

Earlier this week, my Democrat colleagues took to the House floor to proclaim their outrage over the troubles homeowners are currently facing throughout the United States as a result of the tanking subprime mortgage market.

I want you to know that the concern of this body should focus on these same homeowners, in addition to the millions of homeowners who can pay their mortgage, yet are not adequately insured. This disparity is a tragedy of equal or greater measure.

You see, faced with increasingly expensive and limited insurance options, Florida embodies the kinds of problems plaguing homeowners in high-risk areas across the country.

Owning a home is fundamental to the "American Dream." It should not be an insurmountable burden. Sadly though, such a possibility is slowly eroding under unbelievably high homeowners' insurance.

As we speak this week about improving the opportunities for existing and future homeowners, we must not forget the next catastrophe is just around the corner for millions of American homeowners. This catastrophe is not limited to the prospect of home foreclosures, but also hurricanes, flooding and other disasters both man-made and natural.

If the American homeowner cannot adequately protect themselves from these dangers, then they are just as vulnerable to losing their homes as those who are facing the subprime credit debacle.

I recently introduced legislation that would allow Gulf Coast States to pool their resources and jointly coordinate responses and preparation for major disasters. The Gulf Coast All-Hazard Readiness Act would allow the Gulf Coast States to form an interstate compact to mitigate, respond to and recover from major natural disasters.

Additionally, I have cosigned important legislation that would remedy the skyrocketing cost of homeowners' insurance in disaster-prone regions of the country. These bills, H.R. 91 and H.R. 330, will go a long way to addressing a problem that is only getting worse.

I implore this body to act, and for this Democrat-led majority to make good on their promise to protect American families. They can start by allowing a vote on legislation that will help families adequately protect their homes from future and almost certain disasters.

GENERAL LEAVE

Mr. MCCARTHY of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials therein.

The SPEAKER pro tempore (Mr. WALZ of Minnesota). Is there objection to the request of the gentleman from California?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2881, FAA REAUTHORIZATION ACT OF 2007

Ms. SUTTON (during the Special Order of Mr. MCCARTHY of California), from the Committee on Rules, submitted a privileged report (Rept. No. 110-335) on

the resolution (H. Res. 664) providing for consideration of the bill (H.R. 2881) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, which was referred to the House Calendar and ordered to be printed.

IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, it is a privilege to be recognized to speak here on the floor of the United States Congress and have the opportunity to address you—while I understand that there are—many of our Members overhear this conversation that we are having and so do the American people. That is the important part about this; it is the people's House and the people need to be heard.

And I would take us back to, Mr. Speaker, the people were heard. They were heard on the immigration issue. They were heard on that issue twice in this year, in this legislative year, Mr. Speaker. And that is, even though we had a great number of immigration hearings before the Immigration Subcommittee here in the House of Representatives, and where I am ranking member on the Immigration Subcommittee we listened to dozens and dozens of witnesses that testified across the breadth of this issue of immigration that has been on the front of the minds of the American people. It has been in the front of our minds for the last about 2 years, and it becomes part of debate in every conversation that has to do with American policy.

Certainly, being a Member of Congress from the State of Iowa where we are the first in the Nation caucus, we have a number of presidential candidates, both Democrats and Republicans, that are in that State much of the time. It is a rare night that the shades aren't closed and there isn't at least one presidential candidate that is spending the night in Iowa after having spent the day and will spend the next day there. In fact, just at the Iowa State game last Saturday, I ran into two presidential candidates just random, not planned, just by the fact of the circumstances. They hear about the immigration issue on a daily basis, wherever they might go across the State of Iowa, New Hampshire, South Carolina, and beyond. The Presidential candidates are getting an earful from the American people. And the reason is, the American people understand that they are going to have to defend this central pillar of American exceptionalism called the rule of law. They rose up to defend it when, I call it, the comprehensive amnesty bill was brought before the Senate this year.

We didn't bring a large bill before the House. I don't know if we are actually going to bring one. But twice it was brought before the Senate, and each time the American people rose up and they sent e-mails and they sent faxes and they made phone calls and they stopped in and visited their Senators in their district offices back in their States and also came out here to Washington to go into the Senate offices on the other side of the Capitol dome.

The presence of the American people, the intensity of the message that they delivered to our Senators said, we don't want amnesty. And however you define amnesty, the American people know what it is. And so what I have done is, Mr. Speaker, is I have brought the definition of "amnesty" to the floor of the House of Representatives so we can be talking about the same thing, because what I hear from the American people is the same thing that I believe, and I believe this:

The rule of law is sacrosanct and must be protected. We can't suspend the rule of law because it creates an inconvenience for an individual or a family or a class of people.

It is kind of like the Constitution itself in a way. The Constitution defines and protects our rights, and it is a unique document and it is the oldest document of its kind in the world. The oldest continuously functioning, surviving, effective Constitution in the world is ours, ratified in 1789. And that Constitution sets out parameters, guarantees individual rights, establishes the rule of law, determines where those laws are actually passed, here in this Congress or those responsibilities that are left to the States or to the people.

□ 1830

And yet when we disagree with the results of a constitutional decision, if the American people decide that we like our Constitution, we revere our Constitution and the parameters that are established in this Constitution, Mr. Speaker, if we want to change it, there are provisions in this Constitution to amend it.

We respect this Constitution as being sacrosanct; that it means what it says, and it means what the text of the Constitution said as understood at the time of ratification. And when we amend this Constitution, it's a pretty high bar, but the provision is in here because we are going to hold that standard and adhere to the language that's here because we understand that that's what holds this civilization and this society together. And if we want to amend it, then we go through the process of amending, and it has been done a number of times. It's a high bar.

But that standard of respect for that profound rule of the Constitution is the same standard that we need to have with respect for the profound viability of the rule of law. When we ignore laws, they're undermined. If we ignored the Constitution, if we simply decided I

don't like the results of the language that's here, I'm going to disregard this Constitution and cast it asunder and operate in a fashion that we see fit, if we do that, the Constitution is systematically destroyed. It would be destroyed by our failure to respect it. It would be destroyed by a Supreme Court that didn't respect the text of the Constitution. It actually has been undermined, in my opinion, by a number of the decisions of the Supreme Court when they didn't respect the text of the Constitution, its original intent and its original understanding.

And if the administration, the Department of Justice, if the people in this Congress, if the people in America don't have respect for the rule of law in the same fashion we must have respect for the Constitution itself, then the disrespect for the rule of law, the ignoring of the law, the failure to enforce the law, the turning a blind eye, the whisper, that's okay, the people that break the law because it's inconvenient to them, all of you, Mr. Speaker, all Americans who ignore the rule of law undermine it, erode it and erode that central pillar of American exceptionalism, the rule of law.

Think of this as a huge pillar that's been established by our founders. Think of building a large office building or a shining city on a hill or a castle. What would you put it on? You'd put it on a foundation. You would drill down to bedrock and you would build your foundation for a shining city on the hill or a castle or a large office building. You would build that foundation down to bedrock. And if you had to hold it together with a central pillar, build it all on the strength of one pillar, it would be a large pillar drilled to bedrock, and that pillar would be the rule of law.

There are other pillars, too, that you'd use to hold up the corners. Our Christian faith, the Judeo-Christian values, our family values, marriage, free enterprise, free enterprise capitalism, property rights, those things all are corner pillars that hold up the outside.

But the central pillar is the rule of law. And the things that we do in this country that disrespect that central pillar of American exceptionalism, the rule of law, erode it like it would erode a concrete or a marble pillar of a bridge, for example.

And all of us that might chip away by disregarding the law, by disrespecting the law, by failing to enforce the law, by turning a blind eye, by allowing entire classes of people to ignore and defy the law, those things become a corrosive agent that erodes that central pillar of American exceptionalism, that rule of law.

That's why it's so important that we adhere to the law. And if we don't like the law, then we need to come, Mr. Speaker, to the floor of this House of Representatives, offer legislation, offer amendments to the legislation, perfect that legislation in a full debate process here, and amend the law. Not ignore it.

And now I'm hearing from the administration that to not pass comprehensive immigration reform, which I refer to as a comprehensive amnesty plan, brings about de facto amnesty, in fact, amnesty, amnesty in reality. That's the language that's coming out of our administration and has been for the last couple of months since the people last rose up and drove another stake in the heart of the comprehensive amnesty plan.

Well, to not pass comprehensive immigration reform does not mean that there has to be a de facto amnesty. First we need to define what amnesty is. I have put this poster out here and this poster defines amnesty.

We've had many debates with the American people on what amnesty actually is. Presidential candidate after presidential candidate, politician after politician, Senator after Senator, Congressman after Congressman will tell you, I'm opposed to amnesty. And they will say that because they know the American people are opposed to amnesty. And in some of their cases they have a strong conviction that they're opposed to amnesty, Mr. Speaker. But that's not in all cases.

But in most cases they want to avoid the criticism of being a proponent for amnesty. And so to do that they say, I'm opposed to amnesty. The thing that they don't do is define amnesty. If you can't get them to define amnesty, then you have a pretty good suspicion that maybe they're not really against amnesty in all of its shapes and forms.

And so I've put up here the definition, after a careful study, of amnesty itself. Amnesty, to grant amnesty, Mr. Speaker, is to pardon immigration law-breakers and reward them with the objective of their crime.

Now, a pardon for immigration law-breakers, and generally an amnesty is a pardon to a class of people, a group of people. Whereas the President might pardon an individual, he has powers to do that, and that happens. Often it happened at the end of Bill Clinton's second term when he pardoned a large number of people for a variety of reasons.

Well, this is a pardon for a class of people. To define that pardon a little bit, class of people, would be the immigration law-breakers. All those people that came to the United States, both illegally, and those who came here legally and overstayed their visas, found themselves unlawfully present in the United States, or misrepresented their status here in the United States, maybe as a lawful immigrant without the right to work in the United States but misrepresented themselves in order to work and earn money. For whatever reason, they have broken immigration law. If they allowed their visa to expire and stayed in the United States, they've broken immigration law. If they came into the United States illegally, if they came here with contraband, if they came here and misrepresented themselves, if they worked

when they didn't have a permit to work, if they came on a student visa and took a job, if they came on a visitor's visa and took a job, they've broken immigration law. To give them amnesty is to pardon them, those people who broke our immigration law. And that's really enough for that amnesty definition, but I thought I'd be a little more generous because this defines then what the Senate tried to do, what the majority in this House of Representatives seems to be seeking to do, and that is, not only grant them a pardon, not only grant them amnesty, the people that have broken our immigration laws, but also reward them with the objective of their crime or crimes. Pardon immigration law-breakers, reward them with the objective of their crimes.

Now, I define that that way because some will say, well, reward them with a job. Some came here for a job. All did not. And, in fact, of the 12 million that the government admits are here, about 7 million of them are working. About 5 million of them are not. So it's clear that 42 percent of them who come here, even for a job, are not working. And some are keeping house, some are not in the work force in one fashion or another.

But I want to point out, Mr. Speaker, that we don't get one worker per illegal immigrant, one who comes across that border just for a job. Seven out of 12 are working. Five out of 12 are not. Fifty-eight percent are working, 42 percent are not. That's how it breaks down out of those that come into the United States.

What was their objective? Some was to get a better job, coming here for a better life. Some came in here with illegal drugs on them with the willful intent to smuggle those drugs into the United States, take them to the next level of the distribution chain, sell them, pocket the money. Some came in here illegally, dropped off their contraband and went back to get another load. And that goes on and on and on. Every single day, Mr. Speaker, there are people coming into the United States illegally carrying illegal drugs to the tune of \$65 billion a year in illegal drugs coming across our southern border. That's 90 percent of the illegal drugs, \$65 billion worth. And I'll perhaps come back to that.

But I wanted to drive this point in, Mr. Speaker. What is amnesty? And when a presidential candidate takes a position and says, I'm opposed to amnesty, I believe, Mr. Speaker, that the public should ask them, do you agree with STEVE KING's definition of amnesty? If not, what is your definition of amnesty? Do you agree that amnesty is to pardon immigration law-breakers and reward them with the objective of their crime? Or do you have another definition that allows you to grant amnesty and say that it's not amnesty? For example, if you require them to leave the United States and go, touch back to their home country, or go to

their embassy and sign up and then go into the work force, wouldn't you consider that to be amnesty? Do you think that you're waived from the responsibility of declaring it amnesty if you ask someone to pay a fine?

That's the Flake/Gutierrez bill, the bill that we held a hearing on. It will be 2 weeks ago tomorrow, Mr. Speaker, a large hearing on the largest amnesty bill that this Congress has seriously considered. We had witness after witness come forward, and they wanted to testify that this wasn't amnesty in that bill. It wasn't amnesty because it was going to require them to pay a fine. And I think in that bill it's a \$2,500 fine.

Well, the going rate for a coyote to bring someone into the United States, and the report that comes back to me is, I'm sure it works cheaper but someplace in that \$1,500 to \$2,500 category is in the main of the going rate to be illegally brought into the United States and pay a coyote to do so. So the fine they'd ask to pay is equivalent to the freight that you would pay a coyote to bring you in illegally. That's what they would sell citizenship for, a path to citizenship. Not guaranteed. I'll concede that point to the other side. But it's not guaranteed because if you commit a crime, if you get in trouble with the law, if you're not on good behavior, if you don't at least sit through some English classes, then they don't want to give you citizenship.

But those provisions that are written in there are not provisions that are a higher standard that we'd ask of someone who came into the United States legally, someone who came here with a visa, someone who acquired a legal green card, someone who, in that 5-year program, could find themselves taking the oath of citizenship.

Another one of the allegations that's made is, well, if you're against this comprehensive immigration reform, they don't dare call it amnesty, and they wouldn't call someone who is here illegally a criminal, or they would not call them an illegal immigrant or an illegal alien. All of those terms, however accurate they are, are anathema to the people who want to pass their comprehensive immigration reform, which is comprehensive amnesty.

No, Mr. Speaker, they won't use those terms. They say undocumented immigrant who simply is here looking for a better life. True for some of them, Mr. Speaker, but certainly not true for all of them.

So we face the systemic devolution of the rule of law here in the United States, the rule of law that's founded upon this Constitution, that's written in the U.S. Code, and something that is established there as a majority of the House of Representatives and a majority of the Senate, and then signed by the President of the United States, and then the American people shut down the switchboards in the United States Senate because they oppose amnesty.

The American people, Mr. Speaker, are with me on this definition of am-

nesty, to pardon immigration law-breakers and reward them with the objective of their crime.

And so today, we're involved in a political dynamic, and the political dynamic is this, that the people over on the majority side of the aisle, for the most part, see a political leverage gain if they can grant amnesty to the 12 to 20 or more million people that are in these United States illegally.

The people on the other side of the aisle, some of them, see an economic advantage and maybe a political advantage working with those who have gained an economic advantage by hiring the cheap labor. And so they say, this economy will collapse if we don't have the cheap labor that comes from, they will say, immigration, immigration, immigration.

When I ask them to define the difference between legal and illegal immigration they have a little trouble there, too, Mr. Speaker, because they have constantly, for the last 2 to 3 and more years, sought to blur the distinctions between legal and illegal.

And they will say that those of us that want to secure our borders and re-establish the rule of law and end automatic citizenship for babies that happen to be born to illegal mothers on U.S. soil, they will accuse us of all being against legal immigration.

□ 1845

But truthfully, those who undermine the rule of law, those who are for the open borders have brought about this debate that has tried to blur the two together, and because they are blurred together, we can't get at the real subject matter of how to establish a good, sound legal immigration policy because of 12 to 20 million illegals in the country. It's kind of like when you apply for a college education and there are only so many desks available in the classrooms, only so many slots available. Let's just say 20 million slots for immigration are filled up by people that broke American law to get here. That's 20 million slots that we can't give out of this Congress to somebody that respects our law. And that is not just a policy of American immigration that should be set by Congress, and the Constitution defines immigration as a responsibility for Congress to set. It's not just that. And it's not just that the people of America are denied the opportunity to establish immigration policy, because they are. But it's that 12 to 20 million or more people who have elected to break American laws are now sitting in those desks, taking up those slots, filling up the available space that we might have to bring a legal immigration policy.

So this immigration policy is out of our control. It is out of control here on the floor of the United States Congress, Mr. Speaker. It is out of control in the United States Senate. It's not within the control of the President of the United States or administration. It's out of our control. It's out of the con-

trol, out of the hands of the people of America. They shut down amnesty in the Senate by shutting down the phones, but another reason it is out of control is because people from other countries have broken our laws and have come here and every one that did so took away a piece of our ability to set our own policy here on the floor of the United States Congress.

So I will submit, Mr. Speaker, that the people I know, the people that align themselves with me, those who will stand up and speak for border enforcement and the rule of law and shutting off illegal immigration coming into this country, are not opposed to immigration. I don't know anyone that is opposed to legal immigration, smart immigration, and one day I will put this up on a poster too, Mr. Speaker, but an immigration policy that is designed to enhance the economic, the social, and the cultural well-being of the United States of America. That's the policy that we have a responsibility to deliver to the American people. And we do not have a policy to a foreign country that reflects a responsibility to them to relieve the poverty, the pain, the suffering that goes on in other countries in the world. We can reach out with some of our compassion, but we simply do not have an obligation to absorb the poverty in the world. In fact, we don't have the ability to do that.

What we do know is that this lifeboat, America, this wonderful Nation that God has gifted us with the responsibility to do the best we can within the parameters of the Declaration, the Constitution, the rule of law and those pillars that I mentioned, all of those things, we have a responsibility to preserve and protect this American way of life.

Think of America as a huge lifeboat. This lifeboat has got to have a captain. It has got to have a course chartered. It has to be steered. There have to be people pulling on the oars. And there have to be people that are unfurling the sails and swabbing the decks and down in the engine room and making this entire lifeboat of ours function and function properly. And if we go sailing off on a zig-zag course or drift with the winds up onto the shoals, eventually we will have so many passengers aboard this lifeboat that we will sink the lifeboat. At some point we can't function. The engine room doesn't work. We can't chart our course any longer because the load of humanity has gotten so great, and the process of training them and bringing them on board with our crew has gotten so far behind that we can't get it up to speed.

How many can we bring into America and still function? How many can we bring into America and maintain this overall greater American culture that we are?

The thing that binds us all together, this common sense of history, common sense of struggle, common sense of destiny, a common language. The language that binds us all together that

happens to be the most powerful unifying force known throughout history, throughout all mankind, is a common language. We start breaking that apart, and we find out that there are something like 37.5 million immigrants here in the United States, the largest number ever to be here, and in the highest percentages they speak foreign languages in their households. The American culture is being undermined and diminished, Mr. Speaker, by the illegal immigration that comes in.

And the legal immigration that we have, it's our job to set the valve down on that to allow an appropriate amount of legal immigration so that those that arrive here can do a number of things. The most important is that they assimilate into this civilization, into this American culture. That means they have to adapt to this broader American culture. It doesn't mean that you have to give up all of the culture of the foreign country. Those things that come from those countries that we adapt into this society, we would want to pick and choose the ones that are good. All things that come from other cultures are not good. There is a reason why people leave the countries that they leave. There is a reason why they come here.

I would like to say, Mr. Speaker, that this America is not just a giant ATM. It's not just some big machine that anyone can sneak across the border and punch that ATM and get some cash to come spitting out of it. This country is more than a cash transaction. This country is more than cheap labor for big business. This country is more than opening up our borders so that you can gain a political margin that's here and advance this cause of socialism on the left side and advance the cause of capitalism on the right side.

If you give either side the destination of their argument, if you give unlimited political power to those folks on the liberal side of the aisle, Mr. Speaker, and if you give unlimited economic advantage to the employers of cheap labor on not just the right side of the aisle, but I am finding out more and more on both sides of the aisle even more equally, turn those two forces loose with this policy on immigration, then big business will say "I want more cheap labor" and big politics will say "I want more political power."

So they bring in 2 million, 5 million, 10 million, 20 million more and pour those into the equation, and business comes out with their cheap labor and left-wing politics comes out with their political power. But what happens to the middle, Mr. Speaker? What happens to the American people? What happens to blue-collar America? What happens to the union worker who has trained, has skills, and has organized his ability to be able to collectively bargain and sell his skills as a unit with his other union members? How difficult is it to sell your skills as a unit and collectively bargain when you're watching 11,000 people a night pour across our

southern border that come in that are low skilled or unskilled? How difficult is it to market yourself as a labor unit, a blue-collar labor unit, into an economy that is bringing more people in that will work cheaper than you want to work? How difficult is it to strike a labor agreement in a factory when there are tens of thousands, in fact, maybe even tens of millions of people outside that factory that will take those jobs at a cut rate from what you are getting today? How do you negotiate for a raise if there are thousands of people sitting outside the gates of your plant and those thousands of people are saying, I know, you're making \$22 an hour and you're having trouble making ends meet with taxes as high as they are and having to make your copayment on your health insurance and on your retirement plan?

I know that \$22 an hour squeezes you down a little tight and you would like to get a raise, maybe 5 percent, 6 percent raise. You are willing to turn up a little more production, add a little more professionalism, to be able to work better with management to produce a product that is going to be more competitive. That is how things work between management and labor when it's working right. But what kind of leverage do you think you have, blue-collar America, when there are tens of thousands of people outside the gates of the factory that say, \$22 an hour? I will work for \$10 an hour. I will work for \$9. I will work for \$8. And if you give them their \$10-an-hour job, they will go to work for that, of course, and they won't press for a raise. And if you bring in another 1 or 2 or 5 or 10 million people, that \$10-an-hour job is being pressured by the people who want to work for \$5 or \$6 an hour.

You have to understand that labor is a commodity. It is a commodity like corn or beans or gold or oil. The value of labor is determined by supply and demand in the marketplace. Labor is a commodity. That's why labor unions throughout history have always wanted to see a tight labor market so that they can negotiate for a good return on the labor. And business can operate in that kind of environment, too, because they want a high level of professionalism. They want job safety. They want skilled employees, people that are proud of what they do, people that can come in as a unit. And that is the bargaining power that is there.

Now, I want to emphasize also that I support merit shop employees. You don't have to be organized to market your skills. If you have a skill and you bring that flexibility to the job and the employer looks at that and determines, here is someone that doesn't come out of a labor shop or a labor union but I can use him in four, five, or six different areas here and he is flexible enough that he can jump from machine to machine for me on the factory floor or out on the construction job. Someone that you want to make sure that you can provide health insurance for

them as an employer and retirement benefits for them and vacation benefits for them. Those things all come because labor has value, and it is the hardest commodity to deal with if you're in business. The rest becomes fairly predictable, and that is what business wants also is predictability. But labor today, the blue-collar labor today, organized labor today, confounds my sense of rationale. And I would think that if you are a rank-and-file labor member that your rationale would be confounded too, because the people who do the negotiations for the unions in America should be pressing for a tight labor market and a higher wage and a higher benefit and better retirement plan and vacation time. That has got to be the push. And the trade-off is more skills, more training, more efficiency, more professionalism, let me say the symbiotic relationship between labor and management.

But what is happening is the leaderships within the union are going the other way. I think the union bosses have written off the rank-and-file union members. I think they have forgotten about the tight labor supply. I think they have decided that they will not have the political power here in America if they stake their future on smaller numbers of workers. So they must have made one of those calculus back in the smoke-filled room that decided, let's just write off this group of people and let's bring in as many as we can. Let's go for an open borders policy. Let's adopt the people that are today illegal into our side of this argument, and if we can get them legalized, we can get them to vote and we will get political power, and eventually we will get what we want with higher wages and better benefits for our workers, which, by the way, translates into more power, more cash for union bosses.

Mr. Speaker, if we have blue-collar rank-and-file people out there, I do believe that they ought to take a very good look at the rationale behind the leadership within the unions that are filing a lawsuit against the Department of Homeland Security, because they are enforcing current immigration law, and they would go to court to get an injunction to stop just sending the no-match Social Security letters and asking them to take action to clean up the no-match Social Security numbers in America, whether or not there is a legal argument. And, Mr. Speaker, I don't believe there is a legal argument. I believe from the legal perspective it is a specious argument, but in any case, it is not a moral position that they have taken. It is not a moral position to say you shall not enforce the law and I'm going to go to the court with my ACLU and AFL-CIO lawyers and we're going to ball up this system and prove to you that we can shut down government enforcement of the laws. That, Mr. Speaker, is an active and willful assault on the central pillar of American exceptionalism called the rule of law.

□ 1900

That's taking a concrete stone and a concrete saw and cutting notches into that pillar of American exceptionalism, the rule of law, which eventually will topple the rule of law. Where do you get a job then, Mr. Speaker? Where does business do their business then? What is the future for the rest of the world if the American civilization capitulates to those kind of assaults? These are some of the things that are on my mind, Mr. Speaker, as I read the news and watch the things that are happening and engage in the debate in the Judiciary Committee, where we've had some hearings now on the massive amnesty plan called Flake-Gutierrez.

When I hear the constant statements being made that the U.S. economy would collapse if we didn't have the people that are doing the work in this country that are defined by them as "undocumented," and those that I will call illegals, to address that subject matter, Mr. Speaker, first the American people need to understand that we are not hostage to any threat of running out of cheap labor in America. As I've read through history, I've yet to identify a single sovereign state throughout history that ever failed because of too low a supply, not enough cheap labor.

But in America today, you will see that the unemployment rates are the highest in the skills that are the lowest. That tells you that those jobs are being taken by people who have come across the border illegally or overstayed their visa, illegal aliens taking low-skilled jobs, many of them are illiterate in their own language and uneducated in their own language, and so they will take the lowest of skilled jobs because, whatever it is, it's better than where they came from. And unskilled Americans are missing out.

Now, we have something like a 13 percent high school dropout rate that would reflect my area, the region of the country that I'm in. The numbers go higher in different parts of the country. The numbers go up to 30 percent and more in inner cities. What's there for opportunities, Mr. Speaker, for those low-skilled Americans, American born or naturalized American citizens who are low skilled? What is there for them when the highest unemployment are in the lowest skilled jobs?

And so the question is, can we accept at face value the statement that an American economy can't function without the illegal labor that's here, without undocumented workers, to use their vernacular, Mr. Speaker? And I will argue that the American economy would function better if it had 100 percent legal workers that are here. Some immigrants, many naturalized, many naturally born American citizens, all of that put together, legal people in America working, are going to make this economy function better than opening up our borders for tens of millions of people who come in here without skills, without language, without

the first indicators that they will be able to assimilate.

Here are some of the statistics that tell us why: We have 300 million people in America. That's a lot more than I thought we would have at this stage in my life. The administration won't answer the question of how many are too many; what do you think the population of America should be by the year 2050, or 2100 for that matter?

Three hundred million people in America, about 142 million people that are in the workforce. Now, if you look at that and you realize that those that are working in America, that are working unlawfully here, are about 6.9 million and, in fact, the testimony on the Flake-Gutierrez bill of the Judiciary Committee a couple of weeks ago, they said 7 million. So we're in there real close. We don't disagree. But let's just say my number, 6.9 million, I think they rounded their number up, 6.9 million working illegals in America. Well, that's a lot of folks. That's twice the population of the State of Iowa, for example. But as a percentage of the workforce, it amounts to about 4.7 percent of the overall workforce. And so 6.9 million people working, and that's out of their number of about 12 million altogether, and you can extrapolate that up to the 20 million or more that I think it is, but 6.9 million people working representing 4.7 percent of the workforce. But here's the catch, Mr. Speaker. They're doing 2.2 percent of the work. And they're working awfully hard to do that. I don't diminish the effort and the work ethic that's there. But we measure our gross domestic product by the overall production of the individuals that we have. Highly skilled, highly trained professional individuals command a high price, Mr. Speaker. The reason they do is because they're worth a lot, and they're worth a lot more. I have to pay a lawyer more than I get paid most of the time. We pay doctors more than we pay carpenters. We pay carpenters sometimes more than we pay taxi drivers. The list goes on because the value of the skills are also established in this society by supply and demand in the marketplace. That's the spectrum of the commodity that I defined as labor a little bit earlier, Mr. Speaker.

So 6.9 million illegals working out of the workforce here of 142 million, representing 4.7 percent of the workforce, producing 2.2 percent of the gross domestic product. Now, we're not going to pull the plug on that overnight. That's another one of those red herrings that get drug across the path of this debate. I don't know anyone who says we're going to go out here and in a single day round up 12 or 20 million people and put them on some transportation units and take them back where they came from. In fact, the Representative from Minnesota (Mr. ELLISON) in the Judiciary Committee asked this question of a witness, how many trains and boats and planes would it take to send them all back? I quite enjoyed the

answer of the witness who said, Well, they got here somehow. They can get back somehow. They can take their own transportation and go back for the most part.

It's not the question of whether we're going to round everybody up and deport them. No one that is debating this policy is advocating that we actually do that. But let me just say, suppose, Mr. Speaker, suppose a magic wand were waved and the fairy dust came and sprinkled across all 50 States in America, and the sun went down, and tomorrow morning when it came up everyone who was here in this country illegally woke up in their home country magically, without angst, without trauma. Just suppose hypothetically everyone woke up tomorrow morning in a country that they were lawfully present, where they could lawfully work and lawfully contribute to the society and reform the countries that need it, we would be out, well, the 12 to 20 million people that are here today. The workforce, though, the point that is being argued, there would be 6.9 million jobs out there tomorrow morning at 8 o'clock, if everybody is going to clock in at the same time, 6.9 million jobs. Let's just say all those people worked on the same shift, 8 to 5, with an hour off for lunch, and they're all gone, and they represented 2.2 percent of your production and you had a factory that had a delivery deadline that said you're going to have to get your quota out that door and loaded on trucks and gone, and that day between 8 and 5, you've got to produce your daily quota. You get the notice at 7:30 in the morning that the fairy dust has been sprinkled and you're going to be missing 2.2 percent of your production that day. Well, as a CEO, that isn't a very tough question. If we're all a factory here, if I were the CEO, I would put out a memo, and it would take me about 5 minutes to figure out what to do, and that would be a memo that went out to everyone. When they punched in that day, there would be a little notice above the time clock: Punch in, you're coming to work at 8 o'clock, and your 15-minute coffee break, I'm sorry for this inconvenience, has to be ratcheted back to 9½ minutes this morning. It's got to be ratcheted back to 9½ minutes this afternoon because we've got 11 minutes of our 8-hour day here that will be lost in our production because 2.2 percent of the production didn't show up for work today. That's the magnitude on the American economy that we're dependent upon right now. The magnitude of 11 minutes out of an 8-hour day is the production that's being done by illegal work in America. Now, would anybody actually argue that we couldn't get by with 7 hours and 49 minutes of production instead of a full 8 hours of production?

There are a lot of other ways to solve the problem or skin the cat. You can shorten the lunch hour by 11 minutes. You could work 11 minutes past 5

o'clock. You could do any combination of those things. You could skip a coffee break and actually pick up production that day. It's not the equivalent even of one single coffee break on an 8-hour day if we did all of the American GDP in one-third of our 24 hours. But, of course, we know it's spread across all 24 hours and 24/7. That's the reality of it.

So 6.9 million people out of a workforce of 142 million, representing 4.7 percent of the workforce, doing 2.2 percent of work, representing 11 minutes out of an 8-hour day, and you could divide that by three if you wanted to spread it around. So it would be 3½ minutes, 3 minutes and 40 seconds out of each 8-hour shift, if you wanted to take it down that way, Mr. Speaker. Hardly something that this country can't adjust to or couldn't deal with, even if it were abrupt, let alone something that will only be incremental in its scope.

This is a red herring that has been drug across the path by the people on the other side. They have their reasons and their motivations, but a rational approach to an economic situation in America isn't something that they bring to the table, Mr. Speaker.

As a matter of fairness, I would also make the point that there are significant industries in this country that have become ever more dependent on illegal labor. That exists in the packing plant industry. It exists in the agriculture industry. It exists where there is a requirement for very low skills or trainable skills, and people that aren't required to have language skills often fit into that category as well.

But the lower skilled environments that have become more dependent upon illegal labor have done so incrementally. It's been an evolutionary process. In speaking, Mr. Speaker, to the organized blue collar workers in America, in some cases management has come in and broken the union and replaced the union with illegal labor, or let's say a mix of illegal labor. And as this flow began, the recruitment in foreign countries also opened up. While that was going on, the Federal Government was turning a blind eye to enforcement of immigration. And the people living in the communities didn't actually see it in its broader magnitude. And the resentment came a little bit at a time and the realization came a little bit at a time.

I have spoken at significant length here, Mr. Speaker, about the responsibility of what happens when foreign countries set our immigration policy, when illegal immigrants from foreign countries come in here and take a slot that a legal immigrant could have, that takes away our ability to set an immigration policy.

But the largest responsibility has been and the first blame has been on the administration's lack of enforcement. This takes us back to 1986, to that amnesty bill that at least President Reagan had enough frank intui-

tion to declare it an amnesty bill. The distinctions between the 1986 bill and the legislation that's before this Congress today and the Senate this week are really not significant in their scope. Amnesty in '86 is amnesty today.

But when the '86 bill was passed, it was billed as an amnesty to end all amnesties, Mr. Speaker. And I, sitting out there in the countryside, running a construction company, struggling through the farm crisis, absorbed the statements that were made here on the floor of Congress by the leadership here in Congress, by the President of the United States when the '86 amnesty bill was passed. I knew that I had to collect I-9s from job applicants, and I had to take a good look at their driver's license and their other documentation and make sure that it was a credible representation of who they were. I did so diligently. Those I-9s are still in my files and they're covered with dust. Nobody ever came and checked on that. They probably didn't need to check a little construction company, but they needed to check some large companies. They needed to have a presence out there that they were enforcing immigration law. And from 1986, the great threat that the Federal Government would be out there aggressively enforcing that new immigration law that was an amnesty to end all amnesties was a huge threat, a cloud that hung over all of us. We wanted to make sure that we dotted the I's and crossed the T's. And we lived in fear that the Federal government would shut us down, fine us or imprison us for not following Federal law. That was 1986.

But every month that went by, the threat diminished because the enforcement didn't materialize to the extent that we anticipated at least. And every year that went by, the enforcement got less. And as we went through the Reagan years, it diminished. And as we went through the first Bush presidency, it diminished. And as it went through the Clinton presidency, I was full of frustration because I was honoring immigration law, and I was competing against my competitors who sometimes did not honor immigration law. And I had two choices: I could adhere to the law and hope for enforcement when that competition had cheaper labor because they violated the law. I could do that, or I could throw up my hands and say, Well, if he can do it, I can do it. Well, I was raised in a family that revered that central pillar of American exceptionalism, the rule of law, and respected it. I still revere it and respect it, even more so today, Mr. Speaker. So that option of "if you can't lick 'em, join them" wasn't an option for me because the rule of law and respect for it prevented me from going down that path.

□ 1915

Today, we have watched the enforcement decline incrementally. I went through the Reagan administration

from 1986 until the completion of Ronald Reagan's term. George Bush, the first President Bush, his lack of enforcement diminished it. The Reagan years, by comparison, were pretty good. The first President Bush diminished from there.

When Bill Clinton came to office, I began to really watch closely the lack of enforcement in the Clinton administration. I was full of frustration, as a construction company owner, that I was competing against that lack of enforcement. Yet when I look back at the statistics of the companies that were sanctioned during the Clinton administration, I see that, on the graph, it continued its decline of enforcement through these years that we are in today with a little uptick in the last year. I am not yet convinced that that uptick in enforcement from this administration is an uptick that comes from conviction on the rule of law or whether it is an uptick in increase and enforcement of immigration law to send a message to us that there will be enforcement if you just give us the comprehensive amnesty plan that we have asked for. You can choose your opinion on that, Mr. Speaker. I choose not to come down on either side of that argument for the sake of this discussion here.

I will say that this country has not been well served over the last 20 years due to lack of enforcement of immigration law. The country has been flooded with people that came in here illegally because we haven't enforced our laws and part of the things that came with that. Now, I will make the point, and it is a point that the opponents would continually make. I will make the point that most who come here do break the law to come here. But their goal is to provide for their family. At some point you make that decision, however hard the decision is, to provide for your family. But all who come here are not coming here to provide for their family. All who come here are not coming here with the goal of getting a job and finding a better way and finding a path through legalization and then bringing the rest of their family members here. That all happens. I admire the family network. I admire the faith network. I admire the work ethic that is within a significant majority of those who come here both legally and illegally. But I have a charge. I have a responsibility. I took an oath to uphold the Constitution. The complication of that oath is that I uphold the rule of law, as well. So I look into the statistical data that tells us what happens when we don't enforce the rule of law.

I listened to the immigration hearings over the last 5 years of constant immigration hearings, not every week, but sometimes multiple times a week, averaging every week at least, Mr. Speaker. The testimony constantly came. We are losing 250, 300 and then on up to 450 and more people who died in the desert in an effort to come into the United States. That is sad. It is

tragic. I have seen the pictures. It is a hard thing to look at. But I began to think, Mr. Speaker, about that other responsibility, that responsibility that we all here in the Chamber have to the American people, the responsibility that is part of our oath to uphold the Constitution. The implication is we uphold also the rule of law.

So I began to ask the witnesses that were testifying as to the loss of life in the Arizona desert. But what has happened to the people that did make it into the United States? What has happened to the American citizens who fell victim to the hand of some of those who came in here that are criminals, recognizing that \$65 billion worth of illegal drugs pours across our southern border every year? That is all a crime.

By the way, for the point of record, Mr. Speaker, anyone who alleges that it is not a crime to illegally enter the United States is wrong, that it is a criminal misdemeanor to cross the United States border in violation of U.S. law. So sneaking across the border in the middle of the night makes that person a criminal. One of the Presidential candidates said otherwise. He might be a district attorney or prosecuting attorney. Federal law says it is a criminal misdemeanor to enter the United States illegally. So those who do so, and among them are those who are smuggling in illegal drugs, among them are those who are trafficking in illegal humanity, among them are those who are trafficking in prostitution and victimizing small girls and children. In this huge human wave, we have contraband. We have criminals. They commit crimes here in the United States.

So, one of the questions is, what would happen to the drug distribution chain if the fairy dust were sprinkled across America and tomorrow morning everyone woke up legally? It would shut town the distribution of illegal drugs in America if magically tomorrow morning everyone woke up in a country that they were lawfully present in. It would shut it down literally, virtually, any way you want to describe it, Mr. Speaker, because the links in the chain of the distribution that start in places like Colombia, China, Mexico, 90 percent of the illegal drugs coming across our southern border, those links in the chain are links that are built within the stream of humanity which is the illegal humanity that is here in this country today. That is the path of their fellow travelers, however good their virtues are, however high their ideals of providing for their family, getting a job and creating a home, they still also provide a conduit within a culture that is the distribution of illegal drugs.

With those illegal drugs comes the massive damage to human potential, especially to our young people in America. Yes, we have a responsibility here to shut down that demand. That is ours. We need to take that on. I can't look the Mexican Government in the

eye and say, "You need to help us shut down the illegal drugs in America and that will solve the problem." It will not. We need to shut down the demand in America. That is an American problem. It is a problem that causes problems in Mexico as well. That is a different subject, Mr. Speaker, and I will take that up perhaps another time. But this conduit for illegal drugs is a conduit that flows within illegal populations in America, and there are links to every distribution chain in America that go through that illegal population. So, that is one thing that would happen.

Another thing that would happen is there is a high crime rate, a higher crime rate in all the donor countries that send us people across at least our southern border and probably all of our borders, a higher crime rate than we have here in America. For example, violent death in America, 4.28 per 100,000 people. That is a statistic. Mexico, 13.2 per 100,000. That is three times the violent death rate in Mexico to that of the United States. So one could presume that out of every 100,000 people you would bring in, you would have three times more murderers than you would have within a typical population of the United States. That is not, when you look at the broader scheme, Mr. Speaker, as surprising or shocking as when you realize that Mexico has a lower crime rate than most, I will say, all of its neighbors with the exception of the United States, and most of the countries that are south of Mexico have a higher crime rate.

For example, the violent death rate in Honduras is nine times that of the United States. El Salvador can't find any statistics on. I can tell you in Colombia the rate is 63 violent deaths per 100,000. It works out to be 15.4 times more violent deaths per 100,000 than there are in the United States. Out of there comes a lot of cocaine, drug network, and drug trafficking.

My point is, Mr. Speaker, that American people die at the hands of criminal aliens here in the United States at a rate that we can't quantify nor comprehend at this point. I have a responsibility to protect the American people. This immigration policy that we have here in America, Mr. Speaker, is not a policy to accommodate any country in the world. It is a policy designed to enhance the economic, social and cultural well-being of the United States of America.

Every immigration policy for every sovereign state in the world should be established with the interests of that sovereign state, whether it would be Mexico, the United States, Holland, Norway, Russia, you name it. Every sovereign state needs to set an immigration policy that strengthens them. I support that we first seal the border, build a fence, build a wall, shut off automatic citizenship to babies that are born here to illegal mothers, work-place enforcement, pass the New Idea Act, end Federal deductibility for

wages and benefits that are paid to illegals, and shut down that jobs magnet. I support all of that. Force all traffic, both human, contraband and legal cargo through our ports of entry on our southern border. Beef them up. Add more science. Make sure that we are effective in the job that we do on our border. I support all of that. By doing so, we have shut down the jobs magnet and we have shut off the illegal traffic coming into the United States. We have really made it difficult to bring illegal drugs into the United States at the same time.

We do all of that, Mr. Speaker, and then what we get out of that other side is, now, we have cleared the field so we can establish a rational immigration policy for legal people, legal entrance into the United States, and we can score them according to their ability to contribute to this economy. We can put out a matrix, a point system, that says, especially if you are young you have a lot of time to contribute to the economy, if you have a high education, you are going to make a higher wage and you are going to pay more taxes and you are going to be able to fund your own retirement and that of a bunch of other people while you are here. We can score this system up so we can have an immigration policy that does enhance the economic, the social and the cultural well-being of the United States.

But what we cannot do, Mr. Speaker, is we can't grant amnesty. We can't pardon immigration lawbreakers. We can't reward them with the objective of their crimes. If we do that, we ultimately destroy the central pillar of American exceptionalism called the rule of law. If that happens, there is no foundation to build a greater America. There is no foundation upon which we can lift this country up to a greater destiny. There is only the devolution of a civilization that is great today, maybe was greater yesterday, and that would lose its opportunity to be greater tomorrow.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JOHNSON of Georgia (at the request of Mr. HOYER) for today.

Mr. KNOLLENBERG (at the request of Mr. BOEHNER) for today until 1:00 p.m. on account of personal reasons.

Mr. MCHUGH (at the request of Mr. BOEHNER) for today after 2:15 p.m. and for September 20 on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)