The minimum wage in this country is so low that if you go to work, you still live in poverty. Now, we can fix that. But, unfortunately, in this last Congress, the Republican leadership refused to allow us even to bring a minimum wage vote to this House floor for a vote. We could have lifted a whole bunch of people out of poverty and we could have helped make a big dent in the hunger problem if we increased people's wages, but we were told, No, we are not going to do it. And not only are we not going to do it, you can't have a debate and a vote on it in the people's House of Representatives.

It is outrageous.

Mr. Speaker, the fact of the matter is that hunger is a political condition. We ought to be talking about how to solve this problem. And it is solvable. There are some problems I am not sure how we solve. This is not one of them. What we need is the political will. What we need is the inspiration, like those who marched with Monte Belmonte from Northampton to Greenfield. I hope that that spirit is contagious so that more people in this Chamber will take this issue seriously. There is no reason why anybody in the United States of America should go hungry. There is no reason at all.

I have called on the White House to put together a White House conference on food and nutrition so we can come up with a holistic plan to deal with this issue. I have pleaded with my colleagues on the Republican side to stop their assault against the poor in this country. And we are going to continue to battle them next year, unfortunately, because it seems like that is the direction they want to go.

But as we recess today to go home for Thanksgiving, we are all going to go back to our respective districts, have a nice turkey dinner, enjoy our family and enjoy the day, but for millions and millions and millions of Americans, they don't have that luxury. They don't know where they are going to get their meal tonight, never mind on Thanksgiving.

So I would urge my colleagues to visit their local food banks, visit their food pantries, talk to people who are on SNAP, talk to families that are struggling with hunger. Listen and learn, and then come back here and act. It may not fit into a particular ideology that some of my colleagues ascribe to in this Chamber, but the fact of the matter is we have a moral obligation to deal with this issue. These are our brothers and our sisters and their children we are talking about. We cannot ignore this problem anymore.

So I just want to say that, Mr. Speaker, for me, joining Monte's march on November 6 was an incredible experience because at the end of the day they raised over $65,000 for the Food Bank of Western Massachusetts. That march made a difference. People will be fed. That is an important thing. I wish everybody in this Congress would do something similar. I wish that when we come back next year, when we deal with these safety net programs, when we deal with programs that provide people good food and nutrition, we approach these issues with the intent to help people, not hurt people.

I will just close with this, Mr. Speaker. Hunger costs this Nation very dearly: you have lost productivity in the workplace; kids who go to school hungry don't learn; senior citizens taking their medication on an empty stomach because they can't take medicine without food who end up in emergency rooms. There is also a link between food insecurity and obesity, because the cheapest food available is usually junk food.

So we are paying dearly for hunger in America. And when people say we can't afford to deal with this issue, my response is, We cannot afford not to deal with this issue. This is something that we can solve.

To my colleagues who only seem concerned about the bottom line, who say we can't invest in anything because we have a deficit and a debt, I will tell you that the lack of attention that we are giving this issue is costing us, is adding to our deficit, and is adding to our debt. So if all you care about is the bottom line, you should join with me and others and those who do marches like Monte Belmonte all across this country and make a difference.

Let's get together. Let's make it our mission next year to come together in a bipartisan way to end hunger now. That is my hope and that is what I will pray for during this holiday season. I look forward to seeing my colleagues when we come back.

THE PRESIDENT'S IMMIGRATION PLAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it is my honor to be recognized by you to address you here on the floor of the United States House of Representatives in this great deliberative body that we are.

I come to the floor at a time when America is anxiously awaiting to see the specific language that will be delivered presumably tonight at 8 o'clock in the President's press conference. He has announced as of yesterday that he is going to do a national message to the Nation at 8 o'clock eastern time tonight. And that message will be, as they have long dangled this threat out here, that the President is prepared to grant some type of executive amnesty to a number of people that are estimated by the trial balloons that float out to be somewhere between maybe 3.5 million and 5 million people. It is probably not as many as 9 million people, as has been part of the trial balloons that have been floated out here over the last few months.

First, Mr. Speaker, I will assert that if the President could have found a constitutional way to grant executive amnesty, he would have done so by now. He has had 6 years to comb through this Constitution—6 years, with an almost unlimited amount of staff and lawyers that can comb through history and case law and statute—and I would like to think they would actually read the Constitution first as the supreme law of the land and try to find a way to do what he wanted to do policywise.

But what has happened here is that the people have spoken. The people of the United States go to the polls. And the President has famously said, ''I won the election,'' so elections have consequences. Mr. Speaker, I would remind the President, were I addressing him, elections have consequences. Yes, they do, and they have benefits as well.

After actions in 2009 and into early 2010, ObamaCare was pushed to the President's desk where, about March 22 or so, the President signed the ObamaCare legislation. It came through this floor and it passed through in two different versions in the Senate; one on rescission, one not. But it was. And I said in this RECORD a number of times that they passed ObamaCare on to the American people by hook, by crook, and by legislative shenanigan. And they did it in a partisan way, without a single Republican vote.

It was Thomas Jefferson that said:

> Large initiatives should not be advanced on slender majorities.

What would be the slenderest of majorities would be barely squeaking by with enough votes to pass it in two different versions in the Senate, packaged together, and this version in the House—I guess two different versions in the House, too—with people's arms being verbally twisted up behind their backs, Democrats that wanted the President to succeed but had reservations about the imprudence of a takeover of our health.

Mr. Speaker, ObamaCare itself is a takeover of the second most sovereign thing we have and are. The most sovereign thing we have is our soul. And they haven't figured out how to nationalize our soul yet, but the Federal Government stepped in with ObamaCare and nationalized our health, our skin, and everything inside it. It is a usurpation of God-given liberty. It tramples on our constitutional rights. It was a huge initiative, and it was passed on the slenderest of majorities, directly against Thomas Jefferson's advice.

And look at what happened. In the fall of 2010, there was a wave election and we welcomed 87 new freshmen Republicans into the House of Representatives, every one of whom ran on the pledge to come here and repeal ObamaCare, every one of whom has voted for the full, 100 percent, rip-it-out-by-the-roots repeal of ObamaCare. And every Republican seated in the United States Senate has done the

same. That was the wave election of 2010.

Then the President was up for reelection in 2012. The lines were not as distinct. The debate was, I will say, less easy to draw those lines between President Obama's position and those of Mitt Romney, but the election was decided. The President was reelected. I think that is on the American people. They made that decision. Of course, elections have consequences.

And so we were not able to repeal ObamaCare in 2013 or 2014 as we so eagerly anticipated that we might. But elections have consequences. We abide by the inability to repeal ObamaCare, knowing that we didn't have the votes in the Senate and we didn't have a President that would sign the full repeal.

So a lot of us stood up about 14 or 15 months ago and said, ''I'm not going to vote to fund ObamaCare.'' That was our pledge, Mr. Speaker. And we held our ground. That message came out about a year ago. It was late last June or July. We are going to hold our ground and we are not going to fund ObamaCare.

We went to this floor time after time after time, Mr. Speaker. We appropriated the funds to keep the government open—actually, to dollar figures we had agreed to between the House and Senate—and sent those appropriations bills over to the Senate, but not with the funding to fund ObamaCare. We were elected to repeal it. We were elected to rip it out by the roots.

We made a valiant effort to cut off the funding to ObamaCare, but the President insisted he would have his namesake piece of legislation and policy in the form that he wanted it. And if he couldn't get that from this Congress, then he would shut the government down. And that is what happened, Mr. Speaker.

Time after time after time here in the House we voted to fund the government, and we funded the government without funding ObamaCare in every configuration that we could come up with that we thought could effectively keep those functions of the government open. The President resisted and HARRY REID in the Senate resisted, and it brought about that time when there was a shut down for 17 days.

During that time there is a shutdown, all essential services continue and nonessential services cease. That is the simplest definition. When you run out of money, there is a shutdown. So we now have a definition of what essential services are. About 87 percent of the government was essential services and about 13 percent were nonessential services.

We had a new essential service that had never been defined before that was delivered to us courtesy of, I think, a petulant Barack Obama, Mr. Speaker, and that was that since there had been a shutdown in 1998, the people in this country put their money together, pooled their money—private money—to build the World War II Memorial. That World War II Memorial is a glorious memorial that sits on The Mall. It had never been closed down in its history. There was no reason to. It, like many of the other memorials, is an open-air memorial: the World War II Memorial; of course, the outside of the Washington Monument—not so much the inside; the Lincoln Memorial, wide open at all times; the Vietnam Wall, wide open at all times; the Korean Memorial, wide open at all times.

But the President decided that there was a new essential service, and that essential service was to call people off of furlough and rent barricades with money, theoretically borrowed from the Chinese, to barricade the public, including our World War II veterans coming in on Honor Flights, out of their Memorial, the World War II Memorial, the Lincoln Memorial, the Vietnam Wall, and the Korean Memorial. They were all barricaded out by rented barricades, with Park officers who were called off of furlough.

A new essential service. We surely couldn't have American citizens and tourists walking through these memorials if 80 percent of the government is shut down. We would have to have a new service created. That is how spiteful our President was.

But in that period of time, in that process, now we have identified what is essential and what is not—and the 87 percent essential services, the 13 percent that are not, we can go back and look through the records and put that list together—we presume, and I think rightly so, if we should be forced into that situation and if the President were to shut the government down again, we would be in a similar circumstance and we can pretty well predict.

□ 1245

So I want to fund all of those appropriations bills and departments save those that he is likely to direct to violate the law or the Constitution in his press conference tonight, his statement to the American people.

And by the way, we are not going to see the language of this I don't believe, either, tonight. I think what we will hear is a very carefully crafted speech with lots of ambiguities in it, lots of nuances in it. There will be very little information in it, and we will have to divine what it is that the President has said. And some time after they have their meeting in the school with HARRY REID in Nevada, then I think there will be a document that will be released or noted that will more precisely define what the President is preparing to do. Then we can actually weigh in on the constitutionality, or lack thereof, that we anticipate is going to be the case tonight.

Mr. Speaker, if this were a constitutional act, he would have done it by now. If he were prepared to abide by the Constitution some time in the last year or so, he would have repeated the things that he has said in the previous 5 years of his Presidency and probably many times in the classroom as he was teaching constitutional law at the University of Chicago, a stellar law school in this country.

I think I would be wanting some of my money back if I had had any one of my kids that were learning Con. law from our President.

But many times he said, and I can think of a date, March 28, 2011, out here at a high school in Washington, D.C., wherein he said, You want me to pass the DREAM Act by executive order. I don't have the authority to do that because, he said, my job, as President, is to take care that we enforce and execute the laws; and the judicial branch's job is to interpret them, and it is the legislature's job to write them.

Congress writes the laws; the executive branch enforces the laws; the judicial branch interprets them. Pretty simple, pretty compact, pretty concise, pretty accurate.

There is no question the President understands this. On multiple occasions he has made remarks that would seek to restore the separation of powers, but they have been missing from his dialogue for a long time now; and that is just about how long it is that he has been planning, made his decision that he is going to go forward and now try to rationalize, he will try to justify and he will try to rationalize an unconstitutional act that, put it in quotes, ''legalizes'' 3½ million, 5 million, 7 million, maybe as many as 9 million people.

This Congress has, we have the enumerated power to set naturalization, and by a good number of case law, also immigration policy. No one else sets the immigration policy. The United States Congress does.

There is a statute that exists that directs that when immigration enforcement encounters someone who is unlawfully present in the United States, it says they shall place them in removal proceedings.

The President has already ordered that they not place them in removal proceedings. He has created four classes of people and said, under his prosecutorial discretion on an individual basis, only he has the authority to decide to waive the law against people who have broken our laws, most of whom are criminals by the definition of the laws that they have broken. That is the President of the United States.

Seven times in the document that was actually signed by Janet Napolitano, then the Secretary of Homeland Security, they reference on an individual basis only—on an individual basis only—because they know that the executive branch has prosecutorial discretion.

That is the term for how you decide which resources, how you prioritize your resources, where you apply those resources—and it is reasonable to do. If you don't have the resources to enforce

all of the laws, it is reasonable to apply them where the greatest danger to the American citizens are. I agree with that. But when you send out a memo that says, if you have not committed a felony and if you have not committed any one of these three mysterious misdemeanors—or these three serious misdemeanors, as they would say—then we are not going to enforce immigration law against you.

That says that you can break into this country and you can live in America as long as you want if you don't become a felon or if we don't catch you at it, and as long as you avoid these three serious misdemeanors, then you can stay in America the rest of your life and we are not going to bother you.

That is directly contrary to the law, the statute that requires immigration enforcement officers, ICE, in particular, to place them in removal proceedings.

Congress has written the laws, and that is what we do. That is article I. That is the opening sentence in article I of the United States Constitution. And yet the President believes, apparently, that he can write and rewrite law at will.

This will come tonight. We will look at the language. And when we look at the language, there will be constitutional scholars all over America, most of the judges will read the statement and reflect upon the application of the Constitution, the restraint of it. Most of the lawyers will, too.

A lot of Americans that understand this document—you don't have to wear a black robe to understand what this means. Our Constitution, Mr. Speaker, is written in plain English. It is real clear, and there is a lot of the language of the Constitution that comes out in the language on the streets of America, because it is very, very close to our heart.

But article I of the Constitution grants the legislative power to the United States Congress, not the President of the United States.

I do know a little bit about this. In a similar circumstance, at the State level, we had a Governor who believed that he could just simply, by executive order, it happened to be Executive Order No. 7, write law and insert language into 19(b)(2) of the civil rights section of the Iowa code. I read that executive order, and the smart lawyers all told me, No, you don't understand. This is nuanced, and its deft and it is carefully drafted, so it is going to be constitutional, and the Governor can do this.

So I took the language and I put it into the code with strike-throughs and underlines like we do when we write legislation to see how it changes, and it read clearly to me that the Governor was inserting language into the code. So I filed a lawsuit. I was the lead plaintiff, and I spent some money out of my kids' inheritance to pay the lawyers and came out of that on top. I have been through these arguments.

Article I, section 1, says, ''All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

That is here, Mr. Speaker, and it is down through the rotunda to the United States Senate. We join together and write legislation. The President signs it, then that goes into law. That is the Federal code.

It is the executive branch's job to enforce it. He has no authority to waive it, not carte blanche, not huge chunks of people. He has prosecutorial discretion, but that is not what he is talking about.

What he is likely to do is to take the DACA group, the deferred action for childhood arrivals, which is another constitutional violation, those several hundred thousand that he has issued work permits to in another unconstitutional way, and say—and remember, they have our sympathy because they were brought here, according to a lot of people—and I agree, at least some of them—due to no fault of their own, little babies that are carried across the border by their mother or their father. They are not aware of where the border is or what is right and what is wrong at age 1 day. So they arrive here in the United States not citizens, unlawfully present in the United States. It wasn't their fault—that is the argument that has been made over here time and again—and so we shouldn't enforce the law, even the letter of the law, against people that were not aware that their parents were causing them to break it.

Now, that is an argument that I will take some time at another time, Mr. Speaker, to rebut. But there has always been, then, what about the people that caused the DACA kids to break the law? Their parents, presumably. Weren't they aware when they snuck across the border with their children, age 1 day or 15 years and 364 days, weren't they aware that they were breaking the law? Of course they were. And the President is prepared now to reward the family members of DACA recipients.

Why? Because he doesn't want to break up families is my presumption. But these are the people that are breaking up their own families. They put themselves in that condition. They are leaving a lawless land and bringing lawlessness to this land. And we have a lawless President who won't enforce the law, and he won't abide by his oaths to the Constitution.

So we are put in this fix, Mr. Speaker. It is a fix of this Congress is now hopefully recessed—not adjourned—at the call of the Chair, I hope, expecting to go home for Thanksgiving on a calendar that we publish early enough that the President and his minions at the White House can look at the—I suppose they can look and see who owns a plane ticket to go where. But all you have to do is look at the flight schedules flying out of Dulles and out of Reagan, and you look at the schedule here in Congress and you will know when it is likely that almost everybody is gone from town and gone home for Thanksgiving. Well, 95 percent of us are going to be out of town tonight by the time the President has his conference and speaks to the American people.

We shouldn't think that it is timed that way by accident. It is strategically timed, Mr. Speaker, so that Members of Congress have just left town, anxious to embrace our families and celebrate Thanksgiving.

And so he drops this bomb in the middle of us that will be; it will tear asunder this Constitution. The President is prepared to do this, Mr. Speaker, take this Constitution—and I can't bring myself to actually do this. So, take this Constitution. Separate out article I of the Constitution, the legislative authority. Tear that out. That is what he will do tonight at 8. He will tear article I of this Constitution out of this document. He will probably fold it one time, tuck it into his shirt pocket and say, I am also the legislative branch of government, and don't interfere with me because I am the President.

That is what you are going to hear at 8 tonight, Mr. Speaker. And I would like to tear that out and show you what it looks like, but I can't bring myself to do that to my Constitution.

Also, our choices that we have, alternatives to deal with this, I would make this point. Not only have I said the President takes an oath to preserve, protect, and defend the Constitution, take care that the laws be faithfully executed, Mr. Speaker, we also here in the House of Representatives and in the Senate take an oath to the Constitution as well; 535 oaths to the Constitution, between the seated Members in the House and Senate that have a vote, that represent the people in this constitutional Republic—535 oaths. We have an oath to keep and protect this Constitution, as the President does.

I expect he will violate his oath again tonight, Mr. Speaker. We have an obligation then, under our oath to restrain the President's extra-constitutional activity.

I think it is prudent for us to do the minimum necessary to restrain the President. I think it is prudent. And so the limitations on that, they go from one end to the other. It is a pretty broad list of things that we have the opportunity to do. But the easiest and the most gentle would be a resolution that would, I believe, with some level of comfort, pass here in the House of Representatives, that would be a resolution of disapproval for the President's actions.

Now, if we bring that resolution of disapproval, we do so in language that, let's say, doesn't start a big debate, that it just simply lays out the facts. We have done that when we disagreed with the Supreme Court. A resolution of disapproval comes to mind on the Kelo decision as one of them. So we

could disapprove as a House. We could perhaps do a concurrent resolution or joint resolution—doubtful that HARRY REID would allow it to the come to the floor of the Senate, and doubtful that it would pass. But in any case, the House can act on its own with a resolution of disapproval.

That may not be strong enough to cause the President to come to his constitutional senses, so the next step would be, in my judgment then, a resolution of censure for the President.

Now, again, I will reserve the language in that and not define it more precisely until we get an opportunity to actually see what it is that he does, but nobody in this country can paint the picture on how the President can expand amnesty and still be restrained by the Constitution because of the statutes that exist and the restraints that he has that are built into the separation of powers.

So a resolution of disapproval, number one; a resolution of censure, number two; and if, perhaps, that resolution of censure will bring the President to his senses and the President could look at the outrage of the American people, which I believe will boil over, by tomorrow morning I believe it will boil over, that outrage, perhaps he will realize that he has got to rescind his order.

□ 1300

Now, here is one of those examples.

When we were all promised under ObamaCare that we would have conscience protection, a right of conscience that ObamaCare wouldn't compel us to fund abortions and sterilizations and abortifacients, of course, we found out that it did. After 2 weeks of the religious community's being critical of the President, the President finally stepped up to the podium at noon on a Friday—another finely calculated time of the week—and he said there have been some complaints from the religious communities. I am going to make an accommodation to them. Now I am going to require the insurance companies to provide these services for free.

That is the President also legislating by press conference. It is not the United States Congress. I stand in the middle of the United States Congress right now, and I am hearing some of my colleagues say we don't have the tools to restrain this President. Well, after a resolution of disapproval, after a resolution of censure, the next tool then is to cut off the funding to implement or to enforce his unconstitutional executive amnesty edict. We can do that in this Congress. We will be forced to do so in this Congress if the President doesn't restrain himself. That is how we must restrain him.

I don't want to go down that path, but if we do, let's appropriate the funds into the departments that are not relevant to this subject matter and send those appropriations bills down the hallway—to the Senate—and get them to the President's desk one at a time if we can. Let him pick and choose. They can all sit there on his desk, all but Justice and the Department of Homeland Security. Those two pieces of legislation will be necessary for us to pass by exempting from funding those components of the President's edict.

Some have said that we could always claw that money back in a recisions bill. The simple answer to that is, no, we would not be able to do that because, even if we got a recisions bill to the President's desk, he would veto it. Some have said that we can't cut the funding off to implement what we anticipate to be the President's act because it is fee-based under USCIS, the United States Citizenship and Immigration Services. So that is fees, fee for service, and that would be authorizing on an appropriations bill. I would remind people that this Congress has multiple times done just that.

They used the rule when I wanted to cut off the funding to ObamaCare, and I brought it before the Rules Committee—anybody can look it up—on February 14, 2011. I was advised that I shouldn't have put them in that position. They were going to have to say ''no'' to me even though they agreed with me on the policy because we couldn't effect policy in an appropriations bill. Of course, the answer is, yes, we can. We can do anything we choose to do. I would start with this.

In the Constitution, it says:

> Each House may determine the rules of its proceedings.

We set the rules here. In the Rules resolution, we waive continually the provisions. Here is one:

> All points of order against consideration of the bill are waived . . . All points of order against provisions in the bill, as amended, are waived . . . The previous question shall be considered ordered and the bill, as amended, and on any further amendment thereto to final passage without intervening motion.

That is an example of a rule. The rule, itself, waives points of order here on the floor. We can write what we choose to write into legislation that would cut off the funding to implement or enforce a lawless and unconstitutional act. To those who say we can't do so with fees, I will read you the language that does so:

> None of the funds made available in this Act or any user fees and other revenue may be used to finalize, implement, administer, or enforce the documents described—and we describe the documents.

This is not rocket science.

Are we going to allow a President to violate the Constitution and say our rules in the House won't let us restrain the President?

I call that another red herring, red herring number two. There will likely be another one or two.

This Congress, Mr. Speaker, must do its constitutional duty. It must adhere to our oath to the Constitution. We will be called to do that at 8 o'clock tonight. I will be prepared and so will millions of Americans.

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

The SPEAKER pro tempore. The Chair will remind Members to refrain from engaging in personalities towards the President.

Does the gentleman from Iowa seek recognition to offer a motion to adjourn?

PARLIAMENTARY INQUIRY

Mr. KING of Iowa. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. KING of Iowa. Is the adjournment resolution more broad than this? The reason I am asking is because, if we have an emergency, are we able to return at the call of the Chair?

The SPEAKER pro tempore. The gentleman is correct that the House adopted an adjournment resolution earlier today. The Chair understands that the gentleman's motion will invoke a separate order.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FORTENBERRY (at the request of Mr. MCCARTHY of California) for today on account of a family illness.

Mr. NADLER (at the request of Ms. PELOSI) for today on account of attending a funeral.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until Monday, December 1, 2014, at 2 p.m., unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 119, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXECUTIVE COMMUNICATIONS, ETC.

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

7817. A letter from the FSA Regulatory Review Group Director, Department of Agriculture, transmitting the Department's final rule — Farm Loan Programs; Entity Eligibility (RIN: 0560-AI25) received October 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7818. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Pine Shoot Beetle; Addition of Quarantined Areas and Regulated Articles [Docket No.: APHIS-2010-0031] received October 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7819. A letter from the Acting Director, Legislative Affairs Division, Department of