The SPEAKER pro tempore (Mrs. DAHLKEMPER). Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

(Ms. FOXX addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. TIAHRT) is recognized for 5 minutes.

(Mr. TIAHRT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

A SIGNIFICANT DAY FOR AMERICA

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

Mr. KING of Iowa. Madam Speaker, it is a privilege and honor to have the opportunity to address you here on the floor of the United States House of Representatives and to do so on such a significant day. This is a day of events, I believe, that will be marked for a long time in at least political history, and hopefully it will be marked in the hearts and minds of the American people as well.

And I can think of a couple of events today, one that is unfolding as we speak, and another that unfolded earlier when the United States Senate had a cloture vote and didn't have the votes to force HARRY REID's version of the Department of Defense authorization bill to actually come up for a vote before the United States Senate.

□ 1910

The cloture vote failed because he attached two unrelated issues, unessential issues, to that bill. The politics of it are such, pick your side of the argument. My side of the argument, Madam Speaker, is that they were unnecessary pieces of legislation that were attached to experiment socially with the military, not essential legislation. And the objection on the part of even the Republicans that supported each piece of that legislation was that procedurally, the majority leader in the United States Senate had crossed the line.

So the Department of Defense authorization bill is now frozen in place. I think it must come forward at some time. The indications that we are getting is that will not happen until a lame duck session. That means after the election and after a new United States Senate is elected and after a new United States House of Representatives is elected. Then the people who no longer represent the will of the American people come back to do the essential business of the United States of America, but they don't have the support any longer of the voters who have chosen some different people.

But the two pieces of legislation I am talking about that were attached to the DOD authorization bill are the Don't Ask, Don't Tell policy, which is something that was implemented under President Bill Clinton back in the era when he wanted to put gays in the military, found that he ran into a political buzz saw, and settled for a compromise. And I didn't support it at the time, to be straight about that, Madam Speaker, but in retrospect it was a pretty good policy. Essentially it was we have people with different inclinations, and those who come to serve America can do so without announcing their sexual preferences. And as long as they keep that to themselves, they can serve in the United States military. That policy has served our military well for these last 15 or so years that it has been in place. I suspect it has actually been longer than that. Don't Ask, Don't Tell, Bill Clinton's policy.

Now, because of the activism of the homosexual community, they have pushed an effort, and the President has made a campaign promise that he will repeal Don't Ask, Don't Tell and recruit into the military openly gay people. That is a social experiment with our military, Madam Speaker. The military is not a place to conduct social experiments. One would think that our military personnel should have a say on this. One should do a study. There has been a request for that study through the Department of Defense to get the results of what our soldiers, sailors, airmen, and marines think of this, and then make a determination on whether to go forward with a different policy.

I am hearing continually Don't Ask Don't Tell worked. Opening it up undermines the effectiveness of our military and it breaks down their readiness, and it is bad for America's national security. That seems to be the tone that comes from the enlisted personnel. It comes from some of the officer personnel. But we know that when you are, let's see, one of the joint chiefs, for example, or if you are the Secretary of Defense, and the President of the United States is your commander in chief, and if he should tell you in a Cabinet meeting, for example, that you are going to support the repeal of Don't Ask, Don't Tell, or you are going to be mum on your opinion and keep it to yourself, so this repeal of Don't Ask, Don't Tell that opens up access to the military for gays, so that comes about and that happens. That is what takes place.

Our officers in uniform take their orders from, on up through the ranks, the commander in chief at the top. They get the message from the top. So you don't hear the straight answer from them that we like to think that we are getting from our military personnel. I believe if you could hear that straight answer, you would hear a far different tone coming out of our Joint Chiefs, for example. But the study should be done. It should not be an experiment to play with. What has happened over in the Senate is that they refused to invoke cloture because it is inappropriate and improper to stick the repeal of the Don't Ask, Don't Tell in the DOD authorization bill. If HARRY REID and others believe it should be repealed and we should open up the military to openly gay people, then they should put it up as a stand-alone piece of legislation. They should allow for amendments on it. They should debate it, and they should allow for a recorded vote. And why not do it right now, HARRY REID? Why not bring that up right now as a stand-alone piece of legislation? Why not roll it out on the floor of the United States Senate right now? And if you can pass it over there, send it over here to the House, and I hope that NANCY PELOSI picks that up. I hope Speaker PELOSI picks that up and runs it out here for a debate and a stand-alone vote so the American people can see where these Members of Congress stand.

When you roll it into and you hide it in a DOD authorization bill, then you are trying to push a social activist policy without the accountability of a recorded vote. And that is what the Senators objected to, and that is why they voted no on cloture. That is why Don't Ask, Don't Tell will not be repealed, at least in this period of time between now and the November elections. If there is a pledge over there to bring it up in a lame duck session, we know how those pledges work. If they do so, a policy of that magnitude in a lame duck session, after watching the dynamics in the United States Senate change because of the elections that will take place election night in November, and after watching a change that will take place here in the House of Representatives, to come forward with a bunch of lame ducks and try to pass legislation that is rejected by the American people would be another insult. It would be another affront to the American voters, the American taxpayers, to American citizens.

Don't Ask, Don't Tell needs to stand. That is what the American people want. That is what the military wants. And there is a study out there that needs to be completed. I want to look at the results of that, and I want to look at the methodology of it. I am not necessarily endorsing the results. I have not seen them, nor have I seen the methodology.

But I believe, Madam Speaker, that our military personnel that put their

lives on the line every day, that strap on that vest and that helmet and that uniform and face the heat and the cold and the bullets and the shrapnel and the IEDs, and all of the things that put them at peril, deserve better than a social experiment taking place here in the halls of Congress, just to pay off a political constituency group before an election. That is what offended the Senators over there today who voted no on cloture.

The other component in that legislation was brought up for the same reason. It is called the DREAM Act. It is one of those things that happens. We come up with bad ideas for legislation here in this Congress, and we try to put nice-sounding titles on them so somehow or another if it has a good name, it has a better chance of becoming law. Well, if we had named it the Selective Amnesty For a Certain Class of Illegals Act, I don't think it would have had much chance to get to where it has. But it is called the DREAM Act. I would like to be able to say that you are dreaming if you think you can impose amnesty on 2 or more million people that came here illegally and set it up as a reward just because the compassion of your heart says that is what you should do. The people that support the DREAM Act are the people that are looking at this thing in the same way they are supporting the broader overall amnesty policy. What is the bottom line motivation? We would like to think that we are all looking at this policy from a constitutional perspective and a rule of law perspective, and setting up statutes so there is a framework that strengthens America and that respects the rule of law. But instead, we have seen the immigration law in America has simply been pushed off the edge and hijacked towards the line of opening up our border for the cynical political purposes of wanting to provide for people to come here and vote that will vote for a certain party.

Madam Speaker, I heard this about 3 years ago, and I heard it right outside this House of Representatives out here on the West Lawn when there were about 150,000 people that came to protest they wanted their amnesty. Many of them presumably were illegal. But Senator Ted Kennedy, alive and relatively well at the time, went out to speak to that group of roughly 150,000 people. He said to them: Some say report to be deported. Then he waited for the interpreter.

Then he said: I say report to become an American citizen. And then he waited for it to be interpreted. And then there was a cheer and applause that went up from the 150,000, the multitudes that came to the Capitol to demand that they receive amnesty and exemption from America's immigration laws.

But I report this to you, Madam Speaker, because I heard clearly that day the clarion call that came from Senator Teddy Kennedy that said: We are going to give you all amnesty, and we are going to give you all citizenship, and we are going to let you all vote to redirect the direction of America, and just know that I represent the Democrats, and remember that we are the ones that gave you amnesty and the path to citizenship. So report to become an American citizen, remember who said so, Teddy Kennedy, vote for his party.

Now there are some people on my side who got this wrong. I have said for a long time that the driving force on immigration here in the United States is this.

□ 1920

On the one side, it's kind of like a set of barbells. Over here on one side, we have business that thinks that they've somehow got a right to cheap labor. Among these businesses, there are Democrats and Republicans, increasingly numbers of Democrats on the Big Business side of this who want the cheap labor. Yet there is a business interest. It's all the way over on this side of the barbell. Then you've got the bar through the middle, and on the other side of the barbell are those who want open borders and amnesty for the sake of all the political power that it brings them.

Now, Madam Speaker, that might be something that doesn't exactly resonate when I say that, that illegal immigration gives people political power in America, and I know I have to explain that. It's this:

We've already completed the census. We've counted everybody in the United States. I hope we have. Now redistricting is beginning all the way across America. According to a CIS report of a couple, three years ago, there are between nine and 11 congressional seats in America that would shift from the States they are in because we count people rather than citizens for the purposes of reapportionment in America.

If you go across the South to States like Florida, Texas, California—and perhaps Arizona—Florida, Texas and California, by my recollection, would be States that would lose a seat if you were to count citizens rather than just people. Those seats, those nine to 11 in the aggregate altogether—and there would be other States that would lose seats—would be scattered back around America and reapportioned to the States that are a little bit short right now. Utah, for example, is on the cusp of picking up a seat. Well, if we counted citizens instead of people—''people'' is a class that includes illegals, the people who shouldn't be here—then there would be States like Utah and Indiana that would pick up a seat. A State like Iowa is more likely to keep the number of seats that it has, but the seats would be scattered across the United States in such a way that there would be a nine to 11 shift. There would be nine to 11 congressional seats that would shift, and they would shift from the hands, according to that analysis, from Democrats into the hands of Republicans.

So what do we know about this?

Each congressional district has, roughly, 700,000 people. Let's just say, if you had 600,000 illegals in your 700,000-person congressional district, you would only have a universe of 100,000 people who you could draw from to get votes. So, when you look around America and you see that some of us get elected with 30,000 or 40,000 votes and others like me require about 120,000 votes to win an election, you begin to understand that the high populations of illegals within some of these congressional districts have a voice. They have a voice here in this Congress. Even though they supposedly can't vote, they have a voice in Congress. They have leverage because they create congressional seats in places where there is sympathy for illegal immigrants. That is how the political power comes. That is one of the ways that it comes.

Then you also have the businesses that depend on the illegal labor, and that's just those who use the labor. There are the businesses then that market to the illegal labor, and they begin to see that they are dependent upon that flow of cash that goes through in that fashion, and now you've got a constituency group that advocates for open borders. It is for their self-interests, but they advocate for open borders for their self-interest purposes whether it is for the political power that Teddy Kennedy so clearly laid out the clarion call for—that's this side of the barbell—or whether it's the weights over on this side, the business interests, that believe they have a right to cheap labor.

By the way, that labor is subsidized by the taxpayer because cheap labor can't sustain itself in this society any longer. This society has become a welfare state. I mentioned the barbells—cheap labor's interest on this side, advocating for amnesty, and the people over on this side, advocating for amnesty because they get a massive amount of political power.

Here in the middle is this barbell, the bar for the barbell, and it gets squeezed. That is the middle class. That bar that holds up either end is the middle class in America. The blue collar people, the middle-income people, the people who just want to buy modest homes and raise their families and give them a chance to go off to college, to go to work every day, to church on Sunday, and to live life as the American Dream are being squeezed. The middle class is being crushed in the middle of this.

There are the people who, let's say, emerge from high school, whether they be Americans who drop out or those who finish and don't go on to higher education. There was a time—oh, there was a happier time—when a person who decided that he just didn't want to stay in the educational system any longer, but who was a hard and smart worker, could walk from that school and go over and get a job in a factory or in a

processing plant and punch that time clock and go to work for 8 hours a day and do that for 40 or more hours a week and make a respectable living and take care of his family. Maybe he pinched his pennies and paid for his house eventually, drove a respectable car and lived life.

Those times aren't entirely gone, but they are diminished dramatically because, first, we have expanded the professional class in America, the professional class that believes that now they have a right to live in a gated community and to hire cheap labor to take care of their lawns. We have that class of people that has expanded. Then over on the other side we've got the illegals and the low-skilled people who are more mobile than the American population. They can travel to the jobs more quickly because they're not tied to any hard assets like real estate, for example. So they can get in their vans or minibuses and go to Washington and pick apples if they decide to do that, and their wage scale is about half of what it would be if we had a tighter labor supply. Illegals are undercutting the lower-skilled labor in America, and they're taking away the opportunities for those Americans who don't want to go on to a higher education and take on more professional jobs.

There used to be—and in my mind there always will be—great pride in those working men and women. They put their hands to the task. A little dirt under your fingernails and some calluses on your hands is an honorable thing. All work is honorable—all productive work is honorable—but this society has now morphed into a welfare state.

I want to go back to the welfare state part; but when I crossed over to this side, I mentioned the gated communities. Think of what has happened to the elitist attitude, the elitist attitude that says, Well, I don't have to worry about the security for America. I don't have to worry about walking down the streets anywhere in America and being mugged or having illegal drugs pushed on my children because I will live in this protected environment, in a gated community, with a fence around the house and with, maybe, steel iron bars with spikes on them on top of the fence. That's out there. Then they raise their children to go off to Ivy League schools so they can come back and live in other gated communities. They live in an isolated America—upper class people, professional class people, living in isolated America.

But you know what?

They open the gates for somebody who is illegal to come in and fix their roofs or to trim their lawns or to work in their gardens or to clean their mansions, to take care of their laundry and to run errands. I mean, we heard Colin Powell just the other day say that, first of all, he supports the DREAM Act. He also said that he needs the illegals to take care of his place. What's he thinking? This is a man who I thought could have been, and perhaps at one time should have been, President of the United States. Now he is advocating that we grant amnesty to the people who are here illegally, and he is openly stating that he needs illegals to take care of his home.

Madam Speaker, if you get to the point of desperation where your house is so big and your home is such an expansive mansion that you can't go out and cut your own grass or trim around your own flowers or paint the trim around the windows or do the things that you do and if you must have servants to take care of that place and if you can't afford to hire legal workers to take care of that place, I would suggest you put it up for sale and go get an apartment somewhere where you can manage the maintenance of it yourself if you have to cross the line and break the law to do the maintenance on your home.

I'm shocked that a man of that stature would make a statement like that. Furthermore, I'd put a little reminder out there for the General Powells and others in the world to think about the DREAM Act and about what the DREAM Act really means. It means this:

If you are under the age of 35 and if you were brought illegally into this country before you were 16, then you are not at fault and are no longer accountable as long as you would agree to go into the military for 2 years or would agree to go off to college for a couple of years. If you will do that, then we'll give you that path to citizenship because, after all, you really were nurtured in this country, legal or illegal, and we'll give you that path to citizenship. You just have to agree to go on to an education a little higher than high school or go off to the military for a couple of years. Now, I don't know how you would sign up for a couple of years to do that, but I'm trustful that there is a special program that way.

□ 1930

And we will chase you down with your citizenship papers and get you to become a complete citizen. And if you're a resident of a State, then you get to enjoy the in-State tuition discounts. We know that this has happened around the country in a number of places. California is one of those places.

Iowa tried to pass the DREAM Act. I heard about what was going on there. The DREAM Act started. The foundation of it was—and, I believe, still remains—in-State tuition discounts for kids who are in the United States illegally and then suspends the enforcement of the law against them so that they can't be deported as long as they are going to college—or now we expand it to the military.

Now, think about this. An in-State tuition discount for someone who is in the United States illegally, that's the equivalent of a scholarship. They're not a lawful resident of this respective State, so you can't give them in-State tuition discounts without a statutory change, without changing the law. So they want to change the law.

So, let's just say the tuition to go to—who shall I pick on? I'm reluctant to pick on anybody, actually, but let's say tuition to go to the University of Iowa as out-of-State tuition, $20,000 a year; in-State tuition, $10,000 a year. And we have someone who is in the country illegally, who was brought here the day before their 16th birthday, and they had been in America for 3 years. I think that's another one of the qualifiers. So we'll say to them, Well, you wanted to be a good citizen, so we're going to give you this in-State tuition discount to go to the University of Iowa, and it's going to save you $10,000 a year. That's the equivalent of a $10,000-a-year scholarship fund for someone who is not in the United States legally.

Now, think—to the General Powells of the world and others who think that the DREAM Act is anything other than some form of class amnesty, think what that is like then to have—what if we had ICE come up and deliver that de facto scholarship for $10,000 a year. We just put them on the road in their Humvee and they can drive out there and we are going to hand these out to those people that came here the day before their 16th birthday—it was their parents' decision, not theirs—and we will give them a de facto scholarship of $10,000 a year. Well, that's a great deal; right? And then they go off to college and sit down in a classroom and we feel so good about ourselves.

But we should keep in mind that somebody wanted to go across the river, across the State border and go to the University of Iowa and take classes at that university but they were not a resident of Iowa any more than the illegal that's the beneficiary of the DREAM Act is a resident of Iowa. And so they have to pay the out-of-State tuition at $20,000 a year, paying twice the tuition. They're paying, over the course of a 4-year education, a $40,000 premium to go to a school out of State—like, let's just say, Illinois to Iowa—a $40,000 premium, while at the same time this other student that sits in the desk next to them has been delivered a scholarship that's a $40,000 discount, a $40,000 difference between the two. And if ICE would have driven up with their Humvee to deliver the de facto scholarship, they would have had to deport that student because they would have been in violation of America's immigration law, unlawfully present in the United States.

Now, that should be enough to bring a pause to someone who has worn as many stars as General Powell has and deserves to wear. But let me take it another step for those General Powells and others in the world, Madam Speaker.

Let's set that illegal student down in a classroom with their de facto scholarship of $10,000 a year sitting in a

classroom. Now, let's just say it's not a regular student that came across the river from Illinois. Let's, instead, think about what will inevitably happen. Inevitably, it will be the widow or widower of someone who has given their life in a place like Iraq or Afghanistan to protect our freedom and liberty. And this widow or widower wants to go off to college to sit in this classroom to upgrade their education so they can take care of their family, take care of those children that perhaps lost a father or a mother, and they're paying the premium of out-of-State tuition, $40,000 more for a 4-year education. And they're sitting at a desk next to an illegal student that, if the law were applied, would have been deported but, instead, gets a tuition discount.

Now, how do you reconcile that scenario with the warrior's widow sitting at a desk paying a premium of $40,000 and the illegal—that's eligible for deportation by every standard except the DREAM Act—getting a $40,000 discount on that tuition, Madam Speaker? That's an outrage. That's an outrage to do that to those Americans who want to go to school out of State. It's an outrage to do that to the families of our veterans. It's an outrage to do that to the rule of law.

I will submit that the people that are for the DREAM Act haven't thought about this on a rational basis. They've simply thought about it from whatever their particular sympathy basis is.

This class of people that are here illegally are here because most of them, the class that is part of the DREAM Act target—because most of them, their parents brought them here against their will. Yes, I concede that point. But where do you enforce the law if you don't enforce it against someone who is 35 years old and was brought here to the United States the day before their 16th birthday? Do you enforce it the day after? Or you can take it back the other way and you can say, if somebody was brought to the United States the day after they were born, should they be deported? Yes. Because that's the line. We drew that line and that's the law, and we can't grant amnesty. We set the standards. And because we haven't enforced the law, we set up, instead, the effect of a magnet that brings illegal people into the United States of America, and it is essentially a magnet that turns out to be a reward for breaking the law.

So, if the DREAM Act passes and you're pregnant and outside the United States of America and you can't quite get here in time to have the baby, don't you know that you can just sneak in and keep that child and raise them here and nurture them here—maybe you only get them in when they are 14 years old and they go to a school in America for 3 years. They qualify for the DREAM Act, presto. They can get an in-State tuition discount, a college education. They can go into the military. They can get their citizenship. And then what? Then they can start under the family reunification plan, going back and pulling their whole extended family into the United States under the family reunification. And that's out of our control.

Madam Speaker, when you look at the numbers, America's legal immigration standards only have between 7 and 11 percent of the people that come into the United States legally. Only 7 to 11 percent of them are based on merit. The balance of that is based on some other connection, either the visa lottery or the family reunification plan or some other category, but not based on skill sets and merit.

Now, if we look at some of the other countries and the policies that they have—you can look at Canada, United Kingdom—Australia, for example, they set up a scoring points system that rewards people for being able to contribute to the host country.

Now, I have long said that the immigration policy in the United States of America should be designed to enhance the economic, social, and cultural well-being of the United States. That should be, actually, the policy of—any sovereign nation of the world should establish an immigration policy for the purposes of enhancing the economic, social, and cultural well-being of that particular sovereign state. In this case, it's the United States of America.

We should also understand that one of the essential pillars of American exceptionalism is the rule of law. And if we have contempt for the rule of law, if we have some of the highest profile people in America openly speak about hiring illegals to take care of their home and at the same time advocate for the DREAM Act, which is amnesty for a specific class of people, reward for illegal behavior, a magnet for bringing more children into the United States that would be here illegally, and getting them to qualify under the DREAM Act so they can go off and be funded partly by the taxpayers and go off to college, or the argument that comes from the Department of Defense, which is that it's good for our military readiness to have the DREAM Act. That's another Colin Powell argument, And it does come out of the Pentagon to some degree. Now, how can it be that a Nation of 306 million people can't field an army without granting citizenship to people that are here illegally?

□ 1940

I mean, I could not have pitched such an idea, Madam Speaker. I can't with a straight face make such a proposal.

This military is working with a social experimentation agenda. And who is to think that the military, the Pentagon, and the United States is for the DREAM Act when they have a Commander in Chief that tells them what they think. They're for the DREAM Act because it's important for military readiness. I don't take them that seriously any more. I don't think they are able to deliver their own objective opinions into the media without having to pay a consequence to the Commander in Chief, or whatever kind of retribution that would come out of the White House.

Don't Ask, Don't Tell. Again, experiment in the military. Can you get a straight answer out of the Pentagon any more with the Chicago-style politics of the Commander in Chief? I say not.

And now maybe this looks like it's just a coincidence that we come across the DREAM Act and the repeal of Don't Ask, Don't Tell—both of those social experiments wrapped up under the Department of Defense Authorization bill and rejected by the majority—I believe it was the majority, at least. No. It was rejected at least on a cloture vote in the United States Senate. And you think that those two, Madam Speaker, might be anomalies.

I will make another point to tell you. It's a pattern. Here's the thing that supports my conclusion. There's been an effort to take calories out of the diets of our young people, an effort to reduce the calories accessible to our young people by 1.5 trillion calories. I think that's a year, but I don't know. Take a couple of Doritos out of the Dorito bag, thinking those kids are only going to go for one bag and not two. Reduce the calories in a Power Bar from 150 calories down to 90, thinking that overweight, voracious feeder that you have that's 16 years old isn't going to go for a second Power Bar. If the kids want the calories, they're going to eat them. Reducing the size of the servings just means they'll open up more packages.

But the military stepped in in support of this effort, this healthy youth effort. Data that has been reported, at least, says that Americans kids are—30 percent of them are overweight. And the Pentagon has said it affects our national readiness, that we can't recruit young people to come into the military, can't recruit enough of them because too many of them are overweight and can't meet the physical standards.

Madam Speaker, I'll submit that you can take an overweight 16-, 17-, 18-, or 20-year-old, and they're still a pretty good physical specimen even though they've got a little bit of weight hanging over their belt. And it's not a security risk for the United States of America. We can solve that problem. If it came down to not having enough people to put on the uniform because some of them were too fat, let's just get some basic training uniforms for some that are a little bigger and put them on those young people and put them out there in basic training a little while longer. Once they're on the military diet and the military exercise plan, we've seen millions of them come back home squared away, upright, gut gone, toned up, in shape, proud, with a look in their eye that they're another noble soldier and patriot.

This is not a national security risk because 30 percent of our kids are overweight. This is an indication of what

goes on when the White House starts to pour down in a cascade through the executive branch of government an ideology that's inconsistent with the military.

It's inconsistent to force openly gay policy on our Department of Defense. And there isn't any pattern out there that could show us that that would be a successful result.

It's inconsistent with the rule of law to propose the idea that for national security purposes, we should pass the DREAM Act and put these people that came here illegally into the military and give them citizenship along the way. That undermines the American dream.

It's inconsistent to think that a general that has worn four stars honorably would think that the rule of law doesn't apply when it's time to hire somebody to cut your grass. It's got to apply every time. Equal justice under the law. Lady justice is blindfolded. She stands there with the scale. She's blindfolded. It must be that way or America is undermined. And this broader philosophy of illegal immigration and how to deal with it is something that I'm invested in pretty deeply.

I want to roll over if I can, Madam Speaker, as to what's going on downstairs right now in the basement of this Capitol. There is a pledge to America that's being rolled out. It's being discussed by the Republicans here in the United States Congress. It is something that brings back memories of the Contract with America that was rolled out here in 1994 about this same time in September.

And this is, I understand after doing a quick Web search, named Pledge to America. And now, I don't know all that's in that that's being unfolded right now. I just know what I wanted to have in that, what I hope is in it.

I'm hopeful that the document is a clear document, a document that says we have made these promises, we're going to keep these promises.

And I expect that there's going to be language in there that says that we are going to support a 100 percent repeal of ObamaCare, all of it. Pull it out root and branch, lock, stock, and barrel, so there is not one vestige of ObamaCare DNA left behind, because this toxic stew of ObamaCare has become a malignant tumor in our land. And it threatens to metastasize.

It's affecting us already. It's driving up our premiums for health insurance, especially for young people that most can't afford it. It's got to go. It's got to be pulled out by the roots. It's got to be eradicated. And that's got to be step one, plank one. It's got to be our promise, our pledge to America that we will repeal ObamaCare in its entirely. Not the most egregious aspects of it, not a component here and a component there, not chipping away at it and leaving other pieces there—because if that should happen, that foundation of ObamaCare then, as I said, it's a malignant tumor. It's a cancer. Then it metastasizes. It goes into this robust growth and it swallows up and consumes and chokes off our liberty and our freedom and takes away our personal choices, and already under the statute that exists today, shrinks down our health savings accounts and cuts our ability to contribute to them by more than half and almost eliminates catastrophic insurance and takes away personal choices one after another after another.

I'm hopeful that repeal of ObamaCare as a stand-alone—rip it out by the roots, follow through on discharge position number 11, which is here, Madam Speaker, at the desk, and any Member of Congress that wants to establish that they're opposed to ObamaCare and they want to see it repealed can come down here to the well and ask the Clerk of the House for Discharge Petition Number 11—that's legislation that I introduced to repeal ObamaCare—and sign that discharge position. There are at least 173 signatures on Discharge Position Number 11, which repeals ObamaCare.

And the last language of the bill—it's only 40 words—it says, ''as if it had never been enacted.'' That's the quote.

So it pulls it all out by the roots, and it's what Americans want. Pick your number, but well over 60 percent of Americans want to see repeal of ObamaCare. I see numbers that go up to 73 percent that want to see repeal of ObamaCare. So those who want to keep it, they're not the balance of the difference. If it's 73 percent that want to repeal, it doesn't mean that 27 percent want to keep it. It means that some of those 27 percent want to keep it and some of them are undecided.

But if a Member voted for the Speaker of the House, Speaker PELOSI, and the San Francisco agenda, ObamaCare, cap-and-tax, and others, put that vote up—the most important vote that any Member of Congress ever makes is for their leader, their Speaker. And if that vote went up for Speaker PELOSI, it enabled the San Francisco-Obama agenda to be forced to the floor of this House against the will of the American people, who let everyone here know their objections in a constitutional and peaceful and litter-free way.

But still their hearts were hardened and they imposed ObamaCare on us, even though the bill itself could not have passed that night except that the President promised that he would write an Executive order that would amend the language that was coming to the floor. That was part of the deal. And part of the deal was that there would be a reconciliation package that would be passed in the Senate that would circumvent the filibuster that would come to the House to seek to fix some more of the problems.

□ 1950

Oh, no, a bill didn't come here to the floor of the House that had the support of the majority of the Members. A bill came to the floor that was conditioned upon an executive order by the President and another bill coming from the United States Senate that then satisfied just barely enough. Didn't satisfy any Republicans, and it dissatisfied 34 Democrats. Thirty-four Democrats voted ''no'' on ObamaCare.

All of those 34 Democrats voted for NANCY PELOSI for Speaker. Many of them told their constituents in the 2008 election that they wouldn't commit to voting for Speaker PELOSI, that they were an independent voice. We even have one at least that's running television ads that says he's an independent voice that's willing to stand up to President Obama, and stand up to NANCY PELOSI, and vote against ObamaCare, but at the same time vote for NANCY PELOSI.

Now, when you do something like enable Speaker PELOSI's agenda by voting her into that position, and then when you see cap-and-tax come down on top of us that penalizes coal country in a big way, West Virginia, Pennsylvania, some of those States come to mind, Wyoming, you see that agenda being driven out of the Speaker of the House, when you put up the vote, stood up here and audio out of your voice said the name, PELOSI for Speaker, that's the most important vote that gets cast in any individual Congress in any 2-year period. And it enables the agenda of the leader, Speaker PELOSI.

And then when that same individual votes ''no'' on ObamaCare and postures himself to say he's independent, willing to stand up to the President and the Speaker of the House because here's the signal, voted against ObamaCare, that's no sign of independence. That's a sign of being let off the hook by the Speaker. That's the sign of a permission slip to vote ''no'' so you can go back and tell your constituents that you are an independent voice.

The distinction here is we have a discharge petition. And a signature on the discharge petition says you mean it. It says that you want to see the bill come to the floor unamended, with an up or down vote to repeal ObamaCare. One hundred seventy-two Republicans signed the discharge petition number 11. One Democrat has signed discharge petition number 11 so far. There are others out there that are going to need to say to their constituents, listen, I really do stand up to Speaker PELOSI. Watch me. I will go down and ask the Clerk of the House for discharge petition number 11 and get my pen out, and I will sign my name on that. That means that if it comes to the floor that I'll vote to repeal ObamaCare. That's what sits out there right now, Madam Speaker, and that's the distinction.

But I believe that we will move forward with a pledge to America that repeals ObamaCare, rips it out by the roots in its entirety without equivocation. And I trust that's what's being discussed downstairs as we have this discussion up here. I hope and expect. That's one of my requests.

Another one would be that we pass English as the official language of the United States of America. That's an issue that has somewhere between 83 and 87 percent support all across this country. We haven't discussed it very much in this Congress because we know who holds the gavel. But Americans want to have an official language. An official language of the United States needs to be English. And there are at least 28 States that have established English as the official language. And it's no longer possible to drive from Mexico to Canada without driving through a State that has English as the official language. That's how the map looks when you happen to look at the map.

English is the official language of the State of Iowa. It's the official language of Nebraska. It's the official language of 26 other States. That's because of the simplicity that every other country in the world understands you have to do business in a language, and that if you encourage a multitude of languages and require the interpretation in those languages that costs a lot of money and causes a lot of confusion.

And for a long time people that watch and study humanity understand that a common language is the most powerful unifying force known to man. I mean when they were working on the Tower of Babel, God understood it. He looked down at the Tower of Babel as they were trying to build that tower into the heavens to try to achieve heaven without going through God. And it was a blasphemy towards him. And God looked down at the Tower of Babel and he said, behold, they are one people. They speak all one language. And nothing that they propose to do will now be impossible for them. That's how powerful one language was. And so to break up the Tower of Babel, God gave them, caused them to babble, and scattered them to the four winds. And there is at least a Biblical belief that that's where the different languages came from that have been located around the world.

But we know that if we come together as Americans and we speak all one language we can communicate quickly, we can understand each other, we don't need to go through expensive interpretations. And we also are listening to the advertisements for different means of learning foreign languages under the immersion process. It's the best way, the immersion process.

Now, I encourage the studying and the learning of languages. I think it's great that Americans take that upon themselves to do that. It's important for our foreign trade and our international travel. It's important for our military and our State Department. It's important for international relations. But a Nation should have a language where you can go from corner to corner in that Nation and expect that you can communicate in one language.

If it had been Swahili, then so be it, Swahili should be our official language. But it's not. It's English. But speaking of Swahili, it happens that in some places like Kenya, for example, they do speak some Swahili, but the official language of Kenya is English. And they are grateful for it. It's brought so much along the way.

So I am hopeful that this very simple, common sense, powerful, unifying force of language, official English, which has a massive numbers of cosponsors on it and a vast support of the American people, even though we haven't debated it during the time that NANCY PELOSI's been the Speaker of the House in a real legitimate way anyway—there is a lot of things we haven't debated, won't be allowed to come to the floor—I am hopeful that that pledge to America has official English in it.

I believe that we should have a House rule that gives a priority that we actually first pass a budget resolution. But I also believe that we should have a House rule that gives priority to the balanced budget that's offered so that it can be offered and it can be debated here on the floor and brought to a recorded vote so the American people can see how hard it is to balance this budget. It's hard, Madam Speaker. And it's going to be really painful to bring the thing to a balanced budget. And if we do it all at once there will be some serious whiplash in this country.

Now, I voted for a balanced budget here. I have asked for one to come to the floor. We brought one under the Republican Study Committee. It first started out balancing in 10 years and then 9 years. It wasn't aggressive enough to suit me. But at least it was a vote on a balanced budget. And we started to debate what it takes to balance the budget. And if you don't do that you never get there. If you don't define your goal and your target, you never get there.

So I would want to see a rule come here to the floor that we could support in a bipartisan way that would give precedence towards a balanced budget to be offered first. And if the majority or the other party, be they majority or minority, offers a balanced budget, then that budget would take precedence over the budget that's offered that is let's say the chosen budget from the majority of the Budget Committee. So that we have a record on what it takes to balance the budget and who's willing to vote for a balanced budget. And I would think that we could get together on that in a bipartisan way.

And then we need to work to pay down the national debt. And I want to see the day that we have a balanced budget and we start to pay down this national debt. That's the third thing I would like to see in the pledge to America.

The fourth thing is I want to put an end to Federal funding of abortions. And I would phrase it this way. I want to statutorily prohibit all Federal funds from going to any entity that provides abortion services or counseling. That simple. And that should have, I think, strong bipartisan support. And that's been demonstrated in some votes here in this Congress. So then it would enshrine the Hyde amendment and the Mexico City policy. And we are going to repeal ObamaCare so we wouldn't have to go after that specific component of ObamaCare that ends up funding abortions. I will call that the Ben Nelson language.

Fifth thing I would like to see in the pledge to America that's being unfolded right now as we speak, Madam Speaker, I would like to pass legislation that modernizes E-Verify. E-Verify right now is you are limited. You can only use E-Verify with a new hire. So when you look at someone's application and you can't verify whether they can work in the United States legally, then you have to give them the job. And then once you give them the job, they are on your payroll. They qualified for your insurance and all of the burden that comes along with bringing somebody into your employment.

□ 2000

Then and only then can you run their data through E-Verify and it might come back and it can't confirm. And if it does that, you have probably got someone on your hands that can't legally work in the United States. And so you give them their time to cure their data and if they can't get it cured, then you have to fire them.

I just simply, with the legislation that I am hopeful that we are able to bring, probably not this year, next year, to fix E-Verify so that you can use it on current employees, legacy employees, so someone can decide I want to clean up all my workforce. I have had some people that have been here for a year or two or 5 or 10. Some may have been here illegally. I just want to have a legal workforce. I want to run all their names through E-Verify. Why not? Why not give the employer the tool.

The second thing is why not let them use E-Verify with a prospective employee with a legitimate job offer? We have that under a drug testing law in Iowa, and it's completely without any litigation or complaint. If you show up and you want a job, you can go through all of the hoops and they can say to you, I have done the interview, you have passed all the tests but this one. You have got to go off and take a drug test before I can put you to work. That's what we do in Iowa, and no complaints, no lawsuits. It's the employer's prerogative, and I encourage them to do that. They should be able to provide a drug-free workplace. We should also be able to provide, as employers, an illegal-free workplace, modernizing E-Verify so it can be used on current legacy employees and with a legitimate job offer is a legitimate thing to do.

The third component that we need to do, Madam Speaker, out of this is we

need to clarify that wages and benefits paid to illegals are not deductible for Federal income tax purposes. Doing that allows the IRS, during a normal audit, to run the Social Security numbers and the information data of the employees of the audited company through E-Verify. And if they come back, they can't lawfully work in the United States—and we will give the employer safe harbor if they use E-Verify. Then the IRS can deny the business expense.

This is a piece of legislation that I have drafted called the New IDEA Act. So the net result is this, if you paid out a million dollars in wages, and the IRS—well, let's just say multiple millions—but the IRS has determined that a million dollars of those wages have gone to illegals, then they can deny that as a business expense. And we know when that happens it goes over on the profit side of the ledger, and it becomes taxable as income.

So now you have got income tax to pay on a million dollars instead of having a million-dollar deduction that avoids that income tax. The corporate income tax on that is a profit, plus the interest, plus the penalty, calculates out to be, if you are a $10 an hour illegal, you become about a $16 an hour illegal.

When you get to that point, now you have lots of employers that have decided that they want to make a decision to clean up their workforce and hire only legals and that shuts off the magnet here in the United States in an effective way.

The last thing I want to do, right before I yield, is I want to sell off all of this property that the United States has taken over and nationalized, including the shares of General Motors and Chrysler.

Madam Speaker, may I inquire as to the balance of my time?

The SPEAKER pro tempore. The gentleman has 4 minutes remaining.

Mr. KING of Iowa. I yield to the gentleman from California.

Mr. BILBRAY. I appreciate the gentleman yielding.

I wanted to take this chance because I saw you on the floor. I think there are a lot of issues that are controversial and a lot of people see Democrats and Republicans disagreeing on.

I want to use this time to compliment the gentleman from Iowa for the fact that he has introduced the most moderate, the most logical and I think the most American bill when it comes to the immigration issue. This is something that really, really hits to the core of the problem and doesn't blame the immigrant, but goes to the source of illegal immigration, and that's the illegal employers who are exploiting them.

I think if there was one place that Democrats and Republicans should be able to work together, that all Americans could agree on, that this Congress, this month, should eliminate the absurd situation to where illegal employers get to write off the expense of hiring people illegally in this country and be able to have the Federal Government subsidize their commission of a crime when they hire somebody who is not legally present.

And your bill is right to the core of what the American people are asking for, Democrats, Republicans and independents, saying, come on, why don't we get together in Washington and do the right thing and eliminate these absurd situations.

And this one is so logical, it is so moderate, and it's so appropriate for the time. And if there is nothing else that we can agree on before we adjourn this year, I would like to see, we should agree, that the taxpayer should not be subsidizing the employment of illegal aliens and the exploitation of those workers.

I want to thank the gentleman for coming forward with this bill.

Mr. KING of Iowa. I want to thank the gentleman from California for hustling here to the floor to weigh in.

I yield to my other friend in life, Dr. PAUL BROUN.

Mr. BROUN of Georgia. Thank you, Mr. KING. I appreciate your leading, and I appreciate your leadership not only on this issue but on many others.

The American people just say where are the jobs, and these illegal aliens here in this country must go home. We must secure the border first and foremost. We must make English the official language of America. We must enforce the laws on the books, but we cannot put it on the back of the employers or the States.

We must put it on the back of the Federal Government.

I congratulate you on a great job, not only on this issue, but all that you are doing. And we will continue to fight to secure the borders, make English the official language, and do things that the American people are just crying out for to create jobs here in America.

I congratulate you.

Mr. KING of Iowa. I thank the gentlemen from Georgia and from California for coming in to weigh in on this. We are here at a time when we have got to reestablish the rule of law, and we have got to shut off the bleeding at the border, and we have got to shut off the jobs magnet.

This bill, the New IDEA Act, does shut down, if not completely off, the jobs magnet. And New IDEA stands for the New Illegal Deduction Elimination Act.

Madam Speaker, we often say here there are no new ideas here in Congress, that it's just recycled old ideas. Well, this was kind of an audacious move to declare it to be the New IDEA Act, but it defines what goes on.

The New Illegal Deduction Elimination Act, right now, we have not eliminated illegal deductions.

Instead, we have the IRS that's not calling the shots on this. It's letting the deductions come, so people can hire illegals with impunity. It really is against the law to deduct wages to illegals, but they are not enforcing it.

Another piece that this law does is it requires the IRS and the Social Security Administration and the Department of Homeland Security to set up a cooperative arrangement. So they have to sit down at the table and decide, well, here are these no-match Social Security numbers. We will roll these over here in the Department of Homeland Security so they can go check them out when they go look at the employers, and the IRS can take those numbers as well when they bring it into their audit and bring the focus on so that we are coordinating the agencies in America to get at the goal.

The goal is to enforce the law. The goal should not be to advance amnesty by the DREAM Act or any other way. And we cannot be the great Nation that we are yet to become if we don't take our path up that way by supporting and strengthening the rule of law, one of the essential pillars of American exceptionalism. That's the argument, amnesty or the rule of law. It's two choices.

And it looks now like the DREAM Act is not coming at us until perhaps in a lame duck session. If it does, out of that Senate in a lame duck session, that is an offense to the American people to bring a bill like that with impunity against the American people when you no longer represent them because of the election that will take place in November.

So, Madam Speaker, again, I thank my colleagues for coming to the floor. I appreciate your attention on this matter. I appreciate the American people's attention on this matter, and I believe they will stand with the rule of law and against amnesty.

PROPOSAL TO REGULATE FLY ASH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. MOLLOHAN) is recognized for 5 minutes.

Mr. MOLLOHAN. Madam Speaker, I rise today to call attention to an issue that threatens the economic viability of many industries and the existence of thousands of jobs in and around the coal fields of our Nation. That issue, Madam Speaker, is the Environmental Protection Agency's proposal to regulate fly ash, coal ash, as a hazardous material.

Over the past 2 years, Madam Speaker, the EPA has peppered the Federal Government and the Federal docket with a myriad of proposed rules and undertaken aggressive, zealous enforcement actions targeted at industries in Appalachian States.

This much continued pattern of rulemaking and enforcement action is destructive to the central economic engine that fuels this Nation's energy needs.

□ 2010

In its latest round of regulatory bravado, EPA released a proposed rule in