

growing at the expense of the legislative and judicial arms. In some countries, power is consolidated in a dictator issuing decrees.

Well, we have certainly seen, Mr. Speaker, the legislative and judicial arms compromised in this trilateral government, which the executive arm has even said, and got a standing ovation in here, basically, that he will usurp legislative power if we don't use it. It turns out that was an aim that was set out for progressives, socialists, X, as he called it, back in 1942.

He goes on, these are the other things that we are trying to shoot for, according to him: control of banking, credit, and security exchanges by the government.

Well, we know under the Democrat control of the House and the Senate and the White House, the Federal Government took control of all student loans. What a great thing.

Thank God that my kids, we were able to get student loans for them before I had to go begging to a Democratic administration, because it isn't difficult to figure out how easily corruptible it is when the government controls who gets to get a college loan and who doesn't.

So this was set out as what they were shooting for back in 1942. He says also:

The underwriting of employment by the government, either through armaments or public works.

The underwriting of Social Security by the government, old-age pensions, mothers' pensions, unemployment insurance and the like.

Well, we have seen that all come to pass since 1942, just as this Progressive had hoped.

The underwriting of food, housing, medical care, by the government. The United States is already experimenting with providing these essentials. Other nations are far along the road.

This Progressive says he is also shooting for:

The use of deficit spending technique to finance these underwritings. The annually balanced budget has lost its old-time sanctity.

The control of foreign trade by the government, with increasing emphasis on bilateral agreements and barter deals.

The control of natural resources, with increasing emphasis on self-sufficiency.

We have seen the government, with every passing month, take more and more control of natural resources. And since Texas is doing so well, producing more oil, more natural gas than ever, basically, the Federal Government is, in effect, declaring war on Texas. Economically, they have sicced the EPA after Texas. They want to do everything they can to destroy any private resource production.

It just sounds like somebody has had this book, and that the book, "The Road We Are Traveling," fits right nicely in the road the President's supporters say he has traveled or we have traveled.

This goal's progressive—they call it X in the book, but clearly it is the progressive. They want control of transportation, railway, highway, airway,

waterway. Well, that has progressed right nicely since 1942. They want control of all agriculture production. Well, we have certainly seen that take effect as well; control of labor organizations, often to the point of prohibiting strikes.

Now, that is something we haven't seen, but there really hasn't been a need, because when the President, as this President did, issues an executive order that even the IRS cannot enact policies until they have a private meeting with the head of the labor union to work things out behind private doors and it can't be recorded and nobody can know what they discuss, there is really not much reason for strikes. When top labor union heads sit down with the President in a private meeting about health care before they come out with ObamaCare and nobody gets to know what was said and done, why do you need strikes? The heads of the labor unions are working hand-in-hand with the executive branch.

In this book, X, which clearly is progressivism, shoots for:

The enlistment of young men and women in youth corps devoted to health, discipline, community service and ideologies consistent with those of the authorities. The CCC camps have just inaugurated military drill.

Well, it is also interesting that in ObamaCare, in my copy, at the beginning of Page 1312, it talked about—or section 1312, but it talked about the new President's Officer and Non-commissioned Officer Corps, created under a health care bill for international health emergency or national emergencies, and they can be called up involuntarily at the present. So it sounds like that fits right into what was sought as the road to travel.

Then here is another:

Heavy taxation, with especial emphasis on the estates and incomes of the rich.

Well, we have certainly heard that enough.

He goes on and says:

Not much "taking over" of property or industries in the old socialistic sense. The formula appears to be control without ownership. It is interesting to recall that the same formula is used by the management of great corporations in depriving stockholders of power.

And last:

The state control of communications and propaganda.

We have certainly seen that take effect since 1942. And we have people in the House and Senate, my Democratic friends—some of my Democratic friends—that want even more control through the FCC and other government entities to control people's thoughts and what they can put out on the air. Let the government control all of that. It really is outrageous what is happening.

In any event, it appears that "The Road We Are Traveling," written in 1942, by Stuart Chase, setting out what he called X, because socialism, communism were not as popular, are the road that we have traveled. It is time to give the people their power back.

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

## COMPREHENSIVE IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate very much the honor and privilege to address you here on the floor of the United States House of Representatives and to follow my good friend, the gentleman from Texas, Judge Gohmert, in this presentation here tonight.

I have been watching forward with increasing concern about some of the potential decisions that might be made here in this House of Representatives. We have been through some long immigration debates in this saga of what happens to the future and the destiny of the United States of America. It is something that goes back, I will say, in the modern era, to sometime January 5, 2004, when then-President George Bush gave his speech that launched their effort to advance "comprehensive immigration reform."

Mr. Speaker, I had my discussion with the President's west wing at that time, meaning west wing of the White House. I advised them—I should say, I advised him that what you have described here is amnesty. However you want to redefine it, however you want to try to call it comprehensive immigration reform, in the end, amnesty is amnesty. The American people will know what amnesty is, and they will reject amnesty because it is bad policy for our country.

Well, since that time, I will say that that has proven to be true in each one of these national debates that we have had and these waves of national debates that we have had.

That debate that took place in 2005—excuse me, 2004 into 2005 and beyond, when there were, at times, tens of thousands of people, often coming in on buses wearing identical white T-shirts, pressing Congress to suspend the rule of law and give them a special path to citizenship. Through that, this discussion has pivoted on what I called, at the time, the scarlet letter A, called amnesty.

The definition of "amnesty," it comes in different forms. Black's Law has one. There are a couple of other definitions for "amnesty." But the practical definition that applies in this political arena that we are in, this cultural American arena that we are in, Mr. Speaker, is this: to grant amnesty is to pardon immigration lawbreakers and reward them with the objective of their crime.

Now, the objective of their crime—and in most cases it is a crime. It is not necessarily someone who is unlawfully present in the United States or necessarily guilty of committing a

crime, but it is true in most cases. In any case, we don't always know the objective of their crime, whether it is to come into the United States to get a job and seek a better life and take care of their family. If they cross the border illegally, that is a crime. If they come in legally and overstay their visa, then that is a violation, a civil misdemeanor. And yet, if they go to work in this country, they have to fraudulently misrepresent themselves in order to legally work, then in that case, it is often document fraud, and that is also a crime.

So the objective of their crime may have been a job; it may have been a home; it may have been what is planned to be and often is a better life; and it might be someone coming in here with a different kind of intention. We know that coming across our southern border we have had, I will say, scores of people, at a minimum, who are persons of interest from nations of interest.

Now, that is the verbiage that gets used in our security personnel. If they are from a nation of interest, that is a nation that is in the list, having been a nation that spawns terrorists. If they are a person of interest, they are a person from that nation that is a nation of interest that spawns terrorists.

So you have got kind of a double marker here. Somebody shows up coming across our southern border and they are from Yemen, for example, they are going to be a person of interest from a nation of interest, which means we should pay more attention to that because they are a risk to the security of United States because that is a place that terrorists come from in the records that we have and the data that we know. It doesn't mean that everybody that might come across our southern border from Yemen is a terrorist. It means, though, just what the definition is. This happens on a regular basis.

When anyone is interdicted, apprehended, coming across our border who is a person of interest from a nation of interest, they are turned over, as soon as possible, to the FBI. That act immediately closes the case as far as public discussion is concerned because now it is classified. So, if they are continually classifying the reports and any prosecutions and how we handle persons of interest from nations of interest, that means, Mr. Speaker, that we don't know how many people have been caught coming into the United States with ill will towards us or suspicion of ill will towards us. That is classified.

What I know is I know of seven cases where we have interdicted a person of interest from a nation of interest. And the reason I know about them is because, having spent time on the border, been down there when a person of that definition is interdicted and I gain knowledge of that circumstance, same business day, early enough in the day and close enough to the incident that they can tell me about it before that

individual or individuals are handed over to the FBI where the case becomes classified.

This Congress doesn't seem to be aware that this circumstance exists at all, so they whistle through the graveyard. And it may be a more appropriate explanation than I had actually thought when I started to say it, whistling through the graveyard here on what could be going on inside the United States when people come across the border who are from sources that we normally identify as sources for terrorism. That is one piece.

Another is, 80 to 90 percent of the illegal drugs consumed in America come from or through Mexico. It isn't all their fault. One is that some of those drugs are produced and smuggled into Mexico and then into the United States. Another is there is a huge demand in the United States for illegal drugs. The value of that marketplace in this country could well be over \$60 billion. That is 60 billion with a b. But even the Drug Enforcement doesn't know that number, and they aren't comfortable producing that number. That number actually comes from a media report.

In any case, so we have persons of interest from nations of interest. We have 80 to 90 percent of the illegal drugs coming from or through to Mexico. It is a threat to our country, a threat to our society.

And on top of that, we have a border that remains porous. We have a President whose administration has been announcing that he has been deporting record numbers of people, but when you look at the numbers, you find out that he is double counting and he has changed the definition of "removals."

□ 1815

He is counting those who are turned back at the border, those who are caught crossing the border that do a voluntary return to avoid it going on their record so that they can avoiding being subject to the 3- or 10-year bar and double-counting some of those that are turned back.

So here are the real numbers, and it is this: That the lead deportations that actually took place in our modern era under—not the George Bush administration, Mr. Speaker—but they took place under the Bill Clinton administration in the year 2000 when there was some number above 1.8 million removals from the country. And we have a President now, under Barack Obama, down around 450,000 removals from the country, a long, long ways from being what they sometimes accept the definition of him as being the Deporter-in-Chief.

No President has taken the position that this President has, that he picks and chooses the laws that he wants to enforce and ignores the rest. No President has so broadly gone out there and violated the limitations in article two of the Constitution.

Just within immigration itself, when the Morton Memos came out—and

those are the memos that created DACA, which is the executive amnesty that was produced and signed by Janet Napolitano, then the Secretary of Homeland Security, who came before the Judiciary Committee, Mr. Speaker, and alleged repeatedly that they had prosecutorial discretion, that they don't have the resources to enforce every law, therefore, they have to enforce with the best effect of the resources that they have, and stated: We have prosecutorial discretion, and it is on an individual basis only, an individual basis only. She repeated it in her testimony under oath before the Judiciary Committee, and I had in front of me at the time the document that describes this, and in a page and about a third of single-spaced 12-point type, it said, used the term "on an individual basis only," by my count, in memory, seven times.

Now why would this administration remind Members of Congress, especially members of the Judiciary Committee, that they were executing prosecutorial discretion by waiving the application of the law to hundreds of thousands of people altogether under this definition of "on an individual basis only"? We know they didn't deal with them on an individual basis only.

When you read that report and you go through and draw a couple of x's and o's, you come to this conclusion: that Homeland Security, under the Morton Memos of ICE, created four different classes of people, and they are broadly exempted from the law by the definitions of the classes of people created in the very memo that says, seven times "on an individual basis only."

This was what I thought was a lame effort to try to cloak themselves in prosecutorial discretion when there is no such thing. Mr. Speaker, I want to emphasize this. There is no such thing as prosecutorial discretion outside of an individual basis only. It only can be applied on an individual basis. It cannot be applied to classes or groups of people because everyone that is paying attention to law, the structure of law, knows that the law defines classes and groups of people, and the exemptions under prosecutorial discretion have to be justified, justifiable, and on an individual basis only. This administration didn't adhere to that, and they know it. And, Mr. Speaker, they strategized around it so that they could grant what is the equivalent of executive amnesty to hundreds of thousands of people.

Now Senator JEFF SESSIONS has released a report a little over a week ago, and I want to thank him and his staff for the work that they have done to dig the details out of this network of regulations and rules and executive edicts to come down to this point: that the application of the law almost completely exempts the law, itself, which requires those encountered by immigration officials who are unlawfully present in the United States to be placed into removal proceedings. That is the law.

It is real clear that the DACA documents, the Morton Memos, direct ICE to violate the very law that they have taken an oath to uphold, and that is the requirement that they place into removal proceedings those whom they may encounter who are unlawfully present in the United States.

The President has ordered that they not do so, which violates their oath to the Constitution, their fidelity to the law, and their fidelity to the rule of law, and it usurps the directive from Congress, which sets up immigration law here in the United States of America.

This is an appalling assault on our Constitution and on the rule of law and on the separation of powers, and the administration knows it. And I am not drawing this as an assumption, Mr. Speaker. I am drawing this from this understanding.

The President has told us on a number of occasions that he taught constitutional law as an adjunct professor at the University of Chicago's School of Law for 10 years. Ten years of teaching the Constitution means you can't avoid coming across these constitutional requirements, and you can't avoid addressing the separation of powers that are distinct between articles one, two, and three of our Constitution. And if we wondered if somehow the President could have taught con law for a decade and not run across the separation of powers concept, or the authority that is granted to the Congress: All legislative powers shall be vested in the body of the United States Congress, the legislative body in article one. All powers, all legislative powers. The President had to have taught that for 10 years. I don't think you can take con law and not encounter that principle. And he didn't.

He didn't avoid that principle. In fact, he was teaching it as recently as March 28, 2011, when he was speaking to a high school class at a high school here in Washington, D.C., when he said to them: You want me to enact the DREAM Act by executive order. But I am here to tell you that you have studied this, and you know that the Congress doesn't allow that. I don't have the authority to implement the DREAM Act by executive order because—and he said this this way—Congress writes the laws; the judicial branch interprets the laws; and my job is to enforce them. It is a very compact and succinct and, I think, a clear understanding of the three branches of government embodied in articles one, two, and three.

So it is clear not only did the President teach this very principle for a decade, but he—and I don't want to say "lectured," but he gave a speech on it to a high school class and said, I cannot implement this by an executive order or fiat; it is exclusively reserved for Congress. Some months later, though, apparently the idea was stuck in the head of the President of the United States, and by executive fiat, he

did do just what had he said publicly he didn't have the authority to do. That is just on the immigration piece.

We could go on through ObamaCare—the 38, 39, or more different changes that have been applied to ObamaCare. Now, I don't assert, Mr. Speaker, that they are all unconstitutional moves on the part of the President, but some of them are so clearly unconstitutional that it cannot be argued with a straight face if you know anything about the Constitution whatsoever.

The clearest, the starkest was, the directive in ObamaCare that the employer mandate shall be implemented in each month after December of 2013. That is real clear. But the President announced months ago, we are going to delay the employer mandate for another year. They are going to add another year to the implementation date. So it is as if the President—you know he said he had a pen and a cell phone. It was as if the President took his pen, went to page whatever it is in the 2,700 pages of ObamaCare, and went in there—it would be a red pen, not a blue one—and drew a line through the number that said 2013, and in each month after December of 2013, drew a line through that and just changed the number 13 to the number 2014.

Now, the President does not have the authority to do that. If he does, then the work of this Congress is meaningless, and it would never have a relation to anything, except we would be a debate body here. So we could be in the business of deciding whether we side for or against the President without any power whatsoever. If the President continues to exert this authority—it is unconstitutional, it is a violation of his constitutional authorities and the separation of power. There are multiple lawsuits that are working their way through the courts, and I think that the administration has done a calculation of, they are not going to catch up with us before the President's term is over and he goes off into his happy perpetual golfing land, that he might.

But this immigration issue sets the destiny for America. It is not a policy like ObamaCare, which is the largest social movement in my adult lifetime, social piece of legislation, social engineering piece of legislation. It is a takeover of a huge percentage of our economy, some say as much as 17 percent of our economy. It is a directive that orders American citizens, for the first time, to buy a product that is produced and specified by the Federal Government or be fined and punished by the Internal Revenue Service.

That is where we are with ObamaCare. That is what it does to this God-given liberty and says, You shall be a subject of the State, and you will buy a product that is approved by the Federal Government. And if you fail to do what we have told you to do, ordered you to do, then we are going to fine you and punish you, and we are going to use the Internal Revenue Service to chase you down and dun you for that money.

Now, that is an appalling thing to a free people. But we should think of that in the context of, first of all, if the Federal Government can order you to buy an insurance policy, they can order you to buy an automobile, they can order you to buy a washing machine, they can order you to go to the grocery store and buy broccoli. They can forbid you from buying—let's just say butter, or whatever it is that the First Lady might think is not the healthy diet for the American people. By the way, they are already dictating the calorie limitations to our kids in school.

This country has become not so much the land of the free any longer. It has become a land where they seek to micromanage every aspect of our lives. It has started. It is going down that way.

But if the White House can configure a bill and pass it through this Congress by hook, crook, and legislative shenanigans, and, in the process of making the deal to get the votes to get it passed, promise a Member of Congress—let's just say a Member of Congress from Michigan—that, never fear if the language that you would like to have doesn't become part of the law, the President will sign an executive order to amend ObamaCare after the bill is signed if the agreement that they make here doesn't follow through in the final piece of legislation that comes from the Senate.

Can you imagine, Mr. Speaker, the very idea that the President would promise to amend a bill? He has no authority to amend any bill whatsoever. He has no authority to amend any legislation whatsoever. He has no authority to amend existing U.S. Code of any kind whatsoever.

Now he can influence the executive branch to pass a rule, to publish that rule and take it out for comments. And through the authority granted to the executive branch through the Administrative Procedures Act, they can have the force and effect of law. But they can't change law. They can't amend law. And they cannot write a rule that changes the directive language that is part of the law. The law is the law. The Constitution is the foundation for this Republic, and the laws that are passed by it are supreme, not the President.

So we have this usurpation of congressional authority from the President. We have an ObamaCare piece of legislation that is a taking of American liberty. And we have a President that changes it willy-nilly at will. And not an ability in this Congress to put the brakes on that. But maybe, just maybe the American people will go to the polls in November and bring it around the other way. In 2016, there will be a new President elected. That President must run on adhering to, respecting, and reverting our country back to this Constitution.

But this country, the bedrock underneath our Constitution is free and fair elections, confidence that they are free and fair and legitimate. The foundation

is the Constitution. The Declaration is the promise; the Constitution is the fulfillment.

As we sit here in this most blessed country in the history of the world, Mr. Speaker, we are watching it be taken apart by executive fiat and executive edict piece by piece. ObamaCare changed 30-some times. Immigration changed five or six times. And a President who threatens to go out and do that again, one who suspended Welfare to Work when it was written specifically to tighten up, that a President couldn't suspend the work component of Welfare to Work. And No Child Left Behind, suspended by the application of waivers that go on because he didn't agree with the policy and he thought he had a better policy, but he didn't want to come to Congress because Congress might not think it is a better policy.

This President doesn't negotiate with this Congress. He doesn't work in a cooperative fashion. He imposes the whim of the White House on the American people.

□ 1830

This Congress went through a government shutdown to assert its will and came in to second place on that because not enough Members of this Congress had the will. We watched the Constitution be eroded because of that lack of will.

Now, Mr. Speaker, what I see coming is an effort to grant more amnesty through the legislative process instead of, this time, the executive fiat or executive edict or executive overreach process, and the President threatens to use his pen more to grant more amnesty if we don't pass it here in the House.

We have some misguided people on my side of the aisle that ought to be better thinkers than they are. I understand why Democrats are for amnesty almost universally because they get the big political benefit from it.

They have been discouraging me for years from bringing up this topic, that Democrats have long known, Mr. Speaker, that a significant majority, 2 to 1, 3 to 1, 5 to 1—there are even statistics out there of 8 to 1—that newly arriving immigrants, if given an opportunity to vote, are going to vote in those kind of statistics at least 2 to 1 for Democrats.

Here is a King axiom, Mr. Speaker, that newly arriving immigrants will assimilate into the politics of the locale where they arrive because they don't know what party they are when they get here.

They will simply associate with their neighbors, their friends, and their family. When they go to political events, if they go, they will go with them, encouraged by them, and when they go to the polls, they are going to take their first advice.

I look down through my neighborhood. We have fourth generation FDR Democrats that by heritage are Demo-

crats, by philosophy are Republicans, but they don't change, necessarily, their voting stripes.

If someone thinks I am wrong about this, they could go to Boston, and they could find me an Irish Catholic Republican. I am sure one of them exists. I understand there are two. But the heritage of inheriting the politics of the locale where you arrive as a newly arriving immigrant is a big part of this.

That is what drives Democrats. It is not about truth, justice, and the American way. It is not about justice and equity. It is not about fairness. It is about political power, and it is about Democrats seeking to expand the dependency class in America because that expands their political class and their political leverage at the expense of the Constitution, the rule of law, safety in the streets of America, and at the expense of the destiny of our country.

We need to think this through much more deeply. We need to look ahead, Mr. Speaker. We need to see that, if we make an immigration decision in this Congress, we are going to live with that decision and our children and our grandchildren. Every succeeding generation lives with the decisions that we make here on immigration.

It is different than ObamaCare. ObamaCare is bad. It is a horrible usurpation of God-given American liberty. It can be repealed. It can even be, in components, diminished in its negative effects by some tweaks that we could do, and I have got some on the books that I will be advancing here in the upcoming week; but we could repeal ObamaCare.

We could undo it. We could recover. We could even somehow struggle through a massive amendment of it and come out with a product that the American people could live with and still have a measure of freedom; but if we get the immigration question wrong, there is no going back to repeal. There is no going back to change. There is no going back to undo what would be done by the colossal mistake of amnesty.

Whatever you think about demographics, whatever you think about political power, and whatever you think about economics, there is an essential pillar of American exceptionalism that we can't do without and still be a great country. It is called the rule of law.

The rule of law means that the law has to treat everyone equally. Justice must be blind. Lady Justice stands there with the scales in her hands, balanced, and most of the time, you will see her with a blindfold on because Justice needs to be blind and treat everyone equally. If we lose the rule of law, we will never be able to restore it again.

If we sacrifice the rule of law in a misguided idea that, somehow, our sympathy for people that want a better life—and by the way, there are some 6 billion of them on the planet that want a better life—if our idea that our sym-

pathy for people that want a better life is more important than our fidelity to the rule of law, then we have sacrificed the core of the greatness of America because our hearts overruled our heads.

I am not surprised when Democrats do that. That is what they are in business to do, is have their hearts overrule their heads; but we can't let that happen on this side of the aisle, Mr. Speaker, not even—not even—for someone who came into the United States illegally, misrepresented themselves to get into the United States military, put on a uniform, took an oath to preserve, protect, and defend the Constitution of the United States and maybe, just maybe, risked their life in a performance of that duty.

They have already violated our laws, they have already misrepresented themselves, and they have already defrauded the Department of Defense.

Any bill that might be attached to a National Defense Authorization Act or comes to this floor in any form that rewards someone who has defrauded the Department of Defense or the United States—whether or not they have taken an oath to uphold the Constitution, it is a false oath because they have given their false word—any bill like that needs to be met with the full rejection of the full vigor of the rule of law here in the floor of the United States Congress.

That includes those things that are coming out now in the press today. We don't need to have an intense fight over immigration. We have an election coming up in November.

We have taken an oath to uphold the Constitution and have defended it, generally, from this side of the aisle and not exclusively, Mr. Speaker.

We have an obligation to defend that rule of law, preserve the sovereignty of America, and refuse to reward lawbreakers. If we reward lawbreakers, we get more lawbreakers. We need fewer lawbreakers, not more.

I will defend my oath to this Constitution and the rule of law, and I will encourage and challenge all of my colleagues to do the same.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CLARK of Massachusetts (at the request of Ms. PELOSI) for today on account of attending funeral in district.

#### ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4152. An act to provide for the costs of loan guarantees for Ukraine.

#### SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles: