OUR EDUCATION SYSTEM NEEDS HELP

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, the education system in our country needs help. But instead of helping education through additional funding, the sequester, which I voted against as a bad idea, cuts education services to the children in our country who are most at risk.

$740 million will be cut from Title I education programs that provide financial assistance to improve academic achievement of disadvantaged students. Tennessee would receive $14.5 million less and, in Memphis, almost every single school relies on those funds. Head Start would be stripped of $406 million.

These programs are relied upon by low-income families, families that need more assistance to assure that their children have a safe place to learn while their parents work to pay their bills.

Nationwide, nearly 1.2 million students are affected by Head Start cuts. Tennessee will lose at least $7 million and, in Memphis, it means 31,000 children will lose access to affordable early education.

As a result of this reduction in Federal funding and the needs to reprioritize our allocation of Title I funding, Memphis City Schools will be forced to eliminate approximately 80 of their pre-K classrooms for the next year. Eighty-two classrooms are being closed, affecting 1,640 children, more than a third of the students.

The sequester needs to go.

IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it's my privilege to be recognized to address you here on the floor of the United States of House of Representatives. And I know that there's issue after issue that comes before this Congress; some calculate those issues in the thousands. But I'm also aware that, across America, we talk about the things that we see in the news. The things that are in the news are the large topics that are emerging here in Congress.

We've heard the gentleman from Texas speak about the Benghazi incident and how that is unfolding here, and another gentleman talked about the immigration issue, which is unfolding within the Senate and the Judiciary Committee as recently as today.

I come to the floor, Mr. Speaker, to raise the issue of immigration and seek to, I think, more broadly inform yourself and those that are listening in, Members of the Congress, as well. And it strikes me that we have been through some intense debates here in this Congress on the immigration issue, and primarily that debate that took place starting in 2005, throughout the duration of 2006 and into 2007, when we saw tens of thousands of people come to the Capitol grounds and fill up the west lawn and call for amnesty.

I recall in those days it was President George W. Bush that was promoting this policy. And I remember a discussion with his political director, I believe, the senior political adviser at the time, and he said to me, Well, if we didn't give them amnesty, would it be okay with you?

And I said, Well, first let's define ''amnesty.''

And he said, Well, it wouldn't be amnesty, for example, if we required people to pay a fine, or if we required them to learn English, or if we required them to get a job, or if we required them to pay their back taxes. And that was the language that emerged here in the middle part of the previous decade.

It happens to also be reflective of the 1986 Amnesty Act, which Ronald Reagan signed. It was one of only two times that that great man let me down in 8 years of the Presidency. Once a term's not too bad. Ronald Reagan intended to follow through on the enforcement of the law and the securing of our border.

I was an employer at the time. I remember the new rules that emerged from the 1986 Amnesty Act. President Reagan was honest enough and direct enough with the American people that he called it amnesty, and we understood that that's what it was.

And we understood the purpose for it, and that was to get an agreement so that we could enforce the law and put away the immigration debate for all time by allowing the people that were illegally in the United States a path to citizenship of full residency status and the path to citizenship, and the tradeoff was that would be the last amnesty. The promise that there would never be another one was the 1986 Amnesty Act.

There was something like 800,000 people originally that were to be the beneficiaries of this plan, and it turned out to be not a million—3 million people. There was a substantial amount of document fraud, and there was a larger universe of people than was anticipated.

Does anybody think today, Mr. Speaker, that this universe of people is not larger than that that's anticipated by the Senate version of the comprehensive immigration reform bill?

Of course, honest people, objective people, they're not going to write into the bill that there's only going to be 11 million people that can be beneficiaries of this bill. Any kind of an amendment like that would put a hard cap on, would be a deal breaker in the United States Senate because they know that number's larger. History shows that number is larger. Data shows the number is larger. That's just the lowest number that they can, with a straight face, talk about, and it's in a calculated way to try to minimize the amount because it minimizes the opposition to this idea that has emerged.

And I understand why it's there for Democrats, Mr. Speaker. I recall this debate. And as likely the year was 2006, I saw it live. I saw it on C–SPAN, but it took place right out here on the west lawn when then-Senator Teddy Kennedy went before throngs of people, speaking through an interpreter, speaking Spanish through an interpreter, he said: Some say report to be deported. I say, report to become an American citizen.

When I heard that, Mr. Speaker, I understood why he said that. This was his clarion call to say to all of them out there: We want to give you citizenship; and the deal is, you need to come and vote. Vote for those who advocate for handing citizenship over in exchange for the implied or implicit.

And we know what has happened with the way that people have been divided, divided from Americanism into special interest groups by using the political science of victimology manufactured in the brain of Antonio Gramsci back in the earlier part of the 20th century, a contemporary of Lenin's who studied in Moscow and went to Italy and sat down and was jailed by Mussolini and wrote his prison notebooks. I've read nearly every word that he has published, Mr. Speaker.

Antonio Gramsci was a brilliant man if you can accept the flawed premise that he started with; and the flawed premise was to accept Karl Marx's theory that they needed to defeat Western civilization and defeat the bourgeoisie and empower the proletariats. That was Marx's.

Gramsci was critical of Marx's theory because he said Marx only isolated himself and focused on just economics, and he didn't believe that the Communist movement could succeed against free enterprise and Western civilization because the proletariats, the common people, the working people, needed the bourgeoisie for jobs, so there was an interdependency there.

So he argued instead, if we're going to defeat them, we have to do the long march through the culture. We have to take on all of these principles that interconnect, that hold Western civilization, Western Christendom, as Winston Churchill described it, or Western Judeo-Christendom, as I would describe it, those values that hold us together completely under assault, strategized by Antonio Gramsci, who was the President of the Communist Party in Italy from 1919 until 1926.

And he was brilliant in his perception. He is the father of multiculturalism. He didn't use the word, that I could find, but he's the father of it.

□ 1240

He created the idea that if you could get people to identify themselves as

victims and be in victims groups, then there will be more energy in a group with a common grievance than there would be in a group of just proletariats that needed a job and wanted a better way of life. So if you could get the focus of the grievance group intensified, then you could bundle the grievance groups up into a movement. Throughout all of that, you could break down Western Civilization, and you could empower the socialist state or the Marxist state. That was Gramsci's writings, Gramsci's teachings.

Some of the people in this Congress actually do know about this man. I think I'm the only one that's actually attempted to read all of his works. But I see it emerge here in the immigration debate. It's part of the effort to divide people—Americans, the giant melting pot, the greatest success story of assimilation the world has ever conceived of.

Why do people come to the United States of America? Because they are inspired by the image of the Statue of Liberty. And within that Statue of Liberty are the basic pillars of American exceptionalism in the minds of the people that see it. They're written into the Bill of Rights, most of them.

Can you imagine being in a foreign country where you're suppressed, where you don't have the rule of law, where you don't have right to property and the right to keep the earnings from the sweat of your brow? In a country like that where you can't trust the press and there's not an open press, can you imagine getting that message from Radio Free Europe, for example, and realizing that in the United States of America you can have—if you can come here, come here legally—you can have freedom of speech, freedom of religion, freedom to peaceably assemble and petition the government for redress of grievances. What a wonderful thing to be looking at from someplace in the world where they don't have those kinds of rights.

That's just part of the First Amendment. And then you get to the Second Amendment, the right to keep and bear arms. Why? So that we can defend ourselves from tyranny. That was the one thing that guarantees the balance of the rights.

And looking on down through: the property rights in the Fifth Amendment, the protection against double jeopardy, you get to face a jury of your peers, and then on top of that, these rights that are not specified, the authority of the Federal Government that's not enumerated, devolve to the States or the people respectively.

This means we are an even freer country than we can imagine from reading the Constitution because some States are freer than others. And we compete with each other to offer that level of freedom: economic freedom, social freedom and the freedom to be free from a 16.1-ounce limitation on the size of your Coke, for example. You can move to another State if you don't like that rule—another city—if you don't like that rule that flows out of New York. That's an example of how this great laboratory of America inspired millions of people all over the world.

So we didn't just get a random cross-section of people that came from Scotland or Germany or Italy or name your country around the world, not a random cross-section. We got the people that were inspired. These are the people that saw the Statue of Liberty.

They had enough access to the real truth because we put the message out because maybe they were interactive with Americans that travel, maybe they interacted with American troops that went to liberate some people. We've always left a positive message wherever we have gone as Americans.

An example of that, Mr. Speaker, was one that caught me by surprise, a very pleasant surprise. Several years ago, I went to a hotel in downtown Washington, D.C., to listen to a speech by then-President of the Philippines, Gloria Arroyo. In that speech, as I listened, here is how it unfolded: She said, thank you, America. Thank you for sending the United States Marine Corps to our islands in 1898. Mr. Speaker, I know you must be thinking, what about the Army? She forgot about the Army, but the Army was there, too.

She said, Thank you, also, for sending your priests and pastors to our islands to help restore and establish our faith. Thank you for sending 10,000 American teachers—if I remember right, she called them Thomasites—who taught the students in the Philippines the English language, the free-enterprise system, a sense of honesty and a work ethic, the American way of life and of being proud of being a worker and a producer and contributing to the GDP.

She said that today there are 1.3 million Filipinos that because they have these skills of language, a work ethic and an understanding of free enterprise, they can travel anywhere in the world to get a job, and they send a lot of that money back to the Philippines. She told us where the percentage of their GDP came from. It came from foreign Filipino workers that contribute to the GDP of the Philippines and to the wealth of the Philippines because more than 100 years ago Americans went there, and we transferred American culture and civilization. It had a significant influence on the Philippines. And they are more successful today. That was her speech to us more than 100 years later to say thank you.

So there is an image of what America was and an image of what I pray America still is. That's an image that is under assault by this philosophy of victimology that was created in the minds and in the writings of Antonio Gramsci. Think about how this thing flowed through. Marx wrote his ''Communist Manifesto,'' Gramsci created his multiculturalism and victimology, and he wrote and taught how you would use that to undermine our culture and civilization. And he talked about the long march through the culture: break down marriage, break down religious values, and break down truth. That's only three of about 25 on the list.

They have been doing that systematically. I see it come out of this side of the aisle every single day in this Congress. Most of them don't know they're doing that. They're just caught up and swept up in the movement of their political party.

I hear the President reducing and lowering American values by his comments that take place in the public and in the press. Think about the things that he has chosen sides on. For example, when it was Professor Gates and Officer Crowley, Mr. Speaker, we know that, first of all, no President would engage in an incident like that, but he did. And he drove a wedge down between the issues of race.

When Arizona passed their immigration law, S.B. 1070, the President had to do a profile of the type of person that he alleged might be impacted negatively by that bill when the bill itself specifically said that couldn't happen—down the lines of race and ethnicity again.

Then we've got Tim Tebow who will kneel and pray to God on the football field. Meanwhile, we have a professional athlete that decides that he's going to announce his sexuality, and he gets a personal call from the President of the United States to highlight the sexuality of a professional ballplayer.

These are ways that the culture gets undermined, where it gets divided. The people over on this side take their followership from that kind of leadership; and one notch at a time, one click at a time, American civilization, American culture, Western Civilization, Western Judeo-Christendom are eroded. They're carrying out a plan that has been put in place and thought out and advocated for almost now 90-some years ago. They don't know that they're doing it. They think somehow they're providing freedom.

They always want change. They want to change everything that's in place, but there is no goal. If you would grant a wish list to the left and say if I had the power and the magic wand, and I would say, here's the magic wand, I will give you this: you've got all the rest of 2013 to put together the list of all the things that you want to do to fix society, fix America, all the things that possibly could be done from the United States Congress, from the White House, from the judicial branch of government and throughout all of our States down to the lowest municipal judge in this country, or legislative body, city council, for example, give them their entire wish list, you've got all the rest of the year to put that wish list together, and come the stroke of midnight when the ball drops in Times Square, December 31 at midnight, I'm going to stroke the magic

wand and you can have everything your political heart wishes for. But the deal is that now you've got to clam up forever and live underneath the rules that you spent the rest of this year writing.

Mr. Speaker, we know how that would turn out. They would work day and night because they are hard-working people. They are smart people. They start with a flawed premise, but they are smart beyond that. They would work day and night to produce the longest, most complete, expansive list of all the things that the left would want. And it would be the destruction of Western Civilization in the end. But come midnight, if I gave them the stroke of the magic wand, then they would stay up the rest of the night trying to figure out how to argue that somehow they were cheated, that they really needed something else, that they left something out of the list.

They're never going to live with the values they call for because there is no constant of truth for them. They undermine it. There is no constant of faith or values because it always has to be moving. It's got to be transformative to satisfy the people on the left.

Those of us who come from the other side of the aisle, we believe there are eternal truths, that, for example, a sin 2,000 years ago is a sin today. We believe that there is such a thing as truth, there's such a thing as objective truth, and there's such a thing as sound science.

□ 1250

We should adhere to those things that are black and white and live by them, and we should debate the things that are gray. That's the difference between the right and the left.

I believe that if you would grant that power that I've discussed, Mr. Speaker, to those on our side of the aisle, I could probably write you up a set of rules in the next 24 hours that I'd be willing to live with for the rest of the my life. And I think that society would gradually move itself back into an ordered forum that would allow human nature and the best of human nature to manifest itself in our families, in our faith, in our communities, in our work, and our rule of law. But what I'm watching here is the undermining of the rule of law with the immigration bill.

This bill that is emerging now that's being debated in the Senate—apparently there's one that's still hidden here in the House somewhere by a hidden committee—this is what the bill does, the Gang of Eight's bill: It grants instantaneous amnesty to everyone who's here in America, and it sends an invitation to everyone who has been deported in the past to apply to come back to America. And it makes an implicit promise that if you came into America after the deadline or if you can get into America—sneak into America—any time in the future, you will be legalized in the next wave of amnesty. It's only a matter of time. And we will never deport you as long as you don't commit a felony—or if you can mysteriously figure out which of the three misdemeanors would be so offensive that the Gang of Eight would want to send you back home again. That's the bill.

So what do they do to get people to agree, to embrace this huge amnesty bill that is breathtaking in its scope and beyond the imagination of even the people in the Senate a year ago—it's what they wanted, but they wouldn't say it publicly. They never imagined they could actually talk about this broad and expansive an amnesty bill even a year ago.

And the tradeoff is this: we have to legalize people because they're saying that we have de facto amnesty. No. We have real amnesty, executive branch-created amnesty in America today. The President has refused to enforce immigration laws. He took an oath to take care that the laws be faithfully executed. That's his constitutional responsibility. Whether he agrees with the laws or not, it is his constitutional responsibility to take care that they are faithfully executed.

When he was speaking to a high school here in Washington, D.C., a couple of years ago—the date was March 28, I'm not certain of the year—and they asked him, why don't you, by executive order, pass the DREAM Act that would grant legal status and an in-State tuition discount for those younger people that came into the United States and they're here illegally. His answer was, well, I don't have the authority to do that. Constitutionally, Congress has to pass a law like that. Because, as he explained to them, as a former adjunct constitutional law professor at the University of Chicago—I agreed with the explanation that he gave, which was: Congress passes the laws. It's up to the President to carry out or enforce those laws, and it's up to the courts to rule on what the laws mean. Now, that's a pretty compact synopsis, but I don't disagree with that. I think the President described it right. He said he did not have the power. His power was limited by the Constitution. Congress is empowered to pass immigration laws—that's what Congress has done from the beginning—and the executive branch's job is to enforce it.

Shortly thereafter—that being roughly a year or so later—the President reversed his position and, I believe by his direction, the Department of Homeland Security spit out a memorandum that created four classes of people. These four classes of people were then summarily exempted from the enforcement of immigration law. And seven times in that memorandum they wrote the words ''on an individual basis.'' ''On an individual basis,'' because they know that by—I'll just say by consent and agreement, the executive branch can't prosecute every Federal violation. That's why they have prosecutorial discretion. It's also a matter of case law out there, if you want to accept that term, and I generally don't.

But that directive, I'd grant, the executive branch has to have prosecutorial discretion to determine how best to apply the enforcement and prosecution resources of the executive branch. They can't prosecute every single violation. But prosecutorial discretion only is on an individual basis; it's not on classes of people.

But the President, Janet Napolitano and John Morton created four classes of people and waived the enforcement of the law against those four classes of people. And now, to add insult to injury, these four classes of people that they decided they're not going to enforce the law against, the President created out of thin air a work permit so that they could work in the United States, presumably legally. It's an unconstitutional, lawless work permit that he has created out of thin air, but they are getting those work permits now to work in the United States because the President has crossed the constitutional line, that line between the executive and the legislative branch, article II—and has gone to article I and claimed authority.

Now, when the Founding Fathers constructed this Constitution and they set up these three branches of government—often we're taught they are three equal branches; I would argue that, no, the judicial branch was designed to be the weakest of the three. But that point is not so important here, Mr. Speaker, but it's this: that this Congress passes the laws. The executive branch's job is to enforce the laws. The President has decided he can manufacture laws out of thin air and refused to enforce the laws on classes of people that he's created by memoranda. That, as far as I know, has not happened with another President. There are about five places where he has crossed the line into the legislative branch.

Our Founding Fathers envisioned this: that if you set up—and they did; they set up three branches of government, each with its own constitutional power and authority, each with its own domain. They knew that there were gray areas in between. You can never write something precisely so that it is a very thin bright line. They did as good as could be done with the language that we have—I can applaud them for it, of course. But they envisioned that that grayer line that couldn't quite be bright enough between the legislative and the executive or the legislative and the judicial, that line and that triangle, for example, would always be defended by each side. They never imagined that the judicial branch would be able to claim so much authority over the executive or the legislative. They thought that the legislative branch would push back against the judicial branch of government, for example.

In this Congress, I think it is not well enough informed on its constitutional article I prerogatives. So when the Supreme Court grasps legislative authority out of that that's granted in article I to Congress, seldom do we stand up and claim it back again. And we're so numb to this that when the President of the United States, the executive branch, reaches into article I and claims legislative authority, we can't get our back up in this Congress to put up a fight and tell the President that's an unconstitutional act, you crossed a line, and we're going to pull this thing back and put you back in line and make you keep your oath of office. Now, that's the structure that we have today. And we have some tools that we can use, but we have to have the will.

Mr. Speaker, to bring this around to—I'll call it a sub-conclusion of this discussion—when you look through a constitutional analysis and you look at the maximum authority that could be grabbed by the judicial branch or the executive branch or the legislative branch, what's the restraint on that? Article I is really the strongest branch of government.

The House of Representatives is reactive to the people. It's set up to be an election every 2 years so we can be reactive to the people. An example would be when people lost their good political judgment here in Congress and passed ObamaCare in 2010, we saw a wave election and 87 new freshman Republicans came in. Every single one of them ran on the full repeal of ObamaCare. Every single one of them voted—as did every Republican after that—to repeal ObamaCare. That's just the House reaction.

The Senate didn't transform itself to that extent in the last election. Part of that was also the vision of the Founding Fathers. But they always thought that there would be a tension between the branches of government, that each branch of government would jealously protect its power, and that as that little tug of war went on, those lines would be defined over time and by history by people defending their authority within their respective branch of government. They did not imagine that the United States Congress would capitulate lawmaking to the President of the United States and not draw a bright line and not have a fight. I am troubled by that, Mr. Speaker.

Now we have a President who has manufactured his own immigration law. And now we have people in the United States Senate who are advocating this to this Congress because they declare that we have virtual amnesty in America today. It's not virtual; it's literal. The President created it. And I'm not suggesting that the previous Presidents did a very good job of enforcing the law, but they didn't manufacture immigration law out of thin air. This one did.

□ 1300

He created it. Now, the Senators and Members in this House also are advocating that there is de facto amnesty, and the only thing that we can do is conform the laws to the amnesty that the President has manufactured out of thin air. That's the same thing as conforming this Congress to an order by the Supreme Court.

This Congress is the final answer on this. Whether it's a disagreement with the Supreme Court, whether it's a disagreement with the executive branch, the House and the Senate operating together envisioned by our Founding Fathers would be: we'll sort this out if we have to in the end.

When there's a constitutional clash and a tug of war, that's sorted out by the people expressing their judgment in the ballot box. That's how you eventually resolve serious constitutional crises. So, we have a constitutional serious concern. I'm not to the point where I say it's a crisis at this point.

But, Mr. Speaker, the President has conferred de facto amnesty? No, he's conferred literal, actual factual amnesty. And now we have people that can't think through this constitutionally, so they declare we have to conform with the President's will, wish, or whim. I suggest, no, we have a lot of ways to restrain the President, and I will not go into that today.

I do want to talk about how poor a decision it is to declare that all people in the United States illegally can stay here unless they commit a felony, or those three mysterious misdemeanors that can't be identified at this point, or those that have been deported apply to come back in. If you're not guilty of a felony of some kind, we'll bring you back to America. That's the ''we really didn't mean it'' clause. And the third one is all of those who are here after the deadline and who can get here after the deadline, never fear, because there is no one who has not committed a felony, nor not committed those three serious mysterious misdemeanors, who is going to be subject to removal from the United States under this President or under the Gang of Eight's bill. That's what we're dealing with.

So, the rule of law, which is the core issue here, it is an essential pillar of American exceptionalism, is under assault by people in the Senate and in the House, and the President of the United States, obviously, who has blown a great big hole in it by his own executive actions. The rule of law.

Now, all those people that are sitting around in the countries of the world that are inspired by the Statue of Liberty that want to come here, many of them are subject to an arbitrary ''no rule of law'' where they can be stopped and frisked in the streets and where the police can squeeze some dollars out of you just under the threat that you've got a speeding ticket, whether you were or whether you weren't, not a place to defend yourself. They don't think they get justice in a lot of the courts in the world, they don't get justice in the streets, they don't have freedom of speech, they don't have freedom of religion. And they want to come here because everyone is equal under the law.

Do you remember the statue, Mr. Speaker, of—and it's tricky to say statue here as a Member of Congress. Usually, we say statute. But I'm talking about, actually, a statue of Lady Justice. She's holding the scales of justice and these scales are balanced, they're even. You see the pots hanging from the chains on either side. Generally, when you see her, she's wearing a blindfold, because we have equal justice under the law in the United States.

The image of Lady Justice also attracts good people to come to America because they understand the image of the Statue of Liberty says, freedom, the lamp of liberty shining bright, for all who will come here legally. And Lady Justice blindfolded, equal justice under the law for everybody under the law here in the United States.

To waive the law and to give people a pass and to grant them a path to citizenship for—what is their one virtue that they have? They have access under this thing to all of the welfare systems and benefits that we have in the United States of America today.

Now, I can do this little quiz test, and, if it were fill in the blank, most Members of Congress wouldn't get this right. There are more than 80 different means-tested Federal welfare programs in the United States, more than 80.

One hundred years ago—let's just say at the turn of the previous century—we were not a welfare State. When people came here to America and shuffled across the great hall at Ellis Island where my grandmother did—and I know the exact date that she did that; I believe I've stood in the same spot where she did—when they came here, they had to show that they had a means to support themselves, that they were physically healthy enough to work and able to. They were checked physically to see if they happened to be transmitters of contagious diseases at the time.

Even though they were filtered and checked and sorted before they boarded the ship on the European side of this generally, when they arrived at Ellis Island there still were 2 percent that didn't meet the evaluation, and they were sent back to their home country. Still, after the filter was put in place and they arrived here, 2 percent got put back on the boat and sent back again.

We wanted to have a country then—we were a rational country then—that had an immigration policy that was designed to enhance the economic, social, and cultural well-being of the United States of America. What's wrong with that, Mr. Speaker? Every other country that I know of has a policy like that.

I met with the Canadians yesterday, and I asked them, could I emigrate to Canada, could I meet the standard? They were diplomats, so they didn't exactly say no. But I asked them a whole

series of ways and they absolutely could not say yes, unless I married a Canadian.

Now, I'm not likely to do that. I've been married for 40 years, and I'm real happy with the wife I have. By the way, I love living in the United States and having an opportunity to try to turn this country into an even better place.

But here's the standard that they have. They give you points up there. They want you to be young, they want you to have language skills—that means speak English—they want you to have some capital, some education, and some jobs skills, some earning capacity. Those are the criteria that they use in Canada. These are also similar to the criteria in the United Kingdom and in Australia.

No one has the massive immigration, even as a percentage of their population, that we have here. I've sat on the Immigration Committee for more than 10 years. I've gone to hearing after hearing. I've gone through reams of documents and reports and studies.

Here is some of the under oath testimony from just a few years ago:

Under our legal immigration policy, if you're going to measure the merit of the applicants to legal immigration into the United States and you score it according to the merits of the individual applicant, only between 7 and 11 percent of our legal immigrants are even scored on their ability to contribute to America. All of the rest of them are coming through on something that doesn't have anything to do with their ability to contribute to this society. Seven to 11 percent is all. So 89 to 93 percent of legal immigrants are going to come on something other than merit: family reunification, asylum, visa lottery program, to give you a few. And that's legal, not counting the illegal, which is 40 percent visa overstays and 60 percent illegal border crossings.

What kind of a country would turn its borders over to anybody that could cross them and turn over its legal immigration system to 89 to 93 percent, something other than some way of measuring how they contribute to this country?

So the evaluation is this: that they must conclude—people on that side, people in the Senate, too many people on this side—that every individual has an equal ability to contribute to our society. Well, that's not true.

Robert Rector of The Heritage Foundation gave a presentation of his study yesterday morning for an hour. It was riveting. I have the executive summary of that here, Mr. Speaker, and I have gone through it carefully before his presentation so I was up to speed.

Here's a point that he made—and I've made this point into The CONGRESSIONAL RECORD as recently as this week—that the libertarian approach to this is just let labor decide how it's going to move across borders, that goods and services and capital should all flow the same way, that we should have an open borders policy so that if business needed labor they could attract it from anywhere and put it to work wherever they wanted to, the free flow of labor, just like the free flow of capital or the free flow of materials or finished goods.

Now, Milton Friedman made it very clear that an open borders policy cannot coexist with a welfare State. And that State that we had back at the turn of the previous century that my grandmother arrived here within, we were not a welfare State, we were a meritocracy. The Statue of Liberty meant something then, and it meant that you have an access to God-given liberties, constitutionally defined liberties, and that you had the chance to achieve all you could achieve, succeed all you could succeed, and be able to keep a reasonable share of the fruits of your labor.

□ 1310

By the way, that took place also before we had an income tax, Mr. Speaker—no welfare state, no income tax, a meritocracy, and 2 percent got sent back because they didn't meet the standards of being able to sustain themselves in this society. I would also think there would be a few who made their way through who didn't.

In 1900, there was no welfare state; there was no income tax; and we had an immigration policy that was large, and it was so large and the numbers were so great that even then we needed low-skilled and unskilled labor back before we had, let me say, the technical development that we have in our economy today. We did need those laborers then. We needed people to work on farms. We needed people to build railroads and to construct our roads and our highways.

Today, in the United States of America, the highest unemployment rates that we have are in the lowest skilled jobs. So when you see double-digit unemployment, go find the job that requires the least amount of skill, and I can point to you the highest amount of unemployment.

What kind of a nation in its right mind would want to then increase the numbers of the people who are more likely to be unemployed and further suppress the wages of people in those job categories, those low- and unskilled job categories, when we're living in a welfare state that has to sustain these families that cannot possibly earn their own way in this society?

Culture has changed, the economy has changed, and because it has changed, we should be keeping up with what has taken place and understand that it's different today than it was in 1900.

For the most part, this Congress acts like, well, everybody who came here was a contributor to our economy and our society, so there is no limit to the number of people who should come here. I ask them sometimes: How many people should be coming into the United States legally and illegally altogether? What would your annual limit be? Would you cap that somewhere along the line? What should the population of the United States be in the next decade? in the next generation? in the next half a century? They cannot answer that question. They will not answer that question.

In fact, in a hearing on Ellis Island in that year that I mentioned—I believe that was 2007, April 15 if I'm not mistaken—they had a demographer come testify as an expert witness to explain to us how it works, that because baby boomers are getting older and they will be accessing the retirement benefits of Social Security and Medicare that we needed to import a lot of people into America to pay that Social Security. So that was the argument of the demographer, and it was also the argument of the economist. If I remember right, he was one of the lead economists out of Stanford University.

I asked both of them: What is the optimum demographic by decade or by generation? What should the size of the population be? Is that a perfect column when you stack them each decade of population up? Is it perfect?

The demographer hadn't thought about what was optimum. He just came to tell us what we needed to do, which was to import a lot of people to pay into our Social Security and Medicare because, at some point, it would go the other direction. We know that. It will go bankrupt. The economist, as I remember, from Stanford made the argument also that we can't sustain Social Security and Medicare unless we import a whole lot of people because our birth rate has been going down.

So I asked him the obvious question that, Mr. Speaker, I'm confident you'd be asking yourself right now, and that is: Who is going to pay for the Social Security and Medicare of those people who we would bring in to pay for ours? What's the solution for the next generation?

The answer that I got was essentially that there wasn't an answer for that. That's a problem for the next generation to deal with. This is a generational issue, Mr. Speaker, and it has a lot more to do with what America looks like in the next generation and the next generation than it does about what happens here in the next decade.

Now, it's curious the Senate bill scored as it might be. I've heard the report of Doug Holtz-Eakin that it's going to be an economic boost to our society. You've heard that from the Gang of Eight. It's curious. Why do they kick this out 13 years? Why do those who would be legalized under amnesty in the 13th year then become citizens? It's because they will have access to the welfare state at that period of time. It gets us past the budget window of 10 years so they don't have to account for what it really does. Robert Rector accounts for what it really does. His numbers are appalling, and he has the most refined and careful study that has ever been done on this.

I would take issue with anybody in the Gang of Eight or with anyone who

has advocated there is an economic equation that shows this as a plus and tell you that you have to calculate this for the lifetimes of the people who are affected by it because, if it's a net cost, it's a net cost. I believe I wrote that number down. I know the net number, but the net number is this: they will draw down a little over $9 trillion in benefits; they will pay something like $3 trillion in taxes; and there is a net cost to legalizing here in America of $6.3 trillion over their lifetimes.

These numbers are broken down, and I have looked at the Rector studies in the past. I know this man. He would not leave himself exposed to an illegitimate mathematical calculation or criticism, and I haven't found people who have been able to level one against his numbers, but that's the general number. Here is a statement that is in here that is worthy of putting into the CONGRESSIONAL RECORD, Mr. Speaker. He is speaking of the universe of the 11 million, which I believe more than doubles if this bill becomes law.

He says: ''At every stage of the life cycle—'' and he means that of this universe of 11 million ''—unlawful immigrants, on average, generate fiscal deficits.'' That would be benefits that exceed taxes. ''Unlawful immigrants, on average, are always tax consumers; they never once generate a 'fiscal surplus' that can be used to pay for government benefits elsewhere in society. This situation obviously will get much worse after amnesty.''

That statement stands. It stands clear and it stands strong, and it stands true in every single year of their presence in this country.

So with regard to the argument that this is an economic thing that we must do, I hear Republicans say it's because there's work Americans won't do. Well, I've done a lot of work that some Americans won't do, but I've never found work that I won't do. I've never found work that my sons won't do or work that our construction crews won't do. We are there taking care of some of the things that some have to do, and it's legal people who are doing the work for our company, which I sold to my oldest son several years ago.

I've had them out working in temperatures that were 126 degrees heat index. I've worked out there. I've worked 2 days in a row when it was 60 below windchill, driving sheet piling across a swamp because it was freezing, and we didn't have to mat the dragline. We worked in 186 degrees temperature range and heat index and cold index, windchill index.

We've done all of this work, and it grates on me to hear anybody say there's work Americans won't do. As Americans, we are not too good to do any kind of work that's necessary to do. We might be a little too smart to do some of that kind of work for too little money and too little in benefits; and when we flood the labor supply into the no- and low-skilled jobs, that lowers the wages; it lowers the benefits; and it reduces the numbers of Americans and pushes them out on to our welfare state.

For example, there is a study that I read several years ago that was done in a residential area of Milwaukee. They went in and surveyed a 36-square block residential area, six blocks by six blocks. They went into every home and interviewed them and measured the type of family that was there—the ages, the jobs they did, et cetera. In 36 square blocks, this was a neighborhood of Milwaukee where African Americans had moved up from the gulf in the thirties, at the end of prohibition, to take the jobs in the breweries and in those things that were economically developing in Milwaukee area at the time.

They were good jobs. They moved up there for good jobs. They bought homes in the neighborhoods, and they raised their families there. Three generations later, from, say, the 1930s until the late nineties when I read this report, they had gone from a good work ethic and a mobile family that had moved for a good job and had set up their homes there to where there wasn't a single employed male head of household in the entire 36-block residential area.

□ 1320

And the article that I read lamented that we couldn't bring jobs to them. What kind of a free market society—don't they believe in the free flow of labor and capital? Can't people at least within the United States go to find a job? Now they believe we should move jobs to people rather than let people move to jobs. Why don't people move to jobs? Because we're a welfare state, because we've had 80 different means-tested welfare programs here in this country.

Steve Moore wrote these words years ago when he was with Cato, and I cut it out and laminated it. It isn't an exact quote, but I'll get the theme down, Mr. Speaker. He said:

> If you pay people not to work, they won't work. If you pay women to have babies, they'll have babies. If you pay them more if there's not a man in the house, there won't be a man in the house. He might come back and visit, but he won't be registered as living there.

Whatever you pay people to do, they will do. If you pay them not to work, they're not going to work.

There are 80 different means-tested Federal welfare programs. I can go through some of the list, but there isn't anybody in this Congress—and I would charge that no one in America can give you that list from memory, which I think proves that there's no one that understands how all of these 80 programs interrelate with each other or how people act or react because of those programs. It's just that one bleeding heart decided this was a good idea and got it put into law, and another one manufactured that one.

Now we have a jigsaw puzzle of welfare programs and a welfare state, and we have advocates for the welfare state who also advocate for open borders. Why do they do that? I'll take this back to Teddy Kennedy's statement:

> Some say report to be deported. I say report to become an American citizen.

It's a political equation for many of the people on the left. They understand that they get votes out of this deal. The people that get to vote out of this deal will know who they need to vote for.

I've talked to those who saw their citizenship process accelerated in 1996. A million people got moved into an early naturalization process in that period of time.

I've talked to people that were beneficiaries of the 1986 amnesty act. They all understood where the political leverage was on this. The people in the 1986 amnesty act say, It was a good idea; it was good for me; it was good for my family, and I think we ought to give it to everybody. And the people in 1996 who had their citizenship accelerated, they knew that it was implied who they were to vote for in the reelection in 1996.

We've seen African Americans moved into a monolithic voting block. Part of that is—let's see. I just suggest, Mr. Speaker, that the people on the other side of the aisle understand how to divide people down their lines of race, ethnicity, national origin. It's the grungiest type of victimology: convince people that they're victims, that somehow the man is oppressing them, and the only way you get even with that is income redistribution.

So they push for higher tax rates and more wealth distribution, which discourages the entrepreneur. It discourages the worker. And now it's a public discussion about whether it's smarter to work or smarter to collect welfare, because the welfare dollars go up higher and the reward for moderate skills, let alone the low-skilled and no-skilled jobs, gets lower. And the competition for those jobs gets greater by the people that are in the United States illegally who are living on less than it takes to sustain them, and they are also accessing benefits. That's all in this report, Mr. Speaker.

From my perspective, I'd like to have a network, a support system that keeps people from falling through the cracks. I'd like to have a welfare system, a food stamp program, a way to help people out so that we can bridge them over through the hard times. I'd like to have them do Welfare to Work again.

There was only one of those 80 means-tested welfare programs that was actually Welfare to Work. That was TANF, Temporary Assistance for Needy Families. What happened? The President of the United States waived the work requirement arbitrarily, unconstitutionally, where it is specifically written into the bill that it couldn't be waived. He waived it anyway and decided that we're not going to enforce the work requirement in the one single welfare program of the 80 that actually required work.

A lot of people think that welfare was transformed and people on it are required to move towards work. No, unless the States have a way they're doing that in a more effective way than I'm hearing about. In the Federal Government, there is no longer a work requirement. There is an incentive not to work, and we're watching more and more families become the second and the third and maybe even the fourth generation who have lived on these programs.

Where do they learn their work ethic? Where do their children learn their work ethic? Who's pushing them? Who's showing them the rewards and pride of being industrious and productive and creative and the responsibility that we have to the broader society?

Each one of us has a little cell in a giant spreadsheet. That giant spreadsheet has over 300 million cells in it, people, Americans living here. We have skills that are God-given and gifts. And, yes, we are a product of our genes and our environment, and the product of that together makes us who we are. But we have a responsibility to contribute to the broader society and understand where we fit in that giant spreadsheet, and we have a responsibility to work, earn, save, invest, and leave this world a better place than it was when we came, and hopefully raise our children with those values to be even stronger and even better than the values we were raised with.

This huge hammock that used to be a safety net that we call the ''welfare system'' is eroding that. The contempt for the rule of law that spills out of the debate in the United States Senate and here in the House of Representatives erodes our American way of life. How do we think that we can move America beyond the shining city on the hill to another level of our destiny at an altitude higher and better and clearer and more pure and more industrious and more productive with more freedom and a better example for Western Judeo-Christiandom if we're going to continue to reward people for not contributing to that value in their single cell in that spreadsheet of over 300 million Americans?

We've got a responsibility to use these gifts that we have. Let's go to work. Let's strengthen our values. Let's strengthen our families. Let's protect the rule of law. Let's not tell ourselves that there's a goal here of political expediency, that somehow because a couple of talking heads woke up the morning after the election and concluded that if Mitt Romney had just not said the words ''self-deport'' he would be the President of the United States today and so now we have to pass a comprehensive immigration reform bill in order to send a message to start a conversation so that in the next election or some subsequent election a Republican can win a national election again.

Who comes to that conclusion? There's no data out there that supports that. That's just simply a belief that has been created and it's self-perpetuating, but it cannot sustain itself when you look at exit polls, when you look at public survey polls.

Yes, I know a good number of people that they're talking about. I know people who are here legally and illegally who have got a good work ethic. They're good entrepreneurs. They're good family people. They've got values that are a credit to the United States of America, although they broke the law to get here. They've got values that are a credit to our country. I know some of them, and I see those faces. I can see them in my mind's eye, and I can see it in the children that come to our schools.

There's a school in my district that's 85 percent minority, and 65 percent of them came to school on their first day not speaking English. It's never the kids' fault. It's never their fault. It's our fault. It's the fault of the adults that are supposed to be running this country, protecting and restoring the rule of law. That's the responsibility.

But this is not going to be fixed by the legislature. It's not going to be fixed by the United States Congress. We can't pass a promise to enforce the borders and trade it off for perpetual amnesty and think somehow we've got a deal that's going to make this a better country and now we can restore the rule of law. We cannot. The only way you can restore the rule of law is to enforce the law.

The President has decided that he will refuse to enforce the law, and it makes it clear to me—and it should be clear to everybody in this country that is watching this issue—that this is not a legislative problem. The legislature cannot fix the problem that is of the President of the United States making his refusal to abide by his own oath of office and take care that the laws are faithfully enforced. It is an executive branch problem. We can do some things to rein him in, but it's very difficult with the majority and the Senate being run by HARRY REID.

So, practically speaking, Mr. Speaker, it's up to the American people. The American people have to be well-informed. They will draw good judgments when they're well-informed. The American people need to speak up. I hope the American people don't need to rise up to answer this and say: Our ancestors came here. We came here. We followed the law. We got in line according to the law. We didn't ask for amnesty. We went forward and received our naturalization papers after we had met those qualifications.

I've spoken at a good number of naturalization ceremonies. It's a very rewarding experience to do so.

□ 1330

The people that came here the right way that followed our laws are the ones that respect our laws today. The people that had disrespect for our laws, if they're rewarded for breaking them, how much respect will they have for any of our other laws? Will they be like the President to pick and choose the law that he likes? I suggest, no. Lady Justice is blind. Not only blind, it doesn't matter what economic status or what cultural status you might have or how much influence you might have in your community, justice is blind before the law.

Also, we need to make sure that all laws are applied to all of us equally, that we don't exempt people from them, reward them for breaking them. In fact, Robert Rector put it this way. He said everyone who would be given amnesty under this—this 11 million that I think is 20 or more million—their only claim to all of these welfare benefits and the benefits of living in American society and civilization, their only claim, is that they broke our laws.

So the definition of ''amnesty,'' Mr. Speaker, is this: to grant someone amnesty is to pardon immigration law breakers and reward them with the objective of their crime. That's what amnesty is.

The proponents of the 844-page bill, the Gang of Eight in the Senate and the secret committee in the House, they understand that. They understand it; that's why they keep denying their bill is amnesty. There's no rational analysis that says otherwise, Mr. Speaker.

And so I urge the American people, through my counsel with you in this speech, to take a good look at the Rector study. The Heritage Foundation released it this past Monday at 11 a.m., and it's titled, ''The Fiscal Cost of Unlawful Immigrants and Amnesty to the U.S. Taxpayer,'' dated May 6, 2013. That good study will inform a lot of Americans.

We're going to have another immigration debate, and I'm going to suggest that the American people in their sound judgment will come down on the side of the rule of law, the Constitution, and what's good for the best long-term interest of America, the best economic, social, and cultural benefit of the United States of America, with passion and with compassion for all people who should live with God-given dignity.

With that, Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FLORES (at the request of Mr. CANTOR) for today on account of speaking at graduation ceremonies at Texas A&M University.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 32 minutes p.m.), under its previous order, the