ILLEGAL IMMIGRATION

The SPEAKER pro tempore (Mr. KUHL of New York). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, as always I profoundly appreciate the privilege to address you, Mr. Speaker, and to stand on the floor of the United States House of Representatives, make remarks for a period of time about issues that are so pertinent to our day. The future and the history of this country, many times, has been turned right here on this spot, Mr. Speaker, and we would like to believe that we are reflecting the will and the wishes of the American people but adding the level of knowledge and judgment has been endorsed by us, endorsed in us by the voters and the United States of America and the 435 congressional districts, Mr. Speaker.

And I would point out as I listened to the discussion here in the previous hour that the word Republican, Mr. Speaker, is not a profane term. No matter how one says it, I am proud to be a Republican. I am proud to stand up for the values of fiscal responsibility and personal responsibility and limited government and lower taxes and lower regulation, a strong national defense, a vision that goes beyond the horizon for a strong energy policy that will expand the size of the energy pie and drill in ANWR and drill in the Outer Continental Shelf of Florida especially, so that we can get some natural gas into this country and some gasoline and some diesel fuel out of ANWR and out of our Outer Continental Shelf and expand our ethanol and expand our biodiesel and our wind energy, our renewable energies and clean-burning coal and expand our nuclear generating capability, along with a number of other, hydrogen, for example, a number of other energy alternatives.

□ 1745

All of these things are Republican principles, and all of these principles are blocked by people on the other side of the aisle who say the word ''Republican'' as if it were a four-letter word, Mr. Speaker.

And, furthermore, they say the word ''democracy'' as if the United States of America were a democracy. Our Founding Fathers knew better than that, Mr. Speaker. In fact, at one time there was a display down at the National Archives that demonstrated the pure democracy that they had in the Greek city-states perhaps 3,000 years ago. Our Founding Fathers studied that pure democracy, and they saw where they blackballed the demagogues and banished them from the city-state for 7 years because they had such an effective, rhetorical skill that they would sometimes lead the city-state and the masses that would follow that rhetorical skill in the wrong direction. That was for the diminishment of the greater good of the city-states in Greece.

That is why the Founding Fathers did not set up for us a democracy, Mr. Speaker, but they set up a constitutional Republic, a representative form of government. And our job here, we owe our constituents and we owe all Americans because we swear an allegiance to the Constitution, we owe all Americans our best judgment; and sometimes that best judgment might not be the best thing for our particular district but the best thing for the United States of America. It is not a matter of whether we take the poll of the public and vote the way the polls are. If we wanted to do that, if we wanted to have a pure democracy, it would be far easier today in the Internet era than it was during the days of the city-states when the Greeks had to bring all of their of age males, the people who got the chance to vote in those days, into their coliseum or their city center where they would debate the issues of the day and the majority vote won. So they would introduce a motion, and if a majority vote prevailed, then that was the policy of the day until it changed.

There were no guarantees or protections for minorities, for example. There were no constitutional protections like our Constitution. Our Bill of Rights, in particular, is drafted to protect the rights of the minority against the will of the majority and, in fact, to protect the rights of the majority against the whims of a court. All of those protections are in our Constitution. But continually I hear the word ''democracy,'' ''democracy,'' ''democracy,'' as if that were somehow such a high and shining ideal, that that solved all of nature's ills and cured everything that there was on the globe. Truthfully, our Founding Fathers came to the conclusion sometime well before 1789 that a democracy would not succeed in this country and, understanding human nature, a democracy just simply could not succeed; so they crafted out of whole cloth a constitutional Republic: a balanced three branches of government, checks and balances on each one. Not three equal branches of government, but three that were balanced with the natural tension between the judicial branch of government, the legislative branch of government where we stand, Mr. Speaker, and also the executive branch of government where the White House stands.

That is what we have. We have a constitutional Republic, a representative form of government. And our job is to be as informed as we can be; to be in tune with the events of the day; look into the future and anticipate what the future might bring; prepare this country for the future as much as our vision can allow; receive all the input across America; sort the good ideas from the bad, the wheat and the chaff, so to speak; and implement the policies that are best for America and debate them here on this floor.

That is the challenge that the Constitution lays out for us, and that is the challenge that our Founding Fathers envisioned: a deliberative body and a constitutional Republic, a representative form of government. Not a democracy.

And we have Republicans and we have Democrats that have divided themselves in this country in a two-party system, which our Founding Fathers did not envision. But when you look at the structure of the legislative branch, it is inevitable that we have a two-party system because we have a winner-take-all system. That means that the majority in the House and the majority in the Senate select the committee chairs and they make their appointments to the committees in greater numbers, sometimes by one or two, sometimes by a little more than that, in each of our committees so that the majority party has majority control of each of the committees.

If the public is unhappy with the direction that that is going, then it is their ability to go to the voting booth and elect people from the other party who would then come in power, as the power changed here in 1994 because the people at that time were fed up with the kind of policies that were rejected in the elections of 1994 when the Republicans took over the majority here in the House of Representatives.

That is the system that we have, Mr. Speaker. I am proud of the system we have. It is the best in the world. It is far superior, I believe, to any kind of a pure democracy and superior to a parliamentary form of government because we have a guaranteed protection of rights, and those are limited in their scope and the government's powers are limited, although sometimes we go beyond our constitutional authority.

Well, today, Mr. Speaker, brings us to a point, a point within this great national debate, an issue that was envisioned again by our founders, and we have a constitutional responsibility here in the Congress to establish an immigration policy. Our founders envisioned it, it is referenced, and it is our duty to have this debate and to shape a policy that is good for America.

We are having a national debate, finally, and this national debate is a national debate that was, as I recall, called for by Pat Buchanan in 1996, Mr. Speaker, when he said we must have a national debate on immigration. He knew then and I knew then that this issue was getting out of control and out of hand. It was only 10 years since Simpson-Mazzoli, the 1986 amnesty legislation that was signed into law by President Reagan. And it was designed to provide amnesty and it was an admission of amnesty then, they did not try to redefine the word ''amnesty,'' to about a little more than 1 million people, 1.2 million, perhaps 1.3 million people. And the trade-off for amnesty for a little over 1 million people was enforcement, employer sanctions, strict enforcement of laws that required employers, and I was one at that time, Mr. Speaker, to fill out the I–9 forms,

check the identification of the applicants for jobs in my company, and verify who they were and carefully dotted the I's and crossed the T's of the regulations, because I was sure that there would be a Federal agent who would walk into my office, demand to see the I–9 forms for all of my applicants, make sure they were in order and make sure that I had taken a look at their Social Security number and their driver's license, at a minimum, and verified who they were.

Well, I filed all those records, Mr. Speaker, and I carefully followed the law. And here we are, 20 years later, and no one has come along to check my I–9 forms. And I have to say I believe that would be consistent with the vast, vast majority of the employers in America who have followed the law but slowly begin to realize, month by month, year by year, that there was not going to be enforcement. And as we see illegal workers flow into our communities and take up jobs all around us, we begin to realize there was not anyone enforcing against those companies either.

And as a company, if you look at your competition and they are hiring cheap, illegal labor, labor that they may not have to have Workers Comp on, probably do not have health insurance on, probably do not provide for a retirement benefit, maybe do not pay overtime to, maybe pay them off the books, sometimes on the books, all of those competitive advantages and be able to bring people to work, work them when you need them, and simply discard them when you do not need them, more like a machine than a worker; that kind of workforce in the hands of your competition makes it very difficult to hire people who are legal to work in the United States, green card holders, American citizens, lawful residents, people who have lawful presence in the United States, and pay them the wages necessary and the benefits necessary.

We for years and years provided health insurance and mostly retirement benefits and year-around work in a seasonal business so that we had high-quality employees. And we have been able to compete for now going on what must be 31 years that we have been in business, and in that period of time we have been able to keep people on year round and be able to have long-term employees, but compete against those people who have discount employees.

And we had testimony in this Congress, Mr. Speaker, to that effect and people who have lost their business because of that kind of competition, who refused to break the law, refused to hire illegals, and saw their competitiveness diminish on them to where they could not function any longer. And that is the kind of thing that is happening across America.

Well, the scope of this is far bigger and far worse than I described. And so that 1 million people that turned into 3 million people that received amnesty in 1986, we know that the counterfeiters kicked into gear when the amnesty was passed and signed by President Reagan, Simpson-Mazzoli in 1986, that is why it went from 1 million to 3 million, because a large percentage of that extra 2 million that got added on there were people who came into the United States, rushed in here illegally, and then had to have counterfeit documents to demonstrate that they had already been here, like maybe a heating bill or a light bill or a gas bill or a telephone bill, some kind of a document showing that they had been here, maybe a paycheck or two or four or five.

Those kinds of records were generated by the counterfeit industry back then so that people that just came into the country after Simpson-Mazzoli was signed could find themselves on the path to citizenship, to receive the amnesty. And the people that worked with that paperwork very well know this, Mr. Speaker. It is something that I have not heard come out in the testimony and the discussion and the debate. The people who are for guest worker/temporary worker will do or say almost anything except respond to the facts at hand. That is one of the facts. And if the people who are advocating for guest worker/temporary worker are right and there are only 12 million people here, then I will submit that you will see that number at least double and probably triple before they get finished processing all of the counterfeit documents for the people who allege that they were here longer than 2 years so that they can get the path to citizenship.

Those are the circumstances we are dealing with. And the strategy of the people who are coming into the United States know that we have actually had seven amnesties since 1986. The most famous was Simpson-Mazzoli. There are six others that were listed throughout that period of time. Sometimes we missed some people with amnesty and maybe they were not adept enough to bring their counterfeit documents to the front; so we had to go ahead and pass another amnesty for this 400,000, another amnesty for these 300,000; and pretty soon we have logged seven amnesties since 1986 and including 1986, Simpson-Mazzoli.

This Congress, the Senate, is poised to pass the eighth amnesty in 20 years. And the numbers in this country have grown and grown and grown and no one really knows how many. But we have testimony from the Border Patrol, and I agree with this number, and the President made it in his speech last night, that they turned back more than 6 million illegal crossers at the border since he came into office 5½ years ago.

The numbers that I know are numbers for 2004. The Border Patrol intercepted on our southern border 1.159 million and presumably turned back 1.159 million. They only adjudicated for deportation 1,640. That would be a fact.

For 2005 the statistical number is 1.188 million that were intercepted at the border, collared at the border, I say, and turned back. I do not know the number that actually were adjudicated for deportation.

But the Border Patrol also testified, Mr. Speaker, that they stopped one-fourth to one-third of the illegal entrants into the United States. One-fourth to one-third; 1 out of 4, 1 out of 3, as the best that they can hope for. So if 4 million come across the border, which would be the statistical number, 4 million, and we turned back 1 million, that means each year the population of illegals in this country grew by 3 million. And, yes, some of them turned around and went back and some of them died and some of them became citizens through some fashion; so maybe that number of growing illegals is not quite 3 million. Maybe it is not even quite 2 million, but I do not believe it is less than 2 million myself, and I do not know that it is only 4 million that came across the border.

I was down on the border a week ago last weekend, Mr. Speaker, and I spent 4 days on the ground down there, in the Tucson sector mostly, but overall, the Arizona-Mexico border. And I asked a question consistently of the people who work that border, and these would be officers who have been there for a period of time. They had hands-on experience. And I took the testimony that I received here in the Judiciary Committee, in the Immigration Subcommittee, the testimony of the Border Patrol's stopping one-fourth to one-third, that being 1.2 million in a year, and also the President's statement that in his administration they have turned back more than 6 million. I pointed out the 25 percent interception rate, perhaps the 33 percent interception rate. And of the people who have hands-on experience on the border, no one would agree to that number. No one would say, ''I think that is an appropriate number.'' They all had a number lower than that. The most consistent number that they gave me in their judgment was we stopped perhaps 10 percent. Ten percent.

Now, I am not sure I can calculate how we could have 10 million come across the border and only stop 1 million out of 10 million.

□ 1800

So maybe some of those people come back over and over again and keep trying. We are re-catching a lot of the same people, and they try until they get here.

One thing I don't accept is the idea that a high percentage of them go back to Mexico, for example, because those who walk across 5 or 10 or 20 miles of Mexican desert to get to the border, who walk across 10 or 20 or 25 or even 30 miles of American desert to get to the highway, where they can get picked up and get a ride, it is so difficult to come in and the journey is so arduous, it might require three to six

days on the ground in the desert with little water and a little bit of food and having to travel mostly at night, that kind of arduous travel into the United States isn't going to be taken lightly, especially if they pay a coyote $1,500 to come into the United States.

You can't afford to come back and forth a lot, if that is your path into the United States. So I think a significant percentage of those who come into the United States will stay here, for those who succeed in traveling into the United States.

The numbers that are here are so astonishingly large, and the American people are so, I don't want to say ill informed, they have not had access to empirical studies that show what would happen to the immigration numbers in America if the modern version of Simpson-Mazzoli, amnesty plus the path to citizenship that was advocated by the President last night, if that should become something that would be policy.

So I submit as I picked up the paper this morning, Mr. Speaker, and began to review some of the language that is in here, and after I had listened to the speech last night, I was aware there was a study being done by Mr. Robert Rector of the Heritage Foundation, a very careful, conservative study that kept low assumptions and tried to keep low numbers so it would be credible and believable by the American people, rather than high numbers that might be somewhat suspicious. These are low, careful numbers in this study.

This study, and it is in the headlines of the Washington Times, it says the bill, and this would be the Hagel-Martinez bill from the other body, the bill would permit as many as 193 million more aliens in the next 20 years, by 2026.

Mr. Speaker, I will repeat that: the bill permits up to 193 million, that is million with an M, more aliens in the next 20 years, until 2026.

Now, this 193 million would be 60 percent of the current U.S. population over the next 20 years. According to Mr. Rector, the magnitude of changes entailed in this bill are largely unknown, but they rival the impact of the creation of Social Security or the creation of the Medicare program. Mr. Rector is a senior policy analyst at the Heritage Foundation that conducted this study.

He also backed down a little bit from that and said that is the high number. But if we go to the low number, the lower number of his prediction, he said it is more likely that about 103 million new immigrants actually would arrive in the next 20 years. 103 million.

It just so happens that the population of Mexico, Mr. Speaker, is 104 million, or it was until maybe the last couple of weeks when the population got diminished substantially again. We are taking in from across that border some Central Americans, the vast majority are Mexicans, we are taking across that border 11,000 a day. That adds up to 77,000 a week, roughly a little bit smaller than the population of Sioux City, Iowa, which pours across our southern border every single week. And we don't seem to be outraged by the magnitude of that kind of a migration, to use a nice term for it. An invasion, to use a more accurate term for it.

We saw people marching in the streets, Mr. Speaker, and particularly in the streets of Los Angeles, half a million or maybe more than that in the streets. Some of the people that were there just got across the border illegally the night before, and they picked up the flag of another nation and joined hundreds of thousands of their former fellow countrymen and marched in the streets and demonstrated because they want to be made citizens of the United States of America. Even though they have defied our laws and they defy our majority rule, they demand that we provide for them citizenship and all of the benefits that go along with it, the welfare benefits and the vast welfare state that we have would grow dramatically if we went down that path and granted that citizenship.

But there is the image of more than half a million people with flags from their home countries, mostly Mexican flags, pouring into the streets of Los Angeles, demonstrating in the streets Los Angeles.

Then what I hear from the liberals in America, Mr. Speaker, I hear them say, well, why would you be offended because someone flies a flag from their home country, they are proud of their home country?

It is true we fly Irish flags on St. Patrick's Day. In the small town where I live of Kiron, they fly the Swedish flag on the flagpole from time to time. It is true we do celebrate our heritage from our other countries. Those are appropriate things to do in this country, provided that our allegiance is to Old Glory and to the United States of America and the flag of a foreign country is simply a flag that demonstrates heritage.

But when you fly a flag of a foreign nation like a Mexican flag above the American flag on the same flagpole, and the American flag upside down, that is not a message of celebrating your heritage if you come from that country. That is an insult to the United States of America. The upside-down American flag is a sign of distress, and in fact I think there is distress in this country if we tolerate things like that without objection, if we move on and think there is nothing wrong and stick our heads in the sand while 11,000 people every day pour across our border.

This is the magnitude of immigration, far greater than anything we have ever seen in the history of the country. I am doing the research now, Mr. Speaker, and I expect to come back to this floor, perhaps sometimes this week, with the totals for all the numbers of legal immigration in all of the history of America.

I am willing to speculate here tonight that the total for all of the legal immigration, those that came through Ellis Island, those who came through other ports such as San Francisco or Seattle, those who came to the United States in a legal fashion without violating American laws and accessed a path to citizenship, and those who have built this country with those born in this country and teamed up and worn the uniform and fought under that American flag, those people that are the heritage of this country but came across here legally, I believe are far outnumbered by even the lowest number that is presented by this study that is printed here in the Washington Times today, far outnumbered by the 103 million, which will be the lowest number projected under the only empirical study that we have to work with, Mr. Speaker; 103 million people in 20 years. The population of Mexico in 20 years.

This bill, Hagel-Martinez, advocates for adopting all people from Central America, including Mexico, into the United States. It is the same thing as annexing everything down to the Panama Canal minus the natural resources. This is moving the Rio Grande down to the Panama Canal without taking the natural resources, but moving all the people up here into the United States so that they can, yes, go to work here; yes, contribute to our economy; but also access the welfare benefits, which will cost significantly more to fund them than the amount of the economy that they generate.

Now, someone out there is thinking that is not true, because I have heard them say in the public arena for months and months and perhaps for the last couple of years that all immigrants that come into the country, legal and illegal, grow our economy, and so therefore we can't get along without them because they are the reason our economy is growing.

I will submit there is a difference between highly educated, technically skilled immigrants who come in here on an H–1B program, who are going to step in here and make $75,000 a year, Mr. Speaker, and someone who comes in here who is illiterate in their own language and doesn't have a high school education.

But I submit that those Americans who are high school dropouts put more pressure on our welfare than those who have graduated from high school. High school graduates put more pressure on our welfare system than those who have a college education or college degree.

A significant majority of illegals who come into the United States are illiterate in their own language. They don't have a high school degree. Those that do have, there are only 7 percent that have a diploma. More than that have a high school education, but at least 60 percent do not. Statistically,

there is no way to avoid the facts that people that match those demographics are going to put more pressure on the welfare roles here in the United States. The demographics of the illegal immigrants coming into the country show that there is 45 percent out-of-wedlock childbirth. That is another guarantee for poverty.

So if you are underemployed and your children are not being born in wedlock, the pressure on this society to fund your well-being, to be able to provide the welfare benefits is tremendous.

There was a study that was done by the former Secretary of Education who laid out something that is just an empirical fact. If you want to solve the pathology of America, a solution to that is get an education, get married, stay married, get a job, keep the job. That solves most of the pathologies of America. Statistically it is an easy thing to sort out.

But if we are going to bring into this country 103 million to 193 million people, with the majority of them without a high school education, the majority of them not literate in their own language, Mr. Speaker, the burden on us is going to be great; and it is going to cost us at least $50 billion a year.

The study goes on, Mr. Speaker, and I am going to pick up where I left off, and that is the balance of this study shows that the Senate is ignoring the scope and the impact of the bill. It goes on and says the impact this bill will have over the next 20 years is monumental. It has not been thought through. That is the Hagel-Martinez bill. It says the population would grow exponentially, because the millions of new citizens would be permitted to bring along their extended families.

The bill includes escalating caps which would raise the number of immigrants allowed as more people seek to enter the United States. These escalating caps essentially go up as the request for more and more H–1Bs or temporary workers or agriculture workers raises the number, and the cap that grows out of this takes us out to this.

Even the chain migration that comes from family members, when one accesses citizenship or even green card holder access, then they can bring in their parents. Certainly if they are married, they can bring in their spouse, their dependent children. Then those people then extend that out and then they offer the opening to go to their family members and their extended family members. This chain migration continues on and on.

I have stood on this floor and submitted that everybody that comes into this country on average would have about four family members at a minimum they would want to ask into the United States once they access this path to citizenship, and those four family members I thought was a rather conservative estimate. This study, Mr. Speaker, only claims six-tenths of a family member total with regard to the chain migration. That formula that is here I believe is significantly understated. This number will be much greater.

So this 103 million people over the next 20 years, I will submit, by 2026 will be larger than that, because chain migration, in my opinion, and I am not critical of the Rector study except to say I think it is very conservative and I think the numbers will be quite great, we are really talking about emptying out Central America into the United States and a population that is perhaps as much as two-thirds, at least more than 60 percent of the population of the United States of America, increase that much again. We can see in 20 years a population growth here in America that would take this 300 million on up to 500 million, and by the next generation we are well on our way to 1 billion people here in America.

□ 1815

Now I am not saying that we cannot feed them. I am not saying we could not build the infrastructure. But what I will say, Mr. Speaker, is we need to have our eyes wide open. And America needs to have a debate on this cost.

But the numbers aside, the pressure aside, the $50 billion a year and the escalating number, the cost to the taxpayers to fund the deficits that are created by the pressure on the public services and on the welfare roles, all of that aside, to me the central point is this, America is a Nation of laws.

It was founded and people will say it is a Nation built by immigrants. Well, every Nation is built by immigrants. I think that it is a redundant point, except we have got more richness from our immigrants here than maybe any country in the world. But we are founded on the rule of law, Mr. Speaker.

That is the principle that I wish to take. And the advocacy last night in that address from the Oval Office was an advocacy for a path to citizenship for people who have broken the laws in the United States, and those who have broken the earliest and the longest and the most often would be the ones rewarded first.

At the same time, Mr. Speaker, I hear, well, we have to make people go to the back of the line. We cannot put them to the front of the line and reward them with citizenship when other people have followed the law.

But there is not a way to do this under Hagel-Martinez without people going to the front of the line. They are already in the front of the line. They are already in the country. They already have roots down. They already have jobs. And some of them already have families.

And the advocacy last night was, give them a path to citizenship. Yes, make them learn English and demonstrate good citizenship, pay their taxes, and then the reward for that is going to be this precious reward of citizenship.

And then help us choose the next leader of the free world. Send some people to Congress here who have capitalized on contempt for the rule of law, Mr. Speaker. That is the path that is being chosen by the White House.

That is the path that appears to be chosen by the United States Senate. It is an erroneous path. It is a path that is not thought out. And the cost to this society, again Mr. Speaker, is tremendous.

I advocate for this. There is no requirement that when we do enforcement, as the House passed under H.R. 4437, we can do enforcement without guest worker. We can do enforcement without temporary worker. In fact, we must do enforcement before we can have a legitimate debate on guest worker or temporary worker. That is our duty and that is our responsibility.

We take an oath to uphold the Constitution and the rule of law here on this floor. We passed that legislation off the floor. And that is the first responsibility of the President of the United States, is to enforce our laws, protect our Nation and enforce our laws.

In this case the two things are tied together. But guest worker and enforcement of our laws are not linked together, Mr. Speaker. They are separate subject matters. We can do enforcement without doing guest worker.

And the President argues to the opposite. In fact I would submit, Mr. Speaker, that if you simply want to have guest worker or temporary worker, if you designate anyone who wants to come to the United States as Hagel-Martinez does essentially, anyone who is not a felon, anyone who is not objectionable and does not have a record, that they would have a path to come to the United States.

That is simply opening up our borders to everybody but a few undesirables. If you do that, then you do not need to have border control, Mr. Speaker, because you have already allowed everyone into the United States who wants to come, and they do not even have to hurry, they can come in their own good time, because now we will put it into statute that we are going to have an open door and a red carpet.

And that the people who lined up the right way were really wasting their time, they should have rushed to the United States, come across the border, gotten themselves a job and simply waited for amnesty number eight over the last 20 years, so that in the next 20 years we can have 103 or 193 million people here in the United States, at a cost of least $50 billion extra a year, an expansion of our welfare state, and one of the most significant transformations of America that this country has ever seen.

Now there are other things that matter. And it matters, culture matters, and values matter. And I think for the most part, those who are coming across from our southern border are consistent with the American culture and American values, they are Christians, for the most part they are Catholic.

They think a lot of families, even though the illegitimacy rate is high, they are tightly bonded together as families and they work together as families. Those are rich qualities. They go to church as families. And they work together as families.

Their commitment to assimilation is not questioned. I would question that after seeing the streets of Los Angeles. But we need to reach out to that, and we need to promote assimilation to the people who are here legally.

But the people who are here illegally need to go home, they need to go home and grow the country that they came from, solve the problems there. You know, Mexico seems to think it would be an insult to them, and they will say that it is, if we would build a wall from San Diego to Brownsville and seal off the border. And it would be, I am going to say, 90 percent effective if it is patrolled right.

And I have drawn up a design for a wall like that, Mr. Speaker. But Mexico says, no, we would be offended by that, in fact we do not like the idea that the National Guard would be coming down to the border, because that sends the wrong message, you are talking about militarizing the border.

But meanwhile, Mexico pushes their young people into the United States, tells them, come here, go into the United States, enter the United States illegally, stay there, get a job, send your money back home, do not learn the language, do not assimilate into the culture, effect the policy of the United States vis-a-vis Mexico in favor of Mexico.

That was a stated policy by the former minister for Mexicans living in the United States named Juan Hernandez, who now is a high profile individual apparently here in the United States, and claims to be an American citizen, I expect he is.

But that was the Mexican policy, unload your excess young people into the United States, and go tell them, do not build an allegiance with the country who has welcomed you, but keep your allegiance with the country that you left, send your money back down there and vote in the United States, and speak up in the United States and vote on a bilingual ballot, I would add.

Also, Mr. Speaker, there is no excuse for producing multi-lingual ballots of any kind here in America. There is a requirement when you are a naturalized citizen that you demonstrate proficiency in English. And so therefore if you come into this country legally and you acquire citizenship, which is a requirement for voting in America, you will have been required to demonstrate proficiency and literacy in English.

That means then that you can go into a voting booth and vote in any voting booth in America on an English language ballot, not another language ballot. And the only other scenario by which one might be sitting in the United States and eligible to vote and not have command of the English language would be if they were born here in the United States, they had birthright citizenship, which I reject that idea, but it is our practice today, someone with birthright citizenship, and by the time they get to be 18 and register to vote, they go into the voting booth and they had not had enough exposure to English to be able to understand a simple ballot, and so we would give someone who was born in America, an American citizen, lived in an ethnic enclave, never learned English, and give them that interpreter in the voting booth so we can find a way to coddle them and be an enabler, just like an enabler for an alcoholic, hand them a bottle of booze so they do not cure themselves.

But why do not we give them an incentive then, if they are not learning English in their enclave, let them learn English when it is time to go to vote. They could take pride in that. They could assimilate into the society. They can be far more successful, make more money and contribute more to this society and live a richer, fuller life.

But we have a bilingual provision in the Voting Rights Act. That was wrong on its original premise. It is wrong in the language that is there today. It will be wrong when it comes to the floor of this House of Representatives, Mr. Speaker. It needs to be amended. And I intend to seek to try to amend that legislation, that being another piece of this overall puzzle, Mr. Speaker.

But what I am for is, I am for building a wall from San Diego to Brownsville, 12-feet high, concrete wall, precast panels, dropped into a footing that has got a notch in it and a cut-off wall so it is hard to dig underneath, the kind of stability that it needs, something that will look like the barrier that the Israelis built to defend themselves and protect themselves from the bombers that were coming over from the West Bank.

That barrier has been 95 percent effective, even though people are determined to come across to kill people. We can do something very similar to that for less money than the Israelis are spending.

Now but the scope of the dollars that we are spending on our southern border are astonishing, Mr. Speaker. I would submit that the authorization request for the Border Patrol, for the air and marine division, for ICE, for the Customs border protection division all together that will be allocated for our southern border, and this would not include significant resources and assets that come from the National Park Service and other agencies down there that have jurisdiction in the area, that request is over $6 billion for the 2,000 miles of our southwest border, over $6 billion.

Now when you divide that out, it is a little less than that, say a 2,000-mile border just for round numbers. You come back with a cost-per-mile, Mr. Speaker, of $3,181,336 per mile. $3,181,000 per mile to defend our southern border, to stop 10 percent, maybe 25 percent, probably not 33 percent of the illegal traffic.

So we have got maybe 25 percent effectiveness for a price of $6 billion. So when we quadruple that then to go to $24 billion to defend our southern border at 2,000 miles. Would that get 100 percent control of the border? I say not. Not without a physical barrier that is effective.

And so for $3 million a mile, $3,181,000 a mile, I wondered what would happen if we applied the free enterprise solution to this task? What would happen if we simply put out a request for proposals and offered companies that had insurance, that had professional credentials, that could bond the job, to bid a section of the border under an open, competitive, low-bid contract that met standards?

And if there were companies out there that wanted to be in control of security in the border between San Diego and Tijuana, let them bid for that for an appropriate price and see if that competitive bidding will come up with some more creative ways and some more effective ways to control our border.

Me, I would be interested in, had I been back in the private sector where I spent 31 years in the construction business, all together about 35 years in the construction business, 31 years in the construction business actively owning and operating.

But I would be interested in the stretch across the desert where you did not have intense, I will say intense urban areas to deal with, that stretch across the desert, some of it does not have a marker at all.

If you go down into New Mexico, there is a concrete pylon that stands on the horizon. And you look across that horizon, you go to that one, you look at the next horizon, and you can see the next one, and the next one. As far as you can see with these high-powered big old brass transits that they had back in those days when they laid that out.

Mr. Speaker, I imagine that was about 1848 or so when they laid out the border between Mexico and the United States, horizon to horizon, concrete pylons that high, poured, set on the border.

Mr. Speaker, that is the only marker. And so when people walk across the desert, they do not know where the United States is and where Mexico happens to be. I would want to bid that stretch of the desert. But I do not think they want to pay me $3 million to protect that stretch of the desert.

But you know for $1 million a mile, I could do quite a job. So could many American companies enter into a contract and say, I want to bid this 100 miles of border, and I will bid you X dollars per mile. And I have got insurance. I have got bonding. I will perform.

And if anybody gets across here, we will have the Border Patrol count the

footprints of those that get across and dock it from my contract so that there is a penalty if I am not efficient.

Now, we do could do that, and we could control this border in a year. We could have the contractual structures all in place. Some of those people will say I want to build a wall. I want to build a wall to keep people out. And I want to bid this accordingly.

Mr. Speaker, I drew up a little diagram for a wall that I think would be effective. And I did this, Mr. Speaker, because we have a little trouble dealing with concepts. And so this wall that I propose works something like this.

I would go in and build a concrete footing, and this concrete footing would be perhaps 2 foot over, 8 inches down, put you a notch in there like that, and that would be the footing. This would be about 4 foot deep in here. This would be about 8 inches of footing all together.

This would be 6 inches wide in there. And then I would put on a precast concrete panel that would be about 12 feet high. It would drop down into this notch and go up like this.

□ 1830

Now this, Mr. Speaker, is a very rudimentary drawing of the kind of concrete wall that I would construct, and this kind of wall is very simple, and it would be cheap to make. You could trench this and you could slip-form that with a machine. And then this represents a 6-inch-thick wall from a cross-section end, just like if you were going to slice a loaf of bread and look at it from the end. Twelve feet high, I would put wire on top, a little constantine wire on top, perhaps 4 feet of that sticking up there, 12 feet of concrete sticking up out of this footing. These could be precast panels, you could set those in, it wouldn't be hard to make a mile a day of that with a small crew. It would go very quickly once the footing was poured.

This kind of a wall, allowing a little bit for sensors and some of the bells and whistles that one would have, this kind of a wall can be built for about $500,000 a mile, when we are spending $3 million a mile, Mr. Speaker, for our Border Patrol to drive back and forth and watching maybe 75 or more percent of those illegal border crossers get through. This kind of a wall, if patrolled, if managed, if maintained would cut down on illegal crossings by, I am going to say, at least 90 percent. And if it is well manned, it can go very close to 100 percent.

Now, people say walls don't work. Then why do we put fences around prisons? Why is there a fence around the White House? How many people got across the wall in Berlin? How successful was that? Extraordinarily successful, I would say, Mr. Speaker. And then those who say that the Berlin Wall was an offense to humanity, I would agree to that. But the Berlin Wall was a wall that was built to keep people in. This wall would be a wall that would be built to keep people out, and that is a 180-degree philosophical difference. It should not be offensive to people who live in freedom to have to protect their freedom by building a wall. That is the most cost effective thing we can do. For every $6 that goes down to the southern border to fund our Border Patrol down there for 2007, for every $6, if we would just take one of the $6, we can construct this kind of a structure for 2,000 miles along our southern border, and you know that it would make the Border Patrol far more effective and that they would be able then to be able to utilize their time chasing people down and actually catching people and deporting them instead of being flooded by this mass of humanity that comes pouring across the border every single day.

It would make the Border Patrol more effective, and it would honor their work. It would save lives, Mr. Speaker.

I visited the location where a young forest ranger park officer named Chris Eggle was killed in the line of duty 3½ years ago just across the border. There was a drug smuggler, they were under the Mexican police who were in hot pursuit of a drug smuggler who drove across the border where there wasn't a barrier, and his vehicle broke down on the U.S. side of the border where the Mexican person, the Mexican police officers continued in their pursuit at least to the border, and Chris Eggle came in with his partner, closed in on the suspect, and the suspect let off four automatic rounds of an AK–47 and Chris Eggle was killed on that location.

I visited that location, Mr. Speaker. If we had had even a vehicle barrier fence which exists there today in the Oregon Cactus National Monument, Oregon Pipe Cactus National Monument, that vehicle barrier would have saved Chris's life. This kind of a barrier would have easily saved his life.

Every major city in America has at least one police officer who has been killed in the line of duty by an illegal here in the United States of America. That is over 70 police officers who have been killed in the line of duty by illegals. All of their lives would have been saved if we had enforced our border as I propose, Mr. Speaker. And that is just the police officers.

The numbers of those who die at the hands of those who should have been apprehended and deported escalate day by day by day. Twenty-eight percent of the inmates in our prisons in the United States between our city, our county, our State, and our Federal penitentiaries, 28 percent, Mr. Speaker, are criminal aliens. They didn't all come into the United States illegally, but they were unlawfully present here when they became criminal aliens and sent off to prison. That is the percentage of crime that is being created that could be prevented if we enforced our laws.

And that is why 13 people every day die at the hands of negligent homicide, generally a drunk driver who is unlawfully present in the United States. Twelve people every day die at the hands of a first-degree murderer, second-degree murderer, or manslaughter violently at the hands of someone who is unlawfully present in the United States, a criminal alien here in the United States. That is 25 people a day.

This is slow-motion terrorism taking place in the United States. I am not implying that everyone who comes across this border is a criminal, or, I will say, wishes the American people ill will, Mr. Speaker. I will apply that everyone who comes, I won't just imply, I will state that every one who comes into the United States illegally is a criminal. They are guilty of a criminal misdemeanor for illegally entering the United States, and I find it ironic to see the demonstrators in the street carrying signs that say, ''I am not a criminal.'' Well, does the other sign say, ''I am an illegal alien, but I am not a criminal''? You can't have that in the United States of America. If you are in the United States illegally, then you are guilty of a criminal misdemeanor that is punishable by 6 months in the penitentiary and then deportation. That is the law here in the United States. Denying it with a poster in the streets doesn't make it not so. It is the law, regardless of whether H.R. 4437 passes which makes it a felony to enter into the United States.

The reason for that is so that the law breakers will be entered into the NCIC computer database, the National Crime Information Center computer information database and we can keep better track on them. Sometimes because it is a misdemeanor, they don't get booked, they don't get printed, and their prints don't go into the records so that they can be searched and scanned. Sometimes we don't know whether it is catch and release for two or three violations or whether it is seven or whether it is 20 different violations, because it is not always recorded the way it needs to be. And sometimes they are not booked at all. Sometimes they are simply released because of the urgency of the moment.

The drugs that come into this country, Mr. Speaker, it is an astonishing number. The Federal Government keeps track of these things, and their number is at 90 percent of the illegal drugs in America come across the border of Mexico. That is the Federal Government's fact. And it is not one that they very much relish repeating, but it is the Federal Government's fact: 90 percent of the illegal drugs, amounting to, amounting to $60 billion, that is with a B, $60 billion worth of illegal drugs.

And you match that up with the slow-motion terrorism that comes with the loss of 25 American lives every day at the hands of criminal aliens. Far more have lost their lives at the hands of criminal aliens than were victims of

September 11. And you couple that with $20 billion that is wired into Mexico every year from the wages of many of those who are illegally working here and another $10 billion that goes to the Central American countries, $30 billion of wages wired south and $60 billion worth of drugs hauled north, and you have got a $90 billion economic problem. You have got a $90 billion drain on the gross domestic product of the United States of America, and it is a $90 billion injection into the economy of Mexico.

And people wonder why Vicente Fox doesn't step in and do something about the meth labs that are in northern Mexico, the marijuana smuggling and the marijuana harvest that is taking place, about the thousands of pounds of drugs that pour into the United States, one report, 2 million pounds of illegal drugs in a year. Two million pounds.

And I watched down there, Mr. Speaker, as we took 18 bales of marijuana, each about 10 pounds or more, out from underneath the bed of a pickup. Eighteen bales of marijuana smuggled into the United States. And the officers who made the interdiction said sometimes 200 pounds, and this was maybe 180 pounds, maybe as much as 200 pounds, sometimes 200 pounds is a decoy; it is simply a decoy, Mr. Speaker, and the effort to run the gauntlet with 180 to 200 pounds of marijuana would just distract the officers so that they can get by with a 2,000- or 2,600-pound load in another vehicle going through the gap that was created while they were distracted picking up the 200-pound load. That is a lot of drugs, Mr. Speaker, and a lot of damage here in the United States of America.

And I don't make excuses for the drug users here. There is a demand here that draws those drugs into the United States. We need to deal with that, too, Mr. Speaker. But meanwhile, we can raise the cost of the transaction; we can make it a lot harder to get those drugs across the southern border.

If we could shut off this southern border and just simply allow legal entrants into the United States at our ports of entry, if we could do that, then at least in theory, and if we could do it overnight, we could cut off 90 percent of the illegal drugs in America. That means some people will not get their drugs, some people won't go on drugs, some people will wean themselves off. Every time that happens, there is another life that has been improved, another standard of living that has been improved. Sometimes a life has been saved. Sometimes a little boy or a little girl gets a new pair of tennis shoes instead of their daddy or mommy buying drugs. Sometimes that daddy or mommy gets off drugs and spends their time raising their children and loving their children and nurturing them in the fashion that God intended, Mr. Speaker. Every time we can make an improvement in that drug equation, we are improving the lives of children in America somewhere sometime.

And so I would submit that we need to enforce this border. We need to build a wall similar to this design that I have with a 4-foot wide footing, a 6-inch wide notch in that footing, probably have to brace it right there and right there. I didn't draw that in. And then at least a 4-foot deep cutoff wall, and then drop in a 12-foot high pre-cast concrete panel, 12-foot high, 10 feet long would be my guess.

So that, as we lay those panels out, every time you set a panel you build another 10 feet of wall. We could do this for less than $500,000 a mile, a half-a-million-dollar a mile, for one out of every $6 that is spent protecting our border today before the increases that will be necessary for 6,000 more National Guard troops on our border. This is a capital investment that could be amortized over 40 years or more, and it doesn't cost that every year. It is only one-sixth of budget. That is a one-time expenditure and then a small maintenance fee, and we could easily fund the maintenance fee by requiring fewer personnel down on the border because this would be so much more effective.

So I would submit, Mr. Speaker, we need to have enforcement first and enforcement only until enforcement established, and the American people will agree that the administration has made a real commitment to uphold the laws of the United States of America including our immigration laws. Seal the border, end birthright citizenship because that is another magnet: 300,000 to 350,000 babies born in America that in the practice of birthright citizenship can start the chain migration to bring their families in.

The misconception idea that somehow all family reunions have to take place north of the Rio Grande instead of south of the Rio Grande, I don't know how that ever got started into our verbiage and accepted as an institutional commitment by the United States of America. Seal the border, end birthright citizenship, shut off the jobs magnet. That means sanction employers, require them to use the basic pilot program, the instant-check program so that they check their employees. And I don't mean just the perspective employees or those they have just hired, but check every employee so we can process that through and let those go who are not lawfully present and can't legally work here in the United States, and pass the New IDEA bill, the new Illegal Deduction Elimination Act, IDEA, I-D-E-A, Illegal Deduction Elimination Act. That lets the IRS enforce the law.

When they do a normal audit, which they do on many of the larger companies every single year, they would run the employees' Social Security numbers that are on the 941 form through the instant-check program on the Internet. Punch those Social Security numbers in there, and it will go out to the Social Security Administration database and the Department of Homeland Security's database, NCIC again, and identify if that number, that Social Security number and the other identifiers that would be entered with it would identify someone legal to work in the United States.

If an employer uses that method, they would get safe harbor, Mr. Speaker, and the IRS would not bother them. But if they didn't use the instant-check Internet-based program, or if they did use it and ignored the results and hired them anyway, then the IRS would deny the deductibility of those wages. So the business expense that would be wages, say $10 an hour, would be denied. Now that is no longer an expense; that goes over into the profit column presumably, and that $10 an hour that was a write-off or an expense becomes taxable income. And if they are a corporation in a 34 percent bracket, that is a $10 an hour wage, then the 34 percent tax on it plus the interest plus the penalty kicks that fee up to about $6 an hour added to the $10, and your $10 an hour worker becomes a $16 an hour illegal worker, and the notice goes off to the Department of Homeland Security that we have an employer here that is violating the law, step in and sanction that employer also with the fines that are appropriate for the violations that are in place.

We can shut off this jobs magnet, Mr. Speaker. And if we do that, attrition, the time when people make a decision to go back home, they can go back home with the skills they have learned here, they can go back home with the free education that we provided for tens of thousands of children, an educated nation south of us that can be renovated by the new blood that comes from us saying we are going to be a nation of laws, Mr. Speaker.

□ 1845

We must be a Nation of laws. We must defend our borders. We must defend our sovereignty, and if we do not do that, we will not have a country. The American people know that, Mr. Speaker, and I wish that the people over in the other body and the advocates for this thing called a guest worker or temporary worker knew that.

When you grant citizenship to someone, they are no longer a temporary worker. Citizens do not go home. We do not have temporary citizens, and we must not have 103 million to 193 million new residents here in the United States, unless the American people debate that and say that is what they want. If the American people want to open up their doors to that kind of numbers of people, then they should step up and say so.

Until that, Mr. Speaker, I am going to stand on the rule of law, defending our borders, enforcing our laws, and perhaps if that enforcement can take place for 3 to 5 years, we can have then a legitimate debate on those who would be left in this country and how to deal with them in an appropriate fashion.

With that, Mr. Speaker, I thank you for your indulgence.