

the top 10 percent of the Nation. This status is a reflection of each cadet's hard work and the investment of the parents, the instructors, and the community in the Junior ROTC program.

As a member of the Air Force Reserve, I have great admiration for the young people involved in Junior ROTC in Georgia and throughout the United States. This important program instills the values of citizenship, service, and personal responsibility in the next generation of leaders.

I anticipate great things from these young men and women in the future, and I wish the Dawson County High School Junior ROTC program continued success.

THE 40TH ANNIVERSARY OF FEDEX

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. I rise today to recognize the 40th anniversary of the founding of FedEx, one of the world's great companies.

According to business lore, CEO Fred Smith originally introduced his idea for FedEx in a Yale economics paper that got him a C grade. Today, 40 years later, we can all appreciate the merit of that C paper after the company originally set up shop in 1973 near the Memphis airport with 14 aircraft and 186 packages set for delivery. That first day, FedEx flew to 25 U.S. cities from its home base in Memphis, which remains its world headquarters. Today, FedEx has grown to ship more than 9 million parcels daily across the globe.

FedEx and Fred Smith have also shown great generosity to the country, and Memphis is lucky and proud that it's our home company. Fred Smith, a combat marine, who served two tours of duty in Vietnam, served as the co-chair of the World War II Memorial Committee to build a memorial here in Washington.

It used to be said that what's good for General Motors is good for the Nation, but now I think what's good for FedEx is good for the Nation—absolutely, positively.

I congratulate Fred Smith and FedEx on 40 years of great service, and I look forward to another 40 years of innovation and service.

SAFE CLIMATE CAUCUS

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. It is time for a real debate on climate change—right here on the House floor. The members of the Safe Climate Caucus come to the floor to talk about this critical issue every day that the House is in session, but where are our Republican colleagues?

Last week, we challenged the Republican members of the Energy and Commerce Committee to a debate, a debate

about the appropriate policy response to the threat of climate change, but we've heard nothing from the Republicans. The House Republican leadership should schedule that debate right away. This problem is not going away. The longer we delay, the greater the risks.

The Energy and Commerce Committee has refused to act or to even hear the latest science. Congressman WAXMAN and Congressman RUSH have sent over 20 letters requesting hearings with scientists and other experts about important developments in climate science, but the Republicans have refused to hold any hearings on climate change. The American public is entitled to an explanation for this disappointing record of inaction.

Madam Speaker, we need to get serious about tackling climate change. That means having a debate about what actions should be taken. That debate is long overdue, and my friends, time is running out.

JOHN GRANVILLE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Madam Speaker, I rise today to talk about a remarkable man from Buffalo, New York—John Granville.

John was a diplomat with the United States Agency for International Development, who was facilitating free elections in the Sudan when, 5 years ago, he was assassinated in Khartoum. Four of his killers were captured and convicted, but they escaped from prison. Two remain at large, and the State Department has issued a \$5 million reward for information leading to their capture. Meanwhile, in February, the Sudanese Government pardoned the man who helped John Granville's killers escape.

Madam Speaker, John deserves better. He was a selfless and courageous man who dedicated his life to representing the United States and in helping those who needed it most. Tomorrow, I will introduce a resolution calling for the Sudan to remain on the State Sponsors of Terrorism list until the pardon is repealed and the escapees are captured. I will also send a letter demanding that President al-Bashir rescind the pardon immediately.

John Granville made western New York and our Nation proud. I will keep fighting to see that justice is served and that his memory is honored.

CLIMATE CHANGE NEEDS A GLOBAL SOLUTION

(Mr. GRIFFITH of Virginia asked and was given permission to address the House for 1 minute.)

Mr. GRIFFITH of Virginia. Ladies and gentlemen, I join you today to share an amusing note that one of my constituents posted on Facebook recently. He said:

I carved my pumpkin, and it was snowing outside. Today, I dyed Easter eggs, and it's snowing outside. Congratulations, Mr. President. You've solved global warming.

Now, that's amusing. Climate change is a serious issue, but we must recognize that we do not have this planet all to ourselves and that, when the Chinese are increasing elevenfold their profits on the production of coal, when they, in fact, have become the number one coal producer, when their equipment is about 30 to 50 percent less efficient than ours, we cannot solve this problem without a global solution, and we must have the Chinese act.

We've done our part in going down this road to solve problems. We need the Chinese to act as well.

COMMONSENSE BACKGROUND CHECKS ON GUN OWNERS

(Mr. LARSON of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LARSON of Connecticut. I rise to commend JOE MANCHIN and PAT TOOMEY for coming up with a rational approach that 92 percent of Americans all agree with in the need for universal background checks as they relate to our gun laws.

The bill was taken up today in the Senate, and the vote was 54–46. Every fifth grader in America is astounded that that bill was defeated. Only in the United States Senate, the other body, could that take place—that a vote of 54–46 would not pass.

So, disheartening as it is and in reeling from the events that have taken place in Boston on Patriots' Day, children all across America cannot be reassured by their parents tonight that they are safe, but the NRA will sleep well this evening. Mission accomplished.

But there is another Chamber and an opportunity for the House of Representatives to speak its will on the violence that has been perpetrated across this country: in the commonsense background checks that are needed here in this country.

□ 1730

WAR ON COAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Kentucky (Mr. BARR) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. BARR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BARR. Madam Speaker, this Nation was founded on a simple, but majestic, idea; and that idea is that we are endowed by our Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

Think about these words from Jefferson in the Declaration of Independence for just a minute: the pursuit of happiness—the idea that every human being has a fundamental, natural right to follow his or her dreams, to reach for the stars, to work hard to achieve their God-given potential, all without undue interference from the government.

What is the key to happiness? I believe it to be hard work—a relentless and unyielding desire on the part of the individual to apply effort and improve their lot in life. Hard work, after all, has been an American tradition from our very founding. Benjamin Franklin once said:

It is the working man who is the happy man. It is the idle man who is the miserable man.

And so this story is the story of America. The work ethic defines who we are as a nation. It is in our DNA; unconstrained by excessive government, the industry and creativity of the American people have fueled the most prosperous and productive nation in the history of the world.

So what gives Americans—or anyone else for that matter—the character to pursue happiness? What animates our capacity to do work? In a word: energy.

Quite literally, the classic, scientific definition of energy is the ability to do work. And Americans' ability to perform work, to work hard and to pursue happiness over the years has been supported by an abundant and affordable supply of domestic American-produced energy. Energy has been the indispensable ingredient in Americans' ability to pursue happiness.

Think about it: the story of this country has been the story of American energy—coal, oil, natural gas. Abundant, reliable, affordable energy has always been essential to a growing national economy. It built the railroads and conquered the West. It spawned the industrial revolution and won two world wars. It revolutionized communications and fostered innovation from Henry Ford to the Wright brothers, Apollo and Neil Armstrong. It propelled us into the Information Age and the knowledge-based economy. Energy always has been and always will be the key to Americans' ability to work hard and pursue happiness.

It is no surprise then that the countries with the best human health and the most material wealth on this planet are the countries with the highest levels of energy consumption. The most salient difference between nations in the developed world and nations in the lesser-developed world is that nations in the developed world produce and consume the most energy, whereas nations in the lesser-developed parts of the world produce and consume the least.

And so before us we have a choice, and it's a choice between two futures. The first is a future of energy freedom and independence in which we continue to embrace the ideals of our Founding Fathers, of Jefferson and Franklin, where men follow their dreams, can work hard and pursue happiness unconstrained by central planners in Washington, D.C., where we can pursue an open energy system and a diversity of energy sources to create jobs and opportunity and power a future of unlimited growth and potential.

The second is a future of energy scarcity, a future of energy dependency in which we abandon the traditions of the Founding Fathers, reject the American work ethic, and deprive Americans of their ability to pursue their dreams, by limiting the diversity of their energy choices to only those that Washington politicians and not the American people decide are worthwhile and sustainable.

In short, in the words of Benjamin Franklin, we can be the happy man. We can pursue happiness, or we can be the idle man. The choice is ours, and here's why this is relevant today. We are on the path toward a future of energy scarcity rather than energy freedom. We are on a path that replaces Americans' right to work hard and pursue happiness with a government-directed society in which politicians and bureaucrats restrict Americans' freedom and limit their choices. And the best example of this is the Obama administration's war on coal.

What is the impact of this great, abundant natural resource? In 2012, coal was responsible for 37 percent of electricity generated in the United States, more than any other source of electricity. Given current consumption rates, the United States has more than 230 years remaining in coal reserves. Coal is mined in 25 U.S. States and is responsible for over 760,000 U.S. jobs.

My home State, Kentucky, has produced energy for centuries. And most importantly, we have produced coal. And our coal industry that has been built by the hard work of my fellow Kentuckians powers America. Kentucky was the third largest coal producer in the United States during 2011, and coal mining was by far the greatest source of energy production in the Commonwealth. In 2011, coal mines employed more than 19,000 individuals through the year, and mining directly contributed approximately \$4 billion to the Commonwealth's economy.

What has the war on coal brought to our country and to Kentucky? Domestic coal decreased by 4.6 percent just last year. In 2012, U.S. coal consumption for electric power declined by 11.5 percent. Within the past year, 226 coal electricity-generating units have been shut down. In 2012, Kentucky's overall coal production decreased by 16.3 percent, reaching its lowest level of production since 1965.

And this has an impact on real people. U.S. coal-mining jobs dropped by

7,700 in 2012, and new and pending EPA regulations will cost 1.65 million jobs. With 205 coal-fired generators shutting down in the coming year due to stricter environmental regulations, the United States is expected to lose up to 17,000 jobs.

In my home State of Kentucky, this war on coal has been devastating to my fellow Kentuckians. In 2012, direct employment in Kentucky's coal industry decreased by over 4,000 workers.

Mr. Speaker, this has a real impact on real lives. It's easy to sit in Washington and issue regulations when you don't have to confront the human cost.

I want to yield time to some of my fellow colleagues in the House; but before I do, I want to tell a brief story that I think tells the story of the war on coal and why it matters to people all around this country. It's a story of a young coal miner that I met in my home State of Kentucky. His name is Chris Woods, and Chris commutes over an hour each way, both ways, to work and back home every day. He took me in the coal mine, and he wanted to show me his work. And it's heroic work what these coal miners do. And he took me underground and he showed me what he did. As we were coming out of the mine, and as I recognized that what he was doing was providing low-cost, reliable electricity to the American people, he looked at me and he said: You know, ANDY, I don't really know much about politics. And, frankly, I don't care much about politics; but if you can save my job, I'm for you.

And the thing about Chris Woods was he wasn't thinking about himself. His one paycheck takes care of his wife, two children, and both sets of parents.

□ 1740

This matters to people. And for every one coal mining job lost, there are 3½ additional jobs that are dependent on the coal industry.

And so, Mr. Speaker, I look forward to having a discussion tonight about the future of coal in America, about the choices we have as a country to pursue our happiness, to work hard, to fulfill and embrace the Founding Fathers' vision that we should shoot for the stars, that we should have energy diversity and energy freedom, and we should reject the path we're on, a path of energy scarcity and dependence.

With that, Mr. Speaker, I'd like to yield to the gentlelady from Missouri, ANN WAGNER.

Mrs. WAGNER. I thank the gentleman from Kentucky for yielding and for hosting this Special Order on the importance of America's coal industry.

Mr. Speaker, I rise to discuss the importance of coal in Missouri. There is no denying that coal has played a vital role in providing an abundant source of power to plants that generate electricity for families and for businesses across this country.

In Missouri, coal-fired electricity is responsible for 81 percent of the State's electric supply, and largely contributed

to Missouri's low electricity rate of 7 cents per kilowatt hour in 2011, compared with the national average of 10 cents per kilowatt hour for that very same year.

Additionally, Missouri was sixth in the country in coal consumption, with 46 million tons of coal used for electricity in 2011, of which Ameren Missouri's Meramec plant in the Second Congressional District consumed 3½ million tons.

Ameren Missouri, based out of St. Louis, is the State's largest electric utility and provides electric service to approximately 1.2 million customers across central and eastern Missouri, including the Greater St. Louis area.

In addition to the consumption of coal, the Greater St. Louis area is also a critical player in the procurement of coal for our Nation's energy needs, with companies like Arch Coal, Peabody Coal and Patriot Coal headquartered in St. Louis and drawing employees from Missouri's Second Congressional District. These companies are among some of the country's and the world's largest coal providers.

All of this helps in keeping energy costs low for families and for businesses. More than half of American households devote more than 20 percent of their family budget to energy costs and, in this economy, we must do everything we can in order to keep the costs of electricity down.

Despite the reliance on coal in providing for this country's energy needs and contributing to low electricity prices, this administration has continually made it more difficult for these longstanding plants to operate, which ultimately threatens the industry for the future.

Existing power plants are already in the middle of meeting compliance with an EPA regulation aimed at reducing uncontrolled greenhouse gas emissions by 90 percent over 3 years. Now EPA is also proposing to regulate greenhouse gases for new power plants that will require them to meet a natural gas standard for air emissions by relying on unproven technology utilizing carbon capture and storage.

This standard was originally designed for a completely different energy source and relies on technology that has not yet been commercially tested, with the EPA itself estimating that this New Source Performance Standards rule will add around 80 percent to the cost of electricity for a new coal plant.

The EPA has already missed their April 13 deadline to finalize the rule, citing that they are still reviewing the close to 2 million comments that have been offered on the proposal. Among these comments are submissions from 221 Members of Congress, including 14 Democrats, who all have concerns with the devastating impact that this rule will have on jobs and the economy.

As a new Member of Congress, I would like to join my colleagues in opposition of this rule. The New Source

Performance Standards rule will deny economic and environmental benefits of new low-emissions coal power plants in favor of plants that rely on commercially unproven technology in order to chase unrealistic and marginal environmental standards.

On top of all of this, President Obama's nominee to head the EPA during his second term only promises to bring the same kind of policies that have shut down factories and bogged down companies with increased regulatory red tape during his first term.

Gina McCarthy has headed the EPA's Office on Air Quality since 2009, and was instrumental in the creation of these regulations that have attacked the coal industry.

I applaud Senator ROY BLUNT's leadership in placing a hold on her nomination, and hope that my other Senate colleagues will also take a hard look at her previous agenda when considering her legitimacy for the position, with such an important part of our domestic energy production and economic activity at stake. The coal industry just simply cannot handle four more years of the same regulatory overburden by the EPA.

What this all comes down to is continuing to provide reliable and affordable energy for the people of Missouri and the United States of America. Increasing costs of doing business subsequently increases the price of energy for households at a time when families are spending more and more of their budget on powering their homes.

The amount that American households devote from their family budget to energy cost is more than double from 10 years ago, and these regulations on coal have all played a significant role in that.

Mr. BARR. I thank the gentlelady, and appreciate her comments on the fact that certainly affordable electricity is part of this discussion. And it's particularly important to recognize that the war on coal affects everybody, not just coal miners, not just people in the power industry, but seniors on fixed income.

Over half of American households devote more than 20 percent of their family budget to energy costs, more than double 10 years ago, and so this matters to every middle class family in America.

At this time I'd like to yield to my colleague, the gentleman from Kentucky, the chair of the Energy Subcommittee.

Mr. WHITFIELD. I want to thank the gentleman from Kentucky for hosting this discussion about the importance of coal, and for all those who are going to participate in this discussion this evening.

When President Obama was seeking the office he now holds, he visited San Francisco and he attended a meeting in San Francisco. And at that meeting he made the comment that if he was elected President, you could still build a coal plant in America, but he would bankrupt the industry.

And guess what?

He and his administration have made it very clear, despite their comments that they support all of the above in energy policy to produce electricity, they've made it very clear that they do not support the use of coal.

The gentleman from Kentucky mentioned earlier that over 205 coal-burning plants have closed in this country in recent years. And this President's EPA recently came out with a rule proposal relating to greenhouse gas emissions, and that when they finalize that rule—they were supposed to have finalized it on April 13 and they did not do it—but when they finalize it, it will be impossible to build a new coal-powered plant in America because the technology is not available to meet the emissions standards required by EPA.

Now, let's think about that for a moment. We would be the only country in the world in which you would not be able to build a coal-powered plant to produce electricity. And we know that in China, they're building more and more every day, every week, every month. The same thing in India. And even in Germany, where they closed down their nuclear power plants, they're building more coal-powered plants.

Now, what does that mean to America if we can not build a new coal-powered plant?

My friend from Virginia was talking about, in Virginia, just about a year ago, they built one of the cleanest burning coal-powered plants in America.

I was in Texarkana, Arkansas, in December. They opened up another clean-burning plant in Arkansas. But under these new regulations, you would not be able to build any plant, regardless of how clean it is.

□ 1750

Now the sad thing about this is that we're losing jobs because of these regulations. But just as important, America is becoming less competitive in the global marketplace because it's increasing the cost of electricity, making it much more difficult for us to compete in the global marketplace. And the sad thing about it is that this is being done by regulators without any public debate.

It's hard to believe that a regulation administered by EPA will prohibit the building of any coal-powered plant in America, once it's final, from that day forward, unless the technology is dramatically improved. And yet there's no public debate about it. This is a decision that should be made on the floor of the House of Representatives and on the floor of the United States Senate, not by a group of regulators who determine that they want to put coal out of business.

Now a few of our friends were talking earlier in the 1-minutes about climate change. America does not have to take a backseat to anyone on a clean environment. In fact, our CO₂ emissions in

America today are lower than they have been in 20 years, and our other emissions are lower than they have been in many, many years because our Clean Air Act and our Clean Water Act are working. But let's not use these pieces of legislation to penalize the American people and lose jobs and be less competitive in the global marketplace.

So I want to thank the gentleman for sponsoring this event. Let's be mindful of the importance of coal and producing electricity in America.

Mr. BARR. I thank the gentleman. And I think his final point was a good one; that, ironically, the EPA's overly restrictive policies are actually contributing to a negative global environment. The crackdown on domestic energy production is producing exports to countries with inferior electrical generation capabilities. We need to unleash the American free enterprise system. The American free enterprise system is what will solve problems in utility generation and energy production.

So I thank the gentleman, and I look forward to continuing to work with him on this important topic.

I now would like to recognize the gentlelady from West Virginia.

Mrs. CAPITO. I would like to thank the gentleman from Kentucky for hosting us today to talk about coal. As he mentioned, I am from the great State of West Virginia, one of the largest coal-producing States in our Nation, and, historically, some of the largest coal-producing areas of our Nation.

As we know, coal is a huge part of the economy in West Virginia. But we also know that energy is a jobs economy. When you're generating energy in any capacity, you're generating jobs. We have over 7.6 percent unemployment across the country, and yet we have a President who wants to pick winners and losers on the energy front. Coal has been one of the President's favorite losers, as we have seen and heard from our colleagues.

But there are three reasons I'm standing here today. The first reason I'm here is to stand up for the jobs of tens of thousands of West Virginians, whether that's a coal miner, as you mentioned, transportation, shop owner, electrician, fuel supplier, and all the different jobs that are connected with getting to and burning our Nation's most abundant resource. And I'm very concerned about it. We lost 1,200 jobs in the last quarter of 2012 in West Virginia alone.

Secondly, I'm here to stand up to the families and those who are on fixed incomes. As the gentleman from Kentucky brought up, when you think about the largest part for a senior who lives on a fixed income, the most difficult thing for them is the fluctuation in their power bill, whether it's heating or air conditioning. And when you start chipping away at \$50 or \$100 a month, you're going to find our seniors and those who live on fixed incomes really suffering.

Finally, I'm here to talk about the reliability of our electrical grid. If we disadvantage ourselves as a Nation, as we have been, and say no more coal generation, no more coal-fired power plants, we're going to disadvantage ourselves as an energy economy and the manufacturing jobs that come with that.

We've heard a lot about the different regulations that are out there that we've tried to battle back in the House and say, Unacceptable; you can't regulate; you have to legislate, you have to let this body, the representatives of the people, decide who are going to make these decisions. We've already had 266 coal-fired power plants close.

I know we have the gentleman from Kentucky. We've got Virginia, West Virginia. Permitting has been very, very difficult. We've got regulators who are coming in and have yanked back one major permit retroactively. After the 10 years of going through all the permitting, all of the reissuing, all of the capital investment, the EPA comes in and grabs back on that permit. The court said, No, you can't do that. And so we have an overreaching EPA that is willing to overreach into the legal area until the courts say, No more.

Now we've worked in the House to try to stop this war on coal. We've passed a lot of things. We did pass the Stop the War on Coal Act last September. Unfortunately, the Senate did not act on this. It's sort of a bit of a repeating theme for us in the House.

But the administration is seeking to turn us away from coal and keep the war on coal and drive up energy prices. People around the world are buying West Virginia coal. Our exports in the Nation almost doubled since 2006, and in West Virginia we exported more than \$5 billion of West Virginia coal. Now we all know it's going to China because they have an insatiable demand, right? Guess where else it's going? Europe, the Netherlands, Italy, Germany. These are countries that are going to use our cheaper resource to power themselves into a burgeoning economy, and we're going to disadvantage ourselves here with our own natural resources.

So the rest of the world wants American coal.

Myself and my colleagues here today can't for the life of us see why we don't have a President and an administration that believes that coal has a great future in our energy mix. He always says he's for all of the above, but we all know standing here it's "all of the above, except."

I always try to end everything on a bit of a positive note. And there's some great technological advances with coal. This is why I think we've got to keep coal active and in the mix and viable as our energy resource because the future for coal is very good. One of the discoveries was at Ohio State University, where they were able to do a laboratory experiment. We don't know if it'll

go full-scale, but the technique would release the heat from the coal without actually burning it. So there's no carbon emission. That has great potential.

Also, in another use of coal, the carbon could be used commercially for enhanced oil recovery. We hear about all of the oil sands and the oil shale in the northern part of our country and even in West Virginia. There are technologies that enable the use of carbon to enhance that recovery so that we get more from the recovery. And I think that's something that has a tremendous future for us.

We stand here today on a united front. I look at my colleagues and I see folks from States all across this country. We formed a Coal Caucus, of which I'm the chair, to talk to our other Members of Congress who don't have this passion and realistic view of the place that coal can play in our energy future.

I want to thank all of my colleagues here for fighting the good fight. We have a lot of miners and their families, other business folks, jobs, manufacturers, and elderly folks who understand what it means to try to have availability of cheaper energy resources. We've got a whole lot of America behind us. This is the reason the opportunity to talk about these things tonight, I think, sends a powerful message across the Congress, across to the Senate, across to the President that really an all-of-the-above energy plan does include coal, must include coal, and we're going to fight like heck to make sure it does.

Mr. BARR. I thank the gentlelady.

I would like to recognize another Member from the great State of West Virginia and yield some time to the gentleman. This is not a partisan issue. It is an American issue. And I am appreciative of the gentleman's attending this session tonight.

Mr. RAHALL. Thank you, Mr. BARR. I appreciate very much your giving this Special Order for a discussion of America's most plentiful, most economic, efficient domestic energy resource we have, that being coal.

□ 1800

I also come from the great State of West Virginia, a State that is proud of its heritage of mining coal—proud of its coal miners, number one, those individuals who go beneath the bowels of the Earth to extract the energy that has fueled the industrial revolution in this country. They are brave, courageous individuals. Every one of us is concerned every day about their safety, number one, their health, and their retirement benefits for themselves and their families. Yes, coal is a valuable natural resource, but our number one natural resource is the coal miner, himself or herself. So we thank them for what they do. They are courageous individuals.

My district is both surface and deep mined. We can do both in a very environmentally sane manner, a manner

which produces jobs for our people, produces energy for our country, and at the same time does restore our environment and make it a beautiful place in which to work. That's why we in West Virginia pride ourselves on our clean environment, our productive workforce, and our high worker morale because we can do all-of-the-above at the same time. And we are for all-of-the-above as far as our energy resources as long as all-of-the-above means our domestic production of resources for energy in this country.

Coal literally keeps the lights on. Many a county commission in my district, during the downturns in the coal market, has had to lay off law enforcement personnel, has had to really trim the lighting of their public streets when coal resources are down, when revenues and our coal severance taxes are down to our local county units of government.

So coal is important. It has been, it is, and it always will be a mainstay of our economy in West Virginia. Our quality of life—indeed, the quality of life in America—and our economic vitality have long been fueled by coal, and it's something that the American people cannot turn their backs on. Yet too many, I'm afraid, fail to recognize the contributions that coal has made to our past, and certainly they underestimate the role that coal can and should play in our future.

Through decades of investment, coal has changed for the better. It is not our grandfathers' coal. It is a cleaner, more efficient fuel than ever before. And with the right kind of investments and know-how and the technologies that are coming online—some of which have already been talked about this afternoon—its use continues to improve and modernize.

Our Nation must embrace an energy strategy that encompasses a broad range of fuel choices, including domestic coal, if we are ever to have any hope of completely freeing ourselves from our overdependence on foreign fuels. This means that this Nation must acknowledge the simple fact that coal has been and for the foreseeable future it must be part of a comprehensive national energy strategy that will enable us to grow our economy, remain strong militarily, and help to influence environmental and economic challenges around the globe.

So coal is a critical element for ensuring affordable, abundant, and reliable energy that fuels the opportunities and the way of life that we cherish here in the United States of America.

So as a Representative of coal mining communities and generations of coal mining families, I will continue the good fight in the Congress for the future of coal and for the health and safety of America's coal miners. And as the gentleman from Kentucky has said, it is a bipartisan issue. I wish there were more from my side of the aisle here this evening, but perhaps they will submit comments for the RECORD. I do

hope that many more of my colleagues that may not be with us on the floor this evening will come forth and express their support for coal as a valuable domestic source of energy.

I thank the gentleman for yielding.

Mr. BARR. I thank the gentleman from West Virginia. I thank him for his comments. I thank him for, in particular, his sentiments about the heroic work of these men and women who go to work every day in our coal mines. I just cannot thank them enough for their contributions to our society every day for providing us with affordable and reliable electricity.

With that, I would like to yield to the gentlelady from Missouri.

Mrs. HARTZLER. I thank the gentleman. I really appreciate you holding this special time, where we can show our support for the coal industry, as well as condemn the Obama administration's current war on coal, because that's what it is.

In Missouri, coal is our preferred source of energy for electrical generation due to its abundance and its low cost. Coal provides over 81 percent of Missouri's electric-power generation, and Missouri ranks 11th in the Nation in energy affordability. So that means the people of Missouri have more money that they can spend on other things for their family.

It also attracts businesses to our State. We want to keep it that way. We love coal in Missouri, and we appreciate the role that it plays in having affordable, safe energy in our country.

I wanted to show this picture to you and my colleagues here because a lot of people think in Missouri that we don't have coal mines. But I want to tell you, in the Fourth District of Missouri, we have a coal mine. This is a picture. My husband and I had the opportunity to go there and I snapped a few pictures, and let me tell you we are so proud of it. These hardworking people here are doing a great job in getting coal out of the ground and taking it to our local power plants.

This coal mine is providing great jobs in my district. These are high-paying, skilled jobs. I know some of the people that work here, and they appreciate this opportunity. This mine is also bringing in property taxes to our local schools, and it's helping the economy of the entire county, this region of the district. Plus, it is powering two of our local power plants nearby. So this is very exciting for us. We want to see this continue rather than having the current administration, through the EPA, try to rein us in and to force us to rely on more expensive, untested energy sources in our country.

You know, President Obama and the EPA are pushing this over-prescriptive, regulatory agenda without adequate cost-benefit analysis, workable timelines, and input from the industry. Both of the proposed and current regulations being promoted by the EPA are having sweeping negative impacts on coal-fueled electricity generation in this country.

Now, according to the National Economic Research Associates, it is estimated that compliance costs for these EPA regulations on the electric sector will average \$15 billion to \$16 billion per year. Who pays for that? Who's going to pay for the extra cost to our electric industry, \$15 billion to \$16 billion? I'll tell you who: it's the families in my district who are living from paycheck to paycheck and who are struggling to put food on the table. When they see their electric bill go up every month because of the EPA coming here from Washington, D.C., imposing these regulations on our electric industry, that's who ends up paying, and it's wrong.

It also is costing jobs. The same group estimated that these regulations are going to cost half a million jobs just next year. Now, we have too much unemployment in this country already. Why would the government administration from this President be pushing regulations that's going to kick out half a million more people from being able to work? Just in Missouri alone, the cost is expected to be \$500 per household in higher electricity bills. It's wrong.

I want to just point out two of these regulations that are driving this cost and impacting them—and several of my colleagues have mentioned several of them already. But these two I wanted to bring to your attention.

The New Source Performance Standards for new coal units are establishing new guidelines that control carbon dioxide emissions from any newly constructed coal and natural gas power plants. This proposal requires new coal units to meet a standard so low that it effectively is going to ban new coal plants. My friend and colleague from Kentucky did a very good job of illustrating this. I wanted to reiterate, though, the quote from our President about this administration. He admitted in 2008 that his goal was to bankrupt new coal-fired power plants. Now, that is wrong. Here's what he said:

If somebody wants to build a coal-powered plant, they can. It's just that it will bankrupt them because they're going to be charged a huge sum for all that greenhouse gas that's being emitted.

Now, it's frustrating to me that the Obama administration, our President, would target an industry that is providing clean, affordable energy for our country, providing jobs in my district and all across this country, and keeping that electricity bill at home low for our families, but he is.

The second regulation that he is talking about is going to impact what's called coal ash and try to make it a hazardous waste. Now, this is something that is not hazardous. It is going to increase the cost of cement. Now, we need cement. We're building new highways. We need it in building new homes. We need it for our businesses that are building. Why would we do this? It's going to increase the cost for that.

□ 1810

We have in Missouri five cement plants that provide 12,000 jobs. Yet if this continues to go through we're going to see an increase in cement cost.

So here, gentleman, we have two examples of regulations coming out of Washington here that are increasing the cost for our families at home and that are killing jobs and increasing our electricity costs. It's wrong, and I will continue to stand against it. And I appreciate all my colleagues as we stand together tonight against this and we make a stand for low-cost, reliable energy, and that is coal. I commend you for having this, and I encourage all my colleagues to join us in this very important effort.

Mr. BARR. I appreciate the gentleman, and I appreciate her stand for the coal industry. Just one of those rules that she was referring to, the Utility MACT rule, the EPA estimates it to cost \$10 billion per year, but other independent annual cost estimates range from \$70 billion to \$200 billion, well above the EPA estimate. It is no wonder that within the past year, 226 coal electricity-generating units have shut down.

With that, I would like to recognize the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. I thank the gentleman, and thank you for holding this this evening, because it's really important that we understand exactly what's going on with coal.

When America was looking for energy, they went to coal. Coal has always been there for us. It is abundant, it is accessible, it is affordable, and it is truly American. And this is the part I don't get. You just heard Mrs. HARTZLER talk about the President's statement, and also Mr. WHITFIELD. That's one campaign promise he kept. He said, If you want to produce electricity using coal, you can do it, but we'll bankrupt you. Now, this makes absolutely no sense to anybody who understands what America needs right now, and it's jobs.

In Pennsylvania, 40 percent of Pennsylvania's electricity is produced using coal. In addition to keeping electricity affordable, the coal industry contributes more than \$7 billion annually to the Commonwealth's economy. It's about jobs, jobs, jobs.

This is a President who just doesn't get it. He talks about all the above when it comes to energy, but he forgets all that's below. He turns his back on coal and looks to renewables that are very expensive and make no sense to the average American. And the hardworking American people who produce this coal are miners. We've not only shut down their mines, we've shut down their power plants, and we're ruining their communities. We're absolutely ruining communities right now.

Now, I couldn't understand what was so horrible about this product, because I heard the President describe it many times, and I grew up in a coal pro-

ducing community. The Sauls were in the coal mining business, they had Eagle Coal. My friend John Stilley has Amerikohl. I have friends over in the Kittanning area, Rosebud.

But I went to CONSOL, and I went down to the Bailey Mine. I went down 700 feet underground to see this horrible, horrible product that the President absolutely hates and wants to eliminate. And while I was there, I was trying to figure out: Where is it so bad?

I watched as they did the longwall mining, how it shaved the coal off the wall. It's being drenched all the time with a fine mist, and then there's vacuums taking all the coal dust out.

I sat as far away from the machine as you having a conversation with somebody. And the guy who I was talking to said: You know, Mike, I've done this for 40 years. When I first started, I had to do it on my hands and knees. I laid on my back and I used a pick. And the reason I did that was because I was married and my wife and I had some dreams. We wanted to buy a house, we wanted to raise a family, wanted to educate those kids, and we wanted to live our life. And I did it through coal mining.

But, you know, the way it is now, this is incredible. And I stood in a room that was at least 10 to 12 feet high and about 30 feet wide and watched the coal miner, a machine, shave the face of the coal off the wall and then extract it.

Now, it doesn't make sense to me or to anybody else as a commonsense person. What in the world are you trying to do, Mr. President? In Erie, Pennsylvania—that's where GE Transportation is, they build locomotives. Now, the locomotives haul trains and those trains haul coal. And there's been a 20 percent reduction in coal.

So do you know what that did to GE? They don't have to build as many locomotives. We have 3,000 locomotives sitting idle. Why? In a country that's looking for jobs, why is this President eliminating jobs?

Now, look, it doesn't make any sense, it just doesn't make any sense. And as we go forward, I would like this President to look at energy, all the above. What would make us great as a country? Energy independence. That's what we need—low cost energy. And we have it right here, right now.

When coal wins, America wins, and when America wins, we all win. This isn't a Republican initiative or a Democrat initiative. As you said earlier, this is about America and America's strategy and America's answer to energy independence. Coal is a big part of it and has to continue to be a big part of that.

So I thank you for what you're doing. We'll keep fighting for coal, we're not going to give up, we're not going home. Mr. RAHALL spoke very eloquently about it. But all these folks from all these coal-producing areas—you know, Pennsylvania is the fourth-leading coal-producing State in the country,

the third-largest State in terms of coal produced by the underground mining method, and first in terms of total coal extracted by longwall mining technology. We win with coal, we put people to work with coal, we lower our energy costs with coal, we win the battle in the world economy because our cost of energy is lower, which allows us to pay higher wages to all those folks out there right now who are struggling, hardworking American taxpayers.

Why in the world would we take from them right now low-cost energy and condemn it because it doesn't meet this President's standards?

It's time for us to fight back and fight back hard, not as Republicans, not as Democrats, but as Americans. So, Mr. BARR, I thank you so much for what you're doing.

Mr. BARR. I thank the gentleman. I think his comments about the railroads reminds me of a quick story about my district in Estill County, Kentucky, a little town called Ravenna. This community was built on the railroads, and those railroads carried the coal out of Perry County and Harlan County and Bell County and all those counties in southeast Kentucky. This community in my congressional district was built on the railroads.

Today, furloughed railroaders, their families are without jobs, without a paycheck, and this is because of the war on coal. One of the furloughed railroaders told me that just a few years ago 120 trains would come through their community full of coal. Now barely 50 come through every month.

So this has a real impact for real people, middle class Americans losing their jobs. The war on coal is hurting the American people. Unemployment is higher than the national average in Estill County, Kentucky, because of this President's war on coal. So I thank the gentleman.

I would now like to recognize the gentleman from Indiana to talk about coal in Indiana.

Mr. BUCSHON. Mr. Speaker, I rise today in strong support of our coal industry and the men and women who work in the industry.

I grew up in a small town in Illinois, 1,400 people, Kincaid, Illinois, where my dad was a United Mine worker for 36 years. All of my friends' parents worked in the coal mine. Coal created good, middle class jobs for those who lived in my hometown.

I've been down in these mines in my hometown when I was a kid, and recently in my district now in southwestern Indiana. I've met the proud, hardworking coal miners, and I've seen the impact their hard work has on the local economy.

In 2010, Indiana mined around 36 million tons of coal and consumed nearly 65 million tons. Currently, Indiana has more energy underground in the form of coal reserves than the entire United States does in oil and gas reserves.

Indiana's demonstrated coal reserve base of over 17 billion short tons is

enough to maintain the current level of production in Indiana for 500 years. The reserve base for the entire Illinois Basin, which includes Indiana coal, is over 130 billion tons, enough to meet the entire U.S. coal demands for the next 100 years. Eighty-eight percent of all electricity generated in Indiana is from coal. And I'm proud to say that all of that coal production is in my district.

This natural resource is vital to our State's energy industry and supports over 3,300 direct mining jobs and approximately 12,000 indirect mining jobs. Twenty-seven percent of Indiana's GDP is from manufacturing dependent on coal-fired electrical generation.

Mr. Speaker, we cannot deny that coal is vitally important to Indiana's economy, as well as our Nation's. Despite the immense impact coal has on our economy, onerous Federal regulations can often be an obstacle for this industry.

I'm pleased to say that the administration actually recently responded to a request by myself and our two Indiana Senators to give a permit to a company creating 100 jobs in my area, but this is unusual. The coal industry under this administration should not have to navigate the overaggressive and ideological regulatory climate coming out of the EPA.

□ 1820

The Mine Safety and Health Administration, or MSHA, recently proposed outlandish rules that are nearly impossible to follow. As has been previously stated, they can't be followed. There's no technology that will meet these standards. These proposed rules are oftentimes, as I just stated, impossible to meet, and they fail to examine the science.

I was a heart surgeon in my previous career, and I can tell you I didn't practice medicine based on ideology or anecdote. I practiced based on scientific fact. Many of the regulations do not have the backing of science.

Madam Speaker, we need a sound energy policy that supports our Nation's coal industry to lower the cost of electricity, create jobs, and make our businesses more competitive internationally.

I'm proud to stand here today to support coal in Indiana and across America, and I thank the gentleman from Kentucky for holding this Special Order.

Mr. BARR. I thank the gentleman.

I would now recognize the gentleman from Montana.

Mr. DAINES. I want to thank the gentleman from Kentucky this evening for this opportunity to talk about coal.

I stand with my colleagues to show support for an all-of-the-above energy strategy. Montana possesses an abundance of hydropower, oil, sun, wind, natural gas, and coal. And coal is a very important piece of that equation.

Coal provides the fuel for roughly 40 percent of the electricity used in the

United States. You know, I see the electric cars going down the street; and I'm not opposed to electric cars, but they ought to say "powered by coal" on them in terms of understanding where the source of the power is to power these electric cars.

Coal keeps energy costs low. It helps keep American businesses competitive, and it allows middle Americans to keep more of their hard-earned dollars during these challenging economic times.

In Montana, we are seeing firsthand the critical role that coal plays in the energy sector. In my home State, it is creating hundreds of jobs, fostering important relationships with our Indian reservations, being a leader in coal production for our country and leading the way for coal exports.

I support this industry because it enables more young Montanans to put their training and education to work and to stay at home with their job instead of exporting our talent to other places so Grandma and Grandpa have to fly to see the grandkids versus visiting them next door.

You see, in my home State of Montana, we boast the largest coal reserve in the Nation. The Powder River Basin, which spans across southern Montana and northern Wyoming, contains nearly 3.4 billion tons of coal reserves.

I recently met with representatives from Arch Coal, a company that is ready to invest millions of dollars into developing the Otter Creek mine in southeastern Montana.

Developing these resources creates jobs, injects millions of dollars into the economy. It helps lower energy costs, and, importantly, it creates tax revenues for our schools.

Cloud Peak Energy recently signed an agreement with the Crow Tribe to open up access to more than 1.4 billion tons of coal on the northern Powder River Basin, which would help inject millions of dollars into the Crow reservation's economy. I met with Chairman Old Coyote of the Crow Tribe. He said they have a vision of becoming financially independent on the reservation because of these coal opportunities.

These are exciting opportunities, but the industry is under attack. Fringe environmental groups continue to pressure the administration and others to slow production and slow economic development. This must change.

As Montana's Congressman, I'm committed to working for commonsense reforms that ensure that our natural resources like coal can be developed responsibly.

With that, I thank the rest of my colleagues here tonight for helping do the same.

Mr. BARR. I thank the gentleman.

I now yield to the gentleman from Illinois.

Mr. RODNEY DAVIS of Illinois. I'd like to thank the gentleman from Kentucky for doing this Special Order tonight, and it's an honor for me to also follow my colleague from Indiana (Mr.

BUCHSHON), who talked about his hometown of Kincaid, Illinois, and talked about the importance growing up of coal mining in that community.

I represent Kincaid, Illinois, right now in the 13th Congressional District of Illinois, and just over 20 years ago, these miners lost their jobs because of deliberations and the eventual stroke of a pen here in Washington, D.C. It became cheaper to import coal from the western United States to burn at the power plant across the street from this coal mine where these miners worked than it was to dig it out from underground, ship it on an electronic conveyor belt across the street, and burn it. Over 1,200 miners that day lost their job.

Those were Congressman BUCHSHON's friends. Those were my friends' parents. It hit our local economy harder than anything we had seen. Our local economy has since recovered, but we cannot forget that these deliberations in this great body have an impact on all of America's families. And these coal miners of 20 years ago are no different than the coal mining families of today, and we need to make sure we think of them every single time we see this war on coal, that we stand together, Mr. BARR, and fight.

Thank you.

Mr. BARR. I thank the gentleman.

I would now like to yield to the gentleman from Pennsylvania.

Mr. ROTHFUS. I thank the gentleman from Kentucky, and I rise today in solidarity with the middle class workers and families who call western Pennsylvania home.

President Obama's war on coal is a threat to their livelihood and to our communities. From the mine and power plant workers who have received pink slips because of misguided regulations, to the middle class moms who are trying to pay monthly utility bills, to the restaurants and barbershops and other small businesses concerned about costs, President Obama's onerous regulations will negatively impact our communities.

Coal is an essential part of our economy and infrastructure. It is an abundant, affordable, and reliable source of energy that powers our streetlights, schools, and factories. Coal-fired power plants generate 40 percent of electricity in Pennsylvania and 37 percent around the country. Electricity derived from coal is more affordable for families and businesses.

The coal industry employs more than 41,000 hardworking women and men across our commonwealth. Unfortunately, these workers, their families, and their communities are the ones who will suffer as a result of the EPA's unreasonable regulations and President Obama's war on coal.

These burdensome regulations have forced the electric generating industry to shutter coal-fired power plants and lay off workers. Six of these coal-fired power plants in our commonwealth—including several in Western Pennsylvania—have been marked for closure since

the beginning of last year. The power company placed part of the blame on the burdensome cost of federal environmental regulation.

The resulting slowdown in demand and surge in costly regulation have forced coal mines to shut down or reduce production. Last summer, the head of a Western PA coal company attributed the idling of some of its mines to the escalating costs and uncertainty caused by EPA regulations.

Layoffs caused by shuttering of power plants and idling of coal mines—and job losses in related industries—devastate middle-class workers, their families, and their communities.

It is too easy for unelected federal elites in Washington to write regulations without an understanding of the human costs of their actions.

That is why I am working with my colleagues to pass the REINS Act. The REINS Act will provide a check and balance on the Obama Administration by requiring that any regulation with an annual economic impact of \$100 million or more be subject to the approval of the House and Senate. Last week, I voted in favor of the REINS Act in the House Judiciary Committee. The Act was approved and now moves to the full House for consideration.

Middle-class moms and dads, coal miners, seniors, and those on fixed incomes deserve the support of all of my colleagues in the House and Senate on a pro-growth agenda. I call on both chambers to pass the REINS Act as a good first step towards sensible regulation that helps grow all parts of our economy.

There is a war on coal in this country, and it needs to stop. It's time to keep the lights on in America. It's time to relight America, and we need to do that here in this House and stop this war on coal.

With that, I thank the gentleman from Kentucky.

Mr. BARR. I thank the gentleman.

I would now like to yield to the gentlelady from Wyoming.

Mrs. LUMMIS. I thank the gentleman for yielding and hosting this Special Order.

Wyoming is the largest coal-producing State in the Nation. It has been since 1986. The 10 largest coal mines in the United States are in the State of Wyoming. And we're having trouble exporting our coal. Even if Americans don't want to use it and would disadvantage themselves in comparison to other countries, we'd like to send it overseas to people who want it.

Who wants it? I'll show you.

China, India, and even Turkey wants our coal. Yet here's the United States, this little dot. This is all the United States wants. It's silly, given this tremendous resource the United States has that produces jobs and revenue and electricity that keeps our manufacturing competitive, to have to send it to those other countries. They want it because they want what we have. They want inexpensive, affordable, abundant energy so their people can manufacture.

We need to protect these jobs in manufacturing. We need to protect the affordability and the reliability by keep-

ing these resources working at home for Americans with American energy.

Mr. BARR. I thank the gentlelady.

I appreciate all of my colleagues here this evening talking about and highlighting the importance of the future of energy freedom in this country and independence.

I would like to yield the balance of our time to the gentleman from California.

Mr. LAMALFA I appreciate my colleague from Kentucky having this conversation tonight and allowing me to speak on it.

Being from California, we don't have a lot of coal in California, and we don't really use a lot of it either. But what I would like to point out is we have a very similar plight in that many of our industries have been devastated by out-of-control regulations by Federal Government: our timber industry, mining, our ability to trap more water for our water supply. Agriculture is also being affected by overreaching regulations.

Also, coal is very important for our entire Nation, and it does have an effect on California, too. What I'm saying here is that, with 42 percent of our Nation's grid being powered by coal and a mandate coming down from the EPA and the President's very aggressive remarks saying that coal is a thing of the past, we're going to put our country in great peril by devastating this industry for our electricity grid. For all the many jobs that are all over the eastern part of this country and part of the West, we're really going to hurt ourselves in this country with this type of policy.

□ 1830

In California, we've seen the effects, for example, in that we have a self-inflicted mandate that makes it where California can no longer use coal, and we've devolved down to only 8 percent as part of our grid—and getting lower. So we're going to be seeing higher and higher energy costs in our State. Why would we want to do this to the rest of our Nation here? California's energy costs are 14 cents per kilowatt while the Nation's average is about 10 cents.

That's why we see an exodus of business from the State of California and their moving to other States. If we do this type of thing in this country, this mandate, we're going to see a bigger exodus to places like China, where they don't have near our environmental regulations. Indeed, China's smoke plume comes over in the jet stream and affects California. We're going backwards with this type of mandate, with this type of policy.

So, for many reasons, I think it's key that we support the coal industry in America—for our economy and for our electricity grid. For those who want to be agitators against coal, then they should be the first ones to sit in the dark, in the cold, from not having electricity on the grid.

Mr. BARR. Madam Speaker, I yield back the balance of my time.

IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. VARGAS) is recognized for 60 minutes as the designee of the minority leader.

Mr. VARGAS. Thank you very much, Madam Speaker. I appreciate it.

I would first like to say and take a moment to remember the victims of the Boston attack. Certainly, my prayers and the prayers of all of us here go to the families and everyone affected.

I had the great opportunity to go to Harvard Law School and to graduate from that school and spend 3 years there. I ran the marathon once. Usually, when you finish the marathon, it's a great celebration. It's an incredible time. The people there are so friendly, so nice, and everyone is excited. So what this horrible tragedy has done is unbelievable, and our prayers go out to each and every one affected.

I also rise today in recognition of the need for our great Nation to address immigration reform. Tomorrow, many evangelical churches are scheduled to come to the Capitol to pray for just and merciful immigration reform. I want to welcome them here. I think it is about time that we listened to some of the voices of these pastors, to some of the voices of their congregations. I welcome them here, and I'm very, very excited about their presence here at the Capitol tomorrow. I know that they will be praying for us. I know that they will be here to open up our hearts and to listen to what immigration reform can do for us, which is to set us on a path of not only more justice but a more merciful path, so I am very excited about tomorrow.

I want to put this in the context of what has been happening in the United States because of our immigration laws, and I'd like read an excerpt from *The New York Times*. This is entitled, "Immigration Status of Army Spouses Often Leads to Snags":

Lieutenant Kenneth Tenebro enlisted in the Armed Forces after the September 11 terrorist attacks, signing up even before he became an American citizen. He served one tour of duty in Iraq, dodging roadside bombs . . . but throughout that . . . mission, he harbored a fear he did not share with anyone in the military. Lieutenant Tenebro worried that his wife, Wilma, back home in New York with their infant daughter, would be deported. Wilma, who like her husband was born in the Philippines, is an undocumented immigrant.

"That was our fear all the time," he said. When he called home, "She often cried about it," he said. "Like, hey, what's going to happen? Where will I leave my daughter?"

It goes on and explains:

Like Lieutenant Tenebro, many soldiers, anticipating rebuke and possibly damage to their careers, do not reveal to others in the military their family ties to immigrants here illegally.

Mrs. Tenebro is snagged on a statute, notorious among immigration lawyers, that makes it virtually impossible for her to become a legal resident without first leaving