

And, as I talk to female constituents, it is amazing to me what comes up over and over: How are we going to be certain that we are safe in our homes, in our communities? How do I know that my children are going to be safe at school? How do I know that we are going to be safe when we are out at events in the community or driving in the car or going to church?

These are questions of concern to so many moms who, like me, worry about their children and their grandchildren.

□ 1045

Mr. Speaker, this is one of the issues that brings me to the floor today. I have legislation that I first filed in 2007. It is called the CLEAR Act. It is H.R. 2964.

The CLEAR Act addresses the issues with the criminal illegal aliens that are in our country and the policies that have arisen around sanctuary cities. These sanctuary city policies and the executive amnesty really have turned every State into a border State and every town into a border town in this country.

Here is why: There are lax, permissive, and liberal policies that have really created an open border society here in our country—and do you know what, it makes Americans less safe every single day.

Now, the CLEAR Act isn't a big bill; it is 20 pages, but let me tell you what it does specifically. It withholds funding from section 241(i) of the Immigration and Nationality Act to sanctuary States and cities.

That is important to do because, as I said, those lax, liberal, and permissive policies have now allowed over the last 7 or 8 years to create a total of nearly 300 sanctuary cities in this country. This should disturb us because we are becoming a sanctuary country.

I would ask my colleagues: Will you support that provision of the CLEAR Act?

The second thing the CLEAR Act does, Mr. Speaker, is when a State or local law enforcement agency arrests an alien and requests that DHS, Homeland Security, take custody of that alien, the CLEAR Act requires DHS to do two things: take the alien into Federal custody and incarcerate him or her within 48 hours or request that the State or municipality temporarily incarcerate the alien or transport them to Federal custody.

The CLEAR Act requires the DHS to train State and local police in enforcing immigration laws and to repay them for the money that they have spent.

Now, sanctuary cities first started to happen in the United States in 1979. Los Angeles was the first sanctuary city. That means these cities choose—choose—to stand in violation of Federal law and to not comply with Federal immigration law.

Mr. Speaker, I think it is so instructive that the Department of Justice has never taken one of these cities to

court, but if you let a State like Arizona try to strengthen their immigration laws, then the Department of Justice takes them to court. There is something wrong with that.

Another thing that has happened is the illegal alien crime rate which has continued to grow. Do you know what the illegal alien crime rate should be? It is zero—zero.

There should not be tolerance for this. We see it all across our country. Certainly, we saw it on a San Francisco pier. In Tennessee, a Tennessee Highway Patrol officer made a traffic stop on I-40 that led to the arrest of a man with an order of deportation and the recovery of a 19-year-old who may have been a victim of human sex trafficking.

Mr. Speaker, it is time to address this issue, and I encourage support for the CLEAR Act.

MOURNING THE LOSS OF JUDGE D'ARMY BAILEY

The SPEAKER pro tempore (Mr. FLEISCHMANN). The Chair recognizes the gentleman from Tennessee (Mr. COHEN) for 5 minutes.

Mr. COHEN. Mr. Speaker, the city of Memphis lost one of its most outstanding citizens on Sunday evening. D'Army Bailey, who had served as a judge in circuit court for nearly two decades, was a national figure, recognized for such in The New York Times yesterday with a very large and meaningful obituary.

D'Army Bailey was singularly responsible for the creation of the National Civil Rights Museum in Memphis, Tennessee. There was a time when the Lorraine Motel, which is the site of the National Civil Rights Museum and the site of Dr. Martin Luther King's assassination, was going to be foreclosed and possibly demolished; but D'Army Bailey, then an attorney, saw that as wrong and knew that the National Civil Rights Museum should be built at the site of the assassination of Dr. King and that site should be preserved for generations for people to learn about civil rights and learn about Dr. King.

He got together, Mr. Speaker, and raised money from individuals and the city of Memphis and was able to save the Lorraine from foreclosure demolition.

He then put together the idea of the city, the county, and the State governments funding the beginnings of a national civil rights museum. There was private funding as well, but it was the initial work of D'Army Bailey coming to Nashville, where I was a State senator, and working to get Governor McWhorter and the State legislature on board and then the city of Memphis and the county of Shelby.

Now, there is a phoenix, having risen from the ashes, a great civil rights museum in Memphis, Tennessee; and there is one man who had the idea and refused to see the site destroyed and

sought out the funding when people said it couldn't happen and made sure it happened. That was Judge D'Army Bailey—Judge D'Army Bailey.

He was recognized because he spoke truth to power, and he spoke truth to power in Baton Rouge during the civil rights movement; in Berkeley when Berkeley was an evolving center of thought and questioning of values and where he was the city councilman; and on Beale Street, where he brought students to Memphis to march with Dr. King.

Mr. Speaker, D'Army Bailey was a respected figure in the city of Memphis. He crossed all boundaries in the city, economic and racial, and all because of his gigantic intellect.

Many Members in the House have asked me about his passing. He had an effect on this country and an effect on our city. His was a life well lived, and he will be missed.

CRIMINAL JUSTICE REFORM

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

Mr. DUNCAN of Tennessee. Mr. Speaker, yesterday, I participated in a hearing on criminal justice reform before the Oversight and Government Reform Committee. A second hearing is being held today on this issue in the same committee. At both hearings, conservatives and liberals are joining together to urge that we stop or at least try to slow the growth of our Federal police state.

Conservative columnist George Will wrote a few months ago: "Overcriminalization has become a national plague."

Paul Larkin, senior legal research fellow at the Edwin Meese III Center for Legal and Judicial Studies, wrote in The Washington Times: "Today, there are perhaps 4,500 Federal offenses—and more than 300,000 relevant regulations—on the books. No one knows exactly how many. The Justice Department and the American Bar Association each tried to identify every crime and failed."

Mr. Larkin continued: "No reasonable person, not even a judge or lawyer, could possibly know all of these legal prohibitions, although criminal penalties are attached to each."

John Baker, a retired Louisiana State University law professor said: "There is no one in the United States over the age of 18 who cannot be indicted for some Federal crime."

He added: "That is not an exaggeration."

Mr. Speaker, I have special interests in this because, for 7½ years before coming to Congress, I was a criminal court judge in Tennessee trying the felony criminal cases. I believe in being tough on crime, and I have been a very strong supporter of local law enforcement, the people on the front lines who are fighting the real crime, the violent crime that everyone is so concerned about.