

something that even they say the Federal Government should never be doing—interfering with the local rights of people to govern themselves locally.

This is a country in which there are wide differences on many subjects, perhaps none more so than the right to reproductive choice, but it is also a country that respects one another in the various States and localities where we live and do not try to reach over and somehow compel people in one jurisdiction to do as people in another jurisdiction do. That's the difference between this country, a Federal republic, and other countries, and it is a principle we mean to hold this Congress to.

There is the claim that, well, the District doesn't do enough restricting of abortion, so that's why we simply have to step in here. On the contrary, there are nine States that do not restrict abortions any more than the District does, and the District abides by *Roe v. Wade*. Yet this bill is directed against only one jurisdiction. Of course I take exception to the bill itself, but I take particular exception against being bullied by people outside my jurisdiction in order to satisfy their own personal philosophical concerns.

I can tell you this much: the notion that you can use the District and abuse its women on reproductive choice and nobody else will care should have been put to rest last year. The kickoff of the Republican attack on reproductive rights was, in fact, this bill which went to the floor and failed, but Republicans didn't stop there. Going back to abortion was not enough. They went all the way back to contraception and, amazingly, made contraception a campaign issue in the last election. Well, I hope they have learned their lesson, because women put all of this together and showed what they thought about it in the Presidential election.

I am very grateful to women all over the country for how they responded specifically to this very bill, this 20-week abortion bill that applied only to the District of Columbia. They were not fooled for a moment. Women across the United States wrote thousands of emails and letters indicating that they understood this bill, the very same bill that was defeated last year, to be a vehicle for inroads into the reproductive rights of women across the United States. Far from ignoring it because, after all, it was only 600,000 D.C. residents. The women may live in California or Wyoming—we saw them writing from their States in large numbers, making it clear that they saw it for what it was, that special interest groups were going from State to State to pass anti-choice bills. They begin at personhood where there is absolutely no right to abortion or contraception because, in their view, life begins at conception. And then some have 6-week bills and there are other 20-week bills. They are all over the map. And by the way, they are quite divided because they are all over the map.

They have settled on 20-week abortion, however, for H.R. 1797, and we

mean to do for this bill what we did last year—to turn it back, to make women all over the country understand it for what it is, just as they did last year, to see that the only way to resist these attacks is to be as persistent as our opponents are in coming back to attack women using the women of the District of Columbia.

The women of my district are the chosen vehicle, but the targets are a national campaign against the reproductive rights of women in the Nation. They can't come to the floor, or they won't, with a broadside attack on the reproductive rights of women. So they do the cowardly thing and come against the District of Columbia because of the technical jurisdiction that, of course I can see the Congress has, but no principled Congress would ever use its federal power against a local jurisdiction.

□ 1410

Therefore I come to the floor this afternoon to put all on notice that you can come as many times as you want and as many ways as you want, but I represent 600,000 taxpaying Americans, and they insist that they are equal to Americans everywhere else.

For 100 years they did not have any rights. They didn't have the right to vote for President. They didn't have the right for a local government. For 100 years they were ruled by three commissioners appointed by the President.

During the civil rights era, the Congress became ashamed of having a local jurisdiction that was its Nation's Capital, that did not have the same rights as other people in the United States, not even a local government, a mayor or a city council who could enact legislation affecting the local population, although this population had been paying Federal income taxes ever since our country has been collecting income taxes. And our residents have fought and died in every war our country has ever fought, including the war that created the United States of America.

American citizens in a jurisdiction as old and historic as the Nation's Capital is, will not have our citizenship rights taken away lightly, and we will not be used and abused by Members of this Congress, whatever their party.

Our Union is not perfect, but it strives to be. It can become perfect only when it hears about its imperfections. There is no imperfection greater than having Members of Congress focus on one jurisdiction that does not have the same ability to defend itself as every other jurisdiction.

It is hard enough to see Members of Congress come down and vote on the District's local appropriation, which they had nothing to do with collecting, but which is still a part of what is allowed in the Congress. But it is disgraceful to see one issue picked out and one jurisdiction alone targeted.

If you feel strongly about your issue, step up and air your issue in the way this House allows. And I ask that what-

ever the Congress does, that it ask itself when it deals with the District of Columbia, is the action consistent with the principles that you profess on this floor time and again?

I ask reconsideration of any such attempts in the future. There is no possible way that any self-respecting jurisdiction would accept discriminatory treatment.

And so, Mr. Speaker, I put the Congress on notice, we will never—we do not accept the discriminatory treatment in the Franks bill, H.R. 1797 or in the bill that I discussed previously, H.R. 7, to bar abortions in Federal legislation permanently, which somehow tucks the District into a bill on federal funds.

We do not accept and never will accept second-class treatment by the Congress of the United States. We will always protest it, and we will always find a way to find the solid ground that American citizens must stand on to protect their rights.

I yield back the balance of my time.

#### REFLECTIONS ON ABORTION AND THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, 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's my privilege to be recognized to address you here on the floor of the House of Representatives.

And listening to the gentlelady from the District of Columbia, of course, a different opinion comes to mind, and that would be that, regardless of the discussion about the supposed anti-choice bill here, I didn't hear much discussion about "Dr." and I put that in quotes, "Kermit Gosnell," who has been convicted of murdering babies while they're struggling after they're born, while they're squirming, while they're gurgling, while they're crying and "snipping the necks of babies."

At least the jury has concluded that that is murder, and now it's come down to this point where society needs to ask the question, what's the difference between that baby that's born because he induced early labor to bring that baby into the fresh air, what's the difference between that baby and the same baby or maybe a twin that's 12 inches away?

And I would say there's no distinction from a moral perspective. That little innocent baby is alive, a unique human life that needs to be protected in all of its forms. And that's the argument that's going on here.

You'll not hear people on the other side of this argument bring up the brutal and bloody and ghoulish and ghastly Gosnell, but you will hear the argument about choice because that sanitizes this argument, and it tends to scrub the image out of our minds that we get when we think of that cruel Gosnell, who has now plea-bargained

himself into life in the penitentiary without the possibility of parole in an effort to avoid the death penalty.

But think of this, Mr. Speaker. He executed, we don't know how many babies, hundreds, perhaps thousands of babies, many of them struggling for life. We don't know how many.

He did that, he gets to spend the rest of his life, three squares a day in a cell with exercise time and reading material, and that's supposedly justice in this society.

And the gentlelady from the District of Columbia talks about not having the right to vote, not having the voice of representation. There is a constitutional foundation for that, and the early people that put this Constitution together wrote in the original document how to establish the District of Columbia. Part of it was formed out of Maryland; part was formed out of Virginia.

And if it's their determination that they want to be part of that senatorial representation, then we just simply draw a circle around this Federal complex, and the balance of that can revert back to either Maryland or Virginia, and there's your representation.

But I would make a point about representation that is far more important than the dialogue that the gentlelady from the District has brought out within this last half hour or so, and that's this point, that if those babies that have been aborted since *Roe v. Wade*, if they had choice, rather than the mothers having choice, if they had a vote, if they had representation, if they could magically come alive today, 53 million of them, and if they had the right to vote, and all of the districts across America where those babies have been aborted, we would have, by now, easily seen the end of *Roe v. Wade*, and this debate would not be taking place.

□ 1420

This society would have a full respect and an appreciation and a reverence for innocent, unborn human life if those voices of the silenced could be heard in a vote. That's the contradiction that is the undercurrent of this discussion that's been presented to us, Mr. Speaker.

#### CLIMATE CHANGE

Mr. KING of Iowa. I have a couple of random things to clean up on before I get to the topic that I came here to discuss. But I can't resist bringing up a resolution that emerged in my attention today, H. Con. Res. 36. It's a concurrent resolution. It is introduced by Representative LEE of California, and it is for herself, Mr. ELLISON, Mrs. CAPPS, Mr. JOHNSON, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. HONDA, Mr. ISRAEL, Mrs. CAROLYN MALONEY, Ms. MCCOLLUM, Ms. SCHA-KOWSKY and Ms. SPEIER. These are the names of the original cosponsors. This resolution catches my attention, Mr. Speaker. It says this:

Recognizing the disparate impact of climate change on women and the efforts of women globally to address climate change.

Now, that was news to me. I hadn't considered the idea that if the climate is changing—they think they know why but they dare not have that debate any longer because the data was fraudulent—but now they're suggesting that the Earth is getting warmer, that it is man's fault, and it's women that are disparately impacted by it. I hadn't seen such a theory, Mr. Speaker.

And it goes on to say "whereas." It has a whole series of whereases, as we know in a resolution.

Whereas, women in the United States are the linchpin of families.

I agree that women are the linchpins of families, and it would be better if we had more men who were playing a more significant role. I don't think that is the position of the authors of this resolution. But it goes to say:

Whereas, climate change contributes to the workload and stress on women farmers.

They suggest that women produce 80 percent of the food in the developing countries. Maybe. That would be a surprise to me. It says:

Whereas, women will be disproportionately facing harmful impacts for climate change.

Different from men, for example?

Whereas, epidemics such as malaria are expected to worsen and spread due to variations in climate, putting women at risk.

Malaria discriminates on the basis of gender, Mr. Speaker? That also is news to me.

As I read down through this resolution, the resolution on the disparate impact of climate change on women, this is the one that caught my attention above all others, Mr. Speaker. I'll quote from the resolution:

Whereas, food-insecure women with limited socioeconomic resources may be vulnerable to situations such as sex work, transactional sex and early marriage that put them at risk for HIV, STIs, unplanned pregnancy and poor reproductive health.

Climate change, Mr. Speaker? Who would have thought? Who would have thought that that temperature change, perhaps the humidity change, was going to bring about this kind of Earth-shaking discrimination on people based upon gender, or more technically, sex, Mr. Speaker?

I'll go on:

Whereas, women in the United States are also particularly affected by climate-related disasters such as Hurricane Katrina.

I went down there. I made four trips down to Hurricane Katrina, and men and women were both affected, children, too. I didn't ask them what their orientation was. I took it as when weather strikes, when a hurricane strikes, it universally affects everyone in the zone without regard to race, sex, creed, color, national origin or whatever your ethnicity might be. When a hurricane hits, it hits everybody.

Here is another whereas:

Despite a unique capacity and knowledge to promote and provide for adaptation to climate change, women are disparately impacted.

They encourage the use of gender-sensitive frameworks in developing

policies to address climate change. So that's a little bit for our levity, Mr. Speaker. My constituents sometimes wonder why I come back from this town, and I have a little bit of trouble engaging in a debate and rebutting some of the things that come at me, I'm going to ask for a little help from around the countryside on how to actually rebut this argument. It's news to me. I appreciate your attention, Mr. Speaker.

#### ILLEGAL IMMIGRATION

Mr. KING of Iowa. I came to this floor, however, to address the situation of immigration and particularly illegal immigration.

The first thing is that the people that have advocated for open borders have, for years now, worked to conflate the two terms "immigration" and "illegal immigration." They did that, by the way, if you remember, with "health care" and "health insurance." When they conflated those two terms, what they did was they blurred the topic so they can say, anti-immigrant Congressman—I don't want to use a last name because I can't think of one, we don't have any in these 435—X, Y or Z, "anti-immigrant" when they really mean someone who upholds the rule of law.

We have them from many of the States, but not from every State. We have one who has stood up and defended the rule of law since well before he arrived in this Congress, and he hails from the State of South Carolina. He happens to be the lead deadeye in the entire United States Congress, the man who brought the shooting trophy home again to the House of Representatives Republicans, and a man whom I have known since he was one of a group of about seven who ran in the primary in South Carolina for his congressional seat.

I'd like to yield to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I want to thank the gentleman from Iowa for his comments and his dedication to immigration reform in this country.

When I was running for Congress, I remember Congressman KING coming to South Carolina and attending some of my events where we talked about immigration and we talked about the border. So I applaud the gentleman for his past work on that. I look forward to continuing our efforts.

The past 2 weeks, the discussion in Washington has been about trust. It's been about trust, whether we're talking about the false and misleading talking points that were used by the administration in Benghazi, the wire-tapping of reporters, specifically the AP, by the Justice Department or the IRS illegally targeting conservative groups, and the public trust in our government is rightfully at an all-time low.

So when we're debating immigration reform, obviously trust is the number one issue on people's minds because

they know that the government often promises to do things but never follows through. And that is the case when we're talking about immigration. We're talking about the laws that are already on the books that I'll talk about in just a few minutes. But people have made it very, very clear, Americans have made it very clear that they want two main things. They want us to secure our border—primarily we're talking about our southern borders where the issue seems to be at hand today—but they want our borders secured, and they don't want amnesty.

They don't want to give away citizenship rights to folks who have broken the laws to come here because what happens is you water down what it means to be a United States citizen when you just *carte blanche* give those citizenship rights away to folks that are lawbreakers, that have broken the law to come here, regardless of how honorable and well intentioned their reasons for coming here are. They still broke the sovereign laws of the United States of America by crossing that border without permission and without legal immigration paperwork. They have broken the United States law.

What's interesting is that currently almost half the people in the United States who are here illegally didn't walk across a southern border or they didn't walk across a northern border. They came here legally. They applied in their host country, their home country, at a United States consulate or a United States embassy, and they asked permission to come to the United States either as a tourist here on vacation, or they asked to come here to attend one of our fine universities in this country under an F-1 student visa, or they came here on some sort of work visa. They probably flew into this country through an airport or got off a ship.

We know something about them. America, these visa overstays, people that came here legally, they had those interviews, we know who they are, we have their name, we have what they were coming here to do, and usually we have a last known address for that person. Folks, this is low-hanging fruit. And if we're going to talk about addressing illegal immigration in this country, we ought to first address the visa overstays. We ought to first address, America, the folks that came in this country legally, they asked permission to come here, and we granted them that permission. And then they just decided—and I understand their deciding because this is a great country—but they just decided they liked it so much they decided to stay.

How do we know that? Well, we really don't know that they either have or have not left the country because this Nation has a failed exit system. We have an entry system where we know when they come into this country from another country under a visa where we granted them permission, but we really don't know when they leave. Japan

knows when you leave that country if you're there as an immigrant or you're there as a tourist. Other countries do, as well.

Currently over half or almost half of all our illegal aliens in this country came here legally. And we're not doing enough about it. We're not enforcing the laws that are on the books, and that doesn't do anything to build what I talked about in the beginning, and that is the people's trust.

□ 1430

And then you throw in the fact that the Immigration and Customs Enforcement—ICE, we call it—they just released thousands of detainees, people that they had detained for immigration violation. They just opened the door and let them go, many of whom had criminal records. This was a pre-response to the sequester.

Before the sequester actually kicked in, across-the-board budget cuts, our immigration enforcement officials decided, You know what? We're going to go ahead and apply sequester because we don't want to do our jobs. We don't want to detain these people. We're going to open the doggone jail cells and we're going to let them go. Take that, guys in Congress. We're doing the sequester the way we want to do it. And they let these people go, many of whom, Americans, have criminal records, and they're on the streets now. That doesn't do anything to build the people's trust, not a thing. We're talking about trust.

We've got to secure our border. We've got to enforce the current immigration laws that we have. We don't need some comprehensive immigration reform package. We already have the laws on the books that deal with immigration issues in this country, and we are not enforcing those. So why are we going to create a whole other set of laws and then fail also to enforce those? If our government can't first prove that our legal immigration system works and that they can enforce the laws that are currently on the books, then why in the world would we believe that adding more stress to the system will improve things?

I think visa overstays are low-hanging fruit in the immigration debate. It's the canary in the coal mine. If we can't trust the Federal Government to enforce those existing laws of a list of people whom we know a lot about, then how do we expect the government to do what we're talking about government having to do in the new immigration bill?

So I talked about entry/exit. We need to fix that. You need to be aware, America, that we need to know when people come here illegally and we need to know when they leave our country. When they don't leave our country in that allotted time that they're allowed to come in, we grant them permission, then we need to go knock on their door at their last known address—at that university, at that hotel that they put

down that they were going to be staying at, at that place of business that they were granted a work visa to come here to work at. We need to pay them a visit. That's low-hanging fruit.

We don't have to chase footprints in the desert. We know who these people are. They didn't just come across the border on their own. We know who they are. So that builds trust.

I ask people, Mr. KING, around my district, what does a secure border really look like? They struggle with that definition of a secure border, what that truly looks like in their mind's eye. I do as well. But the first thing I think of is concrete, steel, and barbed wire, a fully secured border where we control who comes across. We control it through natural ports of entry.

But I realize—I've been to the border. I realize that's not feasible. Concrete, steel, and barbed wire doesn't work in a lot of the mountainous areas in Arizona. I get that. But a lot more concrete, steel, and barbed wire, a lot more fencing, vehicle barriers, or what-not, that will basically push the bad guys, the folks, the smugglers and others who want to come into this country, into corridors. We can more actively enforce those corridors to apprehend those people when they do cross our border illegally. That works.

Congress believed it worked in 2006, because in 2006 we passed the Secure Fence Act. We already have a law on the books that decides that we're going to build a secure fence on our southern border. 2006. It's 2013. Seven years ago, we decided we were going to secure our border. What have we done about it? We've got several hundred miles of fencing out of a several-thousand-mile border. We need to build more fencing. And I realize, before the American people, that fencing isn't an answer, but fencing is a great start. So let's do that.

Then we need commonsense reform to our current immigration system. I talk to farmers in my district who are concerned about the comprehensive immigration reform package that we're working on. In fact, the farmers in my district work with farmers all over this country to deal with the guest worker program for agriculture, and they were able to get the American Farm Bureau and some of the other farmers to finally agree on some language. I'm all for that.

I think we need to expand the legal guest worker programs for this country—that's my personal opinion—to provide legal workers to the necessary industry, whether it's agriculture or others. I'm going to focus on agriculture because that's what's on my mind today. But a legal immigration system that provides the workers—whether it's H-2A or H-2B—some sort of new program that increases the number of legal workers that come here, and we get biometric data, we get a thumbprint from them, and it's not transferable. That paperwork is solid for that individual. You have some sort

of tie-in with the employer so the employer has some ownership, so to speak, of that record, that they asked for that employee, that employee is gainfully working with them. And when that employee decides to go to work for somebody else, that employer notifies the government, Hey, he's not working for me anymore, but he did go work for XYZ company. XYZ company says, Yes, he's a worker in my facility.

Let's continue that. These are commonsense approaches that we need to talk about in this country before we grant amnesty, before we grant citizenship rights to folks who broke our laws.

And that word "amnesty," Mr. KING, is thrown around way too much up here, and it gets watered down in the eyes of the Americans. But what it means, it means that everything that you're granted in the United States Constitution as a citizen of this country, what it means to be an American citizen, gets watered down when we give those citizenship rights away to people who broke our laws coming here. That's what it means. We need to remember that in this debate about immigration reform that, No amnesty, guys, no amnesty; and then let's approach a secure border.

Let's talk about the low-hanging fruit of the illegals that are here that we granted them permission. Let's deal with those issues. That's half the problem right off the bat. We stem the flow of others coming here so we're not adding to those numbers, and then that other 50 percent that aren't visa holders we can start dealing with at that point in time. These are simple things, Mr. KING, that we have got to deal with.

Every time we've granted amnesty in the past, we've regretted it as a Nation. We've regretted it. We've truly regretted it because we've failed to truly secure our borders. We've failed to truly reform the system. And every amnesty that's happened before—rewarding lawlessness and those who break the laws—has only encouraged more lawlessness and more illegal immigration. It's time to stop that cycle.

Mr. KING of Iowa. Reclaiming my time, I appreciate the gentleman from South Carolina coming here and delivering a perspective on the rule of law that we need so badly.

I am a bit flabbergasted by the lack of the ability to reason by some of my colleagues, and that's on both sides of the aisle. It seems a little more rational on the other side of the aisle—I'll say, in fact, a lot more rational because there's a huge political gain on their side. On our side of the aisle, two plus two doesn't seem to add up to four for them. They come up with some number like 3.0, which would be Teddy Kennedy's amnesty bill 3.0. We had the '86 Amnesty Act, which was amnesty 1.0, and that was Teddy Kennedy involved in that, too.

Ronald Reagan let me down in 1986. He only let me down twice in 8 years,

but they were a couple of pretty big times? This one, I think that he was influenced by the people who surrounded him and, out of a sense of decency and compassion, signed the 1986 Amnesty Act, all the while knowing it was going to erode the rule of law but judging that of all of the commitments that were made that there would be enforcement, that the trade-off was worth it. I remember him saying that to us. I remember Ronald Reagan being honest with the American people, and he called it the Amnesty Act. He didn't call it the Comprehensive Reform Act. He called it "amnesty" because that's what it was.

Now, I appreciate the definition of the gentleman from South Carolina. I hadn't heard that definition before: all the rights embodied in the Constitution, granting all of those rights to someone who is here illegally would be amnesty.

I've defined it this way. It's not a contradictory definition. It's a definition that I have long used. To grant amnesty is to pardon immigration lawbreakers and reward them with the objective of their crime. It's a pardon and a reward. And I don't know why they came here, necessarily. We don't know. They might have come for a job—many did. Some came to trade in contraband; some came to live with their families and not to work. But the presence in the United States that's unlawful becomes lawful with amnesty, and the path to the reason they came here is opened. They didn't all come to be citizens and they didn't all come for a job. 42.5 percent of them are working in America today, not 100 percent. That's a little better than five out of 12 that are actually working.

We should also remember that 80 to 90 percent, according to the Drug Enforcement Agency, 80 to 90 percent of the illegal drugs consumed in America come from or through Mexico. Mexico doesn't produce them all, but 80 to 90 percent flow from or through Mexico.

□ 1440

That's a huge number, and the price for that is in the tens of billions of dollars to this society.

I yield to the gentleman.

Mr. DUNCAN of South Carolina. You mentioned the folks that are coming from Mexico. I was recently down at the King Ranch in Texas, which is eastern Texas—830 acres, a larger ranch than the whole State of Rhode Island. They own their own security force, Mr. KING. I was talking with the security force about the illegals that are coming into this country that travel. They traverse the King Ranch.

One thing he said, a term that he used, was OTM. I had to ask him what that was. And he said, Other than Mexicans. And I said, Well, I thought that was a little bit harsh. And he said, Well, what that means is they're not Mexican, they're not Honduran, they're not Nicaraguan, they're not Guatemalan. They are African, Middle East-

ern, and Asian. And I said, you're kidding me? He said, No. He said, Congressman, we have apprehended folks that were Middle Eastern that didn't speak Spanish or English, that spoke Farsi—Africans or Orientals or Asians that were here that have come across.

And it took me aback, because I started to think, well, I know that the Latin Americans, the Hispanics that are coming, are generally coming for work to provide for their families. I've been to Guatemala; I've been to Mexico. I understand that desire to come to America and chase that American Dream that I'm living today and try to make a reality and future for your children. But these were people other than that.

And so being on the Homeland Security Committee and Foreign Affairs Committee, I'm concerned that we've got others coming here from those parts of the world—Africa, the Middle East, and Asia. What are they coming here for?

And I'm reminded that Iran and its special Revolutionary Guard Quds Force hatched a plan to deal with the drug cartels to help them assist them to come across our southern border into this country into this very town to assassinate the Ambassador from Saudi Arabia at a restaurant in Washington. They were trying to utilize connections with the drug cartel in Mexico to come across our poor southern border.

And so when I hear that we've got Africans or Middle Easterners or Asians coming into this country, I have to remember as an American, understanding the homeland security nature, I have to wonder what they're coming for. And I also wonder if we had a truly secure border, would we be seeing that.

So I thank the gentleman for mentioning that other than Mexicans, others that are coming or may be coming into this country. I believe they are coming into this country. What are they coming for? We need to ask ourselves that question.

Mr. KING of Iowa. Reclaiming my time, I appreciate the gentleman from South Carolina bringing this up. I, too, have spent a respectable amount of time on the border. I've gone down there and sat at night next to the border fence—no lights, no night-vision goggles—just listening to the sounds of the fence creaking, listening to the vehicles coming in through the mesquite, the doors open, the doors close, the packs get dropped on the ground, they pick them up, they whisper, they come back across the desert, and come through the fence. You can put your ear down on the steel post and it transmits that sound. As they flow through, you understand that the flow across this border isn't just where I'm sitting that night, but it's in many locations across the border.

We had testimony before the Immigration Subcommittee from the Border Patrol where they said they thought they, perhaps, interdicted 25 percent of

those that attempted to cross the border—25 percent. And if you look at those numbers they had interdicted that year, the number was equivalent to—if you do their formula—11,000 people a night. That meant 4 million people a year that were coming across our southern border; 11,000 a night, Mr. Speaker.

So I asked that question of one of my friends from Texas. He happens to be on the Judiciary Committee and is a member of the Immigration Subcommittee—Congressman TED POE of Texas. He always pays attention to what went on with Santa Anna and the Battle of the Alamo. He can quote to you Colonel Travis' letter.

I asked him, What was the size of Santa Anna's army when they invaded Texas? And he said 5,000 to 6,000. Now, think of that, Mr. Speaker. Twice the size of Santa Anna's army—11,000 people a night, every night. Now, that's at the peak. Probably it's half that by now, more likely now, although it's increased over the last few months since we've had this dialogue on immigration that's going on and those border crossings are up dramatically. But during the lull, we still had the equivalent of Santa Anna's army come across our southern border every night.

We're not alarmed by that, when 80 to 90 percent of the illegal drugs consumed in America come from or through Mexico? And all of the pain and the price and the headache that comes from that? No, it's not all the fault of the people that are south of here. We have an illegal drug consumption and demand in this country that is a magnet for those illegal drugs, and that's something for this society and our culture to address.

I don't deny that, Mr. Speaker. In fact, when I go to Mexico to have my dialogue with the Mexican members of their Congress, I just start out the dialogue with that, because otherwise they're going to remind me that America's demand for drugs has brought about a lot of violence on both sides of the border, particularly the southern side of the border.

The numbers of fatalities in this drug war and Mexico over the last 6 or 7 years number 50,000 to 70,000 people killed in that. That's a tremendous amount of carnage. And it does include those victims of the Fast and Furious fiasco that we still haven't put entirely to bed, Mr. Speaker.

But the price for open borders is high. It's high in blood, it's high in treasure, it's high in the value to our families and our society. And Drug Enforcement tells me when I ask them: If magically everybody that's illegally in America woke up in their home country tomorrow morning—magically, of course—what would happen to the illegal drug distribution system in the United States? Their answer: It would immediately stop. All of it would be suspended overnight in that hypothetical scenario if magically all those here illegally woke up where they

could live legally. Because at least one link in every illegal drug distribution chain in America is a link from someone that's unlawfully present in the United States, is an illegal alien, and likely a criminal alien. At least one link. In many cases, it's every link.

The Mexican drug cartels control the illegal drug distribution in all of our major cities in America, also most all of our minor cities in America. When I see the number of those cities, it's so appalling. The scope of it is so broad that I'm reluctant to say so into the public record because it seems beyond reality when you think back 20 years when it was localized within some of the cities in the South and Southwest—mostly Southwest—and now it's pervasive across the entire country. They've taken over the illegal drug distribution in America, and at the cost of tens of thousands of lives in Mexico, at the cost of many lives here in the United States. A high price for that.

As the gentleman from South Carolina says, fences are not the only answer, but they're a great start. And I have long said that we should build on the southern border a fence, a wall, and a fence so that we can have a couple of zones in between them that are no man's land in an area where the Border Patrol can respond when a fence is breached and be there to interdict so that we can assure people: don't bother to try, we're going to be there to enforce the law.

That's what a smart and sane country would do. And I'm not suggesting, Mr. Speaker, that we need to build 2,000 miles of fence, although there's 1,960 miles of double fencing to go. I'm just suggesting that we build a fence, a wall and a fence—a triple fence—with two no man's land zones, and build it until they stop going around the end. As the gentleman from South Carolina suggested, some of it's a little mountainous, some of it's a little rocky, and so you would build a fence where it's practical. And if they climb the mountain—I'll tell you that it's not impossible to build a fence on a mountain-side either. We can build it on a vertical face if we need to. I don't know if we can build it quite upside down if we need to, but I don't think it calls for that. I spent my life in the construction business, and we spent our life moving dirt and building fence and setting up structural concrete and doing underground utilities and many other things.

At one point, I came to the floor and designed and demonstrated really the simplicity of building the kind of barrier that would be effective. And if you think that it's not, take a look at Israel that's put up a fencing system. And, yes, it takes monitoring, and it takes guard towers along the way, and it takes the virtual support so that you reduce the amount of manpower that's necessary.

But we've grown this manpower on the southern border dramatically over the last decade. And the results that

we get are directly proportional to the will of the Chief Executive Officer to enforce the law. And we're spending at least \$6 million a mile on our southern border—\$6 million on 2,000 miles.

Now, I'm going to boil this down so it gets a little more simple for some of the Members in this Congress, because the scope of that is beyond their imagination. How do you build a 2,000-mile fence? And, again, I didn't say we needed to do that. We build it until they stop going around the end.

□ 1450

I remind them that the Great Wall of China was finished, connected together, in about 245 B.C. It's 5,500 miles long, and it's wide at the top, and they march armies down the top of that Great Wall of China. So, if they could accomplish that in 245 B.C., we can accomplish a much smaller endeavor here, with a much simpler structure with some modern technology with it, and in an efficient way. We did the Manhattan Project in a short period of time. You can't convince me we cannot build a barrier on the southern border that's effective and \$6 million a mile. Here is the equation.

I live out in the countryside, and there is a mile of gravel going in four directions from the corner I live on. Now, if I just take one of those miles—and I would think that Janet Napolitano would assign me to provide the security for that mile and pay me \$6 million to guard that mile for a year. What a lucrative contract that would be, wouldn't it? Now it's a 10-year contract, so it's a \$60 million contract to guard 1 mile of gravel road in Iowa. There is more population along that gravel road—and there isn't much—than there is along much of the southern border. So the pressure on that might be in proportion to the urgency that people wanted to get across.

I, myself, wouldn't hire even more boots on the ground. I would take some of that \$6 million a mile. I'd start out, maybe, in the first year by taking \$2 million of the \$6 million and I'd build myself a wall. Then maybe the next year I'd take another 1½ or so million and I'd build a couple of fences, one on either side of that wall. Then I'd put a little bit of technology on top, and after about 2 to 3 years, even just in tightening down my budget for my manpower, my boots on the ground—because you're always going to need some guards there and some Humvees and some retirement and benefits packages to go along with that and uniform costs and all—I would take about a third of that budget and roll it into infrastructure. In about 2 to 2½ years, I would have a fence, a wall and a fence built and a patrol road built in between those and in between the no man's land, and I'd have the modern devices up at the top. We would have video cameras so, if anybody breached that fence, wall and fence, even at the first barrier, video cameras with infrared would zero in on that location, and

we would deploy our boots on the ground to that location.

As soon as people figured out that we were going to have 100 percent security on my mile of road—remember, I've got a \$60 million contract. I can perform with a high degree of efficiency, far higher than we're getting right now. As soon as people figured out that we were going to respond and that it didn't pay to cut or to try to climb over or to try to dig under because we were going to be there with our vibration sensors and with our new technology, then we would have 100 percent efficiency along those stretches of the border.

I would take some of that money for the next year and the next year. Then I would widen our legal ports of entry, and I would add a little manpower to those legal ports of entry so that we could move the legal traffic through and still monitor it even more effectively than we do today at those ports of entry. That's what a rational nation would do, and that would then shut off the bleeding at the border.

There is a lot of pressure from the illegal drugs coming into America. Something greater than \$60 billion a year would be the street value of illegal drugs in this country. When I first came to this Congress, the DEA couldn't tell me what that number was. In fact, I don't think they'll still tell me what the number was. That number is more published from the news media than it is from the people who are supposed to know the answer to that question. With that pressure from those illegal drugs, they'll find another way into America until the demand is shut off. I can tell you that we could raise the price of illegal drugs in America, the street price, by locking down and stopping the bleeding at our southern border. Then they'll have to find another way to get it in, and the price will go up. When the price goes up, fewer people use it.

So that would be a helpful thing, but we can shut off the bleeding at the border, Mr. Speaker. Then we need to shut off the jobs magnet.

Now, there is a bill that we had a hearing on just yesterday in the immigration committee, and it's a bill that has been drafted by Mr. LAMAR SMITH of Texas, who is one of our lead voices on immigration enforcement in this Congress, perhaps the lead voice. He has done an awful lot to introduce and to see to it that in 1996 there was immigration reform legislation that was passed that has an extremely useful utility today, and I'm glad he is here to defend the basis of that language: making E-Verify mandatory so that government employers, government contractors and all new hires in the private sector, too, would need to be verified under E-Verify, which is the Internet-based system where you punch in the I-9 data. I call it name, rank, and serial number.

It will go out into that database and come back and tell you if it can affirm that the individual identified by that

data can lawfully work in the United States. Now, it doesn't verify that the biometrics of the individual who applied with that information match the biometrics of that Social Security number. It just says, with this Social Security number and the data that is associated with it, someone can work under that. We can't identify necessarily of applicant A and applicant B which one it might be if they're using the same data, but it's a good step in the right direction to make E-Verify mandatory, but it falls short in a couple of categories.

One of them is that it leaves the existing law that prohibits an employer from using E-Verify on current employees. Now, why would you do that? If an employer has a reasonable suspicion that someone is unlawfully working for their company, wouldn't we want them to go on the Internet and check that applicant to see if they verify to be lawfully able to work in the United States? I would want them to do that. If they're sitting in the break room and if one of their employees said, Ah, you know, I'm an illegal immigrant, and I duped you, and you can't do a thing about it, that employer may be able to report them to ICE, and maybe something happens, but they are prohibited by current law from going on that Internet, accessing E-Verify and running that employee through to verify and then taking action accordingly.

Some of the people who are advocating for this E-Verify bill say, Well, we have to protect employers from potential liability. They could be accused of discriminating against someone. I'd point out that that computer doesn't know race, ethnicity. It might know national origin, but you didn't get to queue it for that. There is no query for that. You put in the information—name, rank, and serial number—as I said, and it only comes back to you and says “confirmed” or “can't confirm.” That's all you know. So I don't know how someone uses the E-Verify to discriminate on the basis of race, ethnicity, national origin, language barrier, whatever it might be. They make that decision when they hire. If H.R. is interviewing someone, then in all of the things that go along with an interview, they can sort all that out in their own heads and make their decisions. If they've already hired someone, if that individual has worked for them for years, then they've made their decision on whether they're going to discriminate or not. That's an entirely separate question from E-Verify's usefulness.

I think we need to encourage employers to clean up their workforce, and by doing so, we should allow them to use E-Verify on current employees, especially if there is reasonable suspicion. I wrote a drug testing bill in Iowa that uses that standard, and it has not even been tested in court it's so solid. If there is reasonable suspicion to point to one person out of your workforce—if they don't meet the standards of work,

if they cross a line by being chronically late, if their eyes are bloodshot and their work is slow, if they're temperamental and those things or erratic—we have an officer who is trained in that capacity, and he can say, You're going in for a drug test because we want to make sure that we have a drug-free workplace.

That's a responsible thing for an employer to do. It's also responsible for an employer to want to have a legal workforce. It's what we'd encourage employers to do, but the law discourages them from utilizing the tools that they have. I'll be advocating strongly to change that component in E-Verify if it moves forward in this Congress.

The second thing is it preempts local government from utilizing E-Verify as a means of requirement for enforcement. It just simply says that the Federal Government is going to have the exclusive authority to regulate and enforce E-Verify. Well, that would be fine if they actually enforced, but, Mr. Speaker, you know I have very little confidence in the Federal Government's will to enforce E-Verify. There will be those who will comply because it's the law—they will be good citizens, and some will be very good corporate citizens—but we are not going to have the kind of enforcement that's necessary so that it's universal.

I know. I've lived through this. Ronald Reagan wanted to enforce the '86 Amnesty Act, the I-9 forms. I got those I-9 forms. We had applicants come into the office. I made sure that they carefully filled out those applications according to the law, and we took the copies of the support documents that were necessary, and we carefully kept those I-9 forms and associated documents in our files for the day that INS would show up and say, I want to see all of your job applicants and all of your hires and all of your employees to verify if you have followed the '86 Amnesty Act law compliance terms for I-9.

□ 1500

They didn't show up in my office. They didn't show up in thousands of employers' offices. If the enforcement wasn't there after the 1986 Amnesty Act, why in the world would we think there would be enforcement there with a President who has suspended immigration law because it's his whim and is for a President who has defied his own oath of office to take care that the laws be faithfully executed?

He even gave a little talk—I was going to call it a lecture, but I think it was a talk—to a high school group here in Washington, D.C. The date was March 28. I think it was 2011. But I know the date. They had advocated to him that he should, by executive order, establish the DREAM Act. So the President answered correctly. He said, I don't have the authority to do that. Congress passes the laws. I, as the executive branch, carry them out, and then the court system rules as to the

intent of the legislation and the constitutionality of it.

That's the kind of explanation you would get from a former adjunct constitutional law professor, which Barack Obama is at the University of Chicago, a simple and clear answer. He gave it to the high school students and then defied his own explanation and defied his own oath of office just a little more than a year later when the President had a press conference within a couple hours of the time that Janet Napolitano, the Secretary of Homeland Security, and Director John Morton issued the Morton memos and the memo from the executive branch that set up four classes of people—not individuals, but four classes of people. It said we're going to exempt them from immigration law. And seven different times in that memo, Janet Napolitano's memo, they referenced on an individual basis, on an individual basis. I could repeat it five more times. They wrote it in there because they understand that constitutionally they have prosecutorial discretion to decide where to implement the resources for prosecution, and they can't prosecute everybody, but they have an obligation to take care that the laws be faithfully executed.

So the courts have carved out, after years of litigation, this term called "prosecutorial discretion," but it can only be applied on an individual basis only, which is why that memo has seven references to an individual basis only in it, but it doesn't apply to individuals. They carved out four groups of people exempt from immigration law. And then to add insult to constitutional injury, the President also created a work permit out of thin air.

All of the visas that we have, all of the lawful precedents that exist in the United States, other than natural-born citizens, is all a product of Congress. It's interpreted that Congress has the full authority to establish immigration law. So we've set up visa this and visa that—temporary, permanent, a lawful permanent residence status green card. We set up the conditions for naturalization. But the President wanted one more. He wanted a work permit for the people he granted amnesty to by executive edict, and that's what he did in an unconstitutional fashion.

We've litigated that in court, and a judge in Texas has upheld 9 of 10 arguments. The 10th argument has been sent back, and he said to the government, Rewrite that. It is essentially unintelligible, and I don't want to rule on it until you try to straighten it out. It's like getting a term paper that a portion of it is so bad that you can't even give it a grade. Go rewrite it and come back to it.

So I'm hopeful and optimistic that all 10 of those arguments will be supported by the Federal judge. Now, if that follows through to the United States Supreme Court, I expect they will litigate this out to either the end of the Obama administration or in conclusion at the Supreme Court.

I would be astonished if the Supreme Court would conclude that the President has the authority to identify groups of people and waive the application of the law against groups of people and declare prosecutorial discretion to apply to groups rather than individuals. I would be astonished if the Supreme Court would rule that the President can manufacture immigration work permits or a lawful presence out of thin air.

There's no reason for article I, then. Congress would have no function if the President could just write the laws, waive the laws, do whatever. That's what a king does. That's not what a President does. The damage to our constitutional structure and system has been appalling, and I don't know that it's settled into this society yet, Mr. Speaker.

But the President has violated the Constitution and his own oath of office, and it's been litigated in court for the first round. It might be a long march to the Supreme Court. But we are on the correct constitutional grounds with this case, and the lead plaintiff is Chris Crane, the President of the ICE union, where the executive edict actually orders ICE to disobey the law. They take an oath to take care that the law is being faithfully executed, as well, Mr. Speaker.

Then we have the situation of how do we shut off the jobs magnet if they're not going to enforce E-Verify. In fact, if they prohibit employers from using E-Verify, how do they expect them ever to clean up the illegal workforce?

I have a simple bill that's been introduced in the last two or three Congresses. It's called the New IDEA Act. There aren't very many new ideas in this Congress. I think I actually just was able to get one passed in an amendment in the farm bill here a couple of nights ago, a new idea. But this is a new idea on immigration, and it is now about 5 or 6 years old. New IDEA.

The acronym "IDEA" stands for Illegal Deduction Elimination Act. It brings the IRS into this equation and declares that wages and benefits paid to illegals are not tax deductible for Federal income tax purposes. It gives the employer safe harbor if they use E-Verify. It grants them the authority to use it on current employees. And then the IRS, who would not be accelerating their audits but simply during a normal audit, they would punch in that I-9 data that I mentioned earlier into the E-Verify for the employees for the company they were auditing. And if they kick those employees out as unlawful to work in the United States, the IRS then would say to the employer, You're going to have 72 hours to cure this, but we're not going to let you deduct the wages and benefits paid to illegals.

Why should those wages be deductible, especially when we give the employer safe harbor?

So the result of that would be your \$10-an-hour illegal would take the

wages that are paid, they would come off the Schedule C, they'd go back into the gross receipts, and they'd show up at the bottom as taxable income. So if you paid a million dollars out in wages to people who are working unlawfully in the United States as an employer, then that million dollars would become a taxable income rather than a business expense.

The net equivalent is this: a \$10-an-hour illegal, after you add the interest and the penalty and the tax liability—I think I calculated that as 36 percent—comes to about \$16 an hour. Now it's a business decision, Mr. Speaker. Now the employer takes a look at that and thinks, Just a minute now. I've got a discount on this cheap labor at 10 bucks an hour, but I've also got this contingent liability of another 6 bucks an hour if the IRS shows up; and if they show up this year, at 6 bucks an hour, but if they wait another year and they audit me for the past 2 years, now it's 12 bucks an hour. And there's a 6-year statute of limitations on this. So your \$6 an hour becomes 6 years of liability. Now it's \$36 an hour over 6 years. At some point it is compelling, and as an employer you decide, I'm going to clean up my workforce. I'm going to use E-Verify, and I'm going to get through this point where my workforce is legal.

So two simple things can be done. One is build a fence, a wall and a fence on the southern border. We can do it with the money we have. And if you gave me Janet Napolitano's job and a President that didn't tie my hands behind my back, I can do it with the resources we are committing to it now. And we could pass New IDEA, the New Illegal Deduction Elimination Act; let the IRS come into this equation, provide an incentive for employers to make a positive decision to clean up their workforce. It shuts down the jobs magnet. Then people make decisions as to how much opportunity there is here in America. That means there's more opportunity for Americans.

We have 100 million Americans of working age who are simply not in the workforce because we have created a cradle-to-grave welfare system that is an incentive for people to stay home rather than to go to work. We can't always blame them for that decision. Some dumb decisions were made here on the floor of the House of Representatives and the United States Senate, but none of them is as dumb as the one that seems to be emerging from the United States Senate today or maybe is churning around in a House gang of eight.

This bill that is moving through both Chambers is the largest, most expensive amnesty bill that's had credibility and momentum in the history of this country. It is the always is, always was, and always will be amnesty bill.

□ 1510

If you is in America, amnesty will always be available to you. If you was in

America, it sends an invitation that says: Apply—we didn't meant to deport you. Come on back, y'all, ya' hear. We didn't mean it. And if you ever get into America, if you will be in America, you're going to get amnesty some day, too. That's what they're saying.

And a Nation cannot be a nation if it doesn't have borders. If we don't secure those borders and determine what comes and goes across those borders, we lose our sovereignty. And if we don't put Americans back to work and give them opportunity, we're wasting a massive amount of human capital. And that wasting of human capital then diminishes our potential as a nation.

And we have this workforce in this country that is oversupplied in the unskilled and low-skilled categories. And so the more people we bring in that are unskilled, the more it's going to suppress the wages in the unskilled and low-skilled jobs. The high-skilled pays pretty good and has pretty good benefits, and they contribute. They're net contributors. But people that are here unlawfully, those who are in America who are high school dropouts, they're not. They're a net drain on the Treasury. This group of 11.5 million which is the subject of this bill, which is likely to be 33 million or more, this group can never be net contributors to our economy, not in a single year of their lifetime, and neither can the next generation compensate for that loss. That's \$6.3 trillion, according to Robert Rector of the Heritage Foundation.

So, Mr. Speaker, I hope that there are a lot of people that realize the magnitude of this colossal proposed mistake, and I hope that the good judgment and the constitutional sound thinking and the good conscience that comes from the American people, as manifested in the United States Senate and the House of Representatives—and that we put an end to any kind of an idea of an amnesty bill and restore the rule of law and restore American opportunity and do what's good for Amer-

ica. That's our job. That's our oath. It's the patriotic thing to do.

With that, Mr. Speaker, I yield back the balance of my time.

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#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

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#### CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE STABILIZATION OF IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-30)

The SPEAKER pro tempore (Mr. KING of Iowa) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

#### *To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003, is to continue in effect beyond May 22, 2013.

Obstacles to the continued reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an

unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I have determined that it is necessary to continue the national emergency with respect to the stabilization of Iraq.

BARACK OBAMA.  
THE WHITE HOUSE, May 17, 2013.

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#### COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

*Washington, DC, May 17, 2013.*

Hon. JOHN BOEHNER, *Speaker of the House, The Capitol, Washington, DC.*

DEAR MR. SPEAKER: I have enclosed a copy of the resolution adopted by the Committee on Transportation and Infrastructure on May 16, 2013. Pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider a resolution to authorize an alteration project included in the General Services Administration's FY2013 Capital Investment and Leasing Program.

Our Committee continues to work to cut waste and the cost of federal property. The resolution authorizes \$10 million to reconfigure the existing federal courthouse in Greenbelt, Maryland in lieu of the original plan to construct a new \$128 million annex, saving the taxpayer \$118 million. This resolution is in line with the Committee's goal of decreasing the Judiciary's real estate footprint and increasing the utilization of existing courthouses.

I have enclosed a copy of the resolution adopted by the Committee on Transportation and Infrastructure on May 16, 2013.

Sincerely,

BILL SHUSTER,  
*Chairman.*

Enclosure.