

made less than they perhaps wanted to, less than they agreed, told them they should be making. So the same contractors have come back, and in the domestic situation of the gulf coast, of course, they do not have to pay for security. They do not have to worry about contractors being shot, bombs blowing up. So now they are poised to make all the money they could not make in Iraq in the gulf coast area by taking the contracts, hiring illegal immigrants at the lowest possible rates, and making off with the taxpayers' money.

One of the side products of this process is that experience has shown and several studies have shown that when you do not use Davis-Bacon you get workers who are less skilled, you get workers who care less about what they are doing, and you get an inferior product. Buildings have collapsed that have been built by workers who were not workers who were Davis-Bacon workers because they were not the usual workers that did that kind of construction in that locale. Buildings have collapsed and all kinds of projects have suffered as a result of shoddy work done by people who were being exploited by the contractors.

We would like to see not only Davis-Bacon, the President should restore Davis-Bacon requirements so that we have prevailing wages throughout the gulf coast region. We would also like to see that the President say that: Look, even when you have Davis-Bacon, you have low wages which are very difficult for people to live on, and beyond that you have a minimum wage which is the Federal Government's minimum wage which is also almost impossible for people to live on.

So along with restoring Davis-Bacon, along with restoring affirmative action regulations, we would like to see the President allow us and encourage his party to let us bring to the floor of the House the proposal that we have to increase the minimum wage. We want to increase the minimum wage as a way of demonstrating to the people who are on the bottom, to the working families of America that they have a leadership that cares about them. This leadership does not hesitate to demand that the sons and daughters of working families leave their last full measure of devotion on the battlefields in Afghanistan, in Iraq, or wherever else they may be needed.

Next, we demand that they do that, and they are doing that, and yet we do not want to give them a piece of our prosperity in our economy, not even \$5.15 an hour worth.

Despite huge improvements in the average educational level of our workforce, most American workers today still do not have jobs that pay decent wages and provide health care as we were talking about before and a pension. Only 25.2 percent of American workers have a job that pays at least \$16 per hour and provides health insurance and a pension, according to a new

study done by the Center for Economic and Policy Research. That is the level. \$16 an hour is the level you need in order to have a decent wage, and you must have that accompanied by a health insurance benefits program and a pension if you want to be called a person of sharing in the American economy as would be appropriate.

So I close with my opening statement: We need leadership at the top, in the White House, in this Congress that cares about working families, leadership that cares about the people at the bottom. Disasters come as a result of a plan by God that none of us may understand, and we should not trying to spend time trying to figure out what God is doing. What we should do is do what man does best, and that is have the most competent and most caring and compassionate people that we can in the leadership to take care of the needs of the people who are suffering on the bottom.

#### IMMIGRATION

The SPEAKER pro tempore (Mr. BOUSTANY). Under the Speaker's announced policy of January 4, 2005, the Chair recognizes the gentleman from Texas (Mr. POE) for 60 minutes.

Mr. POE. Mr. Speaker, as a former judge and prosecutor in Texas, I spent most of my life enforcing the law. I know firsthand the cost of having laws on the books that are not enforced. To make law, whether it is on the State level or the Federal level, and then wink and ignore those who break the law is to live a lie. A government that tolerates law breaking surrenders its integrity, it surrenders its credibility, and it surrenders its self-respect. And right now, Mr. Speaker, America's immigration laws are not working. They are not even enforced.

We must secure the borders and reduce the number of people residing in the Nation illegally. And, of course, amnesty is not the answer to this. Those people here illegally have violated the law, and giving them amnesty is rewarding them for breaking the law. As a judge for 22 years, I never once gave a person amnesty because they got away with breaking the law for a long time. Those who have broken our laws must find themselves penalized, not rewarded, for the disregard for the rule of law.

Mr. Speaker, we have anywhere between 11 and 14 million people here in the United States that are here illegally, and we cannot reward them for breaking the law. Many of them are here because several years ago this country adopted a plan, a plan that has not worked, and that is the plan of amnesty: Tell those people that are here it is okay, you can stay. And now we have encouraged people from all over the world to come to the United States illegally.

Mr. Speaker, I want to make it clear that I am a supporter of immigration, a supporter of legal immigration. I am

proud of the fact that my heritage is from Scotland and from Germany. But in this country we have now taken the policy of discriminating against people who want to come here legally to the benefit of lawless illegals. I will give you an example.

In my southeast district in Texas I represent numerous individuals who have come to the United States legally, obtained citizenship, and I recently talked to an individual who was from the nation of Mexico and became a citizen of the United States, and he has been trying to bring the rest of his family to the United States legally. He has a son that he has been trying to bring to this country legally for the last 15 years, Mr. Speaker. And yet because of bureaucracy, red tape, and incompetence, that has not been granted. He wants to do the things the right way, the legal way, and he has discouraged his son from just merely crossing the border illegally like 5,000 people a day do on the southern Texas border, come into the United States illegally by walking across our border.

We have developed a policy that is no policy. We expect our border agents to patrol the vast thousands of miles from Texas to California. And when they actually capture someone coming into the United States, here is what happens, Mr. Speaker: They are arrested, they are taken to a Federal magistrate, they are told that they are going to have a deportation hearing eventually. But the detention facilities are so crowded that over 90 percent of them are released on their word to show up for their deportation hearing 6 months away.

This defies common sense, the idea of this catch and release policy. Capture the people illegally coming into the United States, take them to court, and tell them: If you promise to come back for your deportation hearing, we will have a hearing in 6 months to determine whether you get to stay or you must leave. Are we not surprised that most of them do not come back for their hearings? This defies common sense, it wastes time, and it does not work to solve any problem with our immigration, or, shall I say, our lack of immigration policy.

And just so it is clear, Mr. Speaker, we now know that over 50 percent of the people illegally coming into the United States from the southern borders are not from Mexico. They are from all over the world. They are from China, they are from South America, they are from Europe, but they are not from Mexico. And the reason? Every country in the world knows the United States has open borders, that we do not protect our dignity, we do not protect our sovereignty. So people are coming into the United States illegally, over half of which are from other countries other than Mexico.

I will give you an example. Recently we had an individual arrested by the name of Samir Abdoun from Algeria. He was caught entering California from

Mexico with a French passport. He was released with that summons to appear in court for his deportation hearing, and of course he never showed up for that hearing. He, like many thousands of other people in the same situation, assimilated into the United States.

□ 1615

Three years later, he was arrested on September 22, 2001, when it was learned that he had met for coffee several times with two of the hijackers that took part in the attacks on our country on September 11. Finally, Somar was deported last year.

This catch-and-release policy, where we spend the time to catch those few people that come across illegally and release them on their word to come back to court, simply does not work. We obviously need detention facilities for these people. We obviously need quicker hearings. It should not take 6 months to have a deportation hearing. They should happen within that week.

Then, Mr. Speaker, we have other policies that defy common sense in our immigration lack of policy. One of those is the sanctuary policy where many cities in the United States have taken the position that they will not arrest people in their city that are there illegally. They will not help the Federal Government arrest those individuals. Let me give my colleagues an example.

Many police agencies cannot inquire as to the status, the legal status of an individual that they arrest. One of those cities unfortunately is the City of Houston. In the City of Houston, if a police officer arrests somebody for let us say jaywalking, that individual can be fined for jaywalking, but the police officer cannot inquire as to the legal status of that individual and turn them over to the Federal authorities if they are here illegally in the United States. Why do we enforce the jaywalking laws, why do we enforce the traffic laws around the Capitol with all of the cameras and the red lights, why do we enforce those laws, but yet we do not enforce the basic rule of law protecting the dignity of the United States? And we do not deport those individuals that police officers know are here illegally because they cannot even turn them over to the Federal authorities.

Mr. Speaker, there are ways to beat the United States and the United States system. What I mean by that is a policy apparently perpetrated on this country by the country of Mexico. I have here a pamphlet that is published by the government of Mexico that explains to people who want to come to the United States from Mexico illegally how to come to the United States. Part of this I have blown up on this chart. It explains, this pamphlet explains to Mexican nationals where to cross into Texas so they are not caught, what to do if they are confronted by a border agent, how to deal with coyotes, those are the people for money that illegally bring people into

the United States; and where is the best place to cross into the United States. Mr. Speaker, the country of Mexico is exporting its problem and making it our problem, and this is something that ought not to be.

Of course, there are other ways to defy the law, the rule of law. Before a person illegally comes into the United States, before they cross the border, there are flea markets, places where an individual can obtain illegal, forged American Social Security cards, obtain other forged documents such as green cards to come into the United States, and assimilate among the rest of us.

We have to remember, by the way, Mr. Speaker, that Social Security cards are not identification. They serve the purpose of retirement. They do not serve the purpose of identification, but yet that is what it is used for.

The problem continues on the southern Texas border, the other borders that border Mexico, where individuals come across to receive health care, not at their expense, but we pay for it. One way is many individuals come across the border, the individual is pregnant, goes to one of our emergency hospitals, our emergency care is tremendous, and then grants that individual of course permission to come in. A baby is born, that baby becomes a United States citizen, and then the whole family then becomes the problem of the United States. Individuals come here to receive that free health care because we do not turn anybody away. So maybe the United States needs to start sending a bill back to those countries and expecting them to pay for the health care that we pay for that they refuse to pay for in their own country.

We have heard a lot, Mr. Speaker, today on this floor on both sides talking about two important issues that are expensive to Americans. One of those is health care. Oh, we heard on and on and on today about the costs of health care, what we are going to do about it. But one thing we do not want to talk about, Mr. Speaker, is part of the reason health care costs are going up in this country for Americans is because we have people that are receiving health care at the expense of the rest of us. And those are people who are in the United States illegally that go and receive at our hospitals that free health care; free to them, expensive to us. We now know that approximately \$2,700 a year each American has to spend for the health care of people who are illegally in the United States. I will repeat that again. It costs each American taxpayer about \$2,700 a year of their money to pay for the health care of somebody else that is illegally in the United States. Those Americans, as we heard tonight from that side and this side, may not even have health care benefits. This ought not to be.

Mr. Speaker, we also now know that on the southern border of Texas, that there are reports that individuals who wish to do us harm, we call those people terrorists, are assuming the identi-

ties of Hispanic individuals. They are learning Spanish, they sneak into the United States as the downtrodden, illegal immigrants, and they set up cells, networking cells to eventually do us harm. Because, you see, terrorists understand, like everybody else in the world, that we have open borders, that you can sneak into the United States and, once you are here, you can assimilate into the entire population.

So it is a cost factor for Americans, illegal immigration. It is also an illegal issue. But, more importantly, Mr. Speaker, it is an issue regarding homeland security. The next terrorist that does us harm is probably not going to fly into the United States, land over here at Reagan National Airport, and come do us harm. They are probably going to just walk across the border, either the Canadian-American border, or the Mexican-American border. We know that most of the 9/11 hijackers that did us harm, that is exactly what they did. They came across the Canadian border and assimilated into the United States.

Mr. Speaker, as the battle for Iraq races on, the battle for Laredo has begun. I say that because Laredo, Texas, the largest inland port in the United States, is across the Rio Grande River from Nuevo Laredo, a city of 400,000 individuals in Mexico. This weekend I plan on going down to the border of Texas, Laredo, Zapata County, I will be there with a Texas Ranger and some of the local sheriffs and eventually with the border agents to view that situation.

We know what is taking place in the battle for Laredo and Nuevo Laredo. We know this year that 135 people were murdered, 44 Americans were kidnapped in Nuevo Laredo; 7 policemen were murdered. The police chief, the new police chief that was recently made police chief, lasted about 6 hours after he was sworn in, and then he was gunned down with 35 bullets shot into his body. Nuevo Laredo has become a haven for drug traffickers, a haven for gun-running, and a haven for human trafficking into the United States. Because this is an example of where failure to protect the integrity of our borders encourages illegal conduct. That illegal conduct includes those people that wish to make money off the weaknesses of other individuals, and I am talking about those drug dealers. They are bringing that cocaine, that marijuana into the United States from our southern borders. It disseminates throughout the United States. We know that it is a location for gun-running, people who wish to bring firearms illegally into the United States. And we also know that that is where those coyotes, those individuals for money charge other individuals from other nations to come into the United States illegally.

Mr. Speaker, many times we hear from people who think they know about the problem of illegal immigration. Some of those people are, for lack

of a better phrase, those northeastern elites who think they have the answers to all the problems. I would like to invite those people who spend their time out on their yachts near Cape Cod to come down to Texas with me this weekend and go to Laredo and see the problem, the real problem of what illegal immigration does to our country.

The border security is an issue that affects all Americans. I have discussed with many of the property owners that live along our Texas border how illegal immigration affects it. One rancher in Zapata County told me that it was like Sherman's march to the sea, that Union general who invaded the South and burned everything in his path. He said, that is what it is like. They are coming onto my land, destroying all the land, all the property, stealing everything they can get their hands on, because this is the path into the United States.

Property rights are something that maybe we ought to talk more about, how our Federal Government has the responsibility to protect the dignity of property rights of all Americans. Recently, we had an individual by the name of Luis Posada Carriles, he was a Cuban anti-Castro militant who was taken into custody in my home State of Texas for immigrant violations. He is wanted in Venezuela for allegedly blowing up a Cuban plane and killing 70 people on that airplane. This alleged terrorist told American authorities he easily crossed the U.S.-Mexican border in the car of a smuggler, hopped the bus to Miami, and even evaded arrest by U.S. immigration agents by claiming he was a forgetful old man and lost his identification. This is typical, this is scary. It is also proof, Mr. Speaker, how easily it is for a terrorist with plans to harm others can get into the United States. This is a serious matter of homeland security, and it must be fixed.

Our borders are out of control, and securing our borders is the first step in any serious immigration reform policy. So what are we going to do? Well, just today, I have introduced a bill called the Passport Security bill. It is a simple bill that requires all persons entering the United States that try to come here legally to have a passport.

Mr. Speaker, if you come to the United States and you are from Canada or from Mexico or from one of the Caribbean islands, you do not have to have a passport to get in. You can use any type of document that is acceptable; everything from a birth certificate to a baptismal certificate. Some of our border agents have to be so versed in up to 500 documents from foreign countries before they can let a person come into the United States. It makes it very easy to forge those documents, to come in here illegally when you are trying and pretending to come in here in a legal manner.

So all nations in the world basically require passports to enter their country. We do not do so, with the excep-

tions that I mentioned. So it is time for us to require a passport. A passport does not discriminate. It is the same document used for every individual. I have talked to numerous individuals who are concerned about border security, and they tell me, let us go to passports. Passports do not discriminate. It has a bar code that is in a passport, and it is a universal form of entry into any country. It even could be used by our businesses who have to now become policemen to determine whether or not the person coming into their business that wants a job is here legally, and they check the Social Security card, they try to check their birth certificates, all the documents they have; they do not have to check any of that any more. All they have to have is a passport. If they enter the United States legally, they will have that passport when they go and seek employment as a person trying to legally come into the United States. A passport is the gold standard for entry into all countries, and it is time that we require passports.

Mr. Speaker, the 9/11 Commission, in its extensive report, stated that passports are necessary for entry into the United States. But here we are, we still do not have passport requirements. Why is that? It is because of bureaucracy at the Federal level that does not implement the 9/11 Commission's report. So that is why I have filed this bill, to require a person to show a passport when coming into the United States.

In some cases, Mr. Speaker, people who wish to come into the United States, for example, from Canada, do not even have to show documentation. All they have to do is profess that they are a citizen of that nation. The same is true of Americans who wish to reenter the United States. For example, one of my staff members recently went to Mexico over the August recess, and when she entered Mexico, she was waved through. She was not even asked for identification.

□ 1630

But more importantly, when she reentered the United States, the border agent simply looked into the vehicle which had several passengers and asked, Well, are all of you all American citizens?

Someone replied yes and they were passed into the United States without any search, without any identification. So our borders at border crossings must be protected, and the border between border crossings must be protected. It is a homeland security issue.

Some people have discussed the issue of having a fence to protect the southern border. That is at least worthy of debate on this House floor. If we are going to get serious about protecting our borders, we should at least discuss the issue.

Earlier I mentioned one of the costs that is imposed upon Americans for illegal immigration, and that is health

care. Some say that health care costs in the United States, 20 percent of health care costs are because people are in the system, illegally in the United States.

Now, let us go to the second topic most talked about on this House floor regarding costs, and that is education. Almost every day on this House floor we hear the talk about, oh, the expense of education in the United States. And it is expensive. It is expensive when your kids are in public school all the way through high school.

And you want to talk about expensive, wait until they try to go to college and see how expensive it is. I have four kids in college, and one of them is still in college. It is expensive, education is in the United States.

But all of the talk that we hear about the cost of education, no one wants to talk about the fact that there are people in the system getting an education and Americans are paying for it, once again the people who are illegally in the United States.

Some experts say it is up to 22 percent of education costs re because people are in the system that are benefiting from it, but not paying for it. You know, we have a policy in this country. If you are here, however you got here, legally or illegally, you are going to get an education at the expense of the rest of us. And not only that, you are going to be educated in your own language.

Now, think about that. If we went to a foreign country like France illegally, sneaked into the country, would we have the nerve to go to one of their public schools and demand to be educated not only for free, but in our own language? Of course not. That is absurd.

But yet we do this in our country because it is the policy of this country. Regardless of whether it should be or should not be, it is costing Americans; and Americans have to pay for this expensive education for those who are in the system and do not contribute to it.

Let me give you some examples of that that go to higher education. Let us say a person from Texas wants to go to Kansas to school. Well, Kansas charges that Texas student out-of-state tuition. Why? Because they are not from Kansas. Well, that is all right. Most States have that law.

Let us say a person from a foreign country legally comes to the United States, legally wants to go to Kansas and get an education. And they are admitted on an education visa. They go to Kansas. They pay out-of-state tuition because they are not from Kansas. Makes sense.

But take the third example of a person illegally in the United States in Kansas. They get admitted, first of all, to one of their universities and they pay in-state tuition. That ought not to be. We discriminate against American students. We discriminate against people legally coming into the United States to get an education, to the benefit of people who are illegally here;

and in some States people illegally in the state that go to colleges get admitted into colleges, receive State grants. Maybe those grants ought to go to American citizens.

And now with the competition of higher education so stiff, in some cases Americans are denied entry into a university to the benefit of someone who is admitted because they are illegally in the United States. Once again, this defies common sense. So the two examples, health care costs, education costs. Part of the reason is because there are people here who have benefited from it and not contributed to it.

And the third example that I would like to use is the cost of the criminal justice system. I was a judge for 22 years in Houston, Texas. Heard about 25,000 felony cases, that is serious crime, everything from stealing to killing.

About 20 percent of the people that I saw were in the United States illegally now. Think about that. First of all, they are here illegally. They commit another crime. When convicted, they are sent off to one of our State penitentiaries. Of course, Americans pay for that system. Americans pay for the criminal justice system. We pay for their incarceration. Then when the person serves their time for whatever, robbery or murder, you would think that the law in this country would say that person illegally in the United States that commits a felony and goes to the penitentiary, we would deport them back where they came from.

But that is not what we do. We bring them right back to the county in which they were convicted, and we release them. Why do we do that? Because there is no cooperation by law with the State authorities and Federal authorities on people illegally in the United States and whether they should be deported after they have served their criminal sentence.

So that costs us as well. And some likewise estimate is 18 to 19 percent of our criminal justice costs are because we have people in the United States illegally here committing crimes and having to serve their time. And we pay for that. So these are some examples of issues that the American public has to deal with and deal with immediately.

It is necessary that we as a people come to grips with the issue of illegal immigration and decide what position we are going to take, whether we are going to take a stand for the rule of law or whether we are going to ignore the law.

It would seem to me that the first duty of government is to protect the sovereignty of the Nation, protect the identity of the borders of our Nation. It just seems to me that is what most countries do.

But we have chosen not to do that, for whatever reason. I do not know the reason. But now the time has come for us to enforce the rule of law, enforce border security. It is the right thing to do. It is not the right thing to do to

tell people who come here illegally, that is okay. That is the wrong thing to do.

Mr. Speaker, it is a national security issue. We know that there are terrorists among us. We know they wish to do us harm. Why do we encourage that conduct by having no national policy that enforces the rule of law on our borders? Everybody wants to come to the United States. I do not blame them for that.

I mean, everybody wants to come here, but everybody cannot come to the United States. Everybody cannot live in the United States. So what are we going to do about that? Well, let us have a policy. Let us have a plan. Let us have a plan that works. Let us have a plan that encourages people to come here legally so it does not take 15 years to come into the United States legally as in the example I mentioned to you.

And let us have also a plan that enforces the rule of law and does not encourage illegal conduct, but tells people if you want to come to the United States, do it the right way, do it the legal way or stay home.

You know, we all took oaths as public officials to uphold the Constitution, to protect this country from all enemies, foreign and domestic. And I think part of our obligation is to enforce the rule of law and the sovereignty of the United States.

We call this place the land of the free and the home of the brave, and rightfully so. This very day, we have some of our bravest Americans halfway across the world protecting another country called Iraq. It is important that we in this country care more about Americans than we do about people who are illegally from foreign countries who come into the United States.

So the line is drawn in the sand, Mr. Speaker. And as I mentioned, the battle for Laredo has begun. The battle for our sovereignty is upon us. We will either protect our country or we will not. We will either surrender or we will refuse to surrender. And we cannot surrender our borders to those people who invade our country illegally. It is an invasion. It is a colonization of the United States, and it is illegally being done right under our eyes.

That is just the way it is, Mr. Speaker.

#### SPECIAL ORDERS GRANTED

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

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

Mr. SCHIFF, for 5 minutes, today.  
Mr. DEFAZIO, for 5 minutes, today.  
Mr. BROWN of Ohio, for 5 minutes, today.  
Ms. WOOLSEY, for 5 minutes, today.  
Mr. EMANUEL, for 5 minutes, today.  
Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. HERSETH, for 5 minutes, today.  
Mr. CUMMINGS, for 5 minutes, today.  
Mr. MARKEY, for 5 minutes, today.  
Mr. MCDERMOTT, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.  
Ms. WATSON, for 5 minutes, today.  
(The following Member (at the request of Mr. GARRETT of New Jersey) to revise and extend his remarks and include extraneous material:)

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

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1736. An act to provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies; to the Committee on Government Reform.

S. 1894. An act to amend part E of title IV of the Social Security Act to provide for the making of foster care maintenance payments to private for-profit agencies; to the Committee on Ways and Means.

#### BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on October 20, 2005, he presented to the President of the United States, for his approval, the following bills.

H.R. 3765. A bill to extend through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits.

H.R. 3971. Medicare Cost Sharing and Welfare Extension Act of 2005.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until Monday, October 24, 2005, at noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4624. A letter from the Chief, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Collection of State Commodity Assessments (RIN: 0560-AH35) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4625. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Imported Fire Ant; Additions to Quarantined Areas in Arkansas and Tennessee [Docket No. 05-030-1] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.