

AN EMPEROR INSTEAD OF A PRESIDENT?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, our Nation's income tax system is a giant mess. It's complicated; it's not fair; it's outdated—and not everyone follows the law.

Hypothetically, suppose tomorrow, the President issued an edict from the White House directing the IRS not to enforce tax laws for certain special people, for example, people under the age of 30.

Why? Maybe the President just doesn't like the law, so he issues that new order. Well, Mr. Speaker, last Friday, much to the surprise of all of us who believe in the Constitution and in the separation of power, something very similar did happen.

In his latest Friday afternoon surprise, the President issued a decree unilaterally discarding the immigration law of the land—a law passed by Congress and signed by a previous President. The President disagrees with the law; and since he had to have his way, in spite of the Constitution, he improperly ordered his way to be the law of the land. The President's temporary amnesty plan applies to those who are under 30 years of age. They also can obtain a work permit.

It would be nice if the President were as concerned about the 23 million Americans who are looking for work in America as he is about the 12 million undocumented individuals the President claims are looking for work in America. News reports even show 50 percent of new American college graduates can't even find work.

Mr. Speaker, here is the chart we all probably saw in ninth grade civics classes: a bill is filed in the House. If the House of Representatives debates it and passes the bill, it goes down the hallway to the Senate, and they discuss it and vote on the bill. If they pass the bill, it becomes the law if the President signs it.

We call that "the law of the land."

But the President, it seems, has ignored most of this and has just issued new orders from the White House to not pay any attention to the Senate or to the House of Representatives.

Mr. Speaker, like most of us learned in ninth grade civics classes, it is Congress' job to write laws and the President's job to execute the laws. That means: enforce the law. It doesn't mean he is supposed to ignore laws and then issue his own policies like kings used to do with their policies. He is to follow the law whether he likes it or not. Once upon a time, the President even claimed to believe in the Constitution.

Here is what he said last year:

With respect to the notion that I can just suspend deportations through executive order, that's just not the case, because there are laws on the books that Congress has passed.

But that was a year ago. That was then and this is now. If the President doesn't like a law, he believes he can ignore it and come up with his own set of rules.

Our Founders envisioned a country in which freedom was protected from government and was limited from the policies of kings. You see, old King George III of England constantly decreed new laws without the consent of the people. That was one of the reasons we rebelled against the merry ole King of England and his monarchy and his policies. Our ancestors structured the American Government in the Constitution. The last time I checked, it was Congress that makes laws and the job of the executive branch to enforce laws, not to ignore the ones it doesn't like.

The immigration system needs fixing. Congress should do its job and fix the problem. In the meantime, the President should do his job, not ours, and he should enforce the law. Otherwise, we have lawlessness in America.

The President says he can use prosecutorial discretion not to enforce immigration law. Mr. Speaker, the President is wrong again. I dealt with prosecutorial discretion as a former prosecutor and a judge. Prosecutorial discretion is when a prosecutor does not prosecute a specific case because the accused is innocent or there is insufficient evidence or witnesses have disappeared or the government has violated the rights of the accused, et cetera. Prosecutorial discretion cannot be used to ignore a specific law because the government just doesn't like the law.

It is true, through no fault of their own, that young undocumented individuals are here as a result of decades of a failed broken immigration system, but the President has no interest in fixing what is broken. He is more concerned with picking up a few votes to further his reelection. The law gets in the way, so his policies look like they come from an emperor instead of a President.

So what new orders will be issued next week from the President and the White House? Is he going to ignore the Tax Code for some in the name of prosecutorial discretion? I guess it depends on what political forces push the President to new orders and decrees.

We shall see.

Stay tuned for another day in the life of the Republic. It's time for the former constitutional professor to follow the Constitution, not to make up his own rules during his on-the-job training.

And that's just the way it is.

□ 1020

HELPING OUR CHILDREN ACROSS THIS NATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, I've had the pleasure of

chairing the Congressional Children's Caucus for a number of years, having founded it almost a decade ago.

I'm delighted to have, as part of our agenda, a number of issues dealing with mentoring, nutrition, obesity, issues dealing with now a phenomena that is raging across our Nation, bullying, and introduced legislation just 6 months ago and now revised legislation that deals with renewing the Juvenile Accountability Block Grant, as well as providing intervention on these issues.

I'm looking forward to bipartisan support because, as we've seen statistics across America, children as young as pre-K and kindergarten now can interpret actions as bullying. We need to give help and relief to school districts and parents and families, and most of all, a public statement that that action is intolerable and that we want our children to go to schools and playgrounds and places that they will find comfort and enjoyment as a child.

That brings me also to my commitment to science, technology, engineering, and math. I was very pleased to be involved in a program that provided opportunity for sixth and seventh grade boys at risk. It gave them math and science in the morning with what we called the SMART board, and then in the afternoon they played with college football players and learned the skills of football with various sports leagues. Of course, we had the corporate support.

So I raised the question to my good friend, the company Halliburton, and asked for their CEO, who was supportive of this program last summer, to recognize the value of science, technology, engineering, and math, and respond to the needs of these inner-city boys in Houston, the place where the company is located with so many employees. I'm reminded of going to give comfort to many of their employees when KBR was owned by Halliburton and they had tragically lost employees in Iraq. It was my chance to go and respond to that crisis and to give my sympathy. That's the way we are as neighbors, but they are not acting neighborly now. And there are a number of boys, the same kind of children that I see that come here to Washington all the time. Of course, these at-risk boys have probably never been out of the city of Houston, but they are in school districts across the city. Isn't it a shame that we can't get a response, with all the great employees that I know care about the city, to be able to support these children? I ask for the CEO to respond to these at-risk boys. I'll certainly be looking forward to engaging and making sure that that happens. It's very important.

I understand that there has been some question about an executive order that deals with helping children again across this Nation, children who have come to the United States not of their own accord, who were brought by their parents and have been here since the age of 16 and have attempted, like

many children that I see, to do the right thing, to get a high school diploma, to be in the United States service, to get a GED that happened to have come and they're unstated.

This issue has been before the Congress for 11 years. In fact, there was an effort passed by the House that moved to the Senate, as was instructed, and the Senate refused to move forward on something called the DREAM Act. If you look at all of our cases and our caseload in our respective districts, particularly those of us in the Southwest, there are tons of cases that have come in that will bring tears to your eyes, children being deported away from their families or families being separated.

Let me disabuse you of the notion that this is not done under the law. There is a regulatory scheme under the Homeland Security Department that allows discretionary determination about deportation or whether or not someone should go into deportation. These are children. The President did the right thing by having an executive order that utilized the powers by the Secretary of Homeland Security under the Code of Federal Regulations to be able to use that discretion. It's the right thing to do.

Congress, it's not too late, my colleagues, Republicans and Democrats, to come forward and support the DREAM Act that has been introduced over and over again, that had bipartisan support. In fact, it's not too late to help the farmers, to help the high-tech industry, and pass comprehensive immigration reform. Who are we, other than Americans, who are humanitarians, who are empathetic, who love the values of this Nation and believe in opportunity?

I don't want people to be equating the loss of jobs with allowing a few children to be able to be saved from deportation, whether they come from South and Central America, they come from Ireland, they come from Italy, they come from the continent of Africa, the Caribbean. It is time to be the Nation that we know we are, which is lifting up people, giving opportunity. This is the greatest country in the world, and I look forward to corporations responding to at-risk boys, Mr. Speaker, and, as well, that we recognize the importance of helping children wherever they are.

THE WHITE HOUSE DECREE IS BAD FOR AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS. Mr. Speaker, last week, the White House decreed partial amnesty for an estimated 3 million illegal aliens and mandated acceptance of illegal alien work permit applications. The White House decree is bad for America.

First, Mr. Speaker, it is unconscionable for the White House to pit unem-

ployed Americans against illegal aliens in a competition for scarce jobs. In 2009, the Pew Hispanic Center found that 7.8 million struggling American families have already lost job opportunities to illegal aliens. America suffers an 8.2 percent unemployment rate. Even worse, Hispanic Americans suffer an 11 percent unemployment rate. Even worse, African Americans suffer a 14 percent unemployment rate. Even worse, American teenagers suffer a 25 percent unemployment rate. All are hammered by a White House decree that grants as many as 3 million illegal aliens work permits.

I understand heartfelt compassion for illegal aliens, but where is the compassion for millions of Americans who are unemployed and suffering from jobs lost to illegal aliens? Where is the compassion for American taxpayers who must pay higher taxes to support millions of extra unemployed?

Second, the White House decree grants amnesty to illegal aliens. Webster's defines "amnesty" as "the act of an authority, as a government, by which pardon is granted to a large group of individuals." Further, "pardon" is defined as "a release from the legal penalties of an offense."

A penalty for breaking America's immigration laws is not lawfully getting a job. The White House releases illegal aliens from this penalty; hence, the White House grants amnesty. While the amnesty is admittedly partial, it is amnesty nonetheless.

Third, Mr. Speaker, the 1980s amnesty taught foreigners that America won't enforce its immigration laws. The result is over 10 million illegal aliens in America and an immigration mess that is destructive to America. A 2011 Federation of Americans for Immigration Reform study found that illegal aliens cost American taxpayers a net loss of \$99 billion a year. Illegal aliens overcrowd our schools and need costly English interpreters. In 2011, illegal aliens drove up America's K-12 education costs by \$49 billion per year. Illegal aliens overcrowd our emergency rooms, delay treatment for Americans, and drive up health care costs. Illegal aliens commit crimes, sometimes heinous, against American citizens and burden taxpayers with higher jail costs. In my home county, more Madison Countians have been killed by illegal aliens than have lost their lives in Iraq and Afghanistan combined.

Mr. Speaker, amnesty did not solve America's illegal alien problem in the 1980s, nor will it today. Those who do not learn from history are doomed to repeat it. Mr. Speaker, America must never again give blanket amnesty to illegal aliens.

Fourth, Mr. Speaker, the White House decree is of questionable constitutionality. The Constitution states, and I quote article I, section 1, "all legislative powers herein granted shall be vested in a Congress of the United States," and "the Congress shall have the power . . . to establish a uniform

rule of naturalization." The Constitution does not empower a President to make law. Hence, the only change to immigration law is as our Constitution demands, through Congress, not by imperial decree.

Mr. Speaker, in 2011, when it was not an election year, President Obama agreed. On March 28, 2011, the President stated:

With respect to the notion that I can just suspend deportations through executive order, that's just not the case because there are laws on the books that Congress has passed. The executive branch's job is to enforce and implement those laws. For me to simply, through executive order, ignore those congressional mandates would not conform with my appropriate role as President.

Last September the President again stated:

I just have to continue to say this notion that somehow I can just change the laws unilaterally is just not true. The fact of the matter is there are laws on the books that I have to enforce. And I think there's been a great disservice done to the cause of the DREAM Act that somehow, by myself, I can go and do these things. It's just not true.

Mr. Speaker, the President's own words speak volumes about the constitutionality of a White House decree that undermines America and the rule of law.

□ 1030

EXTENSION OF RENEWABLE ENERGY TAX INCENTIVES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Speaker, this Congress' failure to extend renewable energy tax credits is already costing my home State, the Commonwealth of Virginia, jobs. As CBS News reported last month, Virginia is losing a wind turbine development to Spain because the United States doesn't have the right policies and tax incentives in place for renewable energy development. A spokesperson for the wind energy company Gamesa said that the uncertainty over the future of those tax credits for wind energy and the lack of Federal energy policy caused the company to invest in Spain instead of Virginia. The jobs to construct and maintain that turbine will be Spanish, not American.

The so-called Strategic Energy Production Act, coming to the House floor this week, actually perpetuates the problem by doubling down on oil and gas to the detriment of developing new and renewable energy sources in America. Even the Republican Governor of Virginia said that the lack of a national energy policy was one of the reasons we aren't moving forward with this project in America. President Obama has called on Congress to pass a "clean energy standard" that would guarantee a market for wind, solar, and other clean domestic energy sources. That legislation has not received any consideration in this House.