Partnered with the Smithsonian Inspector General in the development and implementation of a return-to-work program that transitions injured employees' return to appropriate work with a requirement that claimants provide updated medical reports; the Smithsonian estimates potential savings of nearly $2.1 million in workers' compensation costs;

Strengthened accountability for personal property at the Smithsonian Institution by requiring the agency to initiate regular inventories, leading to reduced agency spending to replace lost or stolen items;

Disapproved Library of Congress plan to spend nearly $20 million for a new book-conveyor system, resulting in its cancellation;

Instructed the Library of Congress to develop a cost-benefit analysis for all Information Technology investments in excess of $100,000 including developing of internal controls to eliminate redundant hardware and software purchases across business units;

Worked with the Inspector General of the House of Representatives to develop a cost-benefit analysis of the Chief Administrative Officer's joint effort with the Architect of the Capitol to deploy compact-fluorescent light bulbs within House office buildings, revealing potential savings of $1.18 million over ten years;

Instructed the Architect of the Capitol to develop and implement a procedure for assessing a tenant at the House Alternate Computing Facility for additional operating costs (e.g., electricity, facilities maintenance) properly chargeable to the tenant under the terms of the lease, revealing an additional amount of over $1 million due the taxpayer;

For the fiscal years 2010 and 2011, consulted with other congressional committees, the Congressional Budget Office, and the President's Office of Management and Budget to reduce the number of printed copies of the multi-volume President's Budget and instead to substitute distribution of the CD–ROM version wherever appropriate, resulting in savings to both the Executive branch and Congress; and

Worked with the Government Printing Office's Inspector General to block execution of a contract for delivery of human-resources and payroll-related services to certain elements of the agency instead of relying on GPO's agency-wide system, and encouraged the IG to redouble efforts to improve human resources' performance across GPO.

Among the Committee's recommendations for additional improvements are:

Extend beyond 2013 the current authority for levying of administrative fines by the Federal Election Commission pursuant to Pub. L. 110–433;

Strengthen the Speaker's new travel rules by requiring House committee chairmen to certify the existence of a bona-fide need for foreign travel under the Mutual Security Act. Repeal the law (44 U.S.C. 723) requiring compilation and publication of memorial tribute volumes in honor of deceased Representatives and Senators;

Repeal authority for printing of sundry government publications now required by law but determined to be of little use or value, e.g., the "United States Treaties and Other International Agreements" authorized by 1 U.S.C. 112a;

Reform Procurement practice of the Library of Congress;

Improve in-house technical support at the Library of Congress and Government Printing Office, reducing reliance on costly contractors; and

Require implementation of Performance Based Budgeting at the Library of Congress. Merge the Government Printing Office Police with the United States Capitol Police.

The Committee will also continue its oversight of the Legislative Branch and continually work to identify opportunities to reduce waste, fraud, abuse and mismanagement in the operations of our agencies.

REPUBLIC CREATED FOR UNITED STATES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the minority leader.

Mr. CARTER. Mr. Speaker, I am happy to be here tonight. I guess everybody is just really pleased to be back in Washington, DC and having to leave those wonderful districts we live in and come up to this place.

But you know I am blessed. I live in Texas and I am glad to be here tonight so we can talk about something, again, about a subject I have been talking about in various degrees for about 19 months now and that is we do have a rule of law that is the underpinning of our society. We started, when we decided to create this great Republic, we started, decided that we would codify that rule of law and one of the best written documents on the face of the Earth, I happen to have a little copy of it right here, in pocket size form, the Constitution of the United States.

In this Constitution of the United States, we not only set out how the newly formed union of the States would operate with a newly formed national government, but it set out how this body would operate, how the executive branch would operate, how the judiciary would operate.

In my lifetime, I have been blessed by my neighbors because we elect our judges as well as our Representatives. In Texas, I have been blessed by my neighbors to serve in two branches of our government, because with the basic Constitution of the United States establishing a legislative branch, an executive branch and a judicial branch, all the States basically follow that same general guideline and now, around the world, democracies that have sprung up from this longest lived democratic process called the United States Government, the Republic that we created for the United States. Others have, using various forms of democracy, have followed the general pattern.

When we talk to a young kid like a, let's say, an elementary school, kindergarten, up to sixth-grade student, talk about the three branches of government, you talk about the legislative branch that writes the laws, the executive branch that enforces the laws that the legislature wrote and the judicial branch, which enforces the law and interprets the law. Now that's basically what we talk about here. It's very simple, and it's very real, and that's really what we are supposed to have here.

One of our jobs, as guardians of this document called the Constitution, and this system we call the United States of America, and its Federal Government, one of the things we have a responsibility to do is we have a responsibility to stay in check and balance on the other part of the three branches of the government. The judiciary has got checks and balances on both the executive and the legislative. The legislative has checks and balances on the judiciary and the executive. The executive adds checks and balances to the appointment process on the judiciary and the legislative.

So our Founding Fathers said not only are we going to have these three branches of government, but it's the responsibility of those branches to make sure other branches aren't going haywire, because they come from the place of government where the branch of government went haywire all the time and they were fed up with autocratic kings and the royalty of the various nations that they had come from to come across the oceans of the United States, and they wanted to make sure that nobody dominated, stepped on each other's toes.

I have been talking about the fact that all of this falls under that great category that we sort of envisioned, now the world needs and adopts, and that is the rule of law. A civil society cannot operate without rules, not only that police the society, but that the society can count on as they move through commerce or through interaction with other human beings to be the rules that you play by.

Just like Americans love our games, baseball, basketball, football, not necessarily in that order, and other games, we love our games, and we want to make sure, and we are the first ones to jump up and scream, they are breaking the rules, because you can't play the game without rules. This body here has a real responsibility to create those rules. We write laws which are the Big Brothers, the rules, and we give rulemaking authority to people, but authority comes from this Congress.

So having that glue the whole society, now you ask me well, yes, that may sound good for America but not everybody needs that. Well, let me ask you something, if you are going to go make a deal with your neighbor over the boundary line between your property in some country in Central America, and you are trying to make, to determine where this boundary line is and you find out you don't have any rules about titles to property, so nobody really knows where the boundaries are, how do you solve that problem?

Well, you could solve it by whoever had the biggest stick and go beat each other's brains out and whoever won will get to decide where the property

line is. But that's not the rule of law. That's the rule of terrorism or the rule of violence.

Now it's that one simple thing of a way to register property in a country gives people a place to go to discuss where something simple like is that tree in my yard or is that tree in your yard, between neighbors, and they don't have to bash each other's brains out over the issue. Now that may be simplistic, but that's about as easy as I can make it. Yet, believe me, people bash each other's brains out if they don't have a place to go to resolve something simple like that. All you have got to do is be a municipal court judge in a city in Texas and you might find out a little bit about that.

So my point is the reason we have these rules is so that our society can function in a civil manner, and the reason we have responsibility to police up the other branches of government is to settle these debates.

□ 1930

And we have had these fights for a long time. They are part of our constitutional law of the United States.

We have a poster here just on the Cherokee issue, and, whether or not to the right or wrong of the Cherokee issue, this came down to a dispute between the Supreme Court and the Executive, the President. In this particular situation, Chief Justice Marshall, John Marshall, one of the most famous, if not the most famous Chief Justice of the Supreme Court, had ruled in a way that Andrew Jackson, the President of the United States, didn't like. And the big issue was Marshall has made his decision, now let him enforce it.

Now why is that something we ought to start talking about? Because this is the reverse situation of what I'm going to talk about tonight. The President of the United States is basically saying, ''I am not going to enforce the law. The courts have determined what the law is and what the law means, but I'm not going to enforce it. I'm going to do it my way.''

And basically, Worcester v. Georgia settled that issue. The President of the United States has the obligation, from his oath of office, to enforce the law. Andrew Jackson was famously stubborn, and it was a big problem in its time.

Now, one of the things I want to talk about today that I think worries me a lot about the rule of law is that various Congresses over various years have written a whole body of law concerning the immigration and naturalization laws of the United States of America.

These days, our media, in an attempt to give their own definition to people's intents, the minute you want to start talking about issues like this, there is going to be somebody that is going to try to call you a racist or a bigot or whatever. I'm talking about the facts. We have a set of laws about immigration. And I'm not talking about immigration from any particular country. I'm talking about immigration from all countries.

And we have a way to become a naturalized American citizen and have the rights of an American citizen imposed upon you; and those laws are set out in statutes, and they tell you there are things that are against the law. And one of the things they tell you is it's against the law to enter the United States without permission.

Now, in an attempt to get away from my heritage, where I come from, I'm from Texas. We have the largest amount of border of any State in the Union with the country of Mexico. We have a long and sometimes rocky history as a State. And prior to being a State, as a Republic of Texas and, prior to that, as a colony of Mexico, we have a long and sometimes rocky history with the country of Mexico. But today, in today's present 21st century, most Texans, either born or those who have moved there, consider the northern parts of Mexico like home. I mean we have a very, very solid, strong relationship with the people of Mexico.

This is not about Mexicans, or it's not about Hispanics, or it's not about the Irish. There were people up here that wanted to free the Irish. It's about the law. We have written laws that say if you come into our country illegally or if you overstay a visa that got you here legally but when it expired you then had to leave and you didn't leave, if you did those things, then you have broken our laws. Now, some people think that is too strict; other people think it is not strict enough. But the bottom line is it has broken the law.

The President of the United States, Barack Obama, in the very recent past, by Executive order, basically decided to tell the courts and the judicial system established to enforce the immigration laws, the immigration judiciary system, that they were to ignore or dismiss, and they are dismissing approximately 17,000 cases that the administration has determined they shouldn't go forward on.

Now, what does this do? A good friend of mine has joined me today, Mr. BILIRAKIS from Florida, and he is one of the people who stood up when all this happened and said what I have been saying on a lot of issues in this House: Wait a minute. What is going on? What about the written rules? What about the immigration naturalization laws?

I believe Mr. BILIRAKIS is on the committee that is responsible for looking into those things. So I'm going to recognize my friend from Florida to make at least a small comment on how he views this issue, starting off with the issue of the President's announcing certain people, they would no longer enforce the law against those people.

Mr. BILIRAKIS. Thank you, Mr. CARTER. I appreciate it.

With growing violence and drug trafficking, Mr. CARTER, in Mexico and a homegrown terrorist threat, we have to crack down on illegal immigration for our Nation's security.

I welcome those who enter this country through the legal means. As a matter of fact, my grandparents came here in the early 1900s. But illegal immigration is illegal, as you said. No matter how well behaved the person is, they are still breaking the law. As far as I'm concerned, those are the laws, and we must obey them.

As the former heads of the 9/11 Commission found in a recent report, immigrants and domestic terrorists now pose a threat to the United States. Today's terrorist is harder to identify, so it is vital that DHS is proactive along our borders.

There continues to be evidence that terrorist groups are collaborating with drug cartels along the U.S. border, as my colleague SUE MYRICK reported in a recent Washington Times article. This is especially troubling given the rise of homegrown and immigrant terrorism highlighted by the 9/11 Commission.

In recent weeks, several memos have been released or leaked outlining plans for rewarding illegal immigrants. The first, a memo by the Bureau of Citizenship and Immigration Services under Homeland Security, detailed ways to grant mass amnesty to illegal immigrants without any kind of legislative action. At the core, this is a separation of powers issue. As you stated, it must go through the legislative process. This is an arrogant, in my opinion, an arrogant and dangerous alternative to having Congress act on the issue.

To grant amnesty to illegal immigrants undermines our immigration laws and is a slap in the face to those who go through the process of entering our country legally. And to do this by skipping the legislative process, as the Department of Homeland Security memo indicates, is wrong. It's clearly wrong.

Following the memo's release, CANDICE MILLER and I wrote a letter to Secretary Napolitano demanding clarification and to see if this memo reflects the Department's or the White House's policy plans. The response was basically a nonresponse, Mr. CARTER.

Another memo, highlighted by an article in the Houston Chronicle—you may have mentioned this—outlined the possibility of dismissing—and I think you did mention this—17,000 deportation cases and releasing the offenders into the United States. What kind of precedent are we setting?

And a third idea from DHS involves focusing on illegal immigrants who commit more serious crimes; so, in other words, getting them off and ignoring those who commit ''minor'' infractions. So, in other words, focus on the ones that committed the serious crimes, but the ''minor'' infractions will be let off.

Again, what kind of a precedent are we setting?

I have asked for hearings, Mr. CARTER, on this. I know you know this. And I serve on the Homeland Security

Committee, and I am the ranking member of the Investigations and Oversight Subcommittee. We asked for hearings to find out more about the intent of these memos. And I'm waiting for a response. I have not received one so far.

But these plans and memos aren't the only actions the administration is taking to seemingly undermine immigration security. The administration has taken to suing State governments, specifically the State of Arizona, for trying to enforce immigration laws.

The administration needs to take real action, in my opinion. It needs to send more enforcement to the border. Sending a few hundred extra troops to the border is not enough to protect 2,000 miles.

□ 1940

DHS needs to improve technology along the border to help the border agents police the terrain. And it needs to improve its visa screening process.

Over the past several years, there have been multiple instances that demonstrate shortcomings in the visa screening process. I have sponsored legislation to strengthen and ensure better screening and monitoring of foreign students once they are in the country.

DHS also identified several high-risk areas around the world in the early 2000s where we need visa security units to properly screen our applicants. We have been very slow, and they have not been implemented. There are between 15 and 20 in place, out of several high-risk areas identified around the world. Currently, less than a quarter, as I said, of the high-risk visa issuing locations around the world have these visa security units, and I think that is unacceptable as well.

I also have introduced legislation to expand a Coast Guard program that collects biometric information on interdicted aliens and checks to make sure that they have not repeatedly tried to enter the country. I believe that is currently in the Senate. It was passed in the House, and it is waiting for action in the Senate.

Congress can prevent States from issuing driver's licenses to illegal aliens, stop birthright citizenship, and end funding for sanctuary cities. We also need to strengthen interior enforcement and penalize employers who hire illegal immigrants.

There are many measures that Congress or DHS can take to help secure our borders and protect the country. But the amnesty plans Mr. CARTER has outlined tonight are not the right way to go, and frankly stand on shaky constitutional ground.

I thank you, Mr. CARTER, and I pledge to continue working with you on this issue.

Mr. CARTER. Thank you, and I reclaim my time.

The point is legislation is the proper way for us to deal with this problem. This Congress is the place where we make decisions on how we change our immigration laws. They are written by this Congress, and they should be changed, if they need to be changed, by this Congress.

I don't understand why the President of the United States thinks he must arbitrarily grant what turns out to be a de facto amnesty because his party controls this House and will until the end of this year control this House. We still have weeks left on this session of Congress, and there is a possibility we can come back after the elections and have another session of Congress before the end of this year. If this immigration issue needs to be taken up, it should have been taken up by the Congress. But there seems to be this idea that the President of the United States has the type of powers that he can, with the stroke of a pen, set aside contracts; and with the stroke of a pen set aside the laws of this country; and with the stroke of a pen ignore orders of our court system. I just don't think the world or our laws allow the executive branch to be able to do that. It is not like this thing wasn't telegraphed before.

Recently, we had one of the worst oil spill disasters in the history of our country. And the President of the United States declared at one time a gulf-wide moratorium on drilling in the gulf. At that time, there were hundreds of drilling rigs in the Gulf of Mexico operating. And at that time, both shallow water and deep water, they shut it down by the President declaring a moratorium.

Now how do we learn how we do things in this country? We either read them in our laws, we are instructed in the precedents that are set by the courts, and we ought to look at the history of how we operated in the past. That would make common sense. So before we look at whether the President overstepped his individual authority by declaring a moratorium, the question would come, has anybody that was President of the United States ever declared a moratorium on drilling before? And the answer is, yes. His name was Richard Nixon, a Republican.

Now let's look at how Richard Nixon went about getting a moratorium to stop drilling off the coast of California. Did he make an individual dictate from his own pen and say, I hereby declare you can no longer drill? No. What did he do? He went to the Congress of the United States and said to the Congress, we need to have a ban or moratorium on drilling off the coast of California. And this deliberative body held hearings, I assume. I haven't delved into it that much, but I do know that the Congress and the President issued a moratorium on drilling off the coast of California. And to my knowledge, that moratorium is still in place. And whether or not it was tested in the court systems, I have no idea. But I would assume it was, because if there was anybody drilling at the time, they probably felt like their contract rights were stepped on. And I am sure the court ruled on it. And the court must have ruled in favor of the Congress and the President because the moratorium is still in place.

So what does that tell us about the right way to declare a moratorium? Well, the right way is to go to the Congress, and with the Congress put forth the Congress declaring a moratorium and the President enforcing that moratorium. That is the way it is supposed to operate. If you read this little book, the Constitution of the United States, that is what it says.

This is not what we did. The President of the United States unilaterally said we are declaring a moratorium. He was joined by his Secretary of Energy, I believe, but it was taken to court and a Federal judge overturned the Obama administration's initial 6 months of moratorium and rejected the government's bid to have the court challenge thrown out. The government lawyers argued that the lawsuit filed by several offshore service companies on the May 28 moratorium was moot because the Interior Department imposed a new drilling moratorium. What is the Interior Department? Is it a creation, is it a department of the Congress? Nope. It is a department of the executive branch of the Federal Government. Who appoints the Interior Secretary? The President of the United States appoints with the advice and consent of the Senate. That is how we get the head of the Interior Department.

Now I can't speak for the Interior czar because the Interior czar doesn't have to go through that vetting process; he must answer only to the President of the United States, but we have now approaching 40 czars, and I don't know what they do except draw a paycheck. But they answer to the President. But U.S. District Judge Martin Feldman rejected that argument, saying the second moratorium arguably fashions no substantial changes from the first.

Now, when a judge grants an injunction and says, one side over the other, this side is right to seek relief from the court in the form of an injunctive process, and you are enjoined, you are stopped from doing the behavior you were doing. And that is basically what this court said to the President of the United States. It said you can't do this. But they did it anyway. Where that is in the court system, I don't know. But it is blatantly standing forward. Not only is it bypassing the legislative process, which is the normal way by precedent to get a moratorium on drilling in America, because that is the way it has been done in the past, but then when the court says hey, you can't do it, they did it anyway. And now by playing regulatory games and giving favors to some and maybe not favors to others, and I don't know anything about that part of the game playing; I know that some people seem to be getting permits and some people seem to be not getting permits, and whether or not there is a moratorium in shallow

water depends on who you talk to. But I can tell you, the deepwater folks seem to still be shut down.

□ 1950

Now, there is a reason we ought to go to the Congress. One of the reasons is that every seat that you see in this House of Representatives is filled with a person who represents at this time 652,000 Americans. So that person speaks for and votes for 652,000 Americans. If a choice is going to be made to shut down the production of approximately 20 percent of the oil and gas production a year in the United States, which is what the gulf produces, approximately 20 percent, then the American people probably would think this could have an effect on jobs, that it could have an effect on the cost of fuel and that it could have an effect on their standard of living. It may be they would like their Members of Congress to be able to have something to say about shutting down 20 percent of the production of petroleum and natural gas in the United States.

Especially in light of a recession, I would think they would want their individual Members of Congress to be very vocal about how their Representatives have represented them and would ask, What's this going to do to my job? What's this going to do to this economy? How much is this going to hurt us? How much more dependent is it going to put us on foreign oil? With these questions, that's why Nixon went to Congress for a moratorium, because the people in Congress spoke for the people of the United States. That's the way it's set up. The House of Representatives represents the people.

We didn't go through that process for this moratorium. We had the White House and President Barack Obama basically declare a moratorium.

You will do what I say. You will not drill in the gulf.

The court said, You can't do that, partner.

So then he had the Interior Department saying, You can't drill in the gulf. I assume the concept behind the Interior Department is that the leases that they were drilling on were Interior leases. That's the way I understand it.

Then wait a minute. If you paid for that lease and if part of the contract you made with the government was, if you paid them money for their lease—sometimes millions of dollars for a lease—and then you went out there and drilled on that lease and you didn't find any oil, the Interior Department would kind of say, Well, better luck next time. Thanks for your million bucks. If you find oil, then the Interior Department is supposed to say, Well, congratulations. Although, there are those in this body who would say, Wait a minute. Wait a minute. Now, if you've found oil, you've got to give us more money; but the laws of contracts have something to do with that—once again, the rule of law.

So we were talking about this problem with drilling offshore. We had sort of a one-man show of a moratorium, and the courts have disputed it.

Now the President of the United States is taking off, and the Justice Department is going after one of our States by taking it to U.N. Human Rights Council and arguing that a law in the State of Arizona should be taken before some body that should have no authority over this country, and they'll ask them to call us human rights violators and call the State of Arizona human rights violators. They have also taken the State of Arizona to court for a law that they wrote, which tracks almost identically a Federal law that the Department of Homeland Security is supposed to be enforcing but is not. Therefore, Arizona got tired of the invasion of their State and said, if the Feds aren't going to enforce this law, then we'll write it just like the Federal law, and we'll ask our folks to enforce it because somebody has got to stand up for the people of Arizona.

I'm not here to debate that. I'm here just to point out that all of this type of thinking comes down to the concept that the executive branch of the government can do what it wants to. It doesn't have to consult with Congress. Sure, Congress wrote laws which state it's illegal to come into this country without permission, but we think that there are at least 17,000 first-time cases. There may be more. Though, starting with around 17,000 people, we're just going to decide to dismiss the cases against them.

Now let's think about that. There is a judicial process where the folks who come into this country illegally get caught. There is a judicial process that can determine whether or not they should be deported from this country. It's very similar to the judicial process you're all familiar with in this House and all over the country about what goes on in the courtroom.

You have a trier of fact who determines what the facts are in the case, and you have law that is written and precedents that are established which tell you what the remedies are to resolve the issue. Then there is a trier of fact, the trier of the law, who comes up with a resolution of the issue. Whether it be an immigration judge or whether it be a Federal district judge, there is an issue that is resolved.

True, true, the prosecution can dismiss a case, but to have the executive branch of the government direct the Justice Department, which is supposedly our lawyer, to randomly dismiss cases and then make the statement ''we're only going after criminal aliens,'' well, let me tell you something about criminal aliens so you've got a really clear picture of this. I have tried to talk with the Homeland Security Department about this because I happen to serve on the Appropriations Committee for Homeland Security.

If your definition of a ''criminal alien'' is someone who is a felon, then you can't under the Constitution of the United States declare someone to be a felon until that person has been convicted of a crime by a court. Otherwise, there is something called the ''presumption of innocence,'' and until a court declares you guilty, you are innocent. So, even though somebody walks in here and shoots everybody in this room on national television, that person is still innocent until a court says he's guilty.

So you're saying we're going to go after criminal aliens. If you're going to call them ''criminal aliens,'' they have to be convicted by a court. Now, if they are convicted by a court, it's a pretty good chance they're in prison.

Now, let me ask you—and you don't have to be a legal scholar; you don't have to be a former judge; you don't even have to have ever served on a jury. By just using the good old American commonsense, if all of the criminal aliens—or let's just say 95 percent of those convicted of a crime as criminal aliens are in jail or are in prison, how hard are they to find? I mean is it really a task to find out where they are?

I come from Williamson County in Texas. We have a great big jail in Williamson County. I promise you that you can pick up the phone and call our great sheriff and ask, Sheriff, how many convicted illegal aliens have you got in your jail?

He'll say, I can give you a list of people I think are illegal, but I haven't asked them.

So let's just assume that the sheriff's wise ideas are even inaccurate a little bit. You're still going to pick up a number of them. How hard is it to catch them? Go to the jail; go to their cells; unlock the doors and take them. That's how hard it is to catch them. They're in custody. They've dedicated the entire program of ICE to one proposition—deporting illegal aliens who are criminals. They don't have to go out and chase anybody. They've got them all incarcerated.

□ 2000

It's not that hard, but that's what the target is for this year. And it sounds great on television, but the truth is, I think anybody that is a normal American wouldn't even consider releasing somebody that has been to prison for some serious crime. Of course if you have the chance to deport them, you want to deport them; but here's something that's kind of interesting: there is a sector of the border—and the Homeland folks and the border patrol divide the areas up by sectors, and this is called the Del Rio sector. And in the Del Rio sector, we started a thing called Operation Streamline with the cooperation of the judges and the courts and the prosecutors. And let me tell you, this isn't easy, it's hard work, and these people are to be commended for what they do.

But they set up a process that those people caught coming across our border

in the Del Rio section of the border would go before a judge and have a hearing, every one of them. Now, you say why is that a big deal? Well, because the President of the United States and the Homeland Security Department just declared 17,000 people will never go before a judge, not on that issue. Unless they re-file the cases—which is done with prejudice so they can come back and re-file the cases—but unless they re-file the cases, these people will never answer to a court.

But why would you want them to answer to a court, courts are so crowded? Sure, but some judges who are willing to work hard to do what's right by the law in the Del Rio sector have made the Del Rio sector the least border-crossed area on the border. Why? Because there is something about looking a judge straight in the eye and they tell you, Sir, or madam, you have violated the laws of the United States by coming across our border, that makes those people say I'm not going to see that judge again, I'm going to cross someplace else.

Now, maybe we should be setting up a system like that to cover our whole border, maybe that would help a whole lot, and we should provide the resources to do it.

But the real point comes back to at least 17,000 people will never look that judge in the eye based upon the actions of the Obama administration. And some of those people may have gone back across and applied to come in legally. We are the only country in the world that brings in 1 million foreigners a year into our country illegally. There isn't anybody who can match us; nobody can even come close in the entire world. The United States opens our doors to 1 million people that follow the rules and come into this country, yet you can call it compassion, but it is random compassion. Who said these people, determined by the White House, are more deserving of compassion than these people over here because we've got, according to most of the estimates, between 12 and 20 million of these people in our country? So who decides we pick 17,000? And are we starting a policy that everybody that is awaiting a hearing in an immigration court will just be excused. Is that the new policy? So 17 is just a start? Well, I don't know, we don't have an answer to that.

But the real question we have to be concerned about is, who made the executive branch so independent to operate that they can shut down things like drilling in the gulf and turn loose people who have pending court cases on their say so without any consultation or action by the legislative branch of the government or any declaration for enforcement by the judicial branch of the government? I think that's a rule-of-law question that we in this House ought to be talking about. I don't think, when we wrote this Constitution of the United States, we ever envisioned giving that kind of power to any individual person or even to any branch of the government.

And I think we have reason to show real concern when we read something like this in the Houston Chronicle: ''Culling the immigration court system dockets of noncriminals started in earnest in Houston about a month ago and has stunned local immigration attorneys.'' I'm sure it stunned them because they are no longer going to get a fee. But in addition to that, they got benefits they never even sought because they weren't seeking dismissals. They were seeking probably things like—well, I won't go into that—other remedies in the court. They got the cases dismissed without even knowing they were going to be dismissed, and they are as confused as everybody else is.

Now, I'm not saying it wasn't done for the right reason. I don't know why it was done. I don't know who makes the random pick of 17,000 people out of 20 million. Who makes that choice? Is that the choice that one individual we need to have make? It is the immigration czar that decides who gets that and who doesn't? Or is it the Secretary of Homeland Security? Or is it the President of the United States? And under what authority do they have the right to do this? And is it the kind of world you want to live in where one person has the ability to make a decision that basically sidesteps the judicial system in the country because they like you? Or whatever they do; we don't know why they did it.

Do we want the President of the United States coming into the judicial system of the country and saying, you know what? We've got so many criminal cases pending, they are just too crowded, the docket, we're going to dismiss all but the murder cases because we really think the only thing that is really serious is murder. So wipe out the rest. I mean, that seems ridiculous—and it is ridiculous—but at what point does that authority, not granted by any other source to one man, what curtails it unless we ask about it and we ask what law allows this to happen? Who gets to make these decisions to circumvent the written law of the United States and why do they get that decision-making process?

There may be a good answer; I haven't heard one. And those who have questioned it in the press and those who have questioned it with letters, such as Mr. BILIRAKIS and MARSHA BLACKBURN—another great Member of Congress—have asked that question and it's my understanding have not received any answers. By what authority is this done?

And I may be the only voice talking here tonight, but every country ought to have somebody and every State ought to have somebody standing up and asking these questions because the only supreme authority other than God Almighty is this Constitution of the United States. In this document and the offshoots of this document lies the power of the people who serve up here in Washington, DC and around the country. So this is serious stuff we are talking about, the rule of law, and it's stuff we ought to worry about.

Finally, I want to say that the really sad thing that is being reported in some of these newspaper articles is that this is deferred action, which really concerns me for those of us who have been trying to actually come up with real solutions to be fair and yet be just to all Americans, and just have possibly one of the tools that could have been used by this Congress established by the written document called the law, possibly taken away from us because of the bad taste it's going to leave in the American public's mouth.

I'm very concerned about that because, quite honestly, it was one of the possible solutions we could deal with. But I'm not going to go into that other than to say I hope that when we do finally sit down and do a compassionate solution to the immigration problem that takes into consideration not only the invading immigrants, but takes into consideration the rest of the country that it has invaded to come up with a solution to this problem, that we haven't in some way, by the actions of the White House, tainted one method that might have been used to start to correct some portion of the problem.

□ 2010

Finally let me say, the reason there's passion in my State on this issue is because more people died in the war run by the cartels across the border. Right across the border, a hundred yards from American citizens who live among the border, there have been, I think it's something like 25,000 people murdered, which is way more than the casualty rate for our forces in Iraq and Afghanistan.

Police officers and police officials, mayors, anyone who stands up and says, ''We ought to enforce the law over here,'' is killed, maimed, butchered, beheaded. And anarchy reigns—not because of the good intention of the Mexican Government; because of the evil that permeates the lawlessness on the Mexican-U.S. border.

And we have to be concerned about what's happening on our borders. All of us in this country have to be concerned, because that evil is there, and it's just, in Texas, a swim across the river away; in Arizona or New Mexico, it's one footstep away from being in one of our States and then across the country. And some of these drug gangs now have agents in every major and minor city in this country. MS–13 and other gangs like that, the study shows they have spread across the Nation.

So when we're talking about, yes, we've got lots of issues that have to do with good folks who live good lives and they're here illegally, we need to work on that. But don't ever forget, if you give up a portion of the law, you could lose it all. And when you lose it all,

who's going to stand between you and the bad guys?

And that's why we've got to keep talking about the rule of law is the glue that holds our society together. And if we give it up, whether it is for what is viewed today as a compassionate, goodwill reason or not, if we give up the strength of the law that keeps our society together, we weaken our society. And then ultimately those people who would do you harm through violence and terror will be able to control the world we live in.

That's why our soldiers go to war to fight across the ocean to prevent that from happening in our country and to help countries where it is happening to establish rule of law so they can prevent the destruction of their society. That's why great American soldiers go fight those wars. That's why we have the police force and the fire department and all of these other departments that protect us.

But if you take away the tools by some group deciding we can just, by the stroke of a pen, eliminate a certain bunch of rules we don't like, where does it stop?

This is a serious issue of the rule of law. I raise it for discussion among the Members of this House and among the people of this country. Is this the way we make it better for our lives?

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. GINNY BROWN-WAITE of Florida (at the request of Mr. BOEHNER) for today on account of personal medical reasons.

Mr. CULBERSON (at the request of Mr. BOEHNER) for today on account of family medical 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 Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. SABLAN, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. BRADY of Pennsylvania, for 5 minutes, today.

Mr. KENNEDY, for 5 minutes, today.

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

Mr. POE of Texas, for 5 minutes, today, September 15, 16 and 21.

Mr. JONES, for 5 minutes, today, September 15, 16 and 21.

Mr. GOHMERT, for 5 minutes, September 15.

Mr. BURTON of Indiana, for 5 minutes, today, September 15 and 16.

Mr. BISHOP of Utah, for 5 minutes, September 16.

Mr. MCCLINTOCK, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today and September 15.

Mr. SMITH of New Jersey, for 5 minutes, today.

ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker on August 10, 2010:

H.R. 1586. An act to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes.

Also, Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. HOYER, on August 12, 2010:

H.R. 6080. An act making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on July 30, 2010 she presented to the President of the United States, for his approval, the following bills.

H.R. 5874. Making supplemental appropriations for the United States Patent and Trademark Office for the fiscal year ending September 30, 2010, and for other purposes.

H.R. 5900. To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend airport improvement program project grant authority and to improve airline safety, and for other purposes.

H.R. 4380. To amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes.

Lorraine C. Miller, Clerk of the House reports that on August 10, 2010 she presented to the President of the United States, for his approval, the following bills.

H.R. 1586. To modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes.

H.R. 511. To authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village.

H.R. 3509. To reauthorize State agricultural mediation programs under title V of the Agricultural Credit Act of 1987.

H.R. 4275. To designate the annex building under construction for the Elbert P. Tuttle United States Court of Appeals Building in Atlanta, Georgia, as the ''John C. Godbold Federal Building''.

H.R. 5552. To amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution.

H.R. 5872. To provide adequate commitment authority for fiscal year 2010 for guaranteed loans that are obligations of the General and Special Risk Insurance Funds of the Department of Housing and Urban Development.

H.R. 5981. To increase the flexibility of the Secretary of Housing and Urban Development with respect to the amount of premiums charged for FHA single family housing mortgage insurance, and for other purposes.

H.R. 2097. To require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

H.R. 5278. To designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the ''President Ronald W. Reagan Post Office Building''.

H.R. 5395. To designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the ''Paula Hawkins Post Office Building''.

ADJOURNMENT

Mr. CARTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 15, 2010, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8728. A letter from the Director, Regulatory Review Group, Deaprtment of Agriculture, transmitting the Department's final rule — Dairy Product Price Support Program and Dairy Indemnity Payment Program (RIN: 0560-AH88) received July 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8729. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Asian Longhorned Beetle; Quarantined Area and Regulated Articles [Docket No.: APHIS-2010-0004] received July 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8730. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Voluntary Public Access and Habitat Incentive Program (RIN: 0560-AH98) received July 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8731. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Viruses, Serums, Toxins, and Analogous Products and Patent Term Restoration; Nonsubstantive Amendments [Docket No.: APHIS-2009-0069] received July 14, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.