. We need to focus on illegal people who are being smuggled into the United States. The value of this has not quantified the loss in American lives. Quantifying the loss in treasure is one thing: $60 billion wired south, $40 billion worth of illegal drugs consumed in the United States, violence in Mexico, and headless corpses by the dozen.

I began to ask these questions some years ago, have finally had some response, Mr. Speaker. It's as a result of two studies that I've commissioned over the years by the Government Accountability Office, GAO studies. One came out in April of 2005, and the other one came out just this past month—released within the past few weeks, actually, but it's dated March of 2011.

We've had witnesses come before the Immigration Subcommittee. First, they'll say America is a Nation of immigrants, as if that's the be all-end all of the conclusion we should draw and that we shouldn't try to limit illegal immigration into America, let alone eliminate it, because America is a Nation of immigrants.

My response to that, Mr. Speaker, is: Yes, sure enough. Could you point out for me a nation on the planet that is not a nation of immigrants? I asked that question of witness Ms. Hernandez some few years ago. I asked if she would care to tell me of a nation that is not a nation of immigrants.

She sat there at the witness table—under oath, mind you—and presented as an expert witness. Her eyes kind of rolled a little bit back in the back of her head; and she said, Well, that would be the Incas and the Aztecs.

So I said, Who, according to an anthropologist, came across the Bering Straits about 12,000 years ago. Would you like to try again, Ms. Hernandez?

Of course, she didn't want to try again, and no one has succeeded in pointing out a nation that is not a nation of immigrants. The closest you could come is with the Japanese, and there are two ethnic groups in Japan that are identified by their locales and by the accents and the languages that they have. They believe that both of them came from Polynesian origins centuries and centuries ago.

Every nation, Mr. Speaker, is a nation of immigrants. People have migrated around this planet since Adam and Eve left the Garden of Eden, and they always will. So we don't carry a certain responsibility towards setting aside the rule of law in America because we are a Nation of immigrants. We have a responsibility to preserve, protect and defend the pillars of American exceptionalism—and of course, the rule of law is an essential pillar of American exceptionalism.

So that question of, first, are we a Nation of immigrants, yes, we are; but we are a Nation of laws, and we must adhere to and protect the rule of law.

When we look at the policies that we have, it's important for us to shut off the jobs magnet here in the United States, not only control/stop the bleeding at the border, but we have to shut off the jobs magnet here in America. One of the ways that we do that is to enforce our laws, of course. E-Verify is an important tool. It's a Web site-based software program that allows an employer to run, I call it, the name, rank and serial number—the Social Security number—of an employee through that database. It will go back, and it will search the Department of Homeland Security's database, the Social Security database, NCIC, and come back and tell you if that information represents that that individual can lawfully work in the United States. We use it. I've tried to fool it and I've tried to scramble it, and the longest delay I can get out of it is 6 seconds.

□ 1440

It's very fast. It's very accurate. The software package is only as accurate as the data behind it, and when we find a mistake in E-Verify, it's almost always because someone got married and forgot to change their name or some piece of information like that that needs to be upgraded. Easily fixed. The only way you make E-Verify even better is to use it and use it and use it so that database gets cleaned up, and it's set up to do that with a 72-hour notice of cure.

So using E-Verify is a good tool. I have a better tool out there that I will soon be introducing, Mr. Speaker, and I have introduced it in previous Congresses. I've been waiting for the right time, and we will set up a press conference and roll out a bill called the New IDEA Act. Now, they say there are no new ideas in this Congress, that it's a just repackaging of old ideas. This one I think actually is a relatively new idea, and it comes from this concept that, well, who enjoys enforcing the law? Who's effective in it? Who do the American people believe will come forward and enforce the law?

And as I was thinking that through, it occurred to me that the IRS probably has the maximum respect of all of the law enforcers in America. They have better tools to work with than many of the other agencies out there, and we expect they will come in and they will conduct an audit, and they're going to look to see if they can find something wrong with your tax return. Anybody that's been through an audit doesn't want to go through another audit. Frank Luntz put out some numbers that showed that a majority of Americans would rather be mugged than go through an IRS audit; 58 percent would rather have a root canal than go through an IRS audit. I'd like to have the IRS helping us with immigration law.

So I drafted legislation called the New IDEA Act. It's the New, and the acronym IDEA stands for Illegal Deduction Elimination Act. What it does is it clarifies that wages and benefits paid to illegals are not tax deductible, and then it gives the employer safe harbor if they use E-Verify. So, if the employer in good faith runs their employees through E-Verify, it will give the employer that credit that he used E-Verify, and he can deduct the wages if E-Verify should happen to be wrong, for example, and it won't be.

But otherwise, if the IRS then comes in during a normal audit—we don't accelerate audits, we don't initiate any more audits than we'd normally have—but if the IRS comes in during a normal audit, they would run the Social Security numbers and information of all the employees through E-Verify, and if any of those employees were kicked back at them as not lawful to work in the United States, the IRS then would take a look. They'd give the employer an opportunity to cure, but they would look at that data and say, all right, I'm sorry, the wages that you paid this illegal are not going to be a business expense for you, so they come off the Schedule C and they go over into the profit column in your tax form.

Imagine if you're an employer and you paid $1 million to illegals and the IRS came in to do the audit and they said, I'm sorry, that $1 million that you had as a business expense is not an

expense. You can't expense wages and benefits paid to illegals. So now that $1 million goes over into the profit side, and the IRS looks at that and says, you know, you're going to have to pay interest on that. You had a tax liability that you unlawfully claimed. You're going to have to pay interest on that tax liability, and you're going to have to pay a penalty, and you have to pay the principal, which is a tax liability.

So if it rolls it over to a 36 percent tax rate, plus the interest, plus the penalty, the net result is that turns your $10 an hour illegal into about a $16 an hour illegal, which means that there will be Americans out there that will be taking those jobs at $12, $13, $14, and $15 an hour that didn't have an opportunity to do that before because illegals were in there working for $10. This will open up jobs for Americans.

We saw a big number of new jobless reports pop up today. This unemployment number is not getting better. It is just zigzagging and stagnating at a number that hangs in there close to 9 percent. This is a very, very slow recovery. One of the things we can do to help recover is to pass the New IDEA Act, let the IRS come in and do their normal audits, and employers will decide that they don't want to wait for the IRS to get there. They will want to clean up their workforce as soon as they practically can.

That's part of the beauty of this. This isn't a hard and fast piece of legislation that requires employers to fire all their illegals at once. They can make their decision on when they will take the risk, but what it does do is accumulates a 6-year statute of limitations. So that if an employer gets by this year without an audit and he keeps illegals on the payroll the next year without an audit, he has to go a full 6 years before that first illegal year drops off, and he's still liable for the IRS to go back through the books a full 6 years, which means that employers are going to look at this, and they're going to think, I'm paying $1 million out to illegals; if I get to the end of a 6-year cycle and the IRS comes in and audits me, they're going to deny $6 million that I have written off as business expenses, put that over into the profit side, and you could be looking at $6 million worth of income, and all of that with interest and penalty attached to it. And so your $6 million probably becomes something greater than $3 million in penalties out of the $6 million that were formerly a write-off.

That's how this liability accumulates with a 6-year statute of limitations. That's why employers, even though they may not be able to transition their workforce into a 100 percent legal workforce the first year, the pressure to do so every year will be so great because getting through 6 years without an IRS audit and knowing that you're going to carry with you a full 6 years of risk will cause employers to clean up their workforce on their own.

One of the problems we have is trying to get the administration to enforce immigration law. We can pass a law. We can make it mandatory that everybody use E-Verify. I will probably have an opportunity to vote for that, and I will. But we cannot require the executive branch to enforce the law. The President of the United States takes an oath to take care that the laws are faithfully enforced. That's part of the Constitution, and it's true for the executive branch employees, including Eric Holder, the Attorney General; including Janet Napolitano, the Secretary of Homeland Security. But we can't make them enforce the law.

I've been in the business of seeking to embarrass the administration into enforcing the law now into my ninth year here because we don't have the tools. We can call them forward now that Republicans have the majority. We can have hearings, bring the press into the hearings because the press helps us a lot. They convey that message back to the American people, and the American people understand that there are things they should be outraged about. But we have no tool other than to cut their budget or embarrass them, or I guess there's more Draconian methods that would not be used, and I won't mention those for fear that they will start an unnecessary rumor.

But all of that said, Mr. Speaker, the IRS will come in and do this work, and it won't be about us trying to embarrass them into enforcing the law. It will be about the IRS coming in to turn it into a revenue generator. It will be. The New IDEA Act, Mr. Speaker, is a tool that can do the most to bring our immigration laws in this country under enforcement and to reduce the numbers of illegals that are in the United States the most dramatically with the least amount of cost. In fact, it's a plus-up because it will generate more revenue for the Internal Revenue Service.

Another point on the border, to roll back down to the southern border, Mr. Speaker, and to make this point is that we have a tourism industry that has to do with anchor babies. Anchor babies are babies that are born in the United States to an illegal mother, and the practice over the years has been to grant automatic citizenship to babies born on U.S. soil. It is not a law. It is not a constitutional requirement. It's just a sloppy practice that began that's getting worse and worse and worse.

We have now in this country somewhere between 340,000 and 750,000 babies born to illegal mothers in America that get automatic citizenship. They're anchor babies. They sneak into the United States, many of them, for the purposes of having the baby. They get the little birth certificate with their little footprints on there. Then they either stay here or they go back to their home country and wait until that child comes of age, and they use that child to apply to bring in the family, the nuclear family, then the extended family, and it's out of control—340,000 to 750,000 a year automatic citizens to America that have essentially unlimited ability to bring their families into the United States.

□ 1450

We have testimony before the Immigration Committee that shows us that if you look at immigrants, legal immigrants, and base it on merit, you would think a country would want to establish an immigration policy that was designed to enhance the economic, social, and cultural well-being of the United States of America. Wouldn't any country have an immigration policy that was designed to help them? I mean, it is not selfish of America to want to have an immigration policy that's good for this country. We cannot be the relief valve for all the poverty in the world.

For every some 6.3 billion or so people on the planet—maybe it's more than that—they can't all live in America. There are more than 5 billion that have a lower standard of living than the average Mexican. So if we think we're going to be the relief valve of poverty in the world, and we bring into America 1 million to 1.5 million legally, and across the border comes—there are numbers that I have seen testified to that show as many as 4 million illegals in a year. Many go back and forth. They are carrying drugs on their back. Maybe they're visiting family. The net number I guess we don't know. It seems to shake out pretty odd that you can have that much border crossing, and the numbers don't accumulate.

When I came to this Congress 8-plus years ago, the number was 12 million illegals in America. Now they're giving us estimates that there are maybe 11 million illegals in America. How does that work? Did that many people die? Did we give that many people citizenship that came in here illegally? So I think that number is significantly higher than 11 million or 12 million. I think it's been growing every year for a generation. I think it continues to grow.

Anchor babies, babies that are born to illegal mothers in the United States that get automatic citizenship, cause people to sneak into the United States to have the baby because they see citizenship in America as cashing in to the giant ATM, the giant ATM which is America's welfare cash machine.

Robert Rector of the Heritage Foundation has done a lot of research on welfare benefits—he has broken it up in a number of different ways—that go to households where there is at least one illegal that's in it.

I need to come back at a later date, Mr. Speaker, and take up the cost to the American taxpayer of benefits that go to households that are oftentimes headed up by an illegal. When we look at what has happened on the floor of this Congress in the last 4 to 5 years, when the SCHIP legislation passed this

Congress, they weakened their requirements of proof of citizenship for Medicaid.

So free medical care for people who are lower income is being provided to people that should actually be deported back to their home country because the standard that you had to show proof of citizenship that was written into the old Medicaid legislation was struck and replaced with a requirement that you attest to a nine-digit Social Security number. That's the standard. They lowered it that low because the people on that side of the aisle wanted to pay Medicaid benefits to illegals. They want to give them a path to citizenship. They want to give them an opportunity to vote.

I look back at what Ronald Reagan said: What you tax, you get less of; but what you subsidize, you get more of. If you reward people for coming into the United States illegally, and you reward them with welfare packages and plans, you are going to get more people in the United States illegally, and you are going to get more people that are signing up for more welfare.

We have in this country 77 different means-tested welfare programs in the United States of America. There isn't one person in this United States Congress that could stand down here on the floor without a cheat sheet and name every one of them. And there isn't one person in this United States Congress that can actually understand how each one of these 77 means-tested welfare programs interrelates with each other, let alone how it affects the decisions of individuals on whether they are going to get a job or sit at home. If you are on rent subsidy and heat subsidy and food stamps, and list all the other Federal programs that are there, why would you work when you are rewarded for not working?

I look at the labor situation in America. There are 8 million working illegals in America. There are a number of others out there that we probably didn't find in the data that we have. So here we are with the unemployment numbers of about 15 million Americans who are registered as unemployed. There is another 6 to 8 million that are past the data. They've quit trying, so they're no longer technically called unemployed. They just quit looking for a job. There is another 6 to 8 million of those. You are up to over 20 million Americans that are on unemployment, drawing it, or have given up applying for it.

But when I start to add to that number of roughly 20 million, 22 to 23 million Americans that are unemployed or have given up trying and aren't working, and I go to the Department of Labor's statistics, their own statistics that come from the Department of Labor, and I begin to add up the American workforce—that workforce number is a little foggy in my memory—it's 140-some million people in America's workforce. If you start adding those who are not currently working—and I start at age 16 because that's a legitimate age.

You can collect unemployment at age 16 if you have earned enough that they paid in on your behalf—the teenagers between age 16 and 19, there are 9.7 million that aren't in the workforce at all, not even a part-time job of any kind. Yes, they may be students; but there's nothing wrong with working and going to school. That's what a lot of people did, and it builds character. You add to that those that are from 20 to 25 years old, and you go on up the line in different age categories. I went up to age 74 because we pay unemployment at age 74, and Wal-Mart hires at age 74 and so do a lot of other employers. So the age of the workforce I am using is 16 to 74. It's a legitimate bracket. We could narrow that in a little bit, and we would have fewer numbers.

But here's the point: Of the 8 million working illegals in America, there are 80 million Americans of working age that are not in the workforce; 80 million people of working age that are simply not in the workforce. They might have checked out. They are sitting back on some of the 77 means-tested welfare programs. They might be independently wealthy and decided to retire. If so, good on them. But they are not in the workforce for one reason or another, or they are working in the black market. It might be that some of those people are selling drugs who are not in the workforce. But if people say there are jobs out there Americans won't do, name one. Name one job that Americans won't do. I can take you and show you an American that's doing every single job definition that there is in this country.

The reason that you see people here illegally and they're out-competing Americans is because they'll work for less. They'll pile up in a house with many more people living in the same dwelling. They are not a threat to the employer to file workmen's comp or an unemployment claim.

So they are a lower liability for the employer. The employer can bring in a crew of illegals, get a job done, dispatch them down the line; and once they leave that job, they are no longer a liability to them. So it's like being able to lease a machine to come do a job. You say, take the machine back, and park it in the lot, and you are done. You don't have to worry about the depreciation or the maintenance. That's what has happened. In a way, it's a bit inhuman to see this going on.

If we enforced our immigration law, it opens up at least 8 million jobs for Americans or legal immigrants; and if people say there aren't enough Americans to do those jobs, nuts. We have to hire one out of every 10 that's sitting now on the couch and put them to work. Why wouldn't you want to increase and enhance the average annual productivity of our people? Why would you not?

What if we were on a big cruise ship, but it was powered by sails and oars? So many people have to be trimming the sails. So many people have to be pulling on the oars. Somebody has got to be in the kitchen cooking. Somebody has got to be swabbing the deck. Somebody has got to be up there in the wheelhouse navigating, and somebody has got to be steering. With all of that going on, if you didn't have enough people at the oars to pull the load, would you pull that cruise ship off on an island somewhere and load on a bunch more people to pull on the oars? Or would you go after the 80 million people that are sitting on the couch now and have some of those people get up off the couch and grab an oar and pull?

I want to increase the production of America. I want to increase the average annual productivity of Americans. If we do that, we increase our standard of living. If not, if more of us sit back and don't go to work and don't produce anything, and we bring others in to do the work that we say we are now too good to do, then our broader standard of living goes down, and you need more and more welfare programs to pay the people that are not working, and you still have to carry the social costs for the people that are working underneath the market value.

You can't sustain a household for some of the wages that are being paid to illegals. That's why they are tapping into welfare benefits. That's why they use their child that has been born in America as an anchor baby as a means to get access to the welfare program.

□ 1500

And so here we have an America that's underemployed, 80 million people of working age that are not in the workforce. A lot of them are living off of the sweat of the brow of somebody else in the form of the 77 means-tested welfare programs that are out there. They don't have an incentive to go to work, but we pay them with tax dollars if they'll just stay peaceful, stay in their houses, don't cause any trouble. Let's not have any violence in the streets. If you do all that, then we'll hire these other people that are in the United States illegally at substandard wages and subsidize them both.

What sense does that make, Mr. Speaker, for a Nation to not be upgrading its standard of living by increasing the average productivity of our people?

And why would we not be defending the rule of law? And why would we reward people that sneak into the United States to have a baby so they can tap into all this giant ATM?

We've got to put an end to anchor babies. I have the legislation to do it, Mr. Speaker, and I have scores of cosponsors on the anchor baby legislation that I introduced very early in this session with some good gentlemen from Georgia, in particular. ROB WOODALL came in and was ready to step up on that, and there are others. TOM GRAVES is part of that. I appreciate the work that they are doing, and I'm happy to

join with them and work together on those issues.

But we have to have a Nation of laws and a Nation that respects the rule of law. We have to shut off the bleeding at the border.

We need to get more of our Americans to work. You notice I didn't say back to work, Mr. Speaker. We're sometimes into the third and fourth generation where they didn't work at all. They have learned how to game the system, and we've accepted it. We no longer require the welfare-to-work part of this; that you get 5 years total and then you have to go to work. What we see happen is 77 means-tested welfare programs. Nobody can monitor all of that. And the will of the American people isn't such because now half the households don't pay income tax. But they go vote. And they vote themselves largesse from the public treasury. They vote themselves welfare benefits. There are people here that pander to that, and they understand that their political base is expanded when they expand the dependency class in America.

So what did they do?

They passed legislation in here under Speaker PELOSI over and over again that expanded the dependency class in America because it strengthened their political base. ObamaCare is a huge key of expanding the dependency class. It says we're going to promise you that every American has access to health care, every single one. It wasn't an issue. But they conflated the two terms, the term health care and health insurance.

Anyone in America can show up in the emergency room and be treated. That's access to health care, and it's probably superior to most nations. I'm sure it's superior to most nations in the world. I don't know a nation that it's not superior to.

But then it was the promise that, well, it's really not very good. It's expensive that you show up in the emergency room without insurance, so what we really want to do is give everybody their own insurance policy and insure another 30 million people.

So I look at that, and I do the math and I ask the question, who's really not insured and doesn't have affordable options?

These numbers came from the United States Senate, the Republican Senate Conference, the Senate staff, and it came down to this. You start with about 306 million Americans, and then you begin to subtract those that are insured, those that are on Medicare, those that qualify, those that are on Medicaid, those that are qualified for Medicaid but don't sign up, those that are covered under their employer, and those that are eligible under their employer and don't sign up, and you begin to reduce this number of 306 million Americans down. First you take the insured, subtract that from 306, and then you begin to identify the Americans that are uninsured. That was those that are here illegally. I'm not interested in funding their health insurance package. I think it's wrong and immoral for us to do that. They're not on my list.

When you boil it down, Americans without affordable options numbered 12.1 million. Now, that is a lot of people, but it's less than 4 percent of our population. Yet ObamaCare sought to disrupt and transform and change and socialize the health insurance industry in America, 100 percent of it, the health care delivery system, 100 percent of that, in order to reduce the number of uninsured Americans without affordable options from some number that's less than 4 percent down to some other lower number.

At what cost?

The cost of American liberty, cost of the United States Constitution. The cost of our freedom.

ObamaCare is a malignant tumor, and it is metastasizing in the heart and soul of the spirit of the American people.

We are a vigorous people. We are a people that have skimmed the cream of the crop off of every donor civilization on the planet, Mr. Speaker. The vigor that came from people that had a vision and a dream, that came here across the pond in one way or another because they wanted to access the liberty and the freedom that we have here is a different kind of a vigor than saying, well, we got good vigor from Great Britain, and we got it from France and Germany and Italy, wherever else, Eastern Europe and around the planet, Greece, name it. No, we got the best of every donor civilization. We got the vigor from every donor civilization. We got the dreamers from every country that sent legal immigrants here, that gives America a unique vigor. It's different than any other country in the world. That's the reason why we succeed. It's the reason why we can take free enterprise and do something with it. It's why America has risen to become the unchallenged greatest Nation on the planet.

We have all of the rights that come from God that are defined so clearly and well, not just in the Declaration, but in the Constitution and especially in the Bill of Rights, and you add to that free enterprise, and you add to that this vigor that comes from legal immigrants from all over, from every civilization, and you have an America that has a spirit and an attitude that's unique on the planet.

It is unsuitable to take a free people and tie the yoke of ObamaCare around their neck. I will draw the line. I want to see shutting off all funding to ObamaCare tied to the debt ceiling bill, Mr. Speaker. Before we even discuss the debt ceiling, I want a guarantee that all of our troops get paid on time. In the event of a debt ceiling limit or a shutdown of any kind, uniformed troops in the United States or anywhere in the world serving Uncle Sam need to know their paycheck is going to be wired into their account on time every time, no matter what is going on here in the United States Congress.

Second point, TOM MCCLINTOCK's full faith and credit bill that sets up the priority on how we would pay our debts in the event of a debt ceiling limit being reached. We can set those priorities, and it needs to be, pay the interest on those who have loaned money to America first and move our way on down the priority list.

Do those two things, send them out of this House, send them over to HARRY REID in the Senate, and he can decide. Pick them up and send them to the President of the United States and let him sign, let the President sign both of those bills, the Gohmert bill, the McClintock bill into law.

That, Mr. Speaker, would be the qualifier before we'd even begin to discuss what we would do about the prospects of raising a debt ceiling.

But for me, I'd put the cutting off of all funds to ObamaCare on that debt ceiling bill and say there can be no raising of the debt ceiling here by the House of Representatives unless we shut off all the funding that's going to implement or enforce ObamaCare, at least until such time as the Supreme Court should rule.

The President is delaying the action of the Supreme Court. He could have asked for an expedited review of ObamaCare. We all know it's going to the Supreme Court. The President is delaying the decision in the Supreme Court the same way that he delayed bringing his birth certificate out.

Mr. Speaker, it is so important that we not chase good money after bad, that the Supreme Court rule on ObamaCare. At least then, then let Congress decide when they might appropriate rather than these automatic appropriations.

Thank you, Mr. Speaker.

□ 1510

PROVIDE FOR THE COMMON DEFENSE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I certainly do appreciate the recommendations of my friend from Iowa. And I certainly agree, we should be passing a bill that would require no leeway for the Treasury's Secretary, that he should pay our debts as they come due and also make sure the military is paid on time. We know that Social Security is already going to be mandatory spending in the event of a shutdown. And that way we are allowed to pursue the issues that are most critical and that is, really, in the interest of children. That term is used so often. It is really true now. We have got to cut the ridiculous, irresponsible spending to preserve this Union.

But there are two problems out there that are seeking to destroy this country. One is passively to destroy this