

IMMIGRATION

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

Mr. GOHMERT. Mr. Speaker, we got word earlier this afternoon that President Obama intends to issue an oral decree followed by a written decree—as any good monarch would—indicating that he has decided to change the law regarding immigration.

An article here from The Washington Post has a quote from Secretary Jeh Johnson, the Secretary of Homeland Security, which he says:

“Legislative action is always preferable,” Johnson said, “but we have waited for Congress to act, and the Congress has not acted. The President has waited.”

That is what leaders in places like Venezuela—many places historically where that statement has been made, we have waited for parliament or the legislature or Congress to change the law. They didn't do as we dictated to Congress they had to do, and therefore, we have decided to change the law.

This President is creating a constitutional crisis, and it happens when a President is allowed to continue pushing the envelope and pushing the envelope and exceeding the envelope, and you have an incorrigible opinion written—as the majority for the Supreme Court did on ObamaCare—that is the height of hypocrisy.

How the Supreme Court majority could say, on page 14 and 15, that the mandated penalty in ObamaCare was not a tax—the Supreme Court said if it were a tax, of course, under the anti-injunction statute many decades old, we would not have jurisdiction—plaintiffs wouldn't have standing.

But since clearly the penalty is just that—it is a penalty—then it is not a tax because, if it were a tax, we wouldn't have jurisdiction, plaintiffs wouldn't have standing, and we would all be out of luck, and we wouldn't be able to issue an opinion, but since it is not a tax, it is a penalty, then we will go forward and be able to issue an opinion.

Then you get over about 40 pages, and the opinion says, since it is a tax after all—even though 40 pages or so ago it wasn't—now, we found that it is, therefore, it is constitutional.

So we have had all three branches help create a constitutional crisis. The President on one hand, by continuing to overstep the boundaries of the Constitution as he usurps more and more power; the Supreme Court by issuing decisions that are nonsensical; and Congress, if we continue not to use the powers of the purse to stop the lawlessness by this administration.

The Supreme Court has had opportunities to stop it—they have stopped it on many occasions—set a record for numbers of Supreme Court opinions ruling against an administration unanimously, so the President does have that part of his legacy going, but

apparently, the legacy continues to be stretched to the bounds of absurdity.

The Washington Post said—this was from today:

President Obama will announce Thursday that he will use his executive authority to expand temporary protections to millions of undocumented immigrants, according to several individuals who have been briefed on the decision. Obama will travel to Las Vegas on the heels of that announcement to rally support for his initiative on Friday.

It shouldn't be a surprise. While the President slept and four heroes—including one ambassador—in Benghazi were killed, he got up and headed for Las Vegas.

□ 1845

Now, he is going to announce this constitutional crisis he is creating by deciding to legislate and then take off for Las Vegas again, gambling with the jobs of Americans as he goes.

Getting back to the article again, it says:

Congress will receive official details on the move Thursday, according to a senior Democratic Party official.

Even before final confirmation of the President's plans, outside advocates began readying events to promote the administration's immigration policy.

“We hear there will be a primetime Thursday evening announcement, to preview, and full unveiling in Vegas on Friday,” immigration advocate Dawn Le wrote in an email to other activists, which was later inadvertently sent to a group of reporters Wednesday morning. “Can folks begin to work and plan watch parties for Thursday and/or Friday? Unclear whether Thursday night content will be what is ‘celebratory,’ but Friday will be where we need a lot of energy guaranteed.”

That is, of course, while the President is in Las Vegas, gambling away American jobs.

The article goes on:

Obama launched his push for immigration reform in January 2013 in Las Vegas, outlining a plan that would allow many of the Nation's 11 million undocumented immigrants to earn citizenship.

Now, it is important to note the article goes on to say:

Johnson said the administration has concluded it has “wide latitude” to take action. “It can't be that we are not allowed to lift a finger to fix our broken immigration system,” he said. “And we will.”

That is what creates the constitutional crisis, Mr. Speaker. Jefferson once recommended that we shouldn't bring up a bill for a vote until it has had a year on file for people to review. That would eliminate all these legislating-by-crises situations, but we have seen crises generated.

We know the former Chief of Staff for the President of the United States once quipped that you never want to let a good emergency go to waste; obviously, there is a feeling that this would be the time to usurp congressional authority.

Now, the sad thing is the crisis is not as bad right now as it has been in the past. Any time the President talked about amnesty or legal status, Border Patrolmen—some on the record, some

in articles—have pointed out any time the President—or anybody in Washington, but especially the President—talks about amnesty or legal status, the numbers of people coming in illegally, the number of people dying trying to get in, increases.

The number of people wishing to get lost in the masses from Central America and Mexico coming in from countries where radical Islamic activities abound are coming in, in greater numbers.

Interestingly, the White House has shown it has the ability to foment a crisis unilaterally, and then by fomenting the crisis unilaterally, justify the crisis they created to usurp congressional authority granted to Congress and no one else in the Constitution.

There is an article from my dear friend, Senator TED CRUZ. “The Constitution designs a system of checks and balances for our Nation, and executive amnesty for illegal immigrants unilaterally decreed by the White House would seriously undermine the rule of law.

“Our Founders repeatedly warned about the dangers of unlimited power within the executive branch. Congress should heed those words as the President threatens to grant amnesty to millions of people who have come to our country illegally.

“To be clear, the dispute over executive amnesty is not between President Obama and Republicans in Congress; it is a dispute between President Obama and the American people. The Democrats suffered historic losses in the midterm elections largely over the prospects of the President's executive amnesty. President Obama was correct: his policies were on the ballot across the Nation in 2014. The elections were a referendum on amnesty, and the voters soundly rejected it. There was no ambiguity.

“Undeterred, President Obama appears to be going forward. It is lawless. It is unconstitutional. He is defiant and angry at the American people. If he acts by executive diktat, President Obama will not be acting as a President, he will be acting as a monarch.

“Thankfully, the Framers of our Constitution, wary of the dangers of monarchy, gave the Congress tools to rein in abuses of power. They believed if the President wants to change the law, he cannot act alone; he must work with Congress.

“He may not get everything he wants, but the Constitution requires compromise between the branches.

“A monarch, however, does not compromise. As Alexander Hamilton explains in Federalist 69, a monarch decrees, dictates, and rules through fiat power, which”—as TED CRUZ points out—“is what President Obama is attempting. When the President embraces the tactics of a monarch, it becomes incumbent on Congress to wield the constitutional power it has to stop it.”

He goes on to make good points.

It is important that someone speak for the tens of millions of American citizens who had a dream, who hoped to have work, who hoped to provide for their families, who hoped to have enough to pay back student loans, who hoped to buy their children bicycles for Christmas, but they are out of work. They lost work.

Oh, I know the books have gotten cooked, and we are told that the unemployment rate is dramatically better, but a big reason that the American voters did not indicate that at the polls is they don't feel it, and the reason they don't feel that the employment numbers are better is because they personally know they are not. They are not better.

In fact, this article is from September 5 from CNS News:

A record 92,269 million Americans 16 and older did not participate in the labor force in August, as the labor force participation rate matched a 36-year low of 62.8 percent, according to the Bureau of Labor and Statistics.

The labor force participation rate has been as low as 62.8 percent in 6 of the last 12 months, but prior to last October had not fallen that low since 1978, which, hypothetically or parenthetically, was during the August—I say sarcastically for those on the left that don't know sarcasm—days of the American economy during President Carter's glorious years as President.

This article goes on:

BLS employment statistics are based on the civilian noninstitutional population, which consists of all people 16 or older who are not in the military or an institution such as a prison, mental hospital, or nursing home.

In August, the civilian noninstitutional population was 248,229 million, according to the Bureau of Labor Statistics. Of that 248 million, 155,959 million, or 62.8 percent, participate in the labor force, meaning they either had a job or had actively sought one in the past 4 weeks.

The 92,269 million who did not participate in the labor force are those in the civilian noninstitutional population who did not have a job and did not actively seek one in the last 4 weeks. Because they did not seek a job, then the administration did not count them as unemployed.

Mr. Speaker, as the President intends to announce tomorrow—and party in Las Vegas—going into more detail about how many Americans are going to be displaced from their jobs by people the President is going to provide amnesty to, somebody needs to be speaking up for that union member that would love to pay union dues if he just had a job, or for the single moms that have approached me in tears, saying they got forced into part-time work because of ObamaCare and the change in the law that was entailed in the ObamaCare bill.

There are people hurting across America that are American citizens that once had a dream. Maybe we should label the President's unconstitutional actions as the American citizen dream killer, instead of any type of DREAMer act.

We have seen statistics that indicate that possibly less than 10 percent of people who have come into this country illegally are actually working, so the President provides amnesty for millions of people who are illegally here.

I hope that he will also provide an apology to the Hispanics and people from different places around the world that my office is trying to help achieve visas, achieve citizenship legally, some taking years.

I am sure the President is not going to feel like apologizing. Apparently, the indication is he wants to celebrate the unconstitutional actions he is going to announce in Las Vegas, but somebody with the government needs to apologize to the American people that 92 million-plus Americans are not even looking for a job any more when they are eligible for jobs, they could have jobs, most of them would like to have jobs, but they have given up. They have lost their dreams under this administration.

As the President announces making millions of more people who have come illegally eligible to take American citizens' jobs in the next 2 days, I hope that our Congress on both sides of the aisle will do what is right and say, "Wait a minute. Secure the border, Mr. President. That is what is exclusively within your control."

The Supreme Court has said States and local authorities can't secure the border. It is up to the administration, and the mere fact is that this administration has turned their back on protecting Americans from the illegal aliens that have come in and killed Americans, raped Americans. Thank God most of them don't do those things.

□ 1900

But for the millions of people who have been the victims of crimes by people who have come in illegally, those crimes would never have occurred if we had had an administration that secured the border so people who came across with criminal records in their past in the countries they came from would not be allowed in here, and those crimes they committed in America would not have been committed.

Those that have been deported and come back in after they committed crimes here and commit more crimes, as I personally saw as a judge happen in Smith County, Texas, those wouldn't be happening if we had an administration that would properly secure the border.

The Clinton administration didn't do it. The Bush administration didn't do it. And now, this administration has set records for how poorly they have prevented people from coming in illegally, the damage that has been done to American citizens, crushing dreams, taking dreams.

I hope and pray the President will remember his oath, that this precursor that was released today about the dam-

age the President wants to do to American citizens who are trying to find jobs, that he will have second thoughts and not do it.

Mr. Speaker, I hope the American people who spoke very loudly and clearly when they came out to vote will let the President know, in person, through email, through phone calls, that American citizens still need jobs.

Why don't you help the economy get going stronger so that we need more people to come in and have those jobs?

Our oath is to the American people, and when you have nearly a third of the United States, or getting close to half of people eligible to work that have even completely given up on looking for jobs, the economy is not good. Americans are suffering.

Now the President wants to bring in, just provide amnesty to people who will then be able to compete and put American citizens out of work. It really is heartbreaking.

Now, if you stay aboard, say, an Air Force One and you only go to rallies or golf courses where everybody is doing great, wealthy, you only talk to high-tech industry people that are just knocking down billions of dollars, it is easy to start feeling like things are going great. But if you go to Sabine County, Texas; San Augustine, Texas; Shelby County, Texas; Angelina County; Nacogdoches County; Rusk County; Panola County; Harrison County; Gregg County; Smith County; Wood County; Upshur County—those are counties all within my district. And in some of those counties, people are really getting desperate. They don't need to compete with 5 million more people for jobs. They would just like a job themselves.

If the Obama administration will take the foot off of the throat of this economy, will help us roll back and repeal ObamaCare.

I got notice again of another hospital in my district this week, there in Gilmer where my nephew was born. Gilmer hospital, where my nephew was born, is now going to be closed. They are not going to be able to handle the continued cuts that ObamaCare has created. There are numerous reasons, but that is a death knell.

Hospitals are closing. People are hurting. So for the 92, between 92 and 93 million people that have given up hope, how sad, because the Obama administration will not secure our borders.

I want immigrants coming in. I love the fact that we allow more legal immigrants in than anybody. I love that. That is wonderful. But when you don't have secure borders and millions come in, millions upon millions, then you are moving toward a day when nobody is going to want to come in because you didn't have a logical immigration process. They overwhelmed the system. They broke the system, and now that shining light on a hill has gone out.

We are moving in that direction: the military becoming too small to adequately protect us, people around the

world in hostile environments deciding that America can be pushed around, radical Islamists deciding this is the time to move, Iran figuring out that they have an administration that can be duped over and over again until they have the atomic weapons and the ability to carry them, which they have already got. They can do it with ships, enough to take out the Great Satan, which is the United States, according to them, and the Little Satan, Israel.

And this President is going to have a good time out in Las Vegas. Las Vegas can be fun, but not when the President says he is going to sign a law—wouldn't it be ironic if he decided to sign it at Caesars Palace, because the real Caesar's palace used to see that kind of thing on a regular basis, you know, a dictator, or Caesar just signing a law as he saw fit.

But in this case, you would think a Caesar would not sign a law that would provide the ability to displace millions of Americans who have jobs and force them into the eventuality where 92 million Americans are. They have given up hope. They have given up on their dreams.

If you believe the Bible, as I do, it makes clear that the government is here to protect people, to protect against evil, to encourage good conduct. That means following the law. You provide a protected environment in which people can be peacemakers and be meek and loving and kind and turn the other cheek.

But that is not for the government. The government's role is to enforce the law as it is. And may God plant the seeds of wisdom in the right people in this administration so they will quit harming Americans who just want a job.

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

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 885. An Act to designate the facility of the United States Postal Service located at 35 Park Street in Danville, Vermont, as the "Thaddeus Stevens Post Office".

S. 1093. An Act to designate the facility of the United States Postal Service located at 130 Caldwell Drive in Hazlehurst, Mississippi, as the "First Lieutenant Alvin Chester Cockrell, Jr. Post Office Building".

S. 1499. An Act to designate the facility of the United States Postal Service located at 278 Main Street in Chadron, Nebraska, as the "Sergeant Cory Mracek Memorial Post Office".

S. 1512. An Act to designate the facility of the United States Postal Service located at 1335 Jefferson Road in Rochester, New York, as the "Specialist Theodore Matthew Glende Post Office".

S. 2141. An Act to amend the Federal Food, Drug, and Cosmetic Act to provide an alternative process for review of safety and effectiveness of nonprescription sunscreen active ingredients and for other purposes.

S. 2639. An Act to amend the Public Health Service Act to reauthorize certain programs

relating to traumatic brain injury and to trauma research.

S. 2583. An Act to promote the non-exclusive use of electronic labeling devices licensed by the Federal Communications Commission.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, November 20, 2014, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

7753. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Importation of Fresh Unshu Oranges From Japan Into the United States [Docket No.: APHIS-2013-0059] (RIN: 0579-AD85) received October 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7754. A letter from the Director, Issuances Staff, Department of Agriculture, transmitting the Department's final rule—Electronic Import Inspection Application and Certification of Imported Products and Foreign Establishments; Amendments to Facilitate the Public Health Information System (PHIS) and Other Changes to Import Inspection Regulations [Docket No.: FSIS-2009-0022] (RIN: 0583-AD39) received October 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7755. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter regarding the report on the payment of a Foreign Language Skill Proficiency Bonus to members of precommissioning programs; to the Committee on Armed Services.

7756. A letter from the Under Secretary, Department of Defense, transmitting authorization of Colonel Brian P. Cummings, United States Army, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

7757. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General Gilmory M. Hostage III, United States Air Force, and his advancement on the retired list to the grade of general; to the Committee on Armed Services.

7758. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General David S. Fadok, United States Air Force, and his advancement on the retired list to the grade of lieutenant general; to the Committee on Armed Services.

7759. A letter from the Under Secretary, Department of Defense, transmitting authorization of Major General John W. Nicholson, Jr., United States Army, to wear the authorized insignia of the grade of lieutenant general; to the Committee on Armed Services.

7760. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General James F. Amos, United States Marine Corps, and his advancement on the retired list to the grade of general; to the Committee on Armed Services.

7761. A letter from the Director, Defense Procurement and Acquisition Policy, De-

partment of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation: Ocean Transportation by U.S.-Flag Vessels (DFARS Case 2014-D012) (RIN: 0750-AI38) received October 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7762. A letter from the Director, Naval Reactors, transmitting executive summaries of the Naval Nuclear Propulsion Program's latest report on environmental monitoring and radioactive waste disposal, radiation exposure, and occupational safety and health; to the Committee on Armed Services.

7763. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to China Eastern Airlines of Shanghai, China pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7764. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's annual report for FY 2013 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Financial Services.

7765. A letter from the Comptroller, Office of the Comptroller of the Currency, transmitting the Annual Report to Congress: Preservation of Minority National Banks and Federal Savings Associations; to the Committee on Financial Services.

7766. A letter from the Secretary, Department of Education, transmitting the Department's final rule—William D. Ford Federal Direct Loan Program [Docket ID: ED-2014-OPE-0082] (RIN: 1840-AD17) received October 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7767. A letter from the Secretary, Department of Education, transmitting the Department's final rule—Program Integrity: Gainful Employment [Docket ID: ED-2014-OPE-0039] (RIN: 1840-AD15) received November 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7768. A letter from the Director, Division of Regulations, Legislation, and Interpretation, Department of Labor, transmitting the Department's "Major" final rule—Establishing a Minimum Wage for Contractors (RIN: 1235-AA10) received November 14, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7769. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule—Green Building Certification Systems for Federal Buildings [Docket No.: EE-RM/STD-02-112] (RIN: 1904-AC13) received October 14, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7770. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled "Update on the Adoption of Health Information Technology and Related Efforts to Facilitate the Electronic Use and Exchange of Health Information"; to the Committee on Energy and Commerce.

7771. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—AAPD and AAASD; Tolerance Exemption [EPA-HQ-OPP-2014-0467; FRL-9917-03] received October 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7772. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Ohio;