

Removing coal from our energy mix will have disastrous consequences for our recovering economy.

I couldn't agree more with our Democratic colleague.

It is time for the White House to stop pivoting from job-destroying policies to campaign-stop PR pitches for jobs right back to job-destroying policies. It is time for the administration to get serious about pursuing a truly workable strategy for this country, for energy, for the economy, and for jobs.

SENATE RULES

Briefly, on another matter, another day has gone by. We are still not clear that the majority leader is going to keep his word given back at the beginning of this Congress that the issue of the rules for the Senate of this Congress have been settled. They have been settled as a result of bipartisan discussions that occurred back in January leading to the passing of two rules changes and two standing orders, after which the majority leader had said it had been settled, that we had the rules for this Congress.

Later we learned that maybe we didn't, and there were these implied threats issued to groups around the country that he would exercise a so-called nuclear option. The definition of the nuclear option is to break the rules of the Senate in order to change the rules of the Senate.

The minority, and I suspect a reasonable number of the majority, are waiting to find out whether the majority leader intends to keep his word. Your word is the currency of the realm in the Senate. His word has been given. We expect it to be kept.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 744) to provide comprehensive immigration reform, and for other purposes.

Pending:

Leahy modified amendment No. 1183, to strengthen border security and enforcement.

Boxer/Landrieu amendment No. 1240, to require training for National Guard and Coast Guard officers and agents in training programs on border protection, immigration law enforcement, and how to address vulnerable populations, such as children and victims of crime.

Cruz amendment No. 1320, to replace title I of the bill with specific border security requirements, which shall be met before the Secretary of Homeland Security may process applications for registered immigrant status or blue card status and to avoid Department of Homeland Security budget reductions.

Leahy (for Reed) amendment No. 1224, to clarify the physical present requirements for merit-based immigrant visa applicants.

Reid amendment No. 1551 (to modified amendment No. 1183), to change the enactment date.

Reid amendment No. 1552 (to the language proposed to be stricken by the reported committee substitute amendment to the bill), to change the enactment date.

Reid amendment No. 1553 (to amendment No. 1552), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11:30 a.m. will be equally divided and controlled between the two managers or their designees.

The Senator from Iowa.

Mr. GRASSLEY. I have expressed my frustration many times, and more often in the last week, about the lack of progress on getting votes. We have been on this bill for 3 weeks. Yet we have only dealt with nine amendments. It is unclear if any more amendments will be debated and voted on. We have provided a list to the majority on amendments that we believe will make the bill better. It seems as though the only amendments that will be made in order before we vote on final passage will be the Schumer-Hoeven-Corker so-called grand compromise. This is the one that was concocted behind closed doors for days, stalling progress we wanted to make in the public. In other words, we lost a lot of time while this grand compromise was being concocted behind closed doors. Even while that was going on, we could have been debating amendments and voting on amendments.

Not only is the amendment before us, meaning the Schumer-Hoeven-Corker amendment, loaded with provisions that some would call earmarks, but it continues to promote false promises that the border will be truly secured. We get the impression from hearing the authors debate their amendment that tomorrow we are going to have a secure border. This is not going to happen, and I will explain that in a moment.

Let's get back to basics. We are a Nation based upon the rule of law. In that concept, every Nation has a right to protect its sovereignty. In fact, it has a duty to protect the homeland. Any border security measures we pass then must be real and, more importantly, immediate. We can't wait 10 years down the road to put more agents on the border or to implement a tracking system to track foreign nationals. We have to prove to the American people today that illegal entries are under complete control and the visa overstays are being punished. Being punished means leave our country when your visa says you are supposed to leave the country.

Unfortunately, too many people have been led to believe the bill before us, and this grand compromise amendment, will force the Secretary of Homeland Security to secure the border. The fact is, it doesn't do that, but we are led to believe that tomorrow the

border will be secure. The amendment basically is a continuation of the basic premise of the underlying bill—legalization first, enforcement later, if ever.

It is very simple and it is wrong. People will be legalized merely on the submission of a plan by the Secretary of Homeland Security.

Will that plan secure the border? Who is going to know until a long way down the road. In the meantime, you have legalization and possibly enforcement, but you aren't going to know. Then you end up making the same mistake I made by voting for the bill in 1986. I don't intend to make that mistake again.

We are saying the Secretary puts forth a plan. This very same Secretary is the one who thinks the border is already strong enough, the same Secretary who has refused to even answer questions we submitted to her 2 months ago about how she might interpret some of this legislation. She obviously hasn't been forthright in answering what those department policies would be.

The amendment puts additional agents on the border, yes. It does it, quite frankly, in opposition to people on the other side of the aisle. Some of the sponsors of the bill have argued already that more agents aren't necessary. Maybe I should be satisfied we are going to have more agents. The point is, it is so far down the road—don't sell this amendment to me as border security.

Let's be honest with the American people. This amendment, this grand compromise concocted behind closed doors, may call for more Border Patrol agents, but it surely doesn't require it until the undocumented population, who are now RPIs, apply for adjustment status or a green card, and that is down the road several years.

I am all for putting more agents along the border, but why should we wait? It ought to be enforcement now, legalization later. Why allow legalization now and simply promise more agents in the future?

Even then, who believes the Secretary, like the one we have today, will actually enforce the law? When I say like the Secretary we have today, I mean the policy. She says the border is secure.

In this amendment there is the issue of fencing. One of the conditions that must be met before the Secretary can process green cards for people here illegally is the southern border fencing strategy has been submitted to Congress and implemented. This fencing strategy will identify where 700 miles of pedestrian fencing is in place. Note that this is not double layered, as in current law, so current law is weakened.

The amendment states the second layer is to be built only if the Secretary deems it necessary and appropriate. This is another delegation of authority to a Secretary who says the border is already secure.

Additionally, the underlying bill still specifically states that nothing in this provision shall be interpreted to require her to install fencing. Yes, they talk about this being a strong border-secure grand compromise, but it leaves so much discretion to a Secretary who already says the border is secure.

Another part of the amendment requires an electronic entry-exit system is in use at all international air and sea ports. This sounds like all international air and sea ports—and look at this caveat—but only “where U.S. Customs and Border Protection are currently deployed.”

This is actually weaker than the underlying bill which required the electronic entry-exit system be used at air and sea ports, not just international. Here again we have a grand compromise, supposed to get more votes for this bill, but it is weaker than the underlying legislation, because the underlying legislation requires biometric entry-exit at all ports of entry, including air, sea, and land.

The amendment dictates to the Secretary which equipment to purchase and deploy at the border. The Members who wrote the bill were apparently given some secret list of technology that agents need, but I am not sure if this came from the Department or some defense contractor.

Have no fear, the border will be secure because the amendment calls for fixed towers and cameras, unattended ground sensors, night-vision goggles, fiberoptic tank inspection scopes, a license plate reader, and backscatters. Obviously, I am facetious when I say the border will be secured by this concocted, behind-closed-doors grand compromise.

What is not so funny is the spending of taxpayer dollars in this amendment. Originally the legislation allocated \$6.5 million for the Secretary to carry out the law, and \$6.5 billion is a lot of money. When we got to committee, the Gang of 8 increased the trust fund allocation by \$6.5 billion to \$8.3 billion, and \$8.3 billion is still a lot of money. We have this grand compromise concocted behind closed doors before us, and now we are looking at not \$8.3 billion but \$46.3 billion upon date of enactment for the Secretary to spend as she wishes.

As is often the case here in Washington, the solution always seems to be throw money at a problem. This grand compromise measures the success of their amendment by the amount of money that is going to be spent, not by outcomes. The American people, in the polls of this country, want the outcomes to be a secure border, not the amount of money that is going to be spent on the success of a piece of legislation. Of course, the money has to come from somewhere, so the amendment requires the government to raid the Social Security trust fund. It is ObamaCare all over again, where the Medicare trust fund was raided to help finance that. It is irresponsible and unacceptable.

Moreover, the amendment's sponsors will claim that people here illegally will pay for our border security needs. But money has to come into the trust fund, and after it gets into the trust fund it has to be repaid to the Treasury. Where will the American people be reimbursed? The sponsors of the bill say the taxpayers will not bear the burden. Yet there is no requirement the funds be paid back. There is no time limit or accountability to ensure the taxpayers or the Treasury gets its money back.

The Schumer-Corker-Hoeven amendment increases fees on visas for legal immigrants in order to replenish the trust fund and the Treasury. Employers, students, and tourists will pay the price. Talking about employers, students, and tourists, these are people who abide by the law who are paying the price. Meanwhile, the amendment says for those being legalized—in other words, people who came here undocumented, those people having not subjected themselves to American law by crossing the border illegally—they cannot be charged more than what is allowed already. The Secretary cannot adjust the fees or penalties on those who apply for or renew their RPI or blue card status, and those are the people who came to this country without papers, in violation of our law.

The amendment in the underlying bill will not end illegal immigration because the border is not going to be secure. The Congressional Budget Office says illegal immigration would only be reduced by 25 percent due to the increased numbers of guest workers coming into the country. The amendment does nothing to radically reduce illegal immigration in the future and does not provide any resources to interior enforcement agents whose mission it is to apprehend, detain, and deport illegal immigrants.

Just as with the 1986 amnesty—and I voted for that, which was a mistake I regret—we are going to be back in the same position in 10 years, facing the same problem.

The authors have talked a lot about the border surge in their amendment, but they seem to be hiding from the fact the border changes only account for about half of the total amendment. There are changes to every title. There are changes to exchange visitor programs, the future guest worker program, and visas, even for the performing arts. This isn't just a border amendment. There are provisions in the bill that were put in there specifically to get Senators to support passage of this bill, because they think if they can get 70 votes, the House of Representatives is going to buy into this thing. I expect to vote against the bill, and I expect the House of Representatives to fix this miserable failure, both the underlying legislation as well as the grand compromise amendment before us, so we can vote for a bill going to the President that has border security before we have legalization.

That is going to happen. I trust the other body isn't going to buy into the argument the Senators in this body want to use; that somehow, if this gets 70 votes, it is so bipartisan how could the other body not do it? This body is not the deliberative body on this amendment that history tells the American people the Senate is. This is a body that for 3 weeks, with 451 amendments, didn't deliberate. We stalled and voted on 9 or 10 amendments. The House of Representatives is going to be the deliberative body on immigration reform, and it is going to put the Senate to shame.

I encourage my colleagues to oppose the amendment. It does nothing to change the legalization first philosophy and offers little more than false promises the American people can no longer tolerate.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise to speak about an agreement I have reached with Senator GRAHAM on the Hirono-Murray-Murkowski amendment No. 1718, which has been cosponsored by Senators BOXER, GILLIBRAND, CANTWELL, STABENOW, KLOBUCHAR, WARREN, BALDWIN, MIKULSKI, SHAHEEN, LEAHY, FRANKEN, MENENDEZ, and SCHUMER.

I ask unanimous consent that Senator LANDRIEU be added as a cosponsor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. HIRONO. Mr. President, I have been speaking on the Senate floor and talking with my colleagues about my concern that the immigration bill we are considering inadvertently disadvantages women who are trying to immigrate to the United States. I believe the new merit-based point system for employment green cards will significantly disadvantage women who want to come to this country, particularly unmarried women.

Many women overseas do not have the same educational or career advancement opportunities available to men in those countries. This new merit-based system will prioritize green cards for immigrants with high levels of education or experience. By favoring these immigrants, the bill essentially cements unfairness against women into U.S. immigration law. That is not the way to go.

After I brought these concerns to Senators SCHUMER and GRAHAM, Senator GRAHAM graciously agreed to sit down with me. We were able to work out a way to address the concerns about women in the merit-based system that I believe will significantly improve this bill. The new Hirono-Murray-Murkowski amendment reflects a few changes which we agreed to after working with Senator GRAHAM.

The changes we made include: limits on the ability for certain types of health care workers to obtain points multiple times based solely on their

employment, clarification that there must be a personal relationship to obtain points under the humanitarian concerns section of the amendment, elimination of the provision that awarded points for being a last surviving relative of a U.S. citizen, harmonization of tier 3 with tiers 1 and 2 by adding points for English language skills, and ensuring the tier 3 visas do not—do not—reduce the overall numbers of tier 1 and tier 2 visas available.

We should continue to increase the opportunities for women in our immigration system, but I believe this agreement will help level the playing field for women. Our amendment would establish a new tier 3 merit-based point system that will provide a fair opportunity for women to compete for merit-based green cards.

Complementary to the high-skilled, tier 1 and lower skilled tier 2, the new tier 3 would include professions commonly held by women so as not to limit women's opportunities for economic-focused immigration to our country. This system would provide 30,000 tier 3 visas and would not reduce the visas available in the other two merit-based tiers.

I wish to thank Senator GRAHAM for working with me to modify this proposal in such a way he could agree to lend his support while still addressing the real concerns that women will be at a disadvantage under the new merit-based system. I believe our amendment is a step in the right direction toward addressing the disparities for women in the new merit-based system, and over 100 organizations, including faith-based organizations, support the Hirono-Murray-Murkowski amendment.

I urge my colleagues to support this amendment to improve the new merit-based immigration system and make this bill better for women. I hope we can reach an agreement to bring this amendment to the floor for a vote.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we will have a vote before much longer on the question of whether the legislation before us violates the budget. I think that is going to be established quite clearly. The chairman of the Budget Committee, Senator MURRAY—and I am the ranking Republican on that committee—is going to acknowledge that and the Parliamentarian will so rule that the legislation violates the budget and violates it in a number of ways, contrary to the promises made by the sponsors of the bill.

The sponsors of the bill proposed a large piece of legislation and told ev-

eryone a great deal about their bill, one fact after another, and those promises and representations have been shown to be inaccurate. They are not accurate and that is unfortunate. That is why the bill is having the difficulties it is.

If it simply was a bill that provided a legal status for people who had been here a long time without difficulties and it was a bill that actually fixed the border, fixed the workplace enforcement, fixed the entry-exit visa, and created an effective internal enforcement mechanism for the future, the legislation would have a good chance of having popular support. But as people find out more about it, they find all those factors are not going to be achieved effectively—in some instances even weakened from current law—and as a result the legislation is in trouble.

When we get a piece of legislation that is 1,200 pages and people are unable to digest it, it boils down to talking points. So the sponsors produced a series of talking points that they said reflects what is in the legislation. One of their talking points was that the bill is not going to cost the taxpayers money; that we would fine the people who are here illegally and they will pay the cost of this bill so it would not impact the budget. We were promised that in the Senate Judiciary Committee when this legislation came up. Senator SCHUMER made that explicitly clear. This is a quote from him in committee, and this is what their talking point said and what their Members have been saying repeatedly:

And here, what we're simply doing is making sure that all the expenses in the bill are fully funded by the income that the bill brings in. This is to make sure that this bill does not incur any cost on the taxpayers. It's to make it revenue neutral.

That was the promise we had heard. People like to hear that. They were pleased to hear that. It was a positive spin for the bill. He goes on to say:

Section 6 provides start-up costs to implement the bill, repaid by fees that come in later.

Then he goes on to say money will be paid from companies and workers and by the immigrants who get the legal status in terms of "their fines as they go through the process."

That was the promise that was there. Yet now we have legislation and a score that demonstrates that is plainly not correct. First, the Congressional Budget Office analyzed the cost, and this was before we added the extra money last week or what we will vote on today. This was before they added the substitute Corker-Hoeven-Schumer amendment, and that substitute adds a lot more money.

What our experts in the budget office tell us is that it would add \$14 billion to the on-budget debt of the United States, but it is really more than that.

Most of the individuals who will be legalized will be able to have Social Security cards and will pay FICA, Medicare, and Social Security withholdings

on their paychecks every week, which will incur extra revenue for the U.S. Government. Our colleagues claim credit for the FICA money to try to justify their claims that they are within the budget and that we should not just count the on-budget score that debt increases from the CBO. But we have to know that the FICA money is money that goes to the Social Security and Medicare trust funds, and every one of the individuals whose average age now is in their thirties will eventually claim the benefit of Medicare and Social Security. They will draw out of the Medicare and Social Security trust funds the money they paid in.

Statistically speaking, they will draw out a lot more than they pay in because those funds are not on a sound basis. Medicare and Social Security are on an unsound basis today. They are counting that money to pay for their bill when that money is dedicated to the Social Security and Medicare trust funds.

By spending that money today, they are simply adding to the debt of the United States. They cannot claim that twice. They cannot claim that the individuals who are going to be given Social Security cards and will be on a path to receive Social Security and Medicare when they retire—that they are paying into Social Security and Medicare if their money is being spent on funding this program. That is double counting, and Mr. Elmendorf of CBO showed that.

This chart shows it is really more than just the \$14 billion, which is significant. This chart shows how much the deficit of the United States is impacted by this legislation. The unified budget surplus counts all the Social Security money and all the tax money in one pot. It is one way to do the accounting of the United States. It is not accurate in this case. It should not be used. It claims a \$197 billion surplus. That is the Social Security and Medicare money. But if we take away the Social Security surplus this bill creates, \$211 billion, and the money they pay into the Medicare trust fund, \$56 billion—the net deficit is \$70 billion. We have to get our minds correct.

The reason this country is going broke, the reason this country is so far off a sound fiscal path, is that we continue, we persist, in using a unified budget number when that money for Social Security and Medicare is dedicated money. It is set aside to pay for something in the future.

If someone sets aside money in their savings account for their retirement, they cannot spend it today and pretend they still have it for their retirement account. It is just that simple.

This is a bad trend we have been in. It was not so obvious when Social Security and Medicare were bringing in a lot more money than was going out. But now that is not so, and we will soon be in deficit, and very serious deficit. So we should not in any way suggest, believe, or tell the American people that this bill is paid for. It is not

paid for, and as a result it violates the Budget Act. That is the point of order that Senator VITTER has made, and we will vote on it.

In addition to that, it is worse. There are 10 more budget violations in the bill: One is for new direct spending to exceed the Judiciary Committee's authorization levels over a 5-year period. Another one is a 10-year violation of spending over authorized levels in violation of the committee allocations.

Another is an emergency designation to increase spending pursuant to emergency spending from the comprehensive immigration trust fund; emergency spending designation for the comprehensive reform trust fund in violation of the PAYGO Act; emergency designation in violation of a 2010 budget resolution; emergency designation for Social Security cards, in violation of the statutory PAYGO Act. This bill calls it an emergency to have funds for Social Security implementation. That is not an emergency.

Another is an emergency designation for the E-Verify system. That is a system we have established and should be able to expand rapidly. That is not an emergency to expand that. That is in violation of the 2010 budget resolution.

Another is an emergency designation for E-Verify in violation of the PAYGO act; emergency designation for passenger manifest information expenditures, in violation of the 2010 budget resolution; emergency designation in violation of the Statutory PAYGO Act for passenger manifest information.

All of those represent violations of the Budget Act. Senator VITTER raised the one that plainly violates the flat spending limit we agreed to and are now operating under. When the response came from Senator LEAHY, he moved to waive that. He moved to waive not only that, but all the other 10 violations of the Budget Act. You only raise one at a time. Senator VITTER raised one, and they moved to waive them all and eliminate this pesky complaint that their bill spends more money than the budget allows.

We will be voting on that, colleagues, and this Senate has been in recent months doing well with regard to adhering to the budget limits we agreed to. We have had seven consecutive votes in which the Senate has voted not to violate the budget when a bill hit the floor that violated the budget. We sent the bill back for reform so if it comes back it has to be in harmony with the bill—seven consecutive votes.

My colleagues who have been there and who believe they have a responsibility to honor the budget limitations we agreed to should not vote to waive the budget. Let's stay within the budget. Let's require the bill's sponsors to do what they promised to do, and by right they should be able to do, which is produce a bill that comes within cost without raiding the Social Security and Medicare trust funds, as they now intend to do. That is just the way it is. I wish it were not so, but it is.

I will take a minute to point out that recently—last night or late yesterday—Senator BENNET, one of our most able Members of the Senate and a Member of the Gang of 8, took the floor to promote the bill and claimed that before jobs are offered, the bill “requires an American is offered the job first.”

He went on to say: “We are not bringing in a whole bunch of new people when there are Americans looking for work.”

We are not bringing in a whole bunch of new people when there are Americans looking for work—well, we are. The guest worker program that is in this bill, in addition to the legalization process of normal immigration, doubles the number of guest workers who will be coming to America over current law. These are not people who come to be permanent residents and immigrate to America. These are people who come to take a job and work for a certain period of time—really up to 3 years, and they can extend for 3 years. They have become permanent job takers, in many instances.

He says: First of all, you have to certify an American has been offered the job first. He and other supporters claim this bill is not going to impact wages, is not going to impact jobs. They say don't worry about it—I am worried about it. First and foremost, we are going to have 1.1 million people, and many of those are not able to work in the economy fully today because they are illegally here. They will be given a legal status, a Social Security card, driver's license, and the ability to apply for any job in America. So all of a sudden we are going to have a half million people, perhaps, out there competing for jobs that Americans cannot find today because unemployment is very high. That is going to happen promptly.

Then we are going to accelerate another 4.5 million people into the country, without regard to their skills, and they will be looking for jobs mostly in the lower skilled workforce area. Then, in addition to that, we add the normal flow of immigration into America. We currently welcome 1 million immigrants every year, but this is going to welcome 1.5 million a year. So, there will be an additional 500,000 workers a year in America under the normal immigration system. In addition to that, the guest worker program will double—all at a time when we are not doing well economically.

Today's announcement that the government revised downward substantially the growth in the first quarter is a real problem. We are not seeing job growth. Let me just show this chart about the impact on wages and workers in America that will occur as a result of this legislation. I think probably these numbers are modest. I think it will be more dramatic than this.

This is our Congressional Budget Office. They looked at the numbers, and they said: the average wage would lower over the first dozen years if this bill passes.

For 12 years, if we pass this bill, the average wages of Americans will be lower than would have been the case if the bill had not passed, according to our own CBO.

Somebody came and said on the floor: We won't worry about that because in 20 or 30 years they say it might be better.

First of all, our problem is today. People are unemployed today, and they cannot find work today. Wages have been declining every year since 1999. Working wages of Americans have been declining relative to inflation steadily for over a decade. This bill will accelerate that. It takes us in exactly the wrong direction. Why would we do that?

Then it says CBO—this is their own report and this chart is in their own report:

CBO estimates that S. 744 would cause the unemployment rate to increase slightly between 2014 and 2020.

So for the next 7 or 8 years we are talking about increased unemployment.

This chart shows the wage situation. This is the current rate. The bill passes, wages drop, and they start going up out here, according to CBO, in year 2025. If the bill had not passed, the growth would have been higher still, but now it knocked it down dramatically. Even though it is growing, it doesn't mean it is getting back to where it would have been had the bill not been passed.

People who say this bill will not impact adversely—working Americans are facing an economic reality that is unfortunate for them.

Finally, they say it will make the economy stronger. You have heard that. Under this bill we will give legal status, in the next 10 years, to 30 million people; permanent legal status to 30 million people instead of 10 million people who would be given legal status in America if we followed current law.

Virtually all of those will be able to work, and we would see some increase in GDP/GNP if that were to occur. However, how much increase do you get and how does it compare out per person in America?

CBO said S. 744 would reduce per capita GNP by 0.7 percent in 2023. That is page 14. In fact, per capita GDP, according to their own chart that I have reproduced from their report, drops from 2017, 2021, 2025, 2029, 2030. It takes until 2030 before it starts getting back. If the bill hadn't passed, GDP per capita would hopefully be going up.

This is way below what would happen, and this hurts Americans when per capita GNP is reduced. Everybody will feel that—maybe not the masters of the universe in their suites out here that are nipping off extra profits because they have lower wages. It may not impact them. They may make more money.

In fact, Professor Borjas at Harvard says the people who gain the most from this immigration bill will be the people

who hire the most low-wage workers because wages will go down. They will make bigger profits, but the people who will be hurt are the vastly more numerous workers whose wages will go down.

This needs to be talked about. People seem to be in denial, but we have to talk about that. I ask my colleagues to consider this as they decide how to vote on this important piece of legislation.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I come to the floor this morning to talk to an issue I have been speaking about for a couple of days. I most certainly can appreciate the frustration of the Senator from Alabama and the Senator from Iowa.

The Senator from Alabama has been opposed to this bill from the beginning. He may have a different view. I am not sure any amendments would satisfy him, but of course he has been debating in good faith, and that is part of this process that needs to go on.

The Senator from Iowa has been working very hard. He has spent so much time both in the committee and on the floor trying to work out a bill he is comfortable with, but sometimes that happens and sometimes it doesn't.

I think what should happen, no matter what, is that after all the controversial issues are debated, there should be a coming together on both sides at a certain time, recognizing that all time has expired, all probability of any serious negotiation on any bills or any amendments that have to be voted on is over, and as friends and partners and as the leaders trying to move—appropriately and maturely—forward, we could come together at least with a short list of amendments that are completely uncontested and cleared on both sides. I am going to continue to ask for this because I think it will send a very positive signal to people that even though things have broken down some in the Senate, it is not completely broken.

To frame this issue so people can understand why I might be concerned is that there have been 800 amendments filed on this bill—300 in committee, about 150 of which were debated and voted on or dispensed with, 500 filed on this floor. So in order for those amendments to get any consideration at all—which they haven't in any large measure—good will has to prevail, and the good will flew out of this Chamber a long time ago. I would like to get a little piece of it back. I wish I could get all of it back. I wish we would act as we did 4 or 5 or even 6 years ago. It is not happening. Maybe it will.

I would like to begin to move in that direction by asking my colleagues for consideration of a small group of amendments that, to our knowledge, have no opposition. I am going to read

a few of those. Senator GRASSLEY and his staff have been working on this. Senator LEAHY and his staff have been working on this. I provided a list to Senator MCCAIN and to every Member of the Gang of 8. I am hoping we can salvage some effort.

What people might not realize: When a major bill such as this is being debated, there is a lot more going on besides what they see in committee or what they hear on the floor. The evidence of that would be that 800 amendments have been filed. Someone had to write all of those 800 amendments. Staff worked very hard to think about ideas—not to derail the bill but to help the bill. No draft is perfect. Very smart staffers and Members actually do read the text and come up with ideas to improve.

One in particular: I had a hearing in my Small Business Committee. I notified the immigration subcommittee, Judiciary. We conducted our hearing with the blessing of the chair. We didn't talk about any of the major pieces of the legislation except for the one or two that talked about small business. In all the discussion of major businesses needing skilled workers and major businesses and hotel chains, I thought maybe someone could gather some information about what small businesses might need and maybe improve the bill.

I am supporting immigration reform. I think all Democratic Members—I don't know of anyone who is not. There are some Republican Members who are not supporting the bill, but there are some who are. So one amendment is requiring a mobile app to be developed so a farmer, for instance, or a person in a rural area who has either high-speed connection or particularly wireless connection could pull up E-Verify on their mobile app. They wouldn't have to drive 200 miles, as in the Presiding Officer's State in North Dakota or South Dakota or Louisiana or Mississippi. We have areas that people are working hard, and they are not right next door to an Internet cafe. So one idea we had was for mobile apps. That is what one of these amendments is. Wouldn't that be a big help? There is no one I know who is opposed to that. There are billions of dollars in this bill. Some of it most certainly could be spent helping small businesses access better E-Verify.

There is another provision in this bill from Klobuchar, Landrieu, Coats, Blunt, Barrasso, and Enzi. This is as broad a coalition as could reflect broad-based support. Klobuchar is from Minnesota, Landrieu is from Louisiana, Coats is from Indiana, Blunt is from Missouri, Barrasso is from Wyoming, and we are Republicans and Democrats. I appreciate that this amendment has been cleared by both sides, and it requires certificates of citizenship and other Federal documents to reflect the name and date of birth determination made by State courts to help ensure that name and date of birth changes for adopted children are reflected in Federal records.

We adopt about 100,000 children in America every year. I think these parents should be given our best efforts. These are parents who are adopting children domestically, keeping them off the streets, out of mental institutions, pouring their hearts and souls into helping raise children who others have either thrown away or given up. Yet we make it difficult.

A few of us who work on this issue a lot know how things need to be fixed. This is a bill that comes to the floor. We think, gosh, this bill is not big enough to command its own attention on the Senate floor, so we are going to prepare an amendment for when the immigration bill comes up and we hope the Members will allow it to go through.

I am not going to give up on my Members yet. I am going to remain very optimistic and very hopeful that even Senators who are opposed to this bill and have done everything they can to stop it or people opposed to the original draft who have done everything they can to amend it—some of that has been successful, some of it has not been. But I am hoping at the end of the day, even those who have been making these great efforts will step back and understand and be respectful that other work should go on as well. This amendment is an example.

There is another amendment that Senator COCHRAN and I have, amendment No. 1383. It simply requires reports on the EB-5 visa program. The requirement for reports is not in this bill. It is a program everyone here is familiar with. It has many problems. The underlying bill fixes it, and I think to those of us supporting the bill, fixes it adequately. I am not sure what the opponents think. But there is no requirement to report back to the committee so we can continue to monitor this program. Because it has been so off-track in the past, let's make sure we get it on-track in the future. This is just standard Senate operations. Unfortunately, we are now at a place in time in the history of the Senate, there are no standard operating procedures anymore, and it is a sad day.

There is another amendment that I understand has been completely cleared. Murray-Crapo amendment No. 1368 prohibits the use of restraint on pregnant women in DHS detention facilities during labor and childbirth except in extraordinary circumstances. Now, please, the amendment simply would say you cannot shackle women during childbirth and labor. Is anyone on the Senate floor opposed to this? If so, please make yourself known.

Nelson-Wicker is a very important amendment to Senator WICKER, who is a Republican, and Senator NELSON, who is a Democrat. I am a cosponsor of this amendment, but it is Senator NELSON's amendment. I can't believe there would be anyone in this Chamber who would disagree. All it is saying is since we are spending now—and I might need to ask the Senator from Iowa to give

me the final update on the number because the number keeps going up—if Senator GRASSLEY would mind giving me the number—\$46.3 billion on the southern border, California, Texas, New Mexico.

Mr. GRASSLEY. Let me correct that. That is money total to be spent, not necessarily all on the border. But about \$30 billion was added in this amendment for the border.

Ms. LANDRIEU. So \$30 billion on the land border, and it could be something between 30 and 46 and those numbers keep changing. But it is a lot of money. Senator NELSON's amendment says that at least \$1 billion of that money be spent on maritime border security, not land border. As he said so eloquently, if we continue to put up fences and borders on the land and make it secure—which we all want to do—there are maritime assets that need to be stepped up. I think most everybody understands that and would say that is a very good amendment.

These are amendments that don't need to be voted on. I am not asking for votes on these amendments. They don't need to be voted on. They would normally go by voice vote en bloc—no votes required. Out of the 800 amendments, this list has less than 45 amendments that probably don't need any vote, no time, just a simple—it is a consent. Staff has been given these and looked at these amendments.

I am going to continue to come to the floor today in hopes that after the leaders negotiate on the contested amendments—and I have a list of the contested amendments. It looks quite different than the list I am talking about. The list that is being contested has names such as: Vitter, Vitter, Vitter, Vitter, Vitter, Vitter, Lee, Lee, Lee, Lee, Cruz, Cruz, Cruz, Cornyn, Cornyn, Cornyn, Cornyn. That is a list. There is another list: Chambliss, Portman, Vitter, Inhofe, Toomey, and Fischer. These lists are lists from Members who really believe they need to get a vote on their amendments. I would like them to get a vote. I am not opposed to them getting a vote.

What I am opposed to is this list which is not one Senator, it is numbers of Senators who have worked very hard to get bipartisan support for amendments that improve the underlying bill, which is going to pass.

The bill is going to pass. It is either going to pass with 69 votes, 72 votes, or 74 votes. There is no way this bill is not going to pass the Senate. It is clear it is going to pass. People don't like that it is going to pass, but it is going to pass.

So before it passes, I am asking with all of my heart for the consideration of amendments that have been brought by Democrats and Republicans who have been working in good faith to make the bill better and to solve problems for our constituents. Our constituents are not trying to negotiate on the number of Border Patrol agents. The Gang of 8 did that. They are not trying to nego-

tiating whether we are going to have 40,000 or 80,000 Border Patrol agents. My constituents want help for the kids they adopted. Some of these amendments are to get help for Holocaust survivors. There are only a few of them left in the world. We would like to give some attention to them. Some of them spent 6 years, 7 years, or 4 years in a prison camp, and this might help them to die in peace.

Madam President, I ask that there be order on the floor.

The PRESIDING OFFICER. Order, please. The Senate will be in order.

Ms. LANDRIEU. I—as well as many colleagues—have gotten to the point where we would like to try to get back to a place where after all the fighting is over, all the yelling is done, all the posturing is done, all the message amendments are done, we could at least trust each other enough to have a consent package of items that would be helpful to the people we represent. That is a simple request.

I will yield the floor. Others want to speak, but I will come back once we have a clear list and again ask unanimous consent for these amendments. But I will not do that now.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I yield 10 minutes to the Senator from Texas.

I want to give an update, not only to Senator LANDRIEU, but for all the Senators. First of all, 10 days ago we started out with 27 amendments that were noncontroversial—or supposedly noncontroversial. Obviously, they were not all noncontroversial. That grew to 44 or 45, and I think we are back at 35 now on that list.

Remember, about 14 of those were included in the Hoeven-Corker amendment. They were included in that for sweetener—to buy people off to get their votes on final passage. So there are 14 that will probably be passed when we vote on final passage.

Last night my staff cleared 12 amendments, and that does not count several Republican amendments that were added to the list. We are making progress. Some are noncontroversial, but others are not. The one that the Senator from Louisiana mentioned that appeared to her to be noncontroversial, we suggested some technical changes to make it more definitive. If that is done, we can probably accept that.

Also, everyone has to remember that there are amendments on this list which are under the jurisdiction of other committees and not under the jurisdiction of the Judiciary Committee. Some of the amendments were rejected for that reason. Some of the amendments are technical, but some are more complicated.

I give my assurance to all of my colleagues that we will continue to work on this list.

I yield the floor and reserve the remainder of whatever time is left when Senator CORNYN is done.

Ms. LANDRIEU. Will the Senator from Texas yield for 30 seconds?

Mr. CORNYN. Madam President, I would be glad to yield as long as it doesn't come out of my 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Madam President, I thank Senator GRASSLEY for those comments. I will continue to work with him in good faith on this list. I realize not all of these amendments are under the jurisdiction of the Judiciary Committee, so that is why we have been working with leaders of other committees that have jurisdiction over these amendments to help get them passed.

I appreciate my friend's work and will continue to move forward.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, we have been on this bill for about 2½ weeks. We find ourselves in a very strange position where we have had votes on 10 amendments, and now Senators are talking about clearing another 45 amendments 2 days before the majority leader has basically set a deadline and said we are going to be through with this bill one way or the other. This strikes me as a strange way to do business, but here we are.

I have always believed that even though you want something—and in this case I believe virtually every Senator in this Chamber wants an immigration bill—that you can want something so bad and be so desperate that you will get a bad deal. I think we are beginning to see some elements in this bill, which I want to talk about briefly, that I think ought to give all of us pause and cause us to wonder whether this is the way we should be doing business.

One of the things my constituents in Texas found so infuriating about the process of passing the Affordable Care Act—all 2,700 pages—was the way there were backroom deals and various special interest boondoggles that helped garner the 60 votes necessary to pass ObamaCare back in 2010. Some of them became somewhat famous. There was the “Cornhusker kickback,” “Gator aid,” and the “Louisiana purchase.” They became symbols of Congress's irresponsibility when it came to discharging our duties as Members of the Senate.

It is suggested that if, in fact, individual Members got sweeteners that were sufficient to get their vote, that was the way we ought to be doing business. Unfortunately, we are starting to see similar tactics break out here on this immigration issue, suggesting that some Members are so desperate to get a deal, any deal, they are willing to take a bad deal, one in which none of these standing alone would pass muster or scrutiny.

Immigration reform is a nationwide challenge, and immigration reform should promote the national interests, not the special interests of individual

Senators or any region or State or lobbying group. Yet when we look at the underlying bill, I see a litany of de facto earmarks, carve-outs, and pet spending initiatives. Because we have been in such a rush since last Friday to move to the designated deadline the majority leader has set for this bill, there may be many Members who are unfamiliar with these special carve-outs, de facto earmarks, and pet spending initiatives. I want to talk about a few of them.

The bill directs \$250 million from the comprehensive immigration reform trust fund to boost immigration-related prosecutions in a single sector. There are nine Border Patrol sectors, but the Tucson sector is the surprise beneficiary of \$250 million in a special earmark in this bill.

I have a simple question: Don't all of the border sectors need increased funding for prosecutions? Well, I believe the answer is yes. So I believe carving out the Tucson sector for special treatment is entirely inappropriate. So we see that even longtime opponents of earmarks are now cosponsoring legislation that is filled with de facto earmarks, including one that benefits their State alone. We wouldn't see this sort of thing, I believe, if we had a stand-alone bill. But they have jammed that in here in order to get the maximum number of votes. We have seen strange things happen.

This bill also creates a bureaucracy to determine which occupational category should be prioritized under the new guest worker program. However, it requires a new bureaucracy to automatically designate Alaska seafood processing as a shortage occupation that receives special treatment. We might as well call this the Alaska Seafood Special.

I will mention one more boondoggle, and that is the jobs for youth pet program, which authorizes \$1.5 billion to expand an Obama stimulus program that could conceivably be used to give free cars, motorcycles, scooters, and other vehicles to young people who participate. I am referring to page 1,182 of the jobs for youth amendment. It is title V under the bill, which says: The funds made available under this section may be used to provide supportive services, such as transportation or childcare, that is necessary to enable the participation of such youth in the opportunities.

So I believe this is an open-ended invitation to take this \$1.5 billion and use it for purposes that many of us would cringe at if we really understood it.

I want to make two final points about the spending in the bill. First, we are going to be asked to waive all 11 budget points of order under the bill at a time when there is bipartisan concern about our fiscal standing, at a time when our debt is \$17 trillion. I think we have been pretty good recently in not waiving budget points of order. I believe we are recognizing on a

bipartisan basis that it is important we hold the line against increased deficit spending and increased debt. But we are going to be asked to vote to essentially violate our own pay-go rules in waiving the budget points of order, busting the Judiciary Committee's spending limit, and to designate certain spending as emergency spending even though it is obviously not emergency spending. So much for fiscal responsibility.

Supporters of the underlying bill continue to argue that this legislation will actually reduce the Federal deficit. It is a bizarre situation where we can spend almost \$50 billion and claim that it actually reduces the deficit, but that is the argument. Yet, as I explained on Monday, the only way we can transform this bill into a deficit reduction bill is by double counting more than \$211 billion worth of Social Security revenue. In other words, the money paid in in terms of Social Security taxes is eventually going to have to be paid out in benefits, and they can't say we will pay it out in benefits and then also use that surplus to fund the underlying bill because that is double counting.

Indeed, the bill assumes the very same pot of money can be used to fund new spending initiatives and fund these future Social Security benefits, but only in Washington can we get away with such magical accounting techniques. In the real world this bill actually increases the Federal Government's on-budget deficit over the next 10 years.

I am just suggesting that in our rush to get a bill we are making concessions we ordinarily would not make on stand-alone legislation, whether it is in these sweetener provisions, the de facto earmarks, special carve-outs, or by double counting revenue. But to add it all up, we are left with a bill that is chock-full of de facto earmarks, porkbarrel spending, and special interest sweeteners. This is a bill that increases the on-budget deficit but fails to guarantee a border that is secure and offers only promises, which historically Congress has been very bad about keeping.

Does that sound like real immigration reform? I know we can do better, and I know we must do better if we are ever going to solve our biggest immigration problems.

Again, I would love to support an immigration reform bill. Unfortunately, the way this bill is shaping up, I cannot and will not. My hope is that the House of Representatives will take up this issue on a step-by-step basis and in smaller increments so people can actually read and understand it. By working through this issue in the House, eventually they will be able to come up with a conference committee that will produce a responsible immigration reform bill, one that doesn't offer de facto earmarks and various sweeteners to people who support it, but one which will stand on its own merits and will

not bust the budget by double counting Social Security funds paid into the bill in the future.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. CORKER. Madam President, it is my understanding that Senator LEAHY is yielding time—or maybe it is Senator LANDRIEU who is yielding time. Somebody is yielding time.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I want to speak today on the amendment. I know the Senator from Texas, my friend and someone I respect, made numerous comments about the bill. But actually the vote we have today is about the border security amendment that has been negotiated and a lot of people have worked on. I know some of his comments refer to some portions of the amendment. Mostly, he was talking about the bill itself.

The issue before us today is the border security amendment the Senator from North Dakota and myself and many others worked on. I want to put this in context, if I can. Fifteen days ago in the Republican caucus at what we call our conference lunch, there was a discussion about the ways of trying to make this immigration bill better. The Senator from North Dakota had a base bill dealing with border security, and many of us at the time said what we could do is take a base border security amendment, expand it, and try to accommodate many of the desires of people in our caucus with other provisions in it that many Senators here in this body wanted to see happen. Two Fridays ago, we actually had about 12 offices come together for a meeting to talk about many of those attributes they felt would make this bill better. So over time we developed a 115-page amendment—some people say 119-page amendment—dealing with not just border security but many issues people in this body thought would make this bill better.

There has been some dispute about the size of this amendment; I know we have had some discussion from people on the floor. It is unfortunate that sometimes people will come to the Senate floor and say things that are a little over the top in order to make a point. But I will note that today some of my friends on my side of the aisle received multiple Pinocchios, if you will, from a very well-respected publication, because the fact is the amendment is as we have said.

Because of the rules of construction in the Senate, when we add a 119- or 115-page amendment to a 1,100-page bill and we intersperse the amendment throughout it, no doubt we come up with a 1,200-page bill, if you will. The fact is, 1,100 of those pages we have had since April. They have been through committee. People offered amendments. So let me say I think the amendment size issue has been totally rebutted. I would say the Senator from

North Dakota and myself have certainly carried the day on that issue. I think it is a fact now. We understand the size.

We know this amendment has some things in it other than border security. That was part of the process in getting to a place where we enhanced the bill.

Some people are talking about the cost, and my friend from Texas was just speaking. If my colleagues noticed—and it is very important around here to listen—he talked about on-budget costs. First of all, everybody in this body knows the problem we have in America today is the off-budget items and that our entitlement programs are what are driving the huge deficits we have in this Nation. So it is the entitlement issues most people who speak about deficit reduction are focused on because we have done so much already on what we call the discretionary side, which is the on-budget piece.

CBO has scored this bill and basically they have said—not basically, they have said if this bill were to pass, when we take into account the entitlements and we take into account the discretionary spending, which is what is called on-budget, we will reduce the deficit by \$197 billion. One of the main reasons that is the case is when immigrants move into what is called the temporary status, they pay in for 10 years, and one of the toughest provisions in this bill is they cannot receive any benefits for 10 years. Think about that. We have this huge amount of money that is going to be coming into the Social Security Program and coming into the Medicare Program which, candidly, helps people in this Nation because it makes those programs more solvent.

We have to listen to the words here. Let's think about it when people talk about the cost of this border security amendment. Yes, it costs \$46 billion to implement these items—which, by the way, almost every Republican has championed for years, all of the items in this border surge, if you will—but it costs \$46 billion. I will tell my colleagues I have been here 6½ years and I would put my credentials on focusing on deficit issues with anyone in this body. I have never had an opportunity to vote for a bill that cost \$46 billion over a 10-year period but generated \$197 billion into the Treasury without raising anybody's taxes and, I might add, also generating economic growth for our country. So I want to debunk that. This is a tremendous opportunity for us to actually reduce our deficit while, at the same time, securing our border.

People are talking about process—and I am coming to the end here. It is interesting to me that the very people, I hate to say it, on my side of the aisle who have been raising Cain, if you will, about the fact there aren't enough amendments are the very people who are objecting to amendments being offered.

Look, this is the old game that is played around here: Well, we think we

ought to have 35 amendments. We think we ought to have—but somebody on my side is objecting. Most people in the country don't understand that in the Senate we have something called unanimous consent, and if one Senator disagrees, it cannot happen—one Senator. So we have had this situation going back and forth where we have tried to have amendments. I agree, let's have amendments. There is one amendment in particular I wish we could vote on and pass. I would love to see it. But guess what. I want everybody to know the very people who are saying they want to have more amendments are objecting to more amendments. So understand what is happening here on the Senate floor.

There will be some people who say, Well, I am going to vote against this because of the process. I want America to understand what is happening in this body right now. As a matter of fact, I don't know if it is true, but my understanding was the other side was actually going to agree to 35 amendments, and people heard that and they said: Well, my gosh, they might accept 35 amendments. Go down there and file more amendments because we are afraid they are actually going to agree to what it is we are asking for. So we will see.

Let me close with this: Nobody in this body can say the amendment we are voting on today does not do anything someone can imagine relative to border security. My good friend from Texas spent a lot of time drafting a border security bill that had 5,000 Border Patrol agents. This one has 20,000—20,000 Border Patrol agents. This amendment calls for 20,000 Border Patrol agents. It doubles the number of Border Patrol agents on our southern border.

We are adding \$4.5 billion worth of technology that the chief of border control has been trying to get for years, bought and paid for in this bill.

We are adding an entry-exit visa program that has to be fully in place.

We are adding E-Verify for every employer in the country.

We are also adding 350 miles of fencing.

People are saying: Well, we don't know if this will ever happen. My colleagues should read the triggers. If it doesn't happen, nobody gets a green card, and every American can see whether this happened.

Then people are saying, Well, on the fencing piece—nobody, by the way, debates the 20,000 Border Patrol; nobody debates E-Verify; nobody debates entry-exit; nobody debates the \$4.5 billion in technology. But then people are saying, Well, wait a minute. On the fencing piece, though, the Homeland Security Secretary can decide where it goes. Well, my friends in good government—and I happen to be with one of those—yes, it does say she can decide in section 5 of the bill which places work best.

We know the people from Texas don't even want a fence. People in Arizona

wish to have a fence. But it still says under the triggers—and people are trying to malign and trying to fool people all out across America because they know what is getting ready to happen. The fact is, without the 350 miles iron-clad, in place, there is no green card. So all five provisions have to be in place.

I know people try to spin things when they get on television and they try to say things to confuse America. What I would say to America is read the bill. I think Americans would be proud of border security, which brings me to a close here today.

Here is what I want to say: On the procedural vote that took place 2 days ago, every single Democrat voted to end debate on this border security measure. We had 15 Republicans who voted for it. The process issue is behind us and today we are voting on the amendment itself. I don't know how any Republican can look a TV camera or a constituent in the eye and not say this amendment strengthens—surges—on the border and makes our border more secure. So if, for some reason, Republicans come to the floor today—a majority of Republicans—and they vote against this border security amendment, what is going to happen is the Democrats are going to own the border security issue, and basically Republicans—whose constituents I think in some cases care more about this issue than many people on the other side—will be giving up this issue.

I don't know how any Republican can go back home and say to their constituents: I voted against adding Border Patrol agents and I voted against adding a fence on the southern border and I voted against an E-Verify system and I voted against an exit-entry program and I voted against the technology our Border Patrol chief wants. I voted against it because I didn't like the process. I voted against it because this bill has been before us now for over 2 months and I had a chance to make amendments in the Judiciary Committee and I had a chance to make amendments on the floor but, candidly, I didn't want that to happen, so I kept that from occurring.

I would ask my friends: Please, today is about an amendment to a bill that makes it stronger. My colleagues may not like every provision, but we cannot look folks in the eye back home and say this isn't something that those who care about border security would know surges the border, makes this country safer, and I would say makes this bill a much stronger bill.

With that, I yield the floor. I hope my good friend and great partner from the State of North Dakota will make some comments.

I wish to thank Senator LEAHY from Vermont for his generosity with time this morning.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I yield 10 minutes to the distinguished

Senator from North Dakota, and I ask unanimous consent that the last 5 minutes be reserved for the Senator from Vermont.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Madam President, I thank the distinguished Senator from Vermont, and I wish to particularly thank my distinguished colleague from the State of Tennessee for all of his work on this border surge amendment. That is what we are talking about: a border surge amendment. The amendment we have offered, Hoeven-Corker, is about securing the border first. As the good Senator from Tennessee described, that is absolutely the focus of what we are doing here.

We are willing to work with everybody on both sides of the aisle in this body and in the House to come up with legislation that secures the border. We believe that is what Americans want. That is what we are working so hard to do.

What I would like to start with, though, this morning in terms of my comments is this budget point of order we are going to be voting on in a few minutes. I would like to cite right from the Congressional Budget Office report. So I am going to just take facts, statistics right out of the CBO report because, as the good Senator from Tennessee explained a minute ago, so much of this is getting either misunderstood or misinterpreted. So let's get right to the CBO report, and let's look at exactly what it says.

According to CBO, it is clear that this legislation will reduce our deficit. The CBO report shows that in the first decade there is \$197 billion provided from this legislation that we can use for deficit reduction—less, obviously, as Senator CORKER just explained so well a minute ago, as we are putting significant resources into securing the border. So if you take out that additional \$40 billion that our amendment costs to make sure we secure the border, to make sure we have the E-Verify system, to make sure we have electronic entry and exit at all of our international airports and seaports—deduct that \$40 billion, that is \$157 billion that we have available in the first decade and, according to CBO, in the second decade, \$700 billion. So that is about \$850 billion over the next two decades that is available to help us reduce the deficit, and that is after putting the five triggers in place that we provide in this legislation to secure the border first.

That means a comprehensive southern border strategy: 20,000 additional Border Patrol agents; 700 miles of fence in total—350 in addition to the 350 we have; a national mandatory E-Verify system; and electronic entry and exit identification must be in place, as I said, at all international airports and seaports. These things must be done upfront. These triggers must be met and illegal immigrants must be in provisional status for 10 years before any-

one can get green cards, other than DREAMers or some blue card ag workers. So the cost of border enforcement is paid for, and we still have \$850 billion available for deficit reduction.

So you might ask, well, why the budget point of order, then? Why the budget point of order when we are trying to get the debt and the deficit under control? Well, the budget point of order goes to the amount of dollars coming in on-budget and off-budget. What do we mean by off-budget? That means entitlement programs. So the amount of dollars coming in do not match up with what is exactly in the budget, now both on-budget and off-budget. But that is understandable, isn't it?

This is new significant legislation, so of course we have to adjust the on-budget and the off-budget to account for this \$850 billion we did not have before. OK—almost \$1 trillion now that we have. OK. So of course we have to make some adjustments.

So the real question here, the real question on this budget point of order is, Would you rather have \$850 billion available to reduce the deficit or would you rather not have it? Because if you do not pass the legislation, you do not get the \$850 billion in funds to help with deficit reduction. That is, if you will, kind of the bottom line here, isn't it?

Now, it is true, as I say, we have to adjust our budget categories, but overall, CBO scoring—after paying for an incredible amount of additional resources to secure the border first—\$850 billion over the next two decades.

Also, this funding strengthens entitlement programs. Right. Why? Because the funding we are talking about is paid into Social Security and Medicare. CBO shows that in both the first decade and the second decade more is paid into those programs to make them solvent. But opponents say: Well, yes, sure. More is paid in, but those payers someday are going to get benefits, so they are going to take it out. But CBO shows that the amount being paid in is more than the benefits being paid out and that the amount is on a growth trajectory, not the reverse, meaning more is paid in in the second decade than the first decade, so we make those programs even more solvent, and it gets us on the right trajectory. That is why we should defeat the budget point of order—because, quite simply, we want the \$850 billion to help reduce the deficit. That is the real issue we are dealing with.

Also, I want to take a minute again to address the GDP, GNP, wages, and unemployment. Again, I want to quote from the CBO because I really believe these things are getting misinterpreted.

GDP—gross domestic product—in the first decade grows 3.3 percent more with the legislation. In the second decade, it grows 5.4 percent more. OK. GNP—gross national product—per capita in the first 10 years, 0.7 of 1 percent

less, it is true, in the first decade, but after that we get more GNP. So long term, more GDP, more GNP.

Unemployment. This talk about increasing unemployment—0.1 of 1 percent in the first 6 years, as you adjust. After that, there is no difference in unemployment.

The same thing with wages—initially 0.1 of 1 percent lower because you have immigrants coming in who earn a lower wage, but over time, in the second 10 years, wages go up. OK.

What is my point? The point is that for all of these categories, in all four of these categories, we do as well or better—as well or better—over the long run. Isn't that what we want?

I will summarize.

The first order of business for immigration reform is to secure the border. Americans want immigration reform—of that there is no doubt. But they want us to get it right, and that means securing the border first.

Our amendment, as the Senator from Tennessee said, is 119 new pages—not 1,200. Madam President, 1,100 is in the base bill. That has been out here since May.

Our amendment secures the border with five tough provisions or triggers that must be met before green cards are allowed. We have talked about that. A comprehensive, high-tech plan on the southern border must be in place: 20,000 Border Patrol agents, a total of 700 miles of fence—things our colleagues on our side of the aisle have been asking for are here—a national, mandatory E-Verify system, electronic entry and exit at international airports and seaports. That is about securing the border first. That is what this amendment is about. It is objective, and it is verifiable. That is what the technology on the border—\$4.5 billion in technology for sensors, radars, drones, helicopters, planes—that is what it is all about, so we know we have the border secured.

So we ask our colleagues on both sides of the aisle to join with us. Let's rise up. Let's meet this challenge for the American people, and let's address border security. That is what this legislation does.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, the Hoeven-Corker amendment is subject to a budget point of order because it increases the net on-budget deficit over both the 5- and 10-year periods and exceeds the Judiciary Committee's allocation for direct spending. But on-budget effects do not take into account the significant off-budget savings.

Last week the nonpartisan Congressional Budget Office concluded that our bill is going to help us achieve nearly \$1 trillion in deficit reduction. We have also learned that the Hoeven-Corker amendment would significantly increase our border security, and, as the CBO said and as my friends from Tennessee and North Dakota have said, the

amendment would reduce both illegal entry into the country and the number of people who stay in the country beyond the end of their authorized period.

So when we vote on waiving the point of order, I will vote to waive it because the Hoeven-Corker amendment and the overall amendment will spur job growth and will dramatically reduce our deficit.

Then we are going to vote on the substitute. The substitute is the product of many months of hard work and bipartisan collaboration in a very transparent process. No one should oppose the cloture motion on the committee-reported substitute, as amended.

The Senate Judiciary Committee held lengthy and extensive public markup sessions to consider the Border Security, Economic Opportunity, and Immigration Modernization Act, S. 744. This was after a couple dozen hearings over the last few Congresses. We did it in as transparent a way as possible.

Madam President, over 300 first-degree amendments were filed. We had them online for a week and a half before the Senate Judiciary Committee even took up the bill.

Over the course of 3 weeks, we debated the bill for nearly 40 hours. We often worked late into the evening. That was online. That was streamed. That was open to everybody. And certainly the thousands and thousands and thousands of e-mails that came in from all over the country showed people were watching.

The committee considered a total of 212 amendments—we had 212 amendments during that time—136 of which were adopted. Every member of the committee—Democratic or Republican—who filed amendments to the legislation was afforded the opportunity to offer multiple amendments. Nearly every member of the committee, in both parties, who offered an amendment had an amendment adopted. All but three of the amendments adopted passed on a bipartisan vote, and the committee reported the legislation by a bipartisan vote of 13 to 5.

So, as I said, the public witnessed what we did. They saw us streamed live on the committee's Web site. They saw broadcasts on C-SPAN. All our amendments were posted, and as we had developments, they were reported in real time. Members from both sides of the aisle praised the transparent process and the significant improvements to the bill made by the Judiciary Committee.

Let me also compliment the ranking Republican on the committee, the senior Senator from Iowa, Mr. GRASSLEY. We were on different sides of the legislation, but we worked very well together. We talked numerous times throughout the whole markup to make sure it would go. He would come to me at times when some of their members had to be out for one reason or another—other committees—and we worked around that. We made sure ev-

erything went—we made sure neither side was surprised. I appreciate the cooperation I received from Senator GRASSLEY. I think it is one of the reasons we could actually show the Senate the way the Senate is supposed to work.

I hope colleagues will vote for the committee-reported substitute, as amended.

This is one of our Nation's toughest problems, but we were not elected to do easy things. In fact, if all we had were easy things, I do not know why anybody would want to be in the Senate. We were elected, the men and women of this body, from all over the country—from both parties, with philosophical differences—and we are supposed to fix our Nation's toughest problems.

We are on the eve of coming one step closer to fixing our Nation's broken immigration system. I hope the vast majority of Senators will vote yes. There has been a great deal of work on this. Is this bill perfect? No. Is any bill perfect? No. Is this much better than what we have today? Yes. Is it exactly the bill I would have written? No. It is not the bill Senator GRASSLEY would have written. It is not the bill any one of us individually would have written. But we are not a monarchy. We are not a dictatorship of one. We have 100 people here representing over 300 million Americans, and we are supposed to mold, as best as possible, the sentiments and needs of those 300 million Americans but also the aspirations of those who would be Americans, like my grandparents and my wife's parents and even Members of this body.

So, Madam President, I hope that, one, we will waive the budget point of order and then, secondly, we will vote for the amendment, as with the substitute.

I believe we are ready to vote.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I will use leader time so I can talk. We are going to be in a vote in a few minutes to waive the Budget Act, and then we are going to have two more. One is on the adoption of the Leahy amendment, as modified, and then a cloture vote on the committee-reported substitute amendment.

I mentioned on the floor this morning the work done by the Gang of 8—extremely important. As I indicated at that time, as I look at the Republicans and Democrats who did this, I do not know of anything in it for them politically. It was done because they believed the immigration system is broken and broken badly and needed some repair work. They did a remarkably good job.

But I would like to add to that the junior Senator from Tennessee, Mr. CORKER, and Senator HOEVEN. What they have done to help us with this bill is remarkably important and good. Could we have passed this without them? Maybe. But the point is that they have strengthened this legisla-

tion. When I worked on it 7 years ago, the issue was always, is there going to be a secure border? What they have done is made that without any question a fact. So I admire what they have done—again, not for any political benefit because, as I look, I doubt they will get any from this, but they will get the benefit of doing what they believe is right for our country. I appreciate that. History will indicate that I am right. Maybe in the short term it may not be, but history will indicate, when the books are written, that these two good men allowed us to do something that is important for our country.

What if we did not fix this broken immigration system today, in 2013, this week? What would the future be for this country? No. 1, as we have said, the security of this Nation would be not as good as it would have been had we passed this bill. Secondly, the economic security of this country would be not nearly as good as it will be if we pass this bill. A \$1 trillion debt will be reduced in this country.

So I admire all of these Senators for the good work they have done for the country. I know we have been working for the last couple of weeks and very intensely for the last couple of days to come up with a list of amendments. I have people on my side of the aisle who are very interested in having a vote on their amendments. I even have had a number of Republican colleagues come to me and say: You have to do something to allow us to have some amendments. We have tried very hard to do that, but I have to say, honestly, I am not really happy with what has taken place since I have left here last night and got here this morning because we are going backward, not forward. So I hope that when we get these three votes out of the way, people agree. Let's do the possible. There is a way we can come up with some amendments. I understand both sides want their amendments heard and voted on; they are important to them. If it is important to them, it should be important to us. So we are going to continue to work on that to see if we can come up with a list of amendments.

I would be remiss if I did not mention, together with the 10 Senators I have already talked about, the chairman of the committee. We would not be where we are without a fair, open markup. That is not the way it always is around here. This man is the President pro tempore of the Senate. He is the chairman of the committee. He has a lot of power. He could run that committee any way he wants. That is the way it is here. He did. He ran it the way it should be run. I admire and appreciate the work he has done.

So let's get these votes out of the way, see if we can come up with a list of amendments, something we can work on. Each side is going to have to give a little.

I ask unanimous consent that the second and third votes in this series be

10 minutes in duration and that there be 2 minutes of debate equally divided between the two votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, all postcloture time has expired.

Amendment No. 1551 is withdrawn.

The question is on agreeing to the motion to waive budget points of order for consideration of this measure.

The yeas and nays are ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE) and the Senator from Missouri (Mr. BLUNT).

Further, if present and voting, the Senator from Utah (Mr. LEE) would have voted “nay.”

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 30, as follows:

[Rollcall Vote No. 162 Leg.]

YEAS—68

Alexander	Gillibrand	Mikulski
Ayotte	Graham	Murkowski
Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Hatch	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Boxer	Heller	Reid
Brown	Hirono	Rockefeller
Cantwell	Hoeven	Rubio
Cardin	Johnson (SD)	Sanders
Carper	Kaine	Schatz
Casey	King	Schumer
Chiesa	Kirk	Shaheen
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Udall (CO)
Cowan	Levin	Udall (NM)
Donnelly	Manchin	Warner
Durbin	McCain	Warren
Feinstein	McCaskill	Whitehouse
Flake	Menendez	Wyden
Franken	Merkley	

NAYS—30

Barrasso	Enzi	Portman
Boozman	Fischer	Risch
Burr	Grassley	Roberts
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Cornyn	McConnell	Toomey
Crapo	Moran	Vitter
Cruz	Paul	Wicker

NOT VOTING—2

Blunt	Lee
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The PRESIDING OFFICER. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

AMENDMENT NO. 1183, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 1183, as modified, offered by the Senator from Vermont, Mr. LEAHY.

The Senator from Vermont.

Mr. LEAHY. Madam President, I yield my time to the Senators from Tennessee and North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I thank the Senator from Vermont.

Americans want immigration reform, but they want border security first, and that is exactly what this amendment does. It secures the border with five tough provisions or triggers that must be met—that must be met—before green cards are allowed. Those five triggers are: a comprehensive southern border strategy that must be deployed and operational, 20,000 additional Border Patrol agents, a total of 700 miles of fence, a national mandatory E-Verify system must be in place, and electronic entry and exit identification must be in place at all international airports and seaports.

Simply put, this is about making sure we secure the border, and we do it in an objective and verifiable way.

I want to thank all of my cosponsors on this legislation, and turn to the good Senator from Tennessee and thank him for his work.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Iowa.

Mr. GRASSLEY. Madam President, this grand compromise makes false promises to the American people and throws money at the border, but there is no accountability to get the job done. We need to see the results, but the only result we are being assured of is legalization—legalization first, border security later.

On top of all the earmarks that are in this amendment, the grand compromise also has a grand plan for spending taxpayers' dollars, and we have to raid the Social Security trust fund to get it.

The American people expect us to get this right. This amendment is the wrong answer. I urge a “no” vote.

I yield the floor, and I yield the remainder of my time.

The PRESIDING OFFICER. All time has expired.

Mr. CORKER. Madam President, I ask unanimous consent for 30 seconds.

Mr. GRASSLEY. I object.

The PRESIDING OFFICER. Objection is heard.

The question is on agreeing to amendment No. 1183, as modified.

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE) and the Senator from Missouri (Mr. BLUNT).

Further, if present and voting, the Senator from Utah (Mr. LEE) would have voted “nay.”

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced— yeas 69, nays 29, as follows:

[Rollcall Vote No. 163 Leg.]

YEAS—69

Alexander	Gillibrand	Mikulski
Ayotte	Graham	Murkowski
Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Hatch	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Boxer	Heller	Reid
Brown	Hirono	Rockefeller
Cantwell	Hoeven	Rubio
Cardin	Johnson (SD)	Sanders
Carper	Kaine	Schatz
Casey	King	Schumer
Chiesa	Kirk	Shaheen
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Udall (CO)
Cowan	Levin	Udall (NM)
Donnelly	Manchin	Warner
Durbin	McCain	Warren
Feinstein	McCaskill	Whitehouse
Flake	Menendez	Wicker
Franken	Merkley	Wyden

NAYS—29

Barrasso	Enzi	Portman
Boozman	Fischer	Risch
Burr	Grassley	Roberts
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Cornyn	McConnell	Toomey
Crapo	Moran	Vitter
Cruz	Paul	

NOT VOTING—2

Blunt	Lee
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The amendment (No. 1183), as modified, was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the motion to invoke cloture on the committee-reported substitute, as amended.

The clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the committee-reported substitute amendment to S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

Harry Reid; Patrick J. Leahy; Michael F. Bennet; Charles E. Schumer; Richard J. Durbin; Robert Menendez; Dianne Feinstein; Sheldon Whitehouse; Patty Murray; Debbie Stabenow; Robert P. Casey, Jr.; Mark R. Warner; Thomas R. Carper; Richard Blumenthal; Angus S. King, Jr.; Christopher A. Coons; Christopher Murphy.

Mr. LEAHY. Madam President, I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Is there objection? Without objection, all time is yielded back.

By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the committee-reported substitute amendment to S. 744, a bill to provide for comprehensive immigration reform, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE) and the Senator from Missouri (Mr. BLUNT).

Further, if present and voting, the Senator from Utah (Mr. LEE) would have voted “nay.”

The PRESIDING OFFICER (Mr. MURPHY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 67, nays 31, as follows:

[Rollcall Vote No. 164 Leg.]

YEAS—67

Alexander	Graham	Murkowski
Ayotte	Hagan	Murphy
Baldwin	Harkin	Murray
Baucus	Hatch	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Heller	Reid
Boxer	Hirono	Rockefeller
Brown	Hoeben	Rubio
Cantwell	Johnson (SD)	Sanders
Cardin	Kaine	Schatz
Carper	King	Schumer
Casey	Kirk	Shaheen
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Udall (CO)
Cowan	Levin	Udall (NM)
Donnelly	Manchin	Warner
Durbin	McCain	Warren
Feinstein	McCaskill	Whitehouse
Flake	Menendez	Wyden
Franken	Merkley	
Gillibrand	Mikulski	

NAYS—31

Barrasso	Enzi	Risch
Boozman	Fischer	Roberts
Burr	Grassley	Scott
Chambliss	Inhofe	Sessions
Chiesa	Isakson	Shelby
Coats	Johanns	Thune
Coburn	Johnson (WI)	Toomey
Cochran	McConnell	Vitter
Cornyn	Moran	Wicker
Crapo	Paul	
Cruz	Portman	

NOT VOTING—2

Blunt	Lee
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The PRESIDING OFFICER. On this vote the yeas are 67, the nays 31. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Vermont.

Mr. LEAHY. Mr. President, we have been talking about a couple of things, including the schedule. We are moving forward. This vote suggests it is obvious that a very large and bipartisan majority of the Senate will support an immigration bill. I know there have been proposals for amendments. I am not going to make a proposal at this time. I will leave that for the leader. There have been efforts to get a finite number of amendments from both Republicans and Democrats so we can vote. Under normal circumstances, we would probably have voice votes on some of those amendments. I hope we can do that because I think we would be able to complete this immigration bill.

Our staffs have a great deal of work to do in putting everything together. The staffs on both sides of the aisle have worked long hours. They have been here working even after the rest of us have left. After this is completed, maybe they can actually have some

time with their families and prepare for this great Nation's celebration next week.

Mr. President, I ask unanimous consent that I be allowed to continue to speak for 5 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPREME COURT RULING

Mr. LEAHY. Mr. President, today the Supreme Court struck down section 3 of the Defense of Marriage Act. I think that helped this Nation take a major step toward full equality. The ruling confirms my belief that the Constitution protects the rights of all Americans—not just some but all of us—and that no one should suffer from discrimination based on who they love. I share the joy of those families who had their rights vindicated today, including many legally married couples in my home State of Vermont. I have already heard from many and the joy they have expressed is so overwhelming.

In August, my wife Marcelle and I will celebrate our 51st wedding anniversary. Our marriage is so fundamental to our lives that it is difficult for me to imagine how it would feel to have the government refuse to acknowledge it. Without her love and support over the past 51 years, there is nothing I could have ever accomplished that would have been noteworthy in my life. It has taken the joining together of two people who love each other.

Today we have thousands of gay and lesbian individuals and families across the country who have had their rights vindicated by the Supreme Court's decision, including the same rights Marcelle and I have had for 51 years.

Despite today's historic ruling, there are still injustices in our Federal laws that discriminate against these married couples. I will continue to work with Senator FEINSTEIN on legislative fixes to protect all families.

As we continue to fight for equality and against discrimination in our Nation's laws, I am hopeful today's ruling will address a serious injustice. By just striking down section 3 of the Defense of Marriage Act, the Supreme Court has pronounced that our Federal laws cannot discriminate against individuals based on who they love. I believe this should extend to our immigration laws as well.

Last month I was forced to make one of the most difficult decisions in my 38 years as a Senator when I withdrew my amendment that would have provided equality in our immigration laws by ensuring that all Americans—all Americans—may sponsor their lawful spouse for citizenship. It was one of the most disappointing moments of my 38 years in the Senate, but I took Republicans, many who spoke in good faith, at their word that they would abandon their own efforts to reform the Nation's immigration laws if my amendment had been adopted. I believed what they said, and I withdrew it.

However, with the Supreme Court's decision today, it appears the anti-discrimination principle I have long advocated will apply to our immigration laws, and binational couples and their families can now be united under the law. As a result of this very welcome decision, I will not be seeking a floor vote on my amendment.

Today's decision should be seen as a victory for all of those who support justice, equality, and family values.

I had the privilege of serving with a wonderful Senator from Vermont when I first came here, Robert Stafford. He was “Mr. Republican” in our State. When we were debating the question of same-sex marriage in the Vermont Legislature, Senator Stafford said: If we have two people who love each other and make each other better—two Vermonters who love each other and make each other better because of that love—what difference does it make to us whether they are the same sex or not? Vermont is better because they make it better.

I agree with him. There is still important work to be done so all families are protected under our Federal laws. Until we fully achieve the motto engraved in Vermont marble above the Supreme Court building that declares “equal justice under the law,” I will continue to fight for the equal treatment of all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, over the last few days I have received numerous e-mails and calls from conservatives and tea party activists from across the country regarding immigration. Their opinions really matter to me because they were with me 3 years ago when so many people in Washington—and in Florida, for that matter—thought I had no chance to win my election.

Let me say these people are patriots. They are Americans from all walks of life who are deeply concerned about the direction our country is headed, and they are increasingly unhappy about the immigration reform proposal in the Senate. It is not because they are “anti-immigrant” as some like to say, and it is not because they are closed-minded. They believe, as do I, that as a sovereign country, we have a right to secure our borders and we have a right to have immigration laws to enforce them.

They are increasingly opposed to this effort because for over three decades and despite many promises to enforce the law, the Federal Government, under both Republicans and Democrats, has failed to do so.

In the end, it is not just immigration reform itself that worries them; it is the government that has failed them so many times before. They realize we have a legal immigration system that needs reform. They realize we have over 11 million people currently living in our country illegally and that we have to deal with them. They just simply believe no matter what law we

pass, we cannot trust the Federal Government to ever actually enforce it.

This sentiment was best summed up for me in an e-mail I received from Sharon Calvert, a prominent tea party leader in Tampa, FL. She wrote:

Today, June 2013, we are in a very different political climate than we were after the last election. We are in a political climate of distrust. Distrust of government and elected representatives is at its highest.

She goes on to say:

Do we want to trust this administration to faithfully enforce a bill to the best interests of all Americans with a bill that few have read?

She makes a powerful point.

After finding out that the IRS investigates people based on their political views, all the questions that remain about Benghazi, and seeing the Justice Department target reporters, trust in the Federal Government is rightfully at an all-time low.

I share this skepticism about this administration and Washington in general. In just the 2 years I have been here, I have seen the games played and the promises broken and how the American people ultimately suffer the consequences. That is exactly what led me to get involved in this issue in the first place.

We have a badly broken legal immigration system—not only one that does not work; it actually encourages illegal immigration. We have a border with Mexico that, despite billions of dollars already spent, is still not secured. Every day, people, drugs, and guns are trafficked across the border, and we have 11 million people living in this country illegally in de facto amnesty.

What I am describing is the way things are now. This is the status quo, and it is a terrible mess. It is hurting our country terribly, and unless we do something about it, this administration isn't going to fix it.

Political pundits love to focus on the politics of all this, but for me this isn't about catering to any group for political gain. Predictably, despite all the work we have done on immigration reform, some so-called "pro-immigrant" groups continue to protest me daily.

This isn't about winning points from the establishment or the mainstream media either, by the way. No matter how consistent I have been in focusing on the border security aspects of reform, whenever I have spoken about it the beltway media has accused me of trying to undermine or walk away from this reform.

This isn't about becoming a Washington dealmaker. Truthfully, it would have been a lot easier to just sit back, vote against any proposal, and give speeches about how I would have done it differently.

Finally, this certainly isn't about gaining support for future office. Many conservative commentators and leaders—people whom I deeply respect and with whom I agree on virtually every other issue—are disappointed about my involvement in this debate.

I got involved in this issue for one simple reason: I ran for office to try to fix things that are hurting this special country. In the end, that is what this is about for me—trying to fix a serious problem that faces America.

The proposal before the Senate is by no means perfect. As does any proposal that will come before the Senate, it has flaws; but it also has important reforms that conservatives have been trying to get for years. For example, it changes our legal immigration system from a predominantly family-based system of chain migration to a merit-based system that focuses on job skills.

This proposal mandates the most ambitious border and interior security measures in our Nation's history. For example, it requires and funds the completion of 700 miles of real border fence. It adds 20,000 new border agents. It details a specific technology plan for each sector of the border. It requires E-Verify for every employer in America. And it creates a tracking system to identify people who overstay their visas.

These are all things that at a minimum must happen before those in the country illegally can apply for permanent status. And the proposal deals with those who are here illegally in a reasonable but responsible way. Right now, those here illegally are living in de facto amnesty. This is what I mean by that: They are unregistered, many pay no taxes, and few will ever have to pay a price for having violated our laws.

Under this bill they will have to come forward. They will have to pass background checks. They will have to pay a fine. They will have to start paying taxes. They will be ineligible for welfare, for food stamps, and for ObamaCare.

In return, the only thing they get is a temporary work permit, and they can't renew it in 6 years unless they can prove they have been holding a job and paying their taxes. For at least 10 years, that is all they can have. After all that, they cannot even apply for permanent status until the fence is built, the Border Patrol agents are hired, and the border security technology, E-Verify, and the tracking system are fully in place.

Yet despite all of these measures, opposition from many conservatives has grown significantly in the last few weeks. Why? Well, because they have heard the Secretary of Homeland Security can just ignore the border requirement. But this is not true. The Department does have the discretion on where to build the fence but not on the amount of fencing it must build. At the end of the day, it is simple: 700 miles of pedestrian fencing must be built.

They have also heard the Secretary of Homeland Security can just waive the radar and the drones and the ground sensors and the other technology required in the bill. But that is just not true. The Secretary can always add more to the plan, but the list

of border security measures we mandate in the legislation is the minimum that must be implemented.

Some oppose it because they have heard "a future Congress can just defund all of the security measures" as they have done in the past. But that is just not true. The money is built into the bill. Unlike previous border security laws, it doesn't leave it dependent on future funding.

They also oppose the bill because they have heard it creates a taxpayer subsidy for people to buy a car or a scooter. That is just not true. Nothing in this bill allows that.

Finally, they oppose the bill because they have heard that last Friday, a brandnew, 1,100-page bill no one has read is what is now before the Senate. That is just not true. This is the exact same bill that has been publicly available for 10 weeks. The main addition to it are about 120 pages of border security because in order to add 700 miles of fence, 20,000 border agents, and a prohibition on things such as foreign students or tourists from getting ObamaCare, we had to add pages to the bill.

Now, I understand—I do—why after reading these false claims people would be opposed to this bill. I also understand why, after we have been burned by large bills in the past, people are suspicious of big reforms of any kind. I understand why, after promises made in the past on immigration have not been kept, people doubt whether they will ever be kept again in the future.

But I also understand what is going to happen if at some point we do not come up with an agreement we can support on immigration reform. What is going to happen is we will still have a broken legal immigration system. We will not have more Border Patrol officers. We will not have enough fencing. We still will not have mandatory E-Verify. And we will still have 11 million people living here illegally.

That is why I am involved, because despite all of the problems we have with government, the only way to mandate a fence, E-Verify, and more agents is to pass a law that does so.

I knew getting these requirements into the bill would not be easy. This administration insisted the border is already secure, and they fought every effort to improve the border security parts of this bill. The administration wants the fastest and easiest path to citizenship possible, and they fought every condition and every trigger in this bill.

I got involved because I knew if conservatives didn't get involved in shaping this proposal, it would not have any of the border security reforms our Nation desperately needs.

Getting to this point has been very difficult. To hear the worry and the anxiety and the growing anger in the voices of so many people who helped me get elected to the Senate, whom I agree with on virtually every other issue, has been a real trial for me. I

know they love America, and they are deeply worried about the direction this administration is trying to take our country.

When I was a candidate, I told people I wanted to come here and fight. I want to fight to protect what is good for America and fight to stop what is bad for America. I believe what we have now regarding immigration is hurting our country badly, and I simply wasn't going to just leave it to Democrats alone to figure out how to fix it.

I guess perhaps at the heart of my support of this proposal is that I know firsthand that while immigrants have always impacted America, America changes immigrants even more. Just a generation ago my parents lived in poverty in another country. America changed them. It gave them a chance to improve their lives. It gave them the opportunity to open doors for me that were closed to them. And the longer they lived here, the older their kids got, the more conservative they became, the more convinced they became that limited government and free enterprise and our constitutional liberties made this Nation special.

I am a firsthand witness to the transformative power of our country, how it does not just change people's pocketbooks, it changes their hearts and their minds. Despite all the challenges and despite our broken government, I still believe this is that kind of country.

I realize in the end many of my fellow conservatives will not be able to support this reform. But I hope you will understand that I honestly believe it is the right thing to do for this country—to finally have an immigration system that works, to finally have a fence, to finally have more agents and E-Verify, and to finally put an end to de facto amnesty.

In my heart and in my mind, I know we must solve this problem once and for all or it will only get worse and it will only get harder to solve.

To my fellow conservatives, I will continue to fight alongside you for real tax reform, for lowering our debt, for balancing our budget, for reducing regulations, for rolling back job-killing environmental policies, and for repealing the disaster of ObamaCare. To my fellow conservatives, I will continue to fight alongside you for the sanctity of life and for traditional marriage. But I will also continue to work in the hopes of one day uniting behind a common conservative strategy on how to fix our broken immigration system once and for all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I want to say how much I respect the Senator from Florida. I respect his viewpoint. I respect the amount of effort he has put into this issue, which is a very difficult and a very complex issue. He speaks from the heart. I have never questioned his motives, and he has worked very hard to put together the very best

piece of legislation that I think could have been accomplished on this Senate floor.

I wish I could stand with him in terms of final support because I, too, believe our current system is broken, that it needs to be addressed. The status quo is not an option. We will continue down the same road, and only to a greater degree than where we find ourselves today.

I am deeply concerned. For me, the most difficult of things to work through—it finally came down to the fact that, as Senator RUBIO has talked about, there is a great level of distrust in this country today toward whatever comes out of Washington and whomever's mouth it comes out of.

I think some of this is due to certain events that have happened in the last several months. Benghazi is still not settled. The American people still are not satisfied with what has been said about what happened in Benghazi and what our response should have been. There have been changing narratives. That feeds into the distrust.

Certainly, there are the scandals—the IRS scandal and others continue to feed this distrust. It is a very dangerous thing for a democracy when people have lost trust in their elected Representatives, in their government. It is a very dangerous thing for the future. We need to restore that.

To me, that element that now exists means when we take up legislation as comprehensive as this bill is, as sweeping as this bill is, we need to ensure the American people understand it and that they have trust in us that what we promise we will do in this bill will be fulfilled.

All this, from my perspective, has to be measured against the 1986 Immigration Reform Act, which I voted for and supported. Ronald Reagan was President at the time. We had a divided Congress—Republicans and Democrats. This Senate was under one party and the House was under another. So the situation was somewhat similar to today. But with President Reagan's leadership, and with the promises that were made, the 3 million people who were here illegally at that time were granted an opportunity to get on a path to citizenship—and it was combined with the fact that we promised in that bill, verbally and in language, that we would secure the border so we would not have to deal with this again. Well, here we are in 2013 dealing with it again, but there are not 3 million illegal immigrants; there are now 11 million illegal immigrants.

It is having an enormous impact on our country, and it is an issue which we have to address. But I think we have to do it in a way that acknowledges that the promises made then were not fulfilled. When added today to the broken promises and the growing level of distrust than any of us could possibly imagine, that has to be addressed. The way, in my opinion, to address that is—to borrow from Ronald Reagan trust, but verify.

I think verify, because of this trust deficit, has to come first before people are ready to trust. They simply do not believe that the promises made will work, that they will be fulfilled.

When the underlying bill basically says the Secretary of Homeland Security will state that the Department has a strategy to address the border security problem, that does not play very well with people who have seen strategies promised before. They want to see results. The real issue here has been—at least for me, and I think for many of my colleagues—whether we are able to prove to the American people they are going to get their results before we start moving people through a legalization process which we know we are never going to be able to pull back.

There were some amendments offered by my colleagues which I supported because essentially they said we want to look at results first before we begin the process—from which we are never going to be able to pull back—of granting legal status for illegal immigrants in this country.

So it is that cart before the horse that, for me at least, and I think for many, is the reason why we cannot support this bill as it is currently written.

I hope the House will come forward with something more credible, perhaps more sequential, that addresses this very fundamental flaw in this bill to prove to the American people that we will fulfill the promises we are making in this legislation before we start a process of granting legal status to illegals. We need to ensure we will not get years down the road only to find we have not succeeded in fulfilling those promises, and have created yet another amnesty situation.

I am the son of an immigrant. My mother came here with her family. It has been the narrative in our family that legal immigration is what has made America the country that it is. So I do not fear immigration. The diversity has been good for our country. I served as Ambassador to Germany for 4 years, and I cannot tell you how many Germans and Europeans from other countries came up to me and basically said: Someday I hope to get in the lottery, that my name will be pulled. I have been in line for 15 years; I have been in line for 20 years waiting to come to your country through a legal immigration process.

It is pretty hard, when you are the son of an immigrant—you know your family came here the right way—to know there are millions of people in this world who would love to come to America and become responsible citizens, and yet to see them look at people flooding across the borders and being granted that privilege which they have not yet been able to attain.

So I trust that we will be able to go forward. I hope the House will come forward with something that is more credible than what the Senate is poised to pass. I voted earlier for a procedural

motion to allow debate on this issue because I think we need to have this debate. I was hoping that we could address this fundamental issue through the amendment process. The employee verification has been strengthened, the border security has been strengthened, the exit visa problem has been strengthened, assuming the promises come true, but they have only been strengthened on a piece of paper. We need to see it strengthened for real on the border, at the employment offices, and at the exit visa offices on the portals for people coming in and out of this country. That is yet to be seen. That is yet to be demonstrated.

So without that fundamental approach of demonstrating results first in order to restore that trust, which is so lacking with the American people—yet justified, on the failures of Congress and the failures of this administration, in particular, or any administration to deliver what they said they would and—to fulfill their promises—that is why I will not be supporting the bill.

I do hope, given the problems we have with the status quo—as I think was clearly outlined by my colleague from Florida—we need to keep at this. We need to find the solution to the problem because America cannot continue to be the country that it is and be the country that we want it to be if we do not address this wound and this flaw in the current immigration system.

We need the ability to attract and maintain people with skills for many of our businesses. Some of our most important industries—pharmaceutical, software, and others—important to our national defense and national security need those employees coming here the legal way through visas. We also need our agriculture industries and others to have access to workers. I have a lot of processing plants in my State and agricultural sources in my State that cannot find enough American workers to fill the positions they have offered. That ought to be addressed. I want to address that.

So I am not simply someone standing up and saying we do not have to fix the problem. We do have to fix the problem. I respect the efforts that have been made in a bipartisan way to try to do that. I just think this bill has one major fatal flaw; that is, promises are not demonstrated, are not fulfilled, before the process starts. For that reason, I cannot support the bill in its final form.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Minnesota.

Mr. FRANKEN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPREME COURT RULING

Mr. FRANKEN. Madam President, I rise today to talk about college affordability and student loan interest rates.

But before I do that, I would like to take a moment to comment on the historic decision this morning by the Supreme Court.

I have been married to my wife Franni for 37 years. It is the best thing that ever happened to me, and I have long believed that every loving couple should be seen as equal under the eyes of the law. So I have been fighting for years, along with others, to overturn the so-called Defense of Marriage Act. I am very happy today that the Court did so in part this morning.

Today all Minnesota couples will be treated equally under Federal law, and this will make a real difference for those families.

We still have work to do. I think Americans should have the freedom to marry the person of their choosing regardless of the State in which they live. So we still have work to do, but today is a happy day.

STUDENT LOAN INTEREST RATES

OK. Back to college affordability and student loan interest rates.

The interest rate on the Stafford subsidized loan is set to double on July 1. Along with a number of my colleagues, I am fighting to prevent that from happening and to reach an agreement to protect students and make college more affordable for them and for their families.

Not long ago I had a group of student leaders from MnSCU—the Minnesota State Colleges and Universities—come to my office in DC to discuss college affordability.

Now, remember, these are members of the student government of many of Minnesota's public colleges and universities. They are the student leaders. There were about 20.

I asked them: How many of you work while you are going to school, while you are in college?

Every one of them put up their hand.

I said: OK. How many of you work at least 20 hours a week?

Most of them.

How many of you work 30 hours a week while you are going to school?

More than I expected.

Then I asked them: How many of you work full time, work 40 hours a week while you are going to college?

A number of them raised their hand.

Mind you, these are the student leaders of these schools. So they also spend their time in student government. Working in college is not necessarily a bad thing. Some work can help students better manage their time, become more productive, and help pay for college. I worked during college. It was like 5 hours a week in our dorm kitchen.

Evidence shows that when a student starts to work more than 15 hours a week, it becomes harder for the student to maintain good grades at school and to graduate from school on time. Students are working more because college is becoming less and less affordable. They are still taking out more and more student loans and graduating with more and more debt.

Minnesota has the unfortunate distinction of being the State with the third highest average debt for students graduating from college, at over \$30,000 a student. Whether those student Americans are attending community college or 4-year public or private colleges, it is increasingly difficult for them and their families to afford higher education.

Part of what has happened is that State support for higher education has gone down in recent years, shifting more of the burden onto students and their families. According to the latest report from the State Higher Education Executive Officers, public colleges experienced a 9-percent decrease in State funding per student from 2011 to 2012, including in Minnesota.

Minnesota public colleges saw a 27-percent decrease in State funding per student from 2007 to 2012. Meanwhile, and partially because of this, the University of Minnesota saw an increase of 65 percent in its average tuition and fees in constant dollars from 2002 to 2012. Our other public 4-year universities saw a 47-percent increase in average tuition and fees. Our public 2-year colleges saw a 39-percent increase in tuition and fees over the same time period.

After more than a decade of higher education spending cuts and tuition increases in Minnesota, things have started to turn around this year. The State legislature passed a bill that increased funding for higher education in Minnesota by \$250 million, including a tuition freeze at the University of Minnesota and Minnesota's other public colleges and universities for 2 years. That is very good news. While this is a great victory for Minnesota's students and families, it certainly will not solve the college affordability problem in Minnesota.

As college has gotten more expensive, our Federal student aid system has not kept up. In 1975, Pell grants—long the cornerstone of our Federal financial aid system—a full Pell grant covered almost 80 percent of the cost of attending a public 4-year college, but now it pays for approximately 33 percent of the cost of a year at a public 4-year college.

As students have turned to student loans, more of them are ending up tens of thousands in debt. In Minnesota I have held several college-affordability roundtables and heard from a number of extraordinary students. One of them is Taylor Williams, who was a senior at the University of Minnesota in the spring. He grew up in a low-income family. Taylor was afraid of taking the advanced placement courses because he did not think he could afford the tests. The tests cost too much money. Fortunately, Taylor had a guidance counselor who found funding to help him pay for the tests, and his success in those AP tests helped him start college with 1 year's worth of credit. Taylor, when I talked to him, was also working 30 to 40 hours a week and receiving

community scholarships. Yet, in spite of all of this, he is graduating with student debt.

Because of stories like Taylor's, I recently introduced the Accelerated Learning Act, a bill to reauthorize an existing Federal program that provides funding to low-income students to help pay for AP and IB—International Baccalaureate—exams. This is a Federal program that has been around for over a decade and has helped students lower the cost of college. I am pleased that this legislation was included in the larger bill to reauthorize the Elementary and Secondary Education Act that we passed out of the HELP Committee earlier this month.

Taylor and countless other students at schools across Minnesota demonstrate tremendous perseverance and grit in getting a college education and cobbling together the resources to pay for it. They are working incredibly hard, and they are still taking on significant amounts of debt—debt that will stay with them for a good portion of their lives.

Paying for college should not have to be that hard. In many other countries it is not. In fact, in many other countries, students can go to college for free—for free—or pay extremely low tuition. According to the Organization for Economic Cooperation and Development, OECD, countries where students pay zero tuition for their postsecondary education include the Czech Republic, Denmark, Finland, Ireland, Iceland, Mexico, Norway, and Sweden. Other countries, such as France, Austria, Switzerland, and Belgium have postsecondary systems where students have to pay tuition of less than \$1,500 per year.

Because of this it is not a surprise that many of these countries are also surpassing the United States in higher education attainment. Not very long ago the United States ranked first in the world in the percentage of 25- to 34-year-olds with a higher education. According to the latest data from the OECD, the United States is now 14th in that category. This is a trend we need to reverse if the United States is going to remain globally competitive. In an ideal world the United States would provide free or extremely low cost postsecondary education to its citizens, as so many other nations do. Unfortunately, that is not going to happen anytime soon. So we need to take smaller but important steps to help our students pay for college.

The interest rate on subsidized Stafford loans is going to double from 3.4 percent to 6.8 percent on July 1 unless Congress takes action to prevent that from happening. This interest rate—this is an increase that would affect almost 200,000 students in Minnesota, who would end up paying about \$1,000 more for each student loan they take out over the life of that loan. That is above what they are already paying.

At a time of record-low interest rates, it makes no sense to let the stu-

dent loan interest rate double. We should prevent that from happening. Ultimately, we need a long-term fix so that interest rates do not become more unaffordable for students and their families. We also need to make sure that whatever action we take does not make the problem worse.

Several of my colleagues have proposed short-term fixes to this interest rate problem. I am proud to support efforts by Senators JACK REED and TOM HARKIN to freeze the interest rate at 3.5 percent while Congress works out a longer term solution. I am also a proud cosponsor of Senator WARREN's legislation to tie the student loan interest rate to the rate at which the Federal Reserve lends money to banks. At a time when the Fed is lending money at an interest rate of .75 percent to banks, it makes no sense for students to borrow money from the government at a rate of 6.8 percent a year or even higher. Senator WARREN has been an important voice in this debate in the Senate, making the student loan interest rate the focus of her first piece of legislation.

We need to get this done. Democratic leaders have been negotiating in good faith on this issue. If we need to pass a short-term extension of the current interest rate to give negotiators more time to produce a solution that works for students and their families, well then that is what we should do.

Fixing the student loan interest rate is far from the only issue we have to tackle to make college more affordable for students. I just reintroduced my bipartisan Understanding the True Cost of College Act to standardize financial aid award letters among universities so students can have clear and consistent information about the cost of their education. Students and their families and high school counselors need to have uniform financial aid letters so they can make real comparisons about all the costs before deciding where the student should go to college. That is what my bill makes possible.

I also stand ready to work with my colleagues to protect the Pell Grant Program and to support other programs that make college more affordable for students, such as the TRIO and Work-Study Programs.

We have a lot to do and a long way to go to make college more affordable for our students. Doing that will help more Americans find jobs to support their families, help more employers find qualified workers for their businesses, and help our economy prosper. This is one of the most critical issues we face as a Congress. Addressing the student loan interest rate is a solid first step we can take toward tackling this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. In the last 3 weeks, I have pointed out several flaws in the immigration bill. Within a couple of days, we will have a bill through the Senate. I think I owe to my colleagues

and to my constituents, since I have been pointing out flaws, what it would take for me to vote for an immigration bill because I am just like most everybody and maybe everybody in the Senate who will tell you that the status quo is not legitimate to maintain and that we have to reform the system.

So there are, I would like to say, 100 Senators who believe the immigration system needs to be fixed. I can guarantee that there are also 100 different ways to fix it. Nobody has a perfect solution, but I bring an experience to the table that very few others have.

My deep-rooted concern with this bill stems from my strong belief that we made a mistake in 1986. We allowed legalization and ignored the laws on the books. Another major shortcoming was that we allowed legalization without creating adequate avenues for people to enter, live, and work in this country legally. In other words, if we had a system that works, where we had a shortage of workers, if they could legally come to the country, we would not have the problems we have today. We did not do that in 1986.

These were crucial flaws that have led us to the debate we have been having the last 3 weeks, and I am not willing to pass that mistake on to future Congresses.

What will it take for somebody such as I, a Senator who voted for amnesty in 1986 and wasn't a part of the Group of 8 or Group of 10, to vote for immigration reform this year? This is what I need to see in an immigration bill in order to support it and send it to the President.

When I mentioned four different points, it doesn't mean that takes care of everything, but if these things were taken care of, regardless of the other things, I would feel I would have to support it. They are:

No. 1, legalization after border security; No. 2, meaningful interior enforcement, including allowing ICE to do its job and work with State and local people; No. 3, strengthening, not weakening, current law with regard to criminals; and, No. 4, protecting American workers while enhancing legal avenues.

I will explain them at this point, starting with legalization after border security. Most Americans contend that a legalization program is a compassionate way to help those who are unlawfully in the country. However, those compassionate people who support such a program of legalization do so only on the promise that the government will secure the border and stop the flow of illegal immigration.

We are a nation based upon the rule of law. We have a right to protect our sovereignty, and, of course, a duty to protect our homeland. Any border security measures we pass must be real and immediate. We can't wait 10 years to put more agents on the border or to implement a tracking system to track foreign nationals. We have to prove to

the American people that illegal entries are under complete control and that visa overstays are to be punished.

Unfortunately, too many people have been led to believe this bill before us will force the Secretary of Homeland Security to secure the border. It doesn't.

A fundamental component of any legislation is border security first and foremost, not legalization now and enforcement later, if ever.

There has to be pressure on the executive branch to get the job done. We must tie legalization to results. Only then will advocates and a future administration truly try to secure the border.

Secondly, meaningful interior enforcement, including ICE being allowed to do its job and work with State and locals. Enforcement of the immigration laws has been lax and increasingly selective in the last few years. As a result, States have been forced to deal with the criminal activity that surrounds the flow of people here who are undocumented.

They have stepped up efforts to control the effects of illegal immigration in some States, and the States should be able to protect their people and stem the lawlessness within their border. Yet time and again this administration has denied States the opportunity and tried to stop them from enforcing immigration laws.

Federal immigration enforcement officers have also been handicapped from doing their job. The bill would practically render these officers useless since they are required to verify a person's eligibility for legalization before apprehending and detaining. They need to be provided the resources to fulfill their mission and not be told by Washington to sit idly by.

The unfortunate reality is that the bill does almost nothing to strengthen and enhance our interior enforcement efforts. The bill does nothing to encourage Federal, State, and local law enforcement efforts to apprehend and detain individuals who pose a risk to our community. The Federal Government will continue to look the other way as millions of new people enter the country undocumented.

Meanwhile, the bill gives the States no new authority to act when the Federal Government refuses. I will be the first to say that border security is a must, but people who enter illegally and overstay their visas and are residing in the interior of the country, this cannot be ignored. This is something that if it is fixed, I would feel very comfortable voting for an immigration bill.

Strengthening, not weakening, current law with regard to criminals. It is not going to go over well back home if we say one can have criminal activity, even be deported from the country, and make application again to have the benefits of this legislation.

One of the major reasons why immigration is a subject of such significant

public interest is the failure of the Federal Government to enforce existing laws. Eleven million people have unlawfully entered the country or overstayed their visas because the Federal Government did not deter them or take action to remove them.

This bill before us significantly weakens current criminal law and will hinder the ability of law enforcement to protect Americans from criminal undocumented aliens.

The bill weakens current law regarding passport fraud, only charging those who make or distribute illegal passports three or more times. It allows a person to knowingly purchase materials for making illegal passports but only charge the person with a crime if 10 or more passports are made.

It also weakens current law for those who illegally enter the country, changing existing laws by removing the crime of illegally attempting to enter the United States. This essentially incentivizes foreign citizens to attempt to illegally enter the country as many times as they wish.

Further, once they successfully enter the United States illegally, the alien would only be subject to criminal punishment if they are removed from the country three or more times. Why isn't once enough?

Taken together, the bill weakens current law and will make it easier for undocumented aliens to enter the country illegally by not criminalizing their attempts to enter, nor their actual illegal entry, unless they had been previously removed three or more times. This is a drastic change that will encourage future entries by undocumented people.

Given the serious nature of criminal street gangs, we need to pass an immigration bill that prevents entry into the country if one is a gang member. More important, we need to ensure that gang members are not being rewarded with legal status. Regrettably, the bill is weak on foreign national criminal street gang members in several regards. In addition to weakening current law, the bill does very little to deter criminal behavior in the future. The bill ignores sanctuary cities, allowing criminals to seek safe harbor in jurisdictions where they have policies aimed to protect people in the country illegally.

It increases the threshold required for actions to constitute a crime. It punishes persons only if they have already been convicted of three or more misdemeanors on different days, and it only punishes undocumented aliens who are removed from the country three or more times.

I am committed to making sure any bill that is sent to the President makes a more serious effort to penalize those who attempt to enter or reenter the United States. It needs to be tough on lawbreakers and send a signal that fraud and abuse, including identity theft, will not be tolerated. It needs to ensure that gang members are not

granted legalization but rather made deportable and inadmissible.

We need to protect victims of crime and ensure that child abusers and domestic violence perpetrators do not receive benefits under the immigration law. Finally, we need to ensure that dangerous, undocumented criminals are not released in our country but are detained until they are properly returned to their home country.

Fourth and last, we need to protect American workers while enhancing legal avenues.

While I support allowing businesses to bring in foreign workers, they should only do so when qualified Americans are not available. There have been too many stories about U.S. workers who have had to train their replacements who come in through the H-1B visa program. Foreign nationals are being hired but then working in locations not specified in their application. Other work visa programs are not free of controversy.

I agree with the creation of a temporary worker program, such as the W visa program created in this bill. I have long argued we must enhance and expand opportunities for people who wish to work legally in this country. Yet as we do that, we cannot forget the American worker. We need to fight for them and ensure that they are not disadvantaged, displaced, and underpaid because of our generation laws.

The bill before the Senate makes that move in the right direction by increasing worker protection for Americans and by providing more authority to the executive branch to investigate fraud in the H-1B visa program. Unfortunately, the bill is slanted to ensure that only certain employers undergo more scrutiny. All employers who bring in visa holders should be held to the same standard. All employers, not just some, should be required to make a good-faith effort to recruit U.S. workers. All employers, not just some, should be required to attest that they did not or will not displace a U.S. worker within 180 days of applying for an H-1B worker. All employers, not just some, should be required to offer the job to a U.S. worker who is equally or better qualified.

Our employment-based immigration program, including the H-1B program, has served and could again serve a valuable purpose if used properly. However, they are being misused and abused. They are failing the American worker and not fulfilling the original purpose that Congress intended when it was created.

Reforms are needed to put integrity back into the program and to ensure that American workers and students are given every chance to fill vacant jobs in this country.

Again, how I vote on the final bill coming out of conference with the House is undecided. I want to be able to support something that will make Americans proud, that will not make the same mistakes we did in 1986, and

will stand the test of time so future generations can benefit. I need to see at least these four key changes before I can cast a vote in support.

I have said to Iowans and to my colleagues that the bill before the Senate is precooked, but I have faith that a better bill is achievable, a bill that can gain more votes, including mine. This body, the Senate, is described as the most deliberative parliamentary body in the world—and I believe it is—but when we had 451 amendments offered to this bill, we were promised free and open debate. We have only dealt with about a dozen of them, and we can't say we had a fair and open debate as we were promised.

It surely did not meet the standard that was set by Chairman LEAHY when he promised in committee a free and open debate. There was free and open debate and no limit on amendments. We stuck with it until we got done.

We could have just as well stuck with this bill until we got it done and we could have had votes on more amendments.

Now we are going to pass a bill that is not the best for the country and doesn't accomplish even what the authors of the legislation hoped to accomplish, particularly when they say secure the border first and then legalize. We have to rely upon a body that is not considered a deliberative body, the House of Representatives, to correct these mistakes that are made in this bill. I think they will, I hope they will, and then I hope I can vote for the product that will go to the President of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for 10 or 12 minutes as in morning business and then have the Senator from Massachusetts, Ms. WARREN, be recognized at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. WHITEHOUSE and Ms. WARREN pertaining to the introduction of S. 1229 are located in Today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Alabama.

Mr. SESSIONS. Mr. President, we just saw on the news today that the GDP for the first quarter, according to the Wall Street Journal, was revised downward dramatically from previous estimates. I am not saying there is anything wrong with their accounting, but they go back and doublecheck their numbers and add other analyses and they come up with what the growth of the economy was in the first quarter. The previously announced growth level was 2.4 percent for the first quarter, which is low. Coming out of a recession, we need to be doing better than that. But now that it was revised downward, they found there was only 1.8 percent growth in the first quarter.

That is a very dangerous trend, and the article said it is evidence of a slowing growth in America.

The fourth quarter of last year GDP growth was only .4 percent. If continued throughout the year, that is a very troubling number. The data shows for the last 15 quarters, almost 4 years, we have averaged only about 2 percent growth in our economy—growth in GDP.

I would say to my colleagues, as we vote to bring in more and more workers at a time when jobs are not being created in any significant number, we need to be aware that this can cause severe consequences.

The Atlanta Federal Reserve Economic Study, done several years ago, found the immigration flow today in the Atlanta area of the Federal Reserve had reduced the wages of American workers in that region by as much as \$1,500 a year. That is \$120 per month less money for an average family to take care of themselves.

Unemployment and declining wages are a big reason that people are getting in trouble on their credit cards. Professor Borhaas and others have done studies on this.

Another study found a \$960 decline in people's annual wages, which is about \$80 a month. Eighty dollars a month may not sound like a lot for a Senator, but it sounds like a lot for a working American—maybe equal to their gas bill, or part of it.

I would say that as we consider our votes on the immigration bill, let's consider that this economy is not growing and is not creating large job growth. We have projections that we are not going to do so for the next decade. And I am not talking about people who will be legalized that are here, but we ought not overload the economy with a new flow that is much larger than the current flow of immigration legally.

I see my colleagues are here, and I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as if in morning business to offer a unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mrs. MURRAY. Mr. President, it has now been 95 days since the Senate passed a budget, and I have come to the floor myself now 6 times to ask unanimous consent to move to conference. My Democratic colleagues have asked unanimous consent to move to conference another eight times. After every request, a Senate Republican has stood up and said no—no to the opportunity to work on a bipartisan budget deal.

I want to say to the Republicans who are blocking a bipartisan budget conference: Enough is enough. We have heard so many excuses—refusing to allow conference before we get to a so-

called preconference framework; putting preconditions on what can be discussed in a bipartisan conference; claiming that moving to a budget conference—which leading Republicans did call for just a few months ago—was somehow not regular order; to, most recently, claiming we need to look at a 30-year budget window before looking at the major problems we have right now in front of us—which, I add, is unacceptable, because the American people rightly expect us to work on both at the same time.

Hearing these changing excuses week after week has been frustrating not just for Democrats but for many of my Republican colleagues as well.

A large group of us—Republicans and Democrats—think that although we do have major differences between the parties' values and priorities, we should at least come to the table and try to work out a bipartisan deal. That is what American people do every day. And when there is a disagreement, they can't afford to play a game of chicken and hope the other person gives in, because when that happens, important work cannot get done. Kids don't get picked up from school, bills don't get paid, small businesses miss a major opportunity for expansion. Every day regular Americans avoid those kinds of situations, and we here in the Senate should at least try to do the same.

There are extremely important things that are not getting done in the Senate right now because some Republicans want to embrace the harmful top-line spending level in sequestration which has a major gap between the House and Senate appropriations levels for the next fiscal year. We don't have much time left to resolve that gap. After we come back from next week's State work period, we will have 1 month to try to come to an agreement or else we are going to find ourselves in a very tough situation in September. We could, once again, be working against the clock to avoid a harmful crisis. The last thing the American people—who come together and resolve differences every day—want to see is another round of manufactured crises coming out of Washington, DC, and they do not have to. We still have time.

I know there are leaders on both sides of the aisle who would strongly prefer to solve problems rather than to get into yet another political fight that creates uncertainty for our families, our businesses, our country, and our economy. I am confident that if those of us who prefer commonsense bipartisanship over artificial crisis work together, we can reach a fair agreement and show the American people our government does work.

I urge Senate Republican leaders to drop the tea party-backed strategy of delaying until the next crisis, and allow the Senate to join the House in a formal bipartisan budget negotiation.

Therefore, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 33, H. Con. Res.

25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate; that following the authorization, two motions to instruct conferees will be in order from each side—motion to instruct relative to the debt limit, and motion to instruct relative to taxes and revenue; that there be 2 hours of debate equally divided between the two leaders or their designees prior to votes in relation to the motions; and further, that no amendments be in order to either of the motions prior to the votes; all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection to the request?

Mr. CRUZ. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. The issue before this body is not complicated. There are a lot of procedural ambiguities that make it difficult to penetrate, and yet it is one very simple issue. The issue before this body is whether the Senate can raise the debt limit of the United States with simply using a 50-vote threshold or whether it should go through the regular order before raising any debt limit, subject to a 60-vote threshold.

What is the difference? The difference is simple: If the debt limit can be raised using 50 votes, then the majority party—the Democrats—do not need to speak to the Republicans, do not need to sit down at the table and work with the Republicans, do not need to listen to any opposing views.

Indeed, the President of the United States has been very candid. He has been unequivocal. President Obama has said he believes we should raise the debt limit, with no preconditions, with no negotiations, with no changes whatsoever.

If you think it is OK that in 4½ years our Nation's debt has gone from \$10 trillion to nearly \$17 trillion, if you think it is OK that our Nation's debt is now larger than the size of the entire economy, if you think it is OK that our children and grandchildren are being bankrupted—in 4½ years the national debt has grown over 60 percent—and if you think it is OK that the Senate Democrats want to continue borrowing trillions more while doing nothing—nada—zilch—to address the spending problems, to rein in out-of-control spending, then you should welcome this motion.

Over and over again the majority has asked to go to conference on the budget. Why? Because going to conference on the budget allows a procedural back door to enable them to raise the debt ceiling using only 50 votes.

How do we know that is what this is about? We know that is what this is about because my friend the Senator from Washington could go to conference on the budget right now. This instant we could go to conference on the budget—right now—except, when I ask—as I am going to in a moment—for unanimous consent not to use it as a procedural back door to raise the debt ceiling, my friend the Senator from Washington is going to object. And I know this because we have done this kabuki dance more than once and we continue doing it back and forth. But it makes clear that is what this fight is all about.

Of course the Senate budget didn't address the debt ceiling; the House budget didn't address the debt ceiling; we didn't have a debate on the floor of this Senate about the debt ceiling; we didn't have a vote on the floor of the Senate about the debt ceiling; and yet the reason the majority is so adamant that they want to go to conference is because it presents them with an avenue to use 50 votes—the votes of only the Democrats in this body—to raise the debt ceiling to dig us further in debt and to do nothing—nothing—to fix the problem.

I would suggest that is irresponsible. That is not what Americans want. That is not what Democrats, Republicans, or Independents outside of the Washington beltway want.

We fundamentally know it is wrong to stick our kids and grandkids with \$17 trillion in debt. It is even more wrong to keep on doing it and making it worse and worse and not rolling up our sleeves to fix it.

One of the great frustrations of this body is that for some time now the American people have been unequivocal: Their top priority is jobs and the economy, and is turning around what is going on. Yet this body doesn't talk about that. It doesn't talk about generating jobs, getting the economy growing, and stopping our out-of-control debt. Instead, we debate every other priority under the Sun—whether it is restricting Second Amendment rights to keep and bear arms or whether it is a national energy tax through the President's climate change proposal.

Mrs. MURRAY. Mr. President, I am not sure whether there has been an objection.

Mr. CRUZ. Reserving the right to object, I ask unanimous consent that the Senator modify her request so that it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Mr. President, I would object. What the Senator is asking for is a precondition on a conference committee without the consideration of this whole Senate.

What I have offered to him and to this body in my unanimous consent request is a vote on the motion to in-

struct conferees, which is what occurs in the Senate if we want to put any precondition onto a budget.

I reject his unanimous consent, and I ask again my unanimous consent request.

Mr. CRUZ. Would the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Washington object to the request as modified?

Mrs. MURRAY. The Senator from Washington objects to the request as modified, and again reasks my original unanimous consent request.

The PRESIDING OFFICER. Is there objection?

Mr. CRUZ. Reserving the right to object, I would note the comment from my friend from Washington suggesting a motion to instruct the conferees. What she of course knows is that is a typical Washington maneuver, because the motion to instruct is nonbinding and it is subject to 50 votes. So if we had a motion to instruct the conferees not to raise the debt ceiling, every Democrat in this body would vote against it. It would be defeated. And even if it were passed, it would be non-binding on the conferees.

No one should be confused. What the Democrats want is to raise the debt ceiling. And they want to do it using 50 votes, ignoring the views of the minority, and doing nothing to fix the problem.

Accordingly, I object.

Mrs. MURRAY. I make my unanimous consent request.

The PRESIDING OFFICER. Is there objection to the original request? Objection is heard.

The Senator from Colorado.

Mr. BENNET. Mr. President, I was here to talk about immigration, and that is what I will talk about. But I have been caught in a crossfire on this subject, and I want to say my view is this is exactly what people hate about Washington, DC. It is exactly why we have a 10-percent approval rating.

For 4 years I went to townhall meetings and was asked over and over and over: Why don't the Democrats in the Senate pass a budget? Which I think is a very legitimate question. We got a new Chair of the Budget Committee and we passed a budget after 4 years, and now we are told we can't go to conference to have a discussion with House Republicans about what our budget ought to look like.

I actually disagree with the Senator from Texas, I have to say respectfully, on the merits of this issue; that is to say, on the debt ceiling itself. This is the reason I think folks in Colorado can't stand this place. There is not a mayor in my State, whether they are a Republican or a Democrat or a tea party mayor, not one—not one who would threaten the credit rating of their community for politics. Not one. We would run them out on a rail, because that is not the way you do business. The credit rating of a community is the most important thing it has. The

full faith and credit of the United States of America—which until the last debt ceiling discussion had never been questioned—was questioned for the first time in our history; not because of the size of our debt—which, by the way, I have spent 4 years trying to work on because I believe it is a very severe problem we face, and I look forward to working with the Senator from Texas on this issue—but because of the political dysfunction in DC. That is why we got this downgrade.

The Senator from Alabama, who has left the floor, was talking about the re-statement of our GDP numbers in the first quarter. I worry a lot about that. The people I represent are not concerned with the procedural stuff that goes on here. What they are worried about is an economy they are living in day after day after day where, even in periods of economic growth, median family income is falling, middle-class families are falling behind. They are worried about an economy where they are earning less at the end of the decade than they were at the beginning, but their cost of higher education continues to escalate, their cost of health care continues to escalate. As individuals, as families, and as members of a generation, they are worried we are going to be the first generation of Coloradans and Americans to leave less opportunity and not more to the people who are coming after us.

Mr. CRUZ. Would the Senator yield for a question?

Mr. BENNET. I wish to finish my statement, and then I will gladly yield for a question.

I was glad to hear the Senator from Alabama. He and I disagree on the immigration bill, but we certainly agree on the issue of the concern all of us have about this economy—or most of us have about this economy. It is one of the reasons we should pass this immigration bill. The Congressional Budget Office tells us we would see 3 additional points of GDP increase in the first 10 years, 5 over the two 10-year windows, if we pass the bill.

To the point about American jobs, I was very glad to hear him say he was not talking about the 11 million people who are here because most of the 11 million people who are here are working. But they are working in a shadow economy, a cash economy, under circumstances where they can be exploited. We have allowed that to happen because of the broken immigration system we have. If all you cared about—and I deeply care about it—was raising wages for the American worker, you would want to bring those 11 million people out of that shadow economy. You would want them paid in something other than cash, and you would want them, for heaven's sake, paying taxes at a time when we have the kinds of deficit problems the Senator from Texas is describing.

The Senator also talked about the future flow of immigrants. I should say I was part of the bipartisan group. This

is not a partisan bill, this immigration bill. There were eight of us. Four Republicans and four Democrats worked together on this bill, and one of the things we thought hard about was the future flow of immigrants to this country because generation after generation of Americans, since the founding of our country, has relied on new immigrants to bring their ideas, to bring their talents, to bring their energies to our shores to build their businesses here.

Today what we are saying to people—even people who get college degrees in the United States, degrees that we subsidize, that we pay for—even to those people, we are saying: Don't stay here. Even if you want to stay here, please go home to China and start your business there. Go home to India and compete with us there. Hire people there instead of creating jobs here in the United States.

We are a nation of immigrants. We subscribe to the rule of law. This bill is a ratification of those two American ideals—ideals that you can almost not find in any other country in the world.

That is why I am so glad that for once this body is actually acting in a bipartisan way to deal with not an easy problem but a tough problem. I will tell you the kids who are visiting today from 4-H all across the country and from my State of Colorado actually are expecting us to do these hard things, as our parents and grandparents did before them, so we don't leave them in the lurch.

That is what is at stake. That is why I wish we could find a way past this budget impasse as well so we actually could start to have a responsible conversation about what we are going to do on the entitlement side and on the revenue side, so we do not continue to hack away at domestic discretionary spending in ways that could lead us, with some of the House proposals, to invest only 4 percent of the revenue we collect in the future—4 percent in transportation and agriculture and education. There is not a business in this country that would last a year if it invested 4 percent of its cash flow in the future of that business.

At some point we have to move beyond where we have been here and actually get into a serious discussion about how we are going to manage this debt down over the next decade or two in ways that do not prevent us from growing our economy and in ways that do not subject our children to unpaid bills. It would be as if I went to the mortgage lender on my house and I said: I would like to buy a house, and I am going to take out a mortgage, and then I am going to give it to my kids to carry for me instead of paying for it myself. That is the position we are in today. The only way we are going to solve that is if Democrats and Republicans can sit down together and actually move past the talking points.

With that, I will yield for a question.

Mr. CRUZ. If I may ask my friend two questions on the two topics he ad-

dressed, the first being the debt ceiling, the second being immigration. On the debt ceiling, the question I will ask is, Does my friend from Colorado believe Congress should continue raising the debt ceiling in perpetuity, with no changes and no preconditions, and should the Senate be able to do so with just 50 votes?

Mr. BENNET. Here is how I answer that. I appreciate the question. Through the Chair to the Senator from Texas, it is clear that this is not going to get us anywhere, this procedural fight the two of you are having every couple of weeks. I think that is clear. I think it is clear that the debt ceiling is something that has been raised time and time again by Republicans and by Democratic Presidents over the years. I think it is also clear that we have to deal with our debt and our deficit. I believe that. But for myself, I don't feel like I would come to the floor and say that I am only going to allow this bill to go to conference with the Republicans in the House if all the money comes to Colorado—or some other stipulation I would want that 99 other Senators would not agree with.

The second thing is that I think it is important for people to understand that this issue—again, I am not in any way trivializing the issues around our deficit and our debt. I want the Senator from Texas—I hope he understands that. I hope he knows that about me. But I worry about the debt ceiling as a tool for accomplishing this, first for the reasons that have to do with our credit rating but also because there is a view among some that the debt ceiling is about bills we are going to incur as opposed to the ones we already have incurred.

In other words, it would be one thing if somebody said: I am spending too much money and I am going to cut up my credit card, and that is what they would do, but that is not what the debt ceiling is about. What the debt ceiling is about is somebody saying: You know what, I want the best cable package I can find, I want the best satellite package I can find, and when the bill comes to pay for it, I am just going to chop it up into little pieces and not pay it. That is what I don't like about this approach.

But everybody is entitled to their own approach on this question. I just wish we could move forward here instead of continuing to earn the 10-percent approval rating Congress has. That is all I am asking for.

Mr. CRUZ. Will the Senator yield for an additional question at that point?

Mr. BENNET. Sure.

Mr. CRUZ. I like and agree with his analogy about cutting up a credit card. Indeed, if my friend from Colorado supports anything resembling Congress cutting up the credit card, that will truly be a dramatic position, a position on which he and I could find common cause.

Mr. BENNET. May I.

Mr. CRUZ. If I can ask the question. I ask, the natural results of what my

friend from Colorado just said are that I assume, then, that he would readily support PAT TOOMEY's Default Prevention Act? What PAT TOOMEY's Default Prevention Act does is it ensures what the Senator said—money that we borrowed we will keep paying. It says that in the event the credit limit is not raised, the United States will always, always, always pay its debt. We will never, ever, ever default on the debt, and we will take that completely off the table. Then the debt limit fight would only be about, as my friend from Colorado put it, cutting up the credit card for future spending.

Would my friend from Colorado support the Default Prevention Act of PAT TOOMEY, making it impossible—taking default off the table permanently?

Mr. BENNET. I say through the Chair to my friend from Texas, I have not read the bill, but I will read the bill. I commit to him that I will do that.

I appreciate the implication of this, which is that the Senator is not objecting to my metaphor about the cable bill being cut up, because I do think that is a real problem.

We are not saying to people—we should not be saying to people that we are going to behave in an irresponsible way. As somebody who used to spend his time restructuring companies that were really well run, really well operated but had horrible balance sheets, I would have to think hard about the treatment that creditors would provide to, in this case, the U.S. Government when I look at that. I will look at that.

I say to the Senator from Texas that there are other things we might even be able to agree on too around here. For a long time I have thought it would be important for us to put health care on a budget in this country. We are not on a budget. During the health care debate I had an amendment called the fail-safe amendment that would say to the American people and to the Congress: This is what we have to spend on health care. That is all there is. There is not any more. We have to manage toward that. If we failed, if we tripped over it, we would actually have to make cuts, make changes to our system of health care.

We spend twice as much as any other industrialized country in the world, and it is crowding out a lot of other things that the 4-H kids and others whom I worry about care about.

So I think there is much we can work on, but I just don't think we are going to get to it through this kind of discussion. We might get to it through this kind of discussion.

In any event, I will commit to the Senator from Texas that I am going to sit down and stop talking about what he said.

Mr. CRUZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. Mr. President, there is no one else on the floor. I thought I would take the opportunity to talk again a little bit about our immigration bill. This has been such a gratifying process to me because it has been bipartisan from the start. In fact, I have been telling people that it is not even that it has been bipartisan, it has been nonpartisan. The work on the Gang of 8, which led to work in the Judiciary Committee, which led to work on the floor is the way this place ought to operate on a whole host of issues, from energy—the Presiding Officer cares a lot about that—to infrastructure, to the budget issues I was just talking about with the Senator from Texas.

It is important for people to know that this is a bipartisan bill because I think people are fed up with the partisanship in this town, and they do not believe it reflects the way they live their lives. There is a reason for that. It does not. This place is decoupled from the lives of ordinary American people, and this is an effort—among others, hopefully—to recouple those priorities.

I have been interested in the objections to the immigration bill since the beginning. First there was the objection that it was actually going to drive up our deficit. Not surprisingly, we learned from the Congressional Budget Office that this bill actually would create the most significant deficit reduction of any piece of legislation we considered here, certainly that we passed here—\$197 billion in the first 10 years, \$700 billion in the second 10 years. Even in Washington, \$1 trillion is still a lot of money. That is what we heard, both because people now not paying taxes would be paying taxes and also because of the economic growth that would be generated if we could restore the rule of law to our immigration system and to this economy. That was an objection. That objection was answered—not by me but by the nonpartisan Congressional Budget Office.

The second objection was that the legislation was not going to get a fair airing, that it was going to be rushed through in the dead of night. I don't like doing work that way.

There were eight "no" votes on the fiscal cliff deal at the end of the year, and I was one of those "no" votes, one of three Democrats who voted no not largely but partly because it had not had any process and it was in the middle of the night. This bill, by contrast, had 7 months of negotiations among four Democrats and four Republicans. It had 3 weeks to go through the Judiciary Committee, a markup that had 160-some amendments, many of which were accepted. Forty-one Republican amendments were accepted to this bill. It came to the floor for the debate we have had over the last few weeks.

I realize the amendment process is jammed up, and I am sorry about that because I think people ought to be able—including the Presiding Officer—to offer the wise amendments they have and the not-so-wise amendments they have, at least in my opinion. But there certainly has been an open process for this bill. Sometimes I have heard people say, well, it is just like health care all over again. I was here during the health care bill, and I can say this process looks nothing like that process.

There is a third objection from some who say there is no border security in this bill. First of all, that wasn't even true of the Gang of 8 bill. We had substantial border security, and as my lead, I was taking what JOHN MCCAIN and JEFF FLAKE—both Senators from Arizona—said was important. They are two Senators who have a border State, and they have been working hard to resolve these issues in our group. We made a substantial investment in that bill for border security and technology. Even fencing was included in that bill.

I think it is a reasonable expectation—not of Republicans but of the American people—that our border should be secure. Certainly the people in Colorado believe our border should be secure. So when Senators came and said: We would like to vote for this bill, but we would like to do more on border security, not only was I open to that, I supported that. The bill before us has incredibly substantial border security. There are 700 more miles of fencing. We doubled the number of Border Patrol agents on the border.

One of the Senators said to me that we are at a point now where there is a Border Patrol agent every 1,000 feet on the southern border. One might ask whether that is a wise use of resources, but it was important for some people to have that before they would sign on to this bill. So I don't think any reasonable person looking at this could say border security has not been addressed.

So what are the objections to moving forward? We have heard people say: Well, it is the path to citizenship or we don't like that part of the bill. That was a core principle for the four Democrats and four Republicans who started this negotiation, and it has been a core principle for a lot of people who voted for this bill. A very important reason to pass this legislation is to resolve the situation for the 11 million people who are here illegally. The pathway to citizenship is the right way to do it.

This is not amnesty. This has to be earned. People have to pay a fine. People have to learn English for the first time in our history. People have to pay their taxes. It takes 10 years to get a green card, then 3 years after that. They have to pass background checks all along the way so we know who the people are we want to stay in this country and who the people are we want to leave this country.

I see the Senator from Louisiana is here, so I will wrap up. To my friends

who think some lawful status that doesn't include a pathway to citizenship is useful to this country, I ask them to look at countries all around the world that have created a subclass of people—not even citizens, just a subclass of people—who have no attachment to their culture, no feeling they are ever going to participate in their civic or political institutions or meaningfully in their economy, no chance to believe their children or the children after them are actually going to make those contributions as well, and ask: Does that look like the United States of America to you?

That is not what the Founders had in mind. We hear a lot of cheap talk about the Founders around here these days. That is not what the Founders had in mind when they wrote into the Constitution that it was our responsibility as a body to deal with immigration.

So I hope people will consider that objection, take a look at the Senate bill, and will, hopefully, support it.

With that, I know the Senator from Louisiana was scheduled to speak, so I will yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I am here to speak about an amendment I have filed on this immigration bill that I have been working hard to get a vote on. It is certainly not the only amendment I filed, but it is a top priority. My amendment is the violence against women and children amendment, amendment No. 1330.

We have heard a lot of promises and a lot of rhetoric on this issue from many people, including the Gang of 8. What I have found distressing, as I have actually gotten to read the bill—and let's always remember one of the great lessons of ObamaCare was to read the bill before we vote—is that the details and exact language does not match a lot of the rhetoric.

One of the earliest and most important promises by the Gang of 8 was that in this amnesty process folks who were guilty of serious crimes would not be eligible for citizenship; in fact, they would be deported. That is why the bipartisan framework for comprehensive immigration reform that the Gang of 8 released in January of this year said:

Individuals with a serious criminal background or others who pose a threat to our national security will be ineligible for legal status and subject to deportation. Illegal immigrants who have committed serious crimes face immediate deportation.

We can all agree with that. The problem is the details in the text of the bill do not agree with that because it does not include several serious offenses, particularly against women and children.

My amendment is simple. It is to beef up and strengthen this part of the bill by including the Violence Against Women Act offenses as crimes, which would disqualify someone from being granted amnesty and would trigger immediate deportation. These include se-

rious, violent crimes such as sexual assault, stalking, domestic violence, sex trafficking, dating violence, child abuse and neglect, as well as elder abuse. It is specifically Violence Against Women Act offenses. These are serious, violent crimes against some of the most vulnerable people in our society. In my opinion those offenses should clearly be disqualifiers. So that is what the amendment would do.

Now, VAWA, which we debated and voted on a few months ago, has widespread bipartisan support. More than 200 national organizations and more than 500 State and local organizations expressed support for that bill. A great majority of Senators voted for it. I voted for it. So we should certainly follow up on that rhetoric and that vote by making sure these serious offenses in the Violence Against Women Act are disqualifiers to amnesty in the immigration bill.

This is not my only amendment, and not getting a vote for this amendment so far is a frustration. It is a frustration for a lot of us with regard to a lot of amendments. This immigration debate is enormously important. This bill is enormously long. It is well over 1,000 pages. So far we have had 10 rollcall votes on amendments—10, period. That is one amendment per—I don't know—120, 130 pages. That is ludicrous, and that is not the full, robust amendment process we were promised for months and months by both the majority leader and the Gang of 8.

I hope I can get a vote on this amendment, and I also want and expect a vote on the other amendments I filed. I have many amendments, but I have narrowed that list down.

So, with that, Mr. President, I ask unanimous consent that my Violence Against Women and Children amendment No. 1330 be made pending and eligible for a vote.

The PRESIDING OFFICER. Is there objection?

The Senator from Colorado.

Mr. BENNET. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. In closing, I find that very disheartening. This is a big subject. I agree with the proponents of the bill when they say this is a big problem that needs fixing. It has been on the Senate floor for 3 weeks. The bill is well over 1,000 pages long, and we need more opportunity for serious debate and amendments than we have gotten.

As soon as a path to passage was identified late last week—as soon as that happened, the amendment process was basically shut down. It continues to be shut down today. The important amendment I have brought to the floor that has been denied a vote is an example of that. I find it very regrettable.

I yield the floor.

Mr. BENNET. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COLLEGE EDUCATION COST

Mr. SANDERS. Mr. President, we have a major crisis in our country today in terms of the high cost of a college education, and in addition to that the incredible debt burden college students and their families are facing. This is a major problem in Vermont, and it is a major problem for every State in our country.

The job of the Senate is to understand that crisis, improve the situation, lessen the burden on students and their families, and not to make the situation worse than it is today. At a time when we need the best educated workforce in the world, hundreds of thousands of bright, young Americans who are qualified to pursue a higher education—who want to pursue a higher education—do not go to college, and they do not go to college for one very simple reason: They cannot afford to go to college.

According to a Pew study of 18- to 34-year-olds who have not completed college, 48 percent say they cannot afford to do so. Higher education for middle-class families and working-class families is simply too expensive, and this is an issue we must address.

What does it say about our country when hundreds and hundreds of thousands of young people who want to contribute and do more with their lives cannot get the education they need? In many cases it deprives them from making it into the middle class, and it denies this Nation the intellectual capabilities they have.

Further, millions of young people who graduate college are saddled with an incredible debt burden which radically impacts their lives. In America today, the average debt for a college graduate is over \$27,000 in my State of Vermont. It is about \$28,000. That is the average. That means there are many young people who have more debt. For those who go to graduate school or medical school or dental school, the debt can be many times higher. Last year I talked to two young dentists in the State of Vermont. They are in debt to the tune of over \$200,000 for the crime of having gone to dental school.

This horrendous debt burden impacts the lives of young people in many ways. It can determine—and this is a hugely important issue—the profession they choose to enter. How can a person become a teacher, a childcare worker, a legal aid attorney or even a primary care physician if the salary a person earns will not enable them to pay off their debt and take care of the obligations they face? In other words, this debt is forcing many young people into professions which are not necessarily their love. It is not what they wanted to do; it is what they have to do in order to earn money to pay off their

debts. This crushing debt burden determines where many young people will live and whether they can even afford to buy a home. How does a person go out and buy a home if they are spending 20 or 25 percent of their income paying off their student debt? This debt burden on our young people even determines, in some cases, whether they get married and have kids.

The higher education debt burden the American people are now carrying at \$1.1 trillion is now higher than our credit card debt and is having a significant impact upon our economy. In fact, the Federal Reserve and the Department of Treasury have both issued warnings that high levels of student loan debt could drive down consumer demand and have a negative impact on economic growth. In other words, if a person is spending all their money paying off debt, they are not buying goods or services. So this high level of student loan debt is having a negative impact on our overall economy.

According to a report released by the New York Fed—and this is important for people to hear—student loan debt has nearly tripled since 2004. In less than 10 years it has nearly tripled. Total student loan debt in the United States now exceeds \$1.1 trillion. The average student loan balance has increased 70 percent since 2004.

If we do not act immediately, the subsidized Stafford Loan Program will see a doubling of interest rates on July 1, a few days from now. Let me repeat: If Congress does not act immediately, within the next few days, the subsidized Stafford Loan Program will see a doubling of interest rates on July 1. The rates will rise from 3.4 percent to 6.8 percent for subsidized Stafford loans. This would be a disaster for millions of students and their families all over our Nation. We must not allow that to happen. At the very least, we must immediately pass legislation that extends interest rates at 3.4 percent for several more years on the Stafford Loan Program. Meanwhile, as part of higher education legislation, we must begin work on a long-term solution that guarantees the students of this country will be able to attend college and graduate school and not be burdened with suffocating debts.

As we contemplate long-term new policy on student loans, one thing we should be very clear about: The Federal Government should not be making a huge profit off the needs of low-income and working families who utilize the Stafford Loan Program. That is simply wrong. In fact, that is what we are doing today.

According to the Congressional Budget Office, the Federal Government makes a substantial profit from student loans. For loans made this year, in 2013 alone, that profit is expected to exceed \$50 billion, and this is higher than the profits made by ExxonMobil, the most profitable company on Earth. As I hear every day on the floor of the Senate, we are reminded we live in a

competitive global economy. I hear every day from my colleagues that the United States is not doing all we can do in terms of educating our young people in such areas as science, engineering, technology, and math. In fact, in the immigration bill we are debating, there is an effort to bring hundreds of thousands of workers from abroad, presumably because we do not have enough workers who are knowledgeable in terms of engineering, science, math, and other technologies. What sense does it make if we are doing a bad job now in educating our young people in general, and specifically in the STEM areas, that we make it harder for kids to get a college education? What sense does that make?

I should mention that countries all over the world understand this point, and they are doing a much better job than we are of investing in their young people in general and specifically in higher education. According to a report released just yesterday by the OECD, the United States was one of the few advanced countries in the world that did not increase its public investment in education. In fact, the vast majority of advanced nations do everything possible, and a lot better job than we do, to make higher education more affordable for all of their students.

A couple weeks ago I had the Ambassador from Denmark coming to the State of Vermont to talk about what goes on in Denmark. People asked him: How much does it cost to go to college in Denmark? The answer was: Nothing, not a penny out of your pocket. It is paid for out of the tax base. In fact, students there get a stipend.

But Denmark is not the only country which makes sure all of their kids can get a higher education, a graduate school education, a medical school education, while not having to pay for it out of their own pocket. Austria, Finland, Norway, Scotland, and Sweden also do the same. In Canada, which is an hour away from where I live, average annual tuition fees were \$4,288 in 2010, roughly half of what they were in the United States. Yet the OECD says Canada is one of the most expensive countries for a student to go to college—half the cost of where we are. Germany is in the process of phasing out all tuition fees. Even when German universities did charge tuition, it was roughly \$1,300 per student.

Here is the bottom line: All over this country, students and their families are facing crushing debt, radically impacting their lives and the choices they make. There are some in the Senate who say: Yes, that is pretty bad. How can we make it even worse? How can we raise interest rates for our kids and make it harder for them to go to college and make sure when they get out of college they are deeply in debt?

I say: No, I think that is absurd.

I remind my colleagues that when Wall Street banks borrow money—do my colleagues know what they are getting it for today? They are getting it

for less than 1 percent—three-quarters of 1 percent. We are talking about families having to spend 6 percent, 7 percent, 8 percent, 9 percent in order to send their kids to college, to help our country, to make it into the middle class. That is absurd. We have to understand that a well-educated population is perhaps the most important thing we need as a nation if we are going to survive in a highly competitive global economy.

Let me conclude by saying this: This Congress has to act and act immediately to prevent the disaster we are looking at from happening; that is, the doubling of interest rates on the Stafford Loan Program, which will go from 3.4 percent to 6.8 percent on July 1. Short term, we have to extend the 3.4-percent interest rate. Long term, we need to make certain every kid in this country, regardless of income, can go to college and leave school without a crushing financial debt.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I am here today on the immigration bill, but I wish to thank the Senator from Vermont for bringing our attention to this very serious issue. It is a little bit of a variation on a theme today about trying to reconnect the priorities of the American people—frankly, whether they are Republicans or Democrats or anybody else—and this place, which has become totally disconnected. I wish to say through the Chair to the Senator from Vermont how on point he is.

The people I represent care about the fact that they are living in an economy that even when it grows—I was talking about this a little bit earlier—it is not producing sufficient jobs and it is not driving up income. That is what they are concerned about. The student debt crisis the Senator speaks about, where it tripled over the last 10 years, is a huge part of this story. It is a significant part, because if a family's income is going down but the cost of higher education is skyrocketing—by the way, at the same time the cost of health care is skyrocketing—it makes it very hard to get ahead. People are desperately worried, as I said earlier, that we are going to be the first generation of Americans to leave less opportunity, not more, to our kids and grandkids.

But there is another issue as well, which is today, in the 21st century in this country, if a person is born and living in poverty, their chances of getting a college degree or the equivalent of a college degree are 9 in 100—9 in 100. For the folks in the Chamber, for the pages who are here today, we have 100 chairs, 100 desks in the Senate. If these desks represented poor children living in this country instead of Senators, those four desks in the front row and four at that end right there, and another one, those are the only folks who would be getting a college degree. Ninety-one other people in this Chamber would be constrained to the margin

of this economy and a margin of our democracy from the outset.

Matters are getting worse, not better. We led the world in the production of college graduates when George Bush—this is not a partisan observation, it is a temporal one—when George Bush, the son, became President. We led the world. Let me tell the young people who are here today, 13 years later, we are 16th in the world in the production of college graduates. Because of our inability to come together and figure out how to deal comprehensively over time in a thoughtful way with the fact that we don't want to stick our kids with this debt we have acquired—which we need to do; we are just hacking away at domestic discretionary spending for higher education, for K–12 education, for agriculture, for infrastructure.

Some of these budgets we have considered—we have not passed them here; they passed them over in the House—would invest only 4 percent of our revenue, 4 percent of the revenue we collect, in the future of this country. Ninety-six percent on something else is not going to get the job done.

On an issue such as this, where our students are saying: How do you at least not make matters worse, we ought to be able to come together in a bipartisan way and solve this problem.

I thank the Senator from Vermont for coming to the floor to focus our attention on something the American people actually care about.

Mr. SANDERS. I thank the Senator.

Mr. BENNET. With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I want to give my colleagues a point of view on the immigration bill before the Senate from somebody other than a Senator.

In the weekend Des Moines Register, there was an article called “Another View: Immigration reform plan adds disorder to a failing system” by Mark H. Metcalf, who had been an immigration judge and now is a county attorney in the State of Kentucky.

I am quoting:

The most recent push for immigration reform is compelling. True to our heritage of inclusion, it succeeds. False to our tradition of rule of law, it fails.

For any law to forge consensus, it must appeal to both fairness and common sense. The measure now on the U.S. Senate floor fails this litmus.

What is sold as a means to simplify and dignify one of our most important national institutions—immigration and naturalization—mandates complexity and much of the same disorder that got us where we are

today. The bill's neglect of an effective court system only aggravates this disorder.

America's immigration courts are weak, and this latest measure keeps them that way. Put simply, immigration courts cannot impose order. Few aliens ordered removed after years of litigation are ever deported.

Edward Grant, a senior immigration appeals judge, noted this impasse in 2006.

Then he quotes Edward Grant: “All should be troubled that only a small fraction of [deportation orders] . . . is actually executed.”

And he was right. A 2003 Justice Department report found only 3 percent of aliens free during trial were actually removed after courts ruled against them. Those who deserve relief fare just as poorly.

By last count, more than 330,000 cases were backlogged. This historic dysfunction offers a glimpse of things to come if the current version of reform passes.

The cause of this dysfunction is simple. Immigration courts have no authority over immigration enforcement agencies. Unlike federal district courts that have U.S. marshals, among others, to execute their orders, federal immigration courts have no such muscle.

Numbers tell the story.

Some 11 million illegal aliens now live in the U.S. Visa overstayers—those who entered America legally and then refused to leave—comprise 40 percent of this total. The rest crossed unguarded borders and entered illegally. Both groups brought children with them. From these two populations, 1.2 million deportation orders remain unexecuted.

The immigration courts observed this dysfunction first hand. From 1996 through 2012, the U.S. permitted some 2.2 million aliens to remain free before trial. Nearly 900,000 of these individuals—39 percent of the total—skipped court and disappeared.

In the shadow of 9/11, things were even worse. From 2002 through 2006, half of all aliens free awaiting trial vanished. Nothing in the details now being debated addresses this systemic defect, and continued neglect will only diminish public support for worthy initiatives intended to elevate the foreign-born.

Fine improvements dot the present legislation. Enhancements that protect lawful American workers, recruitment of the highly skilled into our tech-driven economy, and real-time tracking of visa holders into and out of ports of entry provide overdue fixes.

Emphasis on border security demonstrates a seriousness absent from earlier proposals. Those illegally brought to the U.S. as children—better known as “Dreamers”—earn tracks to citizenship incentivized through higher education and military service.

Now, let me editorialize here. There are two paragraphs where he says good things about this legislation. I do not necessarily agree with a couple of those points.

Now continuing to quote:

Some reworking is needed; but this value-added approach appeals to our better instincts as a nation. Problems persist, though, in that essential mechanism upon which a rule of law nation depends: effective courts.

While the bill authorizes 225 new judges, judicial authority declines. Deportation orders are further enfeebled. Aliens deported from the U.S. may apply to come back, and the thousands who skipped court can request a waiver—and get in line with the many who played by the rules.

Fraud is enabled. Courts and immigration agencies alike will be required to accept—

without independent verification—aliens' claims to work and residency that make them eligible for the path to citizenship.

Constitutional protections are turned upside down.

Here I editorialize. Listen to this on how our laws are turned upside down. Continuing to quote:

Aliens in civil deportation proceedings will receive counsel on demand, while citizens receive counsel only when facing criminal charges and only after proving they are indigent.

So again editorializing, it gives more constitutional rights and more legal counsel than the common criminal in this country might get.

Order is subverted. Even felons who are subject to deportation may seek injunctions that allow them to remain in the U.S. In the end, courts that spent years deciding the cases of those who should be removed will see their orders overturned by waivers that mock the judicial process.

America's immigration courts express fundamental confidence in those who embrace our shores and the redemptive power of our democracy. For the immigrant in particular, they reveal the beginnings of accountability that are a surety of our exceptionalism.

But ignored by administrations both Republican and Democrat, these courts have ceased to do the critical work for which they were created—to definitively decide the claims of those who ask to join our nation and see that those decisions are impartially enforced.

So now, instead of debating how we extend the great prize of American citizenship to more of the world's bright and talented, Congress argues whether felons should be deported. This is the small-ball politics that has sabotaged public confidence in immigration. It shows how far we have fallen both in the mission of these special courts and with immigration in general.

Courts without authority cannot provide order. Even less can they assure liberty.

Only independent and empowered courts are an equal match for the certain risks and superior opportunities that American immigration offers. History proves them not just a priceless check against tyranny, but also an effective antidote for drifting government agencies that delay relief to the deserving and deny sanction to the offender.

Such courts are a necessary complement to immigration reform that is inclusive, accountable and commands consensus.

That is the end of the article in the Des Moines Register by this former immigration judge, Mark H. Metcalf.

I thank my colleagues for listening to this, and I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I rise today to discuss S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act.

From the very beginning of this debate, I have said that our Nation needs immigration reform. I have also urged Senate leadership to ensure that the Senate has ample opportunity to debate this bill, amend it, and take the hard votes necessary to make the bill as good as it can be. To ignore this problem and to do nothing to change the status quo would be a disservice to the American people and a great detriment to our country.

I have also said throughout this process that in order to enact meaningful,

comprehensive immigration reform we have to strengthen border security. It is true that the border security portion of the underlying bill needed significant improvement. Through the hard work and negotiations led by my colleagues Senator HOEVEN and Senator CORKER the border security portion of this legislation has been addressed, and for that reason I can support this bill.

The Hoeven-Corker amendment, which I cosponsored, adds 20,000 additional Border Patrol agents to the southern border. It requires twice the original amount of fencing along the border—700 miles total, to be exact—and requires the Department of Homeland Security to implement a border fencing strategy to help ensure that the fence is an effective deterrent. It also mandates that the E-Verify system be fully implemented before any registered provisional immigrant can adjust their status. This will help make sure businesses have a safe and legal workforce. And the amendment requires an electronic entry-exit system at all international air and sea ports of entry where U.S. Customs and Border Protection officers are currently deployed.

By increasing and enhancing security efforts at our borders, by using new technology that will allow us to better monitor activities at our borders, we will ensure that those who are here are here lawfully and that they have the opportunity to thrive and succeed, just like many generations of American immigrants have done.

To do nothing now amounts to de facto amnesty for 11 million people who are already here illegally. We must take action to prevent further unlawful entry. The current system is backward, and it is broken.

This legislation represents a product of many long hours of debate, discussion, and deliberation in this body. It addresses a problem in our country that requires dramatic change and meaningful reform. While this bill is just one step in the process, it is a step in the right direction. It takes into consideration the necessity of securing America's borders, while encouraging the lawful immigration of those who would come to our shores to contribute to America's greatness, as immigrants have done since our Nation's founding.

In the past, attempts to reform our immigration system failed due to a process that was neither transparent nor fair.

But from the Judiciary Committee proceedings to today, the Senate has had ample opportunity to debate this legislation and amend it. As a result, we have a bill where the good far outweighs the bad. With this legislation, we can address the 11 million undocumented individuals living in the country under de facto amnesty. We can finally secure our borders and stop more people from living here illegally. We can fix a system that has been broken for decades once and for all.

We can continue to maintain the smartest, hardest working, most cre-

ative workforce in the world. Fighting for what you believe in and working with Members from both sides of the aisle does not mean you are turning your back on your principles. Democrats and Republicans can find ways to work together and pass legislation this great Nation deserves. Republicans can do so and still stay true to their conservative principles.

No question, this has been a contentious debate. My constituents feel strongly about this issue on both sides of the spectrum. Some reporters in Nevada like to harp on the fact that my work to find a solution between Democrats and Republicans has been politically motivated. One such reporter even resorted to describing my actions in racially insensitive terms.

The bottom line: The easy thing to do politically is nothing. The harder choice is to govern. We must remember that long before America was the great Nation we are today, before we were the world's greatest economy, a military superpower, a global champion for democracy that has forever changed human history, America was merely an idea. America began as an idea in the hearts and minds of a persecuted minority that longed for freedom and the opportunity to decide for themselves what their destiny would be. That idea was brought here by immigrants who crossed the oceans and devoted themselves to the formation of a free society unlike any the world had ever known.

America has always been a Nation of immigrants. That heritage is one of the defining aspects of our national success story. When I think about a true American immigrant success story, I think about one of my constituents back home, Mr. Carlos Pereira. Carlos came to America from Peru in the 1990s. He and his wife Kathia set out to build their very own bakery. But they wanted to build more than a bakery, they wanted to build a new life for themselves and for their children. They did just that. They built a bakery with their bare hands. They laid the bricks and hammered the nails, and after a lot of long nights and hard work, they built Bon Breads in Las Vegas. Today, their company is a world renowned, internationally respected enterprise, and their products are used by chefs and restaurants all over the world. Bon Breads is responsible for creating hundreds of jobs in Nevada, and is a perfect example of what our immigration system should encourage.

Carlos' hard work, dedication, and perseverance allowed him and his business to succeed in a way that would be impossible in many other countries today. I have three naturalized citizens on my staff about whom I can say the exact same thing. That is a true immigrant success story. That is the kind of potential we can unlock by fixing what is broken with our current system.

We can improve our economy, create jobs, and strengthen our Nation as a whole with this immigration reform

bill or we can choose to protect the status quo, do nothing to fix the overall problem. This bill is a step forward toward much-needed reform to our immigration system. It is true to the American idea that has defined our Nation since its founding, the idea that is inscribed on the Statue of Liberty, welcoming the tired, the poor, and the huddled masses, yearning to breathe free.

Former Secretary of State Condoleezza Rice made a profound statement recently, that in America it does not matter where you came from, it only matters where you are going. Our immigration laws should embody that principle and enable good hard-working people to come here, study hard, start businesses, raise families, and contribute as productive citizens. The bill before us is a good step toward preserving that idea.

I urge my colleagues to join me in supporting this immigration reform bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that after the Senator from Massachusetts makes his remarks that Senator GRASSLEY be recognized, then I be recognized after him, and then Senator Kaine, those four in that order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado.

Mr. BENNET. Mr. President, I know the Senator from Massachusetts is here, and I look forward to hearing his farewell. Before he does, I wanted to say thank you to the Senator from Nevada for his work on this bill, for getting us to a bipartisan result, for helping us grow the vote, and for the statement he made about surely not one of us would have written the bill exactly the way it is written. But there is much more that is good about this bill than not. I am grateful for his support. I thank the Senator.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. COWAN. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAREWELL TO THE SENATE

Mr. COWAN. Mr. President, I rise today in my final full work week and not yet 150 days into my Senate career, yet at the precipice of the close of that career. On January 30 of this year, Governor Deval Patrick sent me to this Chamber to represent the people of Massachusetts and their interests.

Yesterday, on June 25, those same people took to the voting booth and called me home. In doing so, they called Senator-elect ED MARKEY to the high honor of serving this august body. After 37 distinguished years in the House, Senator-elect MARKEY now has this opportunity to offer his voice, wisdom, accumulated experiences, humor,

esprit de corps, and tireless commitment to justice and equality to the Senate. I, for one, believe that Massachusetts and the country will be better for it. Like a majority of Massachusetts voters who expressed themselves yesterday, I am quite confident Senator-elect MARKEY will serve with distinction and act in the best interests of the citizens he is now privileged to represent.

The Senator-elect bested a strong candidate who brought a new voice and, yes, a new visage to the Massachusetts political scene. I applaud Gabriel Gomez on a well-run campaign and, most importantly, his willingness to sacrifice so much in an effort to serve the people of the Commonwealth. He started this journey as a relative unknown, but I suspect we have not heard the last of Mr. Gomez. I thank him and his family for their sacrifices and their willingness to engage.

When it comes to farewell speeches, few will top the words offered by John Kerry on this floor a few months ago. After 28 years of distinguished service to the people of Massachusetts, now-Secretary Kerry spent nearly an hour reflecting on his service to this body. By the same measure, as merely an interim Senator serving but a few short months, I probably should have ended my remarks about 45 seconds ago. But before I yield, I will take a few minutes to reflect on my brief time in this body and extend my gratitude to a number of folks.

First, I want to acknowledge and recognize the outstanding staff members in Boston and DC who have helped me serve our constituents to the best of my ability. When Governor Patrick named me as interim Senator, a few people—okay, more than a few—openly questioned whether I would be up to the task and whether I was capable of accomplishing anything other than locating the lavatory during my temporary assignment. But I knew something those doubters did not know. I knew I was going to be able to do my best for the folks back home because I came to the Senate armed with the knowledge of the issues by dint of my time in the Patrick-Murray administration. I planned to make a few key hires and convince the bulk of Secretary Kerry's Senate staff to stay on and help me do the job the Governor sent me to do. In other words, I knew what I did not know, but I knew enough to hire the people who knew the considerable rest. Boy, have they proven me a genius. If you work in the Senate but a day—and I suspect the same is true in the House of Representatives—you will learn quickly that staff make this place hum, and good staff make all the difference in the world. I hope my team will forgive me if I do not list them all by name, thereby avoiding the sin of omission, but, instead, all of the staff will accept my heartfelt appreciation for their willingness to join my team, show me the ropes, teach a new dog some old tricks,

educate me on all of the rules that matter, which seem to be written nowhere, and their exhibition of degrees of professionalism and service to our country that the public too often thinks is missing in their Congress.

To my entire staff, I have been in awe at your greatness. I am forever in your debt for your immeasurable contributions to our work in the interests of Massachusetts residents. I look forward to your many successes yet to come.

To two of my team in particular, Val Young, my chief of staff, and Lauren Rich, my scheduler, who have known and worked with me for years, thank you for your continued willingness to partner with and trust in me.

If I am being honest about the people who helped me look as though I belong here, I must spend a moment or two acknowledging the wonderful women and men who comprise the Senate staff. From the Capitol Police, who protect us every day and somehow knew my name on the first day, to the subway operators who always deliver us on time and unfazed, to the elevator operators who excel in the art of cutting off reporters and their annoying questions, to the cloakroom staff who field every cloying call about voting schedules and presiding hours, to the clerks and Parliamentarians who discreetly tell you what to say and do as presiding officer while the public in the gallery silently wonders why everyone addresses you as Mr. or Madam President while sitting in that chair, to the generous food service staff who look the other way when you go back for seconds and sometimes thirds, and to so many others who are the oil that makes this engine hum, each of you has shown me such patience, support, and grace that I know your love for this institution may trump even the Members' affection for this place and will sustain the institution long after any one or all of us leave this Chamber. You are tremendous resources for every new Senator, and I suspect great comfort to even the longest serving among us. The public may not know you by name or know the importance of your work, but now I do. I have been honored to serve you.

The next folks I recognize are the youngest and most silent among us. Of course, I speak of the pages, the young women and men who spend part of a high school year dressed and acting in formal traditions of this body. I have yet to speak with an uninteresting page or a page uninterested in the Senate and our government. These are dynamic young people who could be doing so many different things with their time but they give their time and service to the Senate and its Members. They are indispensable to both. I look forward to the day when my young boys will be of age to follow in the footsteps of these outstanding young people.

Last, and by no means least, I want to thank the family and friends who supported my family and me during my

short tenure. We often say it takes a village to raise a child, but I can attest it also takes a village to help an interim Senator meet his duties at Congress and at home. Whether offering me a spare bedroom in Silver Spring or agreeing to last minute babysitting duties so my wife and I both could celebrate Black History Month at the White House, our village is vast and generous. Of course, every village needs a queen. The queen of my village is my wife Stacy. I was able to serve because she was willing to be mom and dad and sacrifice in ways known and unknown while I have been in DC. Over the past few months, I have missed many homework assignments, some birthday dinners, pediatric appointments, school performances, and parent-teacher meetings, but our sons never felt their dad was absent and unaccounted for because their mom, a supermom, more than made up for my absence.

Stacy has been my rock and salvation for nearly 20 years now. I am better every day for it. Let the record show for now and all time my love and dedication to Stacy.

In January of this year I planned to leave the Deval Patrick administration and transition back into private life. I was looking forward to more conventional hours, a reprieve from working under the public scrutiny of the press, and spending more time with my wife and our young son. So I came to the Senate. Go figure.

I was surprised, but deeply honored, when Governor Patrick sent me here to represent the folks back home. I am eternally grateful to the government's faith and trust in my ability to serve. This floor on which I stand today and with which I have become so closely acquainted over the last 5 months has been occupied by some of the most dynamic and greatest political figures of our Nation's history.

From my own State of Massachusetts alone: Adams, Webster, Sumner, Saltonstall, Brooke, Kennedy, all who held a seat in the Chamber before me, are enough to make any person feel daunted when assuming a desk on this floor.

I was appointed to the Senate to fill the seat of another great Senator, John Kerry, and work alongside another great Senator, ELIZABETH WARREN.

Thank you for being here, ELIZABETH.

Although my time was short, I only sought to uphold not only Senator Kerry's legacy in this body but the work of all of the esteemed Senators who have dedicated their service to the Commonwealth of Massachusetts, and I pledged to be the best partner I could to Senator WARREN.

I entered the Senate at a vexing time in this body's history. As we all know, congressional approval levels are dismally low. People across the Nation and political pundits everywhere believe partisanship is a divide too wide to bridge and a wall too high to overcome. Yet despite the overwhelming public pessimism, I came to Washington with two achievable objectives:

to serve the people of Massachusetts to the best of my ability and to work with any Senator willing to implement smart, sensible, and productive policy to advance the ideals of our Nation.

From the outside, the prospects for bipartisanship may seem slim. Party-line votes are the norm. The threat of the filibuster demands a supermajority to pass meaningful legislation. The American people have come to believe Congress is more committed to obstruction than compromise.

To the everyday observer we have reached a standstill where partisanship outweighs progress and neither side is willing to reach across the aisle for the good of the American people.

What I have encountered in the Senate is not a body defined by vitriol but one more defined by congeniality and common respect. That began before I even started here.

On the day the Governor announced my appointment, I was pleasantly surprised to receive calls on my personal cell phones—I still don't know how they got those numbers—from Senators KING, HAGAN, and CARDIN. I had the pleasure of receiving warm welcomes from Majority Leader REID and Republican Leader MCCONNELL, among so many others that first day.

One of the first persons to congratulate me after Senator WARREN and Secretary Kerry escorted me for my swearing in was my colleague from across the aisle, Senator TIM SCOTT. Since then Senator RAND PAUL and I have recounted our days at Duke and our affection for college basketball.

On a bipartisan congressional delegation to the Middle East, I traded life stories and perspectives with Senators KLOBUCHAR and HOEVEN and discussed the comedic genius of Will Ferrell with Senators GILLIBRAND and GRAHAM.

Senator PORTMAN stopped by my Commonwealth Coffee last week to wish me well as I leave the Senate. He encouraged me every day during my time here.

Senator BURR, my next-door neighbor in the Russell Building, has always been good to remind me that I came from North Carolina before I had the privilege to serve in Massachusetts.

Senator MCCAIN invited me to co-sponsor my first Senate resolution.

Senator MANCHIN has shown me more kindnesses than I can count.

The freshman Senators on both sides welcomed me to their class and offered never-ending encouragement.

Indeed, one of them, HEIDI HEITKAMP, has become the North Dakota sister I never knew I had.

I wish I had time to recount every kindness each of the other 99, including the late Senator Lautenberg, gifted me while here, but I don't. Each has been recorded indelibly in my memory and is returned with gratitude.

In April I experienced the very best of this body's character in the wake of the Boston Marathon bombings when Members from every corner of this Nation extended their sympathies, their

prayers, and pledged their assistance and support for the city of Boston and to all those affected by that tragedy. In the aftermath we all came together as Americans to honor those killed and to support the wounded during their time of recovery.

We saw the same in the wake of terrible tornadoes that swept through Oklahoma.

Upon closer inspection, it is clear all of us here have common bonds and share similar goals. If only we are willing to seek out those bonds and focus on the goals that are in the best interests of our Nation.

While we may not agree on every policy, every line item, or every vote, we have each embraced the role of public servant, committed to improving the country we have pledged to support and defend. As I have discovered in my time here, there is more opportunity for cooperation than the American public might believe. This cooperation has led to some noted successes.

Thanks to the bipartisan work in the Agriculture Committee and on the Senate floor, we were able to send a farm bill to the House. Through the joint leadership of the so-called Gang of 8, we are debating right now a workable approach to comprehensive immigration reform. We have confirmed five Cabinet Secretaries.

In what will remain the most memorable all-nighter of my Senate career, through a marathon session and more votes in one night than most interim Senators have in a career, the Senate passed a budget. Now we anxiously await the urgent opportunity to conference with the House.

I have seen progress, and I remain a true believer in the democratic process, the core functionality of our government endowed to us by our Founding Fathers so many decades ago. I remain a true believer in the Senate's system of government and the Senate's role in that system.

If I have been asked a question any more frequently than: What are you going to do next, MO, it has been: Is our system of government broken? Is Congress broken?

I have answered truthfully each time: No, our system of government is the greatest ever known and the best example of democracy in human history.

The genius of our Founding Fathers is on display every day on Capitol Hill, in every State capitol, and every city or townhall across this Nation. Part of the Founders' genius was the birth of the government designed to function as the people needed it to but function only as effectively as the privileged few empowered within it want it to work, or as Secretary Kerry himself said best a few months ago in his final floor remarks:

I do not believe the Senate is broken. . . . There is nothing wrong with the Senate that can't be fixed by what's right about the Senate—the predominant and weighty notion that 100 American citizens, chosen by their neighbors [or Governor, in my case] to serve

from States as different from Massachusetts and Montana, can always choose to put parochial or personal interests aside and find the national interest.

What an awesome responsibility and privilege.

In my scant 5 months I have seen the promise of those words realized in more ways and in more interactions than the public, unfortunately, has had occasion to witness. I believe in that unlimited promise still.

I also have been part of history while I was here. With my appointment, in coincidence with the appointment of Senator SCOTT, two African Americans are serving in this body concurrently for the first time in our Nation's history.

Senator SCOTT and I are, respectively, the seventh and eighth Black Senators to serve in this body. While I believe this number to be far too few, I am also hopeful that it is a sign that these United States will soon be represented by a more diverse population that more closely reflects the diverse country that we are and the diversity of opinions that exist across and within our diverse Nation.

With different perspectives, different backgrounds, different races, religions, and creeds, we are better equipped to confront the issues that face our vast and changing Nation. America has always been and always will be a nation of immigrants, where religious freedom is in our DNA, where more and more we are chipping away at the barriers preventing us from achieving true marriage equality, and where people worldwide still yearn to reach our shores to enjoy our freedoms.

A Congress that is more reflective of this America, as this Congress is becoming, will be good for America.

Finally, I offer my heartfelt gratitude to the people of Massachusetts. Not one person was given a chance to vote for or against me, but I have gone about my work every day as if they had. I came to this body beholden to Massachusetts, her residents, and the country only, and leave confident that I have stayed true to that honor.

Ladies and gentlemen of the Commonwealth, it has been a true honor and privilege to represent you as your junior Senator in the Senate.

With that, this will likely be the final time I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I will be brief.

I appreciate very much the remarks of Senator COWAN. The only thing he said that I disagree with is: No one had a chance to vote for him to get here.

There was one big vote that was very important, a man by the name of Deval Patrick. Once he made that decision, you were our Senator as well as the Senator of Massachusetts.

I, of course, know Deval Patrick. We all saw him at the convention giving his brilliant speech. He was swarmed with people giving him advice as to

who he should select to replace Senator Kerry. He called me and said: Don't worry about it. I am going to select the best person from the Commonwealth of Massachusetts to represent Senator Kerry's seat for the interim.

He was right, and I have told Governor Patrick on the telephone. A couple of weeks ago I said: Make sure to call Governor Patrick for me—because I know they are good friends—and tell him I told you how much we all admire you.

In the Democratic caucus yesterday, this good man didn't get one standing ovation, he received two. This is rare. He got that because he is a genuine person. He came here now and talked about the goodness of this body. We need more of that.

Senator COWAN, thank you very much. I admire you. I know in the paper today you said that you are always going to be MO, but to me you are always going to be Senator COWAN.

The PRESIDING OFFICER. The Senator from Massachusetts—the Senator from Oklahoma.

Mr. INHOFE. May I interrupt for a parliamentary inquiry?

Mr. President, first of all, we are operating under a unanimous consent request, and I would ask if we can modify that to hear from the Senator from Massachusetts and then revert back to the unanimous consent request that has been granted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. WARREN. I thank the Senator from Oklahoma. I will be brief.

Ms. WARREN. Mr. President, for 4 months I have had the privilege of serving alongside my good friend MO COWAN. From the time he was sworn in, MO hit the ground running. Even though his time here was short, MO has been a committed and strong advocate for the people of Massachusetts and here in Washington.

As former chief of staff to Governor Patrick, MO brought to the Senate a deep knowledge of the issues facing our Commonwealth. Through his committee work and his outreach to his constituents, his careful consideration of important national issues, he has worked tirelessly to ensure that the interests of the people of Massachusetts are well represented and the people of America are well served.

He has built great relationships and earned the respect of our colleagues on both sides of the aisle.

I very much enjoyed getting to know MO's wonderful family: his smart, talented, and patient wife Stacy and their two young boys. I am sure Grant and Miles are looking forward to having their dad closer to home again.

MO has been a dedicated public servant, and his time in the Senate only adds to his fine record of service on behalf of the people of the Commonwealth. It has been an honor to work together with MO fighting together for Massachusetts families. I wish him and I wish his family the very best. It has

been an honor to be a partner of Senator COWAN in the Senate.

Thank you, MO.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. GRAHAM. Would the Senator yield for a second? I hate to interrupt.

Mr. INHOFE. Go ahead.

Mr. GRAHAM. I will buy the Senator's book.

May I have 1 minute to say something about our departing colleague because I may not be able to get back. Literally, 1 minute.

Mr. INHOFE. Yes.

Mr. GRAHAM. I appreciate that, I say to the Senator.

I would like to say to Senator COWAN, "MO," from Massachusetts: I haven't known you very long, but I have found you to be someone who has been, quite frankly, very earnest in their time in the Senate, very smart, and a lot of fun. We got to travel to Egypt, to Turkey, to Israel to see some of the more dangerous places in the world, and I just want to let the people of Massachusetts know that I have met a lot of colleagues in my time here, but this is one fine man. I wish you all the best. I have learned a lot from you. I know you are originally from North Carolina. That is probably why we hit it off. I have learned a lot and I have laughed a lot. You are a fine man and we wish you well. I hope that maybe public service is in your future, but whatever you do, I know you will do it well. God-speed.

Mr. INHOFE. Mr. President, let me just say kind of the same thing. I had occasion to research Senator COWAN. I do this because one of the things I enjoy doing every Wednesday morning, when we have our Prayer Breakfast, is introducing those who are speaking. He was speaking. When one researches someone like him and you find things out, you kind of redevelop a love for everyone, and I wonder: Are you sure you are in the right place here? I have to question that.

But I hold you in the highest regard. I am very familiar with how you tick, how you think, what you said, and we will miss you in this place. Thank you so much.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, we have a unanimous consent request. Senator GRASSLEY was going to be next, and I will go ahead and take his time.

The unanimous consent request was that I be recognized as in morning business for such time as I shall consume.

Let me share a couple of things. First of all, I am looking forward to serving with the Senator who was elected yesterday. I think he will find out something that I found out when I was first elected to the Senate after serving for several years in the House of Representatives: It is a more civil place. It is a place where we can have differences of opinion, where we disagree with each other, but we do so in a very friendly way.

I am actually looking forward to that because there have been times when our discourse, our discussions with each other were not friendly, but I think it will turn out to be a total change. I wish to get on record to say that I am looking forward to serving with our newly elected Senator from Massachusetts.

I look forward to being with him, although I think he has every reason and opportunity to change his mind on some of the positions he has taken in the past.

Let me share something I didn't say when I had the floor yesterday and was talking a little bit about President Obama's talk. There were four things that I didn't hear, and I am going to repeat them. They are statements that were made by President Obama talking before an audience.

I have to say I truly believe I know the reason for this long talk that he gave yesterday, because he had served for 4 years. He knew his far-left base was demanding some type of cap and trade. He knew he didn't have the votes to pass it. So he was not able to push that, knowing before the election, if this came out, what kind of a tax increase this would be on the American people. So he waited until after the election, and that is what we heard yesterday.

Some of the things he said were a little bit insulting, but I can handle that. He said he lacks "patience for anyone who denies that this problem is real." He is talking about global warming. He is trying to revive global warming.

I say revive because it is interesting that when it started out 12 years ago it was global warming. Remember Kyoto? That is what it was all about, the Kyoto treaty. In fact, they came back from Rio de Janeiro and the treaty was never submitted by President Bill Clinton to the Senate for ratification. The reason was the votes weren't there. So time went by and they decided, since it is not warming and we want to keep this thing alive and we want to do all we can to destroy CO₂ in our society, let's call it something else. So they called it climate change. A few other titles came along in the meantime. For the first time it has now reverted back, after several years, to global warming.

Some of the statements he made were: "We don't have time for a meeting of the Flat Earth Society," and "sticking your head in the sand might make you feel safer, but it's not going to protect you from the coming storm." Listen to this:

The 12 warmest years in recorded history have all come in the last 15 years. Last year, temperatures in some areas of the ocean reached record highs, and ice in the Arctic sank to its smallest size on record—faster than most models had predicted it would. These are the facts.

Those aren't the facts. That is not even true, but it is interesting we would be trying to revive this. I know there are a lot of people all excited out there who have said: Oh, for the last 4

years we haven't said anything about global warming. Now we are talking about it and now something is going to be done. I would like to quote this from the Economist:

Over the past 15 years air temperatures at the Earth's surface have been flat while greenhouse-gas emissions have continued to soar. The world added roughly 100 billion tonnes of carbon to the atmosphere between 2000 and 2010. That is about a quarter of all the CO₂ put there by humanity since 1750.

Of course, we know that is true because we know the major surge came in the 1940s following World War II.

Continuing to quote the article, which quotes James Hansen, who is one of the major movers behind this whole thing—the global warming movement:

And yet, as James Hansen, the head of NASA'S Goddard Institute for Space Studies, observes, "the five-year mean global temperature has been flat for a decade."

This is a guy on the other side who has always been held up to be the authentic knowledgeable person.

Here is a quote from the NASA Goddard Paper from January of this year:

The five-year mean global temperature has been flat for a decade, which we interpret as a combination of natural variability and a slowdown in the growth rate of the net climate forcing.

A quote from Reuters in April, 2013:

Scientists are struggling to explain a slowdown in climate change that has exposed gaps in their understanding and defies a rise in global greenhouse gas emissions. . . . Some experts say their trust in climate science has declined because of the many uncertainties. The UN's Intergovernmental Panel on Climate Change (IPCC) had to correct a 2007 report that exaggerated the pace of melt of the Himalayan glaciers and wrongly said they could all vanish by 2035.

All that sounded good at the time, but it was a lie. Still quoting from the article:

"My own confidence in the data has gone down in the past five years," said Richard Tol, an expert in climate change and professor of economics at the University of Sussex in England.

I could go on and on. Yesterday on the floor I talked about Richard Lindzen with MIT, considered by many people to be the foremost authority on climate anywhere in the country, and he is talking about what the motive is behind people to promote this thing. He said controlling CO₂—and I am quoting from memory now—is a bureaucrat's dream. If you control climate, you control life. That is exactly what we were talking about at that time, and it was true.

We have covered all these things, and I have said for several years now that people understand the science isn't there. I can remember some of my Republican friends got upset with me because I often said good things about Lisa Jackson. Lisa Jackson was the first Administrator of the EPA under President Obama, and she is, of course, a liberal and all of that. But she has a propensity for telling the truth, and that is all I ask for in people who are serving in public office. In fact, she has

done that, and I wish to share one thing with my colleagues.

When they are unable to pass any kind of cap-and-trade bill—and keep in mind the last time they tried to do it was the bill that was introduced by two House Members, one of whom was elected to the Senate yesterday. In that cap-and-trade bill, people realized what the size of the tax increase would be and it went down in flames. So when the big U.N. party—by the way, when I talk about the U.N.'s Intergovernmental Panel on Climate Change—the IPCC—that is something a lot of people don't know about. That is the United Nations. They are the ones that put that together to fortify their position that we need to do something to equalize the wealth of nations worldwide.

In fact, I wrote a book about that. I would not ask anyone to buy it because that would be inappropriate, but I will loan it to you, if you want to read it, and I cover that in a lot of detail. But on this subject, I asked Lisa Jackson the question, right before going to Copenhagen—and Copenhagen is the biggest party of the year.

I am going to wind this up, and I will continue this later, but I would only say the science is not there, with what they were talking about yesterday. I think I pretty much made the point I came to make.

But returning to Lisa Jackson, right before everyone was going to Copenhagen—and remember, IPCC is part of the United Nations and once a year they throw a big party. Friends of mine, I can remember one from Africa showing up at one of these parties and I said: You don't believe all this global warming stuff, do you? He said: No, but this is the biggest party of the year. So they all show up.

At that time—I am not sure where it was, but the time I am talking about, 2 years ago, it was in Copenhagen. So I said, right before I left for Copenhagen to be a one-man truth squad there, I said to Lisa Jackson, the Administrator of the EPA serving at the time, in a hearing we had: I have a feeling once I leave town, since you can't pass any kind of cap and trade, you are going to try to do it through regulation and you are going to have to have an endangerment finding, and when you have an endangerment finding, it has to be based on some type of science. What science are you going to use? She said: The IPCC, the Intergovernmental Panel on Climate Change—the United Nations.

As luck would have it—it wasn't months after it or weeks after that—hours after that Climategate came in and they were exposed for lying about the science for all those years. So the timing could not have been better.

I would only say I am glad this issue has opened up again because I had a dusty old file on climate change I haven't used for 5 years and I have gotten it out and we are ready to use it again. I just hope the American people will look at the beautiful political

speech made by the President yesterday for actually what it is.

Let's keep in mind the cost of this anytime we want to go into the extreme position of saying that CO₂ is the cause of climate change or of global warming. We are talking about a tax increase to the American people. One of the Senators stood after I said this yesterday and said there is no evidence of that yet. That was the Wharton School of Economics and MIT that came out with those figures.

The last thing I will say, God is still up there and climate is going to change and it has. I can remember studying this—and going from memory now, not reading anything—and reading about the first time they came out with this fact that we are all going to die because the world is going to freeze over. That was in 1895. In 1895, they talked about this disaster that was coming upon us—the coming ice age, they said. Then, in 1918, all of a sudden the climate started getting warmer. It was going through these cycles. It has been happening since the beginning of time. It got warmer. That is when global warming first came up, in 1918.

Then, in 1984, the next cycle came in, and that was a cold cycle. But listen to this, because what is interesting about this is in 1944, after the Second World War, we had the largest surge in CO₂ in our country's history. It precipitated not a warming period but another cooling period, which lasted until 1975. Then, of course, another warming period came in, which I disagree with all the statements that were made—certainly by the President yesterday and by many of the Members of this body—now we are precipitating going into a leveling off and perhaps a warming period.

So it is going to be changing, and it is a little arrogant for us in this country to look at these God cycles up there and say we can do something to change that because we can't. It is a beautiful world we are in, and we are going to try to make it better, but we don't need the largest tax increase in America's history to make it better.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The senior Senator from Iowa.

Mr. GRASSLEY. Mr. President, the only unanimous consent request I am going to make is at the end of my remarks I will ask for inclusion of something in the RECORD.

I wish to share with the public what is taking place on the immigration bill before us. Unfortunately, very little is taking place. We have been on the floor of the Senate considering this bill for 2½ weeks, and only 13 amendments have been disposed of. We have had nine rollcall votes on amendments, and three of those amendments were tabling votes. Yet over 550 amendments have been filed to this bill. Senators are still filing amendments. The fact is less than 3 percent of all amendments filed have actually been considered. For a process that was labeled as "fair

and open," with the invitation to file amendments, even from the people who wrote the bill, the Gang of 8, it has become laughable.

Our side has been asking for votes. We have tried to call up amendments. Last night we sent a list of 34 amendments over to the majority and requested votes on them. I am told they have refused that list, and I think it is because there are some tough votes on those amendments. They want to limit the number of amendments that can be considered. They want to choose the amendments. In a sense, they want to tell Republicans which amendments we can offer from our side.

That is not right. I am very disappointed not just for myself but for a lot of other Members of the body. There is no deliberation. It seems as though there is no path forward to have votes to make the bill better. And, of course, this isn't the way to legislate. Immigration reform is an important matter. We have to get it right. We shouldn't rush a bill just to get it done, especially if we are going to pass a bad bill. This bill shouldn't be rushed if we are getting it wrong. We have to get it right. It is unfortunate that what has happened on the floor of the Senate—9 rollcall votes out of 550 amendments, and counting, that have been filed. So much for the world's greatest deliberative body.

Immigration reform hasn't been debated on this floor since 2007, and as far as I can remember, a major piece of legislation such as this on immigration hasn't passed the Senate since 1986.

It may seem that we have been on the bill for a long time. Compared to a lot of other issues, it has been a longer time. But most of the time has been spent delaying actual debate and consideration of amendments, while Members craft a grand bargain compromise behind closed doors. Of course, that has been adopted at this point in the process.

Unfortunately, it appears this bill has been precooked, deals have been made, and apparently having an open debate on amendments to the bill isn't part of that deal on any more than the few amendments we have discussed—particularly those amendments that could substantively change the underlying bill for the better. So we get the impression that, sorry, the kitchen is closed.

What has happened? We are supposed to be the most deliberative body in the world. We pride ourselves on that. But now we are going to rely on the House of Representatives to do our job to be deliberative and to fix this legislation. I have great hopes when this process is done through conference that I can vote for a bill that will go to the President of the United States.

As I have said before, the Judiciary Committee markup was full and open, and I have complimented Chairman LEAHY many times on that point. It is too bad that process couldn't have been carried out here on the floor of the Senate.

Whether members were pleased in committee with the vote results for their amendments, in committee the members at least had the opportunity to offer amendments for debate and consideration. Amendments were debated. Amendments were voted on. But that hasn't been the case in the last 2½ weeks here on the Senate floor.

We have tried to offer amendments to this over 1,000-page-long bill. The majority is shutting us out. They have gotten the votes they need to pass this bill through Members getting their favorite amendments into the bill, and some of these seem to me to be special interest provisions and some of them tend to be like the cornhusker kick-back sweeteners of ObamaCare fame. Now we are getting the door to the shop closed.

It is important for the public to know we have tried to make this bill better by trying to offer amendments. We have given the other side a list, and I think it has been flatly refused. It is not too much to ask for this number of amendments to be considered. That list had 34 amendments—that is 34 amendments out of 550 filed. Senators want to see a lot more amendments considered and voted on, but we have limited the number to 34.

I ask unanimous consent to have printed in the RECORD the list of amendments we asked the majority to consider before final passage.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1. Grassley 1570—gangs
2. Vitter-#1577 or 1578—moves trigger in Corker-Hoeven before RPI
3. Vitter—Strike Amnesty (#1474)
4. Vitter—Voter Integrity Protection Act (#1290)
5. Vitter—Child Tax Credit (#1289)
6. Vitter-1473—no RPI status for convicted drunk drivers
7. Vitter-1445—WIRE Act
8. Vitter—Sanctuary Cities 1291
9. Vitter—VAWA 1330
10. Inhofe-1560—Zadvydas, detention for longer than six months
11. Sessions-1607—interior enforcement
12. Lee-1593—permits CBP agents to access federal lands for immigration enforcement activities.
13. Lee-1210—absconders don't get RPI
14. Lee-1214—no sworn affidavits
15. Wicker 1606—sanctuary cities
16. Fischer 1594—English at RPI
17. Cruz-1579—replace title I with beefed up border security measures
18. Cruz-1580—Obamacare defunding if people are in rpi status.
19. Cruz-1581—proof of citizenship to vote
20. Cruz-1583—no citizenship
21. Cruz-1584—no benefits
22. Cruz-1585—H-1B increases
23. Cruz-1586—numerical limitations on permanent residents
24. Cornyn—1622—Strike RPI eligibility for domestic violence, child abuse, and drunk driving offenders; require interviews of criminals and previously deported
25. Cornyn-1619—Allow for national security and law enforcement application information sharing;
26. Cornyn—Human Smuggling
27. Toomey—increase W guestworkers
28. Portman-1634—E verify

29. Coats-1563—Triggers: High Risk at RPI and effective control before green cards

30. Hatch—back taxes

31. Coburn-#1616—Strikes judicial review, taxpayer funded lawyers and new DOJ Office of Legal Access Programs for aliens.

32. Coburn-#1612—Denies RPI to aliens convicted for domestic violence, child abuse, assault with bodily injury, violation of protection order, drunk driving, reduces allowable misdemeanors making an alien ineligible for RPI and eliminates the Secretary's ability to waive that provision.

33. Johnson—1 year application period

34. Johnson—EITC

Mr. GRASSLEY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I also wanted to mention even though I oppose the bill, I do think they have done a good job of trying to get some amendments out, particularly Senator GRASSLEY and Senator MCCAIN, who offered the opportunity to have my amendment. It was a good amendment. It was so good that the ACLU is scoring against it. Hopefully, we will get a chance to get those in.

The PRESIDING OFFICER. The assistant majority leader is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as if in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR MO COWAN

Mr. DURBIN. Mr. President, I was here on the floor when Senator MO COWAN gave his farewell remarks. He came to the Senate as an appointee to fill the spot John Kerry left vacant when he left to the Secretary of State's position. I can't think of a person who came to the Senate who has been so warmly received so quickly.

Senator HARRY REID made the comment that it is rare for a new Member—just 6 months of seniority—to get a standing ovation at his caucus lunch. MO COWAN got two yesterday, which I think is a tribute to the fact that we enjoyed his service and value his friendship, and will remember him for his fine representation of the Commonwealth of Massachusetts.

Mo Udall, a wise and witty longtime member of this Senate, famously said that once politics gets in your blood, the only cure is embalming fluid.

There is a lot of evidence to support that idea. But another MO—Senator MO COWAN—is an exception to the rule.

When he was appointed 5 months ago to fill the seat vacated by Secretary of State John Kerry, Senator COWAN said he was happy to serve his State—but only a new Senator could be elected to finish Secretary Kerry's term in this Senate.

Well, yesterday Massachusetts voters went to the polls to choose that new Senator. I look forward to Senator ED MARKEY joining this body very soon.

For now, I want to take a moment to thank MO COWAN for his service to his State, this Senate and our Nation.

Senator COWAN has served with wisdom, courage and civility. He has made

friends and allies on both sides of the aisle—no easy feat.

I have to confess, I was probably predisposed to like Senator COWAN because of his sartorial style. The last Senator to wear a bow-tie so regularly was my dear friend and political mentor, Paul Simon.

More admirable than Senator COWAN's sense of style, however, is his sense of fairness and decency and courage.

He has co-sponsored important bills including the Paycheck Fairness Act, the Violence Against Women Reauthorization Act, the Employment Non-Discrimination Act, and the Safe Chemical Act.

In the wake of the terrible murders of 20 little children and their teachers in Newtown, CT, Senator COWAN voted for sensible regulations to help keep weapons of war out of the hands of criminals and those with serious mental illness.

He voted for a budget resolution that would enable us to continue reducing the Federal deficit while still, meeting our obligations today and investing in a secure future.

I am particularly grateful to Senator COWAN for co-sponsoring a bill Senator ENZI and I have worked on for several years and which this Senate passed. The Marketplace Fairness Act will give States—if they wish to use it—a way to collect sales and use taxes in Internet purchases—taxes that are already owed but rarely collected. Massachusetts lost \$268 million last year because of the inability to collect these taxes.

He flew on Air Force One with President Obama and travelled to the Middle East with a bipartisan group of Senators to investigate the Syrian civil war.

Senator COWAN has also been a diligent defender of the people of Massachusetts. He and Senator WARREN have worked especially hard to protect their State's struggling fishing industry.

His service here was short, but his record is impressive. It is especially impressive considering the fact that before he was sworn in as a Senator, MO COWAN had never held a single elective position in his life.

WILLIAM MAURICE "MO" COWAN was born in a small rural town in North Carolina that he sometimes likens to the old TV town of Mayberry. His father died when MO was 16 years old. His widowed mother raised MO and his sisters on the money she earned as a seamstress, the equivalent of about minimum wage.

MO COWAN graduated from Duke University—the first person in his family to graduate from a 4-year college. He earned a law degree from Northeastern School of Law in Boston.

He earned a reputation as a very good lawyer and a mentor to other young lawyers in the Boston area, especially young lawyers of color.

Massachusetts Governor Deval Patrick convinced Senator COWAN to join his administration as his chief counsel

and later promoted him to chief of staff.

When Governor Patrick approached Senator COWAN about serving as Massachusetts' junior Senator until yesterday's special election could be held, Senator COWAN tried to persuade the Governor to choose someone else. Thank goodness he lost that debate.

MO COWAN is a young man—especially by Senate standards—just 44 years old. He was born on April 4, 1969. He came into this world 1 year to the day after Dr. Martin Luther King died.

With his appointment to the Senate, Senator COWAN became the eighth African American ever to serve in this body. He and Senator SCOTT made history—the first time that two African Americans had ever served in this Senate at the same time.

I think Dr. King would be pleased that we have made progress, but he would also remind us that we still have a long way to go in achieving a Senate that better reflects the American people, and he would be right.

I might add that the Supreme Court's ruling yesterday striking down parts of the Voting Rights Act means we may have to work even harder to make that possible. And I am committed to doing so.

On the day that Senator COWAN was sworn in to this body, he said: Days like today are what my mother spoke of when I was a kid, [and she said] that if you worked hard and did the right things and you treated peoples well, anything could happen.

Years from now, other mothers will teach that lesson to their sons and daughters—and they will be able to point to Senator COWAN as proof.

In closing I want to thank Senator COWAN's wife Stacy and their young sons Miles and Grant for sharing so much of their husband and father with this Senate.

To my colleague Senator COWAN: It has been a privilege to work with you.

Mr. President, I ask how much time is remaining?

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator has 6 minutes remaining.

Mr. DURBIN. Mr. President, what is pending before the Senate is a piece of history. For those who are witnessing this debate—whether in the galleries or at home on C-SPAN—you are watching a debate on the floor of the Senate that doesn't happen very often. We are debating the comprehensive immigration reform bill. It is the first time in 25 years we have tackled this issue.

If you look at the history of the United States, you know right off the bat we are a Nation of immigrants. My mother was an immigrant to this country. Many of us have immigrant parents and grandparents and great-grandparents. That is who we are. We come from all over the world to this great Nation. But the history of immigration law will tell you that immigrants aren't always well or warmly received.

There have been periods in history where we have excluded people from certain countries and excluded immigrants in general. There were other periods where we couldn't wait to get the cheap labor from anyplace in the world to build this great Nation. We have had real mixed feelings when it comes to immigration.

The sad reality is for 25 years our immigration laws haven't worked well. The estimate is we have about 11 million undocumented people living in America. I have come to know many of them. They are not who you think they are. Many of them turn out to be the mothers in a household where the father and all the kids are American citizens. Many of them turn out to be the people who sat down next to you in church. They are the ones who, incidentally, cleared your table at the restaurant. They are making the beds in your hotel room for the next morning. They are watching your kids in daycare. And they are taking care of your mom at the nursing home. These are the undocumented people of America, many of them just asking for a chance to be part of this American family. This bill gives them a chance.

But it isn't easy. They have to come forward and register with the government, tell us who they are, where they live, where they work, and tell us about their families. Then they have to pay a fine of \$500. That is the first installment. Then any job they have, they have to pay their taxes and submit themselves to a criminal background check.

If that isn't enough, we tell them we are going to continue to monitor them over 10 years, watching them. During that period of time they have to demonstrate they are learning English. Then if they complete that 10-year period, they have a 3-year chance to become citizens. It is a 13-year process. Many of them have already been here for 10 years or more. But if they are ready to travel down this long road—and many are—at the end of the day their dream will come true. They will be citizens in America. It is no amnesty. They are going to pay a heavy price to make it all the way through those 13 years, but it gives them their chance, and it makes us a safer Nation knowing who they are, where they live, and where they work.

We are going to tighten our system so people applying for jobs in the future have to prove who they are—no more phony Social Security numbers, no more phony IDs. There is going to have to be real proof before you get a job in America.

Approximately 40 percent came here on a visitor's visa and overstayed. If you came here on that visa, we are going to track you into America and out of America. The system is going to be tough.

And when it comes to the border, there is a difference of opinion between the Democratic side and the Republican side of the aisle about how much

to do. Well, we have made a dramatic investment in border security between the United States and Mexico. In the last 10 years we have increased the Border Patrol between the two countries from 10,000 to 20,000. In many sectors we now have 97-percent effectiveness stopping those who try to cross the border. We are going to invest 20,000 more workers on that border—40,000 Border Patrol people.

People who have come to the floor critical of this bill say it isn't enough. I will have to tell you, for some of these folks it will never be enough. We are going to put billions of dollars into making that border safe and reducing, if not eliminating, illegal immigration. That is part of our promise in this bipartisan agreement that was reached.

I have been fortunate to serve with the so-called Gang of 8, four Democrats and four Republicans. We have sat across the table for 5 months now, 30 different sessions, working out all the details, and we have come up with an agreement—a good bipartisan agreement that is finally going to move us forward.

I might add one footnote. Twelve years ago, I introduced a bill called the DREAM Act, and said children brought to this country deserve a special chance to become citizens. They didn't do anything wrong. They didn't break any laws. They were 2 and 5 and 10 years old. They were brought here by their parents. They deserve a chance. This bill is the strongest bill ever brought to the floor of the Senate when it comes to the DREAMers. I am proud of that. I am happy these young people will finally get the chance to prove themselves, as I am sure they will, when it comes to the future of this country.

There are lots of other provisions. Never take for granted that the fruits and vegetables on your table appear magically. They are picked, and many of them are picked by foreign workers, migrant workers. We have an agriculture worker section here, which is important for the future of our agricultural economy. We have a section when it comes to the talented people we want to keep in the United States once educated here, and those we can bring in to help create jobs in our country. But the first rule in this bill, and the one I insisted on: Every job has to be offered to an American first. With our unemployment, that is the starting point, and it is included in this bill and it should be.

There are parts of this bill I don't applaud or necessarily endorse, but it is the product of a compromise. We are not only proving to this Nation that we can address the biggest issue in our heritage, we are trying to prove to this Nation this Chamber—this Senate—can go to work, roll up its sleeves, and get something done on a bipartisan basis.

There will be some "no" votes, but the test votes we have had so far show a strong bipartisan majority to move forward. If we get it done—and I hope

to God we do during the course of this week—I pray that my colleagues over in the House will accept their responsibility to this Nation to accept the need for comprehensive immigration reform. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I see Senator KING from Maine here. I will only talk for a minute. I will share some thoughts later about where I see the difficulties with the immigration bill.

I would say that for the vast majority of the people who will be legalized or who will be coming into the country, businesses will be under no requirement to hire Americans first. That is not accurate, and it is a cause of concern for me.

FAREWELL REMARKS

I wish to share some brief remarks. I know we have a lot to do, but I was here to hear Senator COWAN's farewell remarks to us. They were delivered eloquently and effectively, with integrity and graciousness and a sense of purpose that I found impressive. I think all of us have found him impressive, getting to know him. I heard him share his background recently, how he came to this position. He does so with a constancy of purpose and clear vision for what he believes is right. He has been raised right, and he reflects those values and has done so in the Senate.

It is a pleasure for me to have had the opportunity to get to know him. I would just say it must be a special thrill for him to be able to, all of a sudden, find himself, as he said so nicely, in the U.S. Senate without having to campaign, raise money, or otherwise be in that position.

He served his State with skill and dedication. It is a pleasure to have served with him. I wish him Godspeed in his future endeavors.

I understand the Senator from Maine is going to share with us some valuable history today. Maybe a connection between Maine and Alabama might even be mentioned.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. KING. Mr. President, I rise in morning business, and I request unanimous consent for 15 minutes for remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

BATTLE OF GETTYSBURG

Mr. KING. We all know that next Thursday, a week from tomorrow, is our Nation's most important anniversary—July 4, 1776, the birthday of the country. But Tuesday, July 2, is also one of our most important anniversaries because July 1, 2, and 3 are the days the Battle of Gettysburg occurred. That was probably the defining event in the history of this country. It is especially important this year because it is the 150th anniversary of the Battle of Gettysburg. What I would like to do is share a few moments

about one particular aspect of that battle. It does indeed involve Maine and Alabama. It involves a man from Maine named Joshua Lawrence Chamberlain, who in 1862 was a professor of modern languages at Bowdoin College in Maine. He was not a soldier, had no history in the military, but decided that he had a vision of America and he wanted to serve his country.

He joined a volunteer regiment organized in Maine in August of 1862 called the 20th Maine regiment. They came down the east coast, up the Potomac to Washington, and were immediately deployed to Antietam in September of 1862—the bloodiest day in American history. Fortunately for the 20th Maine, they were held in reserve that day. They did see action over the course of the fall and early winter at the Battle of Fredericksburg. Then, along with 2 great armies, they headed north into the State of Pennsylvania.

Mr. President, you are going to have to bear with my cartographic skills. I think it would be helpful if we can see what happened. It is easy to draw Virginia because it is a big triangle, so this is Virginia. Here is the Maryland-Pennsylvania border.

In the early summer of 1863, two great armies snaked north out of Virginia. Lee's Army of Northern Virginia came up the west side of the foothills of the Appalachians and into Pennsylvania, shadowed by Meade's Army of the Potomac, both 90,000 men. Meade was leading the way into Pennsylvania without a particular destination but a desire to engage the Federal Army in one climactic battle which he thought correctly could have ended the Civil War.

Nobody knows exactly why on July 1 of 1863 those two armies collided in the little town of Gettysburg. There is a rumor that there was a shoe factory there and that the southern Army was going to go and requisition those shoes. For whatever reason, the two armies met in this little town of Gettysburg, PA. One of the interesting things about the battle was that Lee's army had already gotten almost to Harrisburg and came down into Gettysburg. The Union Army was coming up the Taneytown Road from Washington and from the south, and they came in in this direction. So at the Battle of Gettysburg, the southern army came in from the north, and the northern army came in from the south.

On the first day of the battle, there was a standoff. They met almost by accident in this town. There was fierce fighting in the streets of Gettysburg, in the south of the town, and it was essentially a draw.

At the end of the day on July 1—and the word flashed back to both armies that this was it. This was the confrontation, and reinforcements came in from both lines of march to meet at this little town.

What happened on the second day was that on the morning of the second day the Union troops—again, if this is

the town up here, the Union troops ended up on a hill called Culp's Hill and then in a long line to the south, along an area that was an old place where they buried people. Of course, that is Cemetery Ridge.

On the other side, the Confederates—and interestingly enough, throughout American history red markers represent the Confederates and blue the Federals—the Confederates ended up on a long ridge that ended up down this way, with about a mile apart, and over here was a place where they trained people to be preachers. That, of course, is Seminary Ridge. So generations of sixth graders have been—Seminary Ridge over here, Cemetery Ridge over here—generations of sixth graders have been confused by this, but it is “Cemetery” where the Union was and “Seminary” where the Confederate troops were.

About the second day of the battle, a Union general noticed there was a small hill down at the bottom of the entire line of Union troops that was unoccupied by either side. He also immediately realized this could be the most important piece of property in the entire battlefield because it had an elevation that looked up the entire Federal line and it anchored the Federal line.

The Union general grabbed the nearest officer near him and said: We have to occupy that hill immediately. The fellow's name was Strong Vincent, was the officer from New York. Vincent grabbed two other regiments, New York and Pennsylvania, and then Maine, the 20th Maine Regiment, and they went to the top of this hill.

Joshua Lawrence Chamberlain had only been the colonel of the 20th Maine for about a month. He was in charge of 358 men. Vincent took him to the extreme left flank of the Union Army, of this little hill, which is called Little Round Top.

We had Pennsylvania, New York, and Maine. Vincent took Joshua Lawrence Chamberlain to this point, and here were his orders:

This is the extreme left flank of the entire Union Army. You are to hold this ground at all hazards.

“At all hazards”—that means to the death.

Almost immediately upon getting to the top of the hill, up came the 15th Alabama—one of the crack regiments in Lee's army—up the hill to try to dislodge the 20th Maine. If you have not been to Gettysburg, Little Round Top—if God were going to build a fortress, it would look like Little Round Top. It is steep, rocky, with lots of places to be behind, and indeed Chamberlain took maximum advantage of that. As the charge came, they were able to repel it.

A half hour later or so, the Alabamians came again. They were pushed back. They came again and were pushed back. Each time they got closer and closer to the top of the hill because of the nature of guns in the Civil War.

A good shooter in the Civil War, a good handler of a rifle, could get off four shots a minute.

I want you to think of yourself, Mr. President, at the top of that hill with the 15th Alabama coming up. You take aim with your rifle and shoot—bang. You are now prepared to shoot a second time. That period until that sound—it felt like an eternity—was 15 seconds. That is how long it would take to reload and get another shot. That is why in this situation the charge came closer and closer.

By the third and fourth charge, it became hand-to-hand combat.

I should say, by the way, as I mentioned, that Joshua Lawrence Chamberlain was not a soldier by trade; he was a professor at a little college. He spoke 10 languages in 1856. But he had a deep vision for the meaning of America, and he had a deep concern about the issue of slavery.

When he was a student at Bowdoin in the early 1850s, a young professor's wife was writing a book, and he sat in the living room of this professor and listened to her read excerpts from this book, and the book turned out to be probably the most influential book ever published in America. It was called “Uncle Tom's Cabin.” It described for people in the country the evils of slavery. Indeed, when Abraham Lincoln met Harriet Beecher Stowe and shook her hand, he said, “I am shaking the hand that started the Civil War” because it lit the fuse that led to the pressure that ultimately led to the abolition of slavery.

In any case, four and then five charges, and each time, the 15th Alabama was repelled. But then they were gathering at the bottom of the hill for the final assault late in the day, a hot afternoon, July 2, 1863. The problem was, for Chamberlain, his men were out of ammunition. They each had been issued 60 cartridges at the beginning of the battle. They had all been fired during those five assaults. He then had a choice to make as a leader. He had three options:

One was to retreat—which is a perfectly honorable thing to do in a military situation, but his orders were to hold the ground “at all hazards” because if he had not, if the Confederates had gotten around Little Round Top, the entire rear of the Union Army would have been exposed.

His other option was to stand and fight until overwhelmed. That would not have worked very well because it would have only delayed them for a few minutes.

Instead, he chose an extraordinary option that was very unusual even at the time. He uttered one word, and the word was “bayonets.” There is a dispute in history whether he also said “charge” and what his actual order was, but everybody agrees he uttered the word “bayonets,” and his soldiers knew what that meant, and down the hill into the face of the final Confederate charge came 200 crazy guys from

Maine. The 15th Alabama for the first and only time in the Civil War was so shocked by this technique that they turned and ran, and the 200 boys from Maine—and I say 200 but at the beginning of this action there were over 300; they lost 100 to casualties and death—captured 400 or 500 Confederates with no bullets in their guns.

Chamberlain tried to call his men back. They said, “Hell no, General, we are on our way to Richmond.”

I tell this story because it is a story of extraordinary bravery. By the way, Chamberlain received the Congressional Medal of Honor for his bravery and creativity that afternoon on that little hill in Pennsylvania. But I tell the story because it is a story of our country and it is a story of how a single person's actions and bravery can have enormous impact. Historians argue about whether this was really the key turning point, was there something else, was it some other regiment at another place, but an argument can be made that this college professor from Maine saved the United States. The defining moment for our country was that hot afternoon in Pennsylvania, July 2, 1863.

I believe it is one of the great stories of American history. In fact, the story of Chamberlain and Little Round Top is taught in Army manuals to this day as a story of leadership, creativity, perseverance, courage, and devotion to God and country.

I hope all Americans will think about these moments, and thousands more like them, as we celebrate not only the birth of our country next week, but also the rebirth of our country in the 3 days prior to July 4th.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. BARRASSO. Mr. President, we have heard a lot of talk this week about the big push by President Obama and his allies to promote the health care law. We are less than 100 days out from the implementation of that law. People in Wyoming are already feeling the effects of the Democrats' health care law.

The law says employers with more than 50 full-time employees have to provide expensive, one-size-fits-all health insurance. Employers all across the country are cutting full-time workers back to part-time status and cutting their shifts to less than 30 hours a week. Thirty hours a week is the cutoff point to be considered a full-time worker under the Democrats' health care law.

As a result of the Democrats' health care law, we are starting to get stories like the one from the Rocket-Miner newspaper in Rock Springs, WY, that came out yesterday.

The subheadline is “School district looks at coverage, worker options,” and that is under the headline of “Health Care Reform.”

Here is what the article says:

More than 500 employees working for Sweetwater County School District No. 1 could see a reduction in their paychecks for the upcoming school year.

The district may reduce hours for part-time employees to exempt it from covering them on its insurance plan under President Barack Obama’s Patient Protection and Affordable Care Act.

This is the Rocket-Miner newspaper in Rock Springs, WY, Tuesday, June 25.

The article goes on to explain that the school district has more than 500 employees who are working between 30 and 34 hours a week. Those are the people that the health care law is threatening the most. The article goes on to say these workers “are likely to see their hours decreased by up to five hours.” So they will be cutting the hours of workers from 34 hours and getting them down to 29 hours.

It quotes the school board chairman saying that the huge chunk of money it would need to provide Washington-approved insurance for everyone would have to come out of classrooms and other essentials. Taking money out of classrooms and other essentials, he says: “We are talking about hundreds of thousands of dollars.”

Well, maybe hundreds of thousands of dollars isn’t a very impressive amount to Washington Democrats, but for a small school district in Wyoming, that is a big hit to their budget. It is a lot of pain that the law is inflicting on those teachers and on those students. So for the employees who are going to see their hours cut from 35 hours to fewer than 30 hours, the Democrats’ health care law is hitting their paychecks, and hitting it hard.

Well, that was yesterday. Today in the Gillette News Record, Kathy Brown wrote: “School trustees consider changes with ObamaCare.” Here is what they say in Campbell County:

About 200 part-time positions could be affected. It does mean the district must track the hours of employees much more closely, and consider what to do with 320 substitute teachers, 27 substitute bus drivers, 23 coaches, eight temporary and four summer-only employees.

Before the July 17 meeting, school officials will try to provide information to trustees on hours and possible costs.

“This is a paperwork nightmare,” says one of the trustees.

She wondered if the district would have to hire more employees just to do the paperwork and tracking.

There are nearly 8 million people in this country who are working part time because they cannot find full-time work. These are not just numbers in a monthly unemployment report, these are people all across the country in towns such as Rock Springs and Gillette, WY. They want to work and provide for their families, but they are suffering from the bad economic recovery which has been caused by the failed

policies of Washington Democrats. Then they get hit a second time with this terrible health care law. This health care law cuts back their hours and cuts their paychecks even more.

I want to make one more point about the health care law. This headline is from the front page of this morning’s Investor’s Business Daily, June 26, 2013. It says: “Privacy Falls Victim To ObamaCare Hub.”

The hub they are talking about is the database of information about people that was created by this health care law. It was created so Washington could figure out who has health insurance and who might qualify for subsidies under the law. With this data hub Washington bureaucrats are going to have access to a huge amount of personal information about people all across the country.

Here is what the article says:

The ObamaCare hub will “interact” with seven other federal agencies: Social Security Administration, IRS, Department of Homeland Security, Veterans Administration, Office of Personnel Management, Defense Department and—believe it or not—the Peace Corps. It also will plug into state Medicaid databases.

So what does the hub want to include in all of this? Well, the article goes on to say that the hub will store “names, birth dates, Social Security numbers, taxpayer status, gender, ethnicity, e-mail addresses, phone numbers on millions of people expected to apply for coverage via ObamaCare exchanges.”

That is just part of it. They are also going to have “tax return information from the IRS, income information from Social Security Administration, and financial information from other third-party sources.”

The article says Washington “will also store data from businesses buying coverage via an exchange, including a ‘list of qualified employees and their tax ID numbers,’ and keep it all on file for 10 years.”

In addition, the article goes on to say:

The Federal Government also can disclose this information—

We are talking about citizens’ private information turned over to the government, and the government “can disclose this information ‘without the consent of the individual.’” They “can disclose this information ‘without the consent of the individual’ to a wide range of people, including ‘agency contractors, consultants, or grantees’ who ‘need to have access to the records’ to help run ObamaCare.”

So all of this personal, private information is collected in one place, held for 10 years, and made available to bureaucrats, contractors, and consultants.

This is just another terrible effect of the Democrats’ health care law. This is a law that American people are just starting to learn more about, and a law that many of those who voted for it didn’t even know what was in it. The more people learn, the more worried

they become about how this law will affect their care, their jobs, their paychecks, and their privacy.

When Democrats in Washington pushed their health care law through Congress, they were not honest with the American people about any of these negative effects. The American people deserve better.

I yield the floor.

Ms. MIKULSKI. Mr. President, I come to the floor to speak on the bill that is before us, the Comprehensive Immigration Reform Bill. No matter what side of the aisle you are on, we can all agree that our current system is not working, and it is in need of reboot and reform. I believe that the bipartisan approach taken in this bill gives us an opportunity to address this issue in a thoughtful manner. I thank the drafters of this bill for their hard work and tireless advocacy; I also thank Chairman LEAHY and the Majority Leader for the open and transparent process that this bill has undergone.

I have three principles on immigration reform: we must protect our borders, protect American jobs, and reward those who play by the rules. And I believe that this carefully drafted and negotiated bill meets all of these metrics. In addition to an accountable path to citizenship for the undocumented population currently in the U.S., the bill also includes new resources to secure our border and puts forth a rational approach to future legal immigration to the U.S. While I do not agree with every part of this bill, I believe that the compromises that were made are fair. In passing this bill, we do what is right for our economy, and we do what is right for our society.

This bill makes important reforms across the board, but I want to focus on a few that are of particular importance to Maryland. The seafood industry is the lifeblood of Maryland’s Eastern Shore. It is also a traditional industry that is adapting in today’s world. They rely on H-2B workers to keep their businesses running when American workers are unavailable. I have consistently fought for an approach to the H-2B program that recognizes that one size does not fit all, protects the wages and jobs of all workers, and provides the certainty that small businesses need to survive. This bill includes important, tailored provisions that ensure the availability of the H-2B program. The inclusion of the returning worker exemption, a provision that I sponsored for many years, simply allows workers who entered during this fiscal year not to be counted toward the H-2B cap through 2018. This is a fix that aids the small, seasonal businesses that rely on these workers year after year, such as the crab-pickers on Maryland’s Hooper’s Island.

The bill also includes language that protects the wages of American workers while striking a balance with the needs of employers. It adds crucial

worker protections by providing for transportation costs for H-2B workers, mandating that employers are responsible for fees, and requiring that American workers not be displaced. The H-2B program is far from perfect—and it could benefit from improvements—but its availability is vital to many businesses. It is our job to make sure that it works for all.

Tourism is vital to Maryland's economy, and programs like the Visa Waiver Program ensure our friends and allies around the world are able to visit our State. Each year, the Visa Waiver Program allows 16 million tourists to visit the United States and spend more than \$51 billion, while supporting half a million jobs. This bill includes important provisions to expand the Visa Waiver Program that I have long fought for. These provisions give discretion to the Secretary of Homeland Security to include countries that meet strict security requirements, while also protecting our borders and creating jobs in the tourism industry. New national security requirements mean stronger passport controls, border security, and cooperation with American law enforcement.

The current system punishes our allies—and that is what is happening with our close friend Poland. Poland has been a longtime friend to the U.S. and has stood with us in Iraq and Afghanistan, fighting and dying alongside Americans. But Polish citizens cannot visit the U.S. without a visa. Expanding the Visa Waiver Program to Poland alone could mean \$181 million in new spending and could support 1,500 new jobs. The expansion of the Visa Waiver Program is good for national security and economic development and helps our most trusted allies.

Now is the time for comprehensive immigration reform. Immigrants are part of the fabric of our country, and we all benefit from an approach that recognizes these contributions while ensuring that our laws are followed and respected. This bill does that, and I look forward to supporting its passage here in the Senate.

Mr. ENZI. Mr. President, I rise to speak about the special procedures for certain nonimmigrant agricultural workers included in the underlying immigration bill. I have thoughts about the overall immigration bill which I will share later, but at this time I want to focus on a specific provision in the underlying substitute amendment.

Many farmers and ranchers in this country will tell you that they need reliable, dedicated, and experienced employees to make their operation successful. This could mean contracting with seasonal workers to help a farmer harvest row crops or for my colleague, Chairman LEAHY, it could mean finding employees to milk and move cows on dairy farms in Vermont. Agricultural labor in this country comes from a variety of places, and an important source is from temporary and seasonal foreign workers.

Currently, the H-2A program assists employers and foreign workers with visas to perform temporary and seasonal agricultural labor. The most common form of agricultural visa is for seasonal work in harvesting, planting, or maintaining crops. Workers usually get visas to the United States to perform work for several months and then return to their home nations. However, Congress and the administration for decades have recognized a special segment of temporary agricultural workers which are distinct from the others, particularly those industries within agriculture which require workers for longer periods because of the unique work they perform. Under the existing H-2A program, these occupations are recognized by special procedures which allow employees to meet the needs of the specialized industries they serve. Occupations which serve the livestock industry are examples of agricultural jobs that require temporary work for longer periods of time. Herding and managing livestock is an inherently different type of work than that which is performed by other temporary agricultural workers. In many cases, those working as temporary foreign workers in livestock related occupations often have rich cultural histories and family ties to herding which allow them to bring their unique experience to the United States and make significant contributions to our livestock industry.

This inherent challenge is evident in the special procedures which manage nonimmigrant sheepherders in the existing H-2A program. For over 50 years, temporary nonimmigrant agricultural workers have been coming to the United States to work as herders in the sheep and goat industry. Over all these decades, Congress has recognized the special nature of the sheepherding program in immigration law. At this time, I ask unanimous consent that the following letters dated July 28, 1987, from U.S. Senator Al Simpson and the response from Immigration and Naturalization Service, INS, Commissioner Alan Nelson dated November 4, 1987 be printed in the RECORD at the conclusion of my remarks.

In this exchange, Senator Simpson, serving as the chairman of the Judiciary Subcommittee on Immigration and a primary author of the Immigration Reform and Control Act of 1986, wrote the administration expressing the continued intent of Congress that the agency and its rules reflect the historical arrangement that sheepherders had within the H-2A program. Senator Simpson highlighted specifically the fact that sheepherders should not be subject to the same return requirements as other nonimmigrant temporary agricultural worker programs. In its response, the Immigration and Naturalization Service recognized the uniqueness of the sheepherder program, its effectiveness operating under these special procedures, and sheepherders should not be subject to the same re-

turn requirements as other non-immigrant agricultural workers.

As a result, the H-2A sheepherder program has operated successfully with little change from when it first started. Currently, the special procedures fall under the authority of the U.S. Department of Labor and have continued to largely reflect the unique needs of sheepherders and other special procedure occupations.

That is why I am pleased this immigration bill includes language which authorizes special procedures for these very agricultural occupations. Section 2232 of the legislation creates the new nonimmigrant agricultural worker program. Within that section 218(A)(i) authorizes "special nonimmigrant visa processing and wage determination procedures for certain agricultural occupations". Those occupations include (A) sheepherding and goat herding; (B) itinerant commercial beekeeping and pollination; (C) open range production of livestock; (D) itinerant animal shearing; and, (E) custom combining industries. This is an important step forward in making sure that the non-immigrant sheepherders and workers in other special occupations can continue to enter our country and work in these unique temporary agricultural jobs.

Particularly important is that the bill provides these special occupations with unique rules on work locations, and housing. This is because unlike the typical temporary nonimmigrant agricultural jobs performed in the United States, the special procedure occupations operate in unique conditions. For example, sheepherders may work alone or in teams monitoring animals graze in remote areas where mobile housing is required. For sheepherders, mobile sheep wagons serve as both a historical symbol and functional shelter from the elements of the range where teams of sheepherders prepare meals, bunk, and keep supplies for livestock. By including the housing language in this section, Congress clearly intends that traditional uses of these housing units continue for special procedure occupations.

I have expressed concerned in recent years about efforts by the U.S. Department of Labor to avoid consulting stakeholders when drafting new policies for special procedure occupations. Bypassing stakeholders has confused employers and employees and led to a number of inconsistent enforcement actions by agency personnel.

I ask unanimous consent that the letter I sent to the Department of Labor on November 14, 2011, as the ranking member of the Senate Health, Education, Labor and Pensions, HELP, Committee as well as the response I received on February 2, 2012, from Department of Labor Assistant Secretary Jane Oates be printed in the RECORD at the conclusion of my remarks. You will note that previous practice afforded the Secretary some discretion in how it

consults with special procedure stakeholders—specifically, that the “administrator may consult with affected employer and worker representatives.” I am pleased that this bill includes text which requires that agencies “shall” consult with employer and employee representatives and publish for notice and comment regulations relating to the implementation of the special procedures. This is an important step in ensuring that both employers and employees are heard in the rulemaking process and their concerns are reflected in agency guidance. This consultation will help avoid future confusion amongst the parties, ensure that policies practically serve the program, and that there can be an end to inconsistent enforcement actions.

Mr. President, the occupations represented by these special procedures may affect only a few specific industries but play an important role in protecting the future of American agriculture. I am pleased the immigration bill allows occupations such as sheepherding to operate under the new program as it has operated for the past 50 years. In addition, I am pleased that the legislation recognizes a specific need to address the unique wage, housing, and operational components of the special procedure programs. Finally, it is vital that rulemaking requires agency consultation with stakeholders when drafting policies for the special procedure program. I thank the sponsors of this bill for their work on this section.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 28, 1987.

Hon. ALAN NELSON,
Commissioner, Immigration and Naturalization
Service, Washington, DC.

DEAR AL: I am writing to comment on the Immigration Service’s interim final regulations regarding the H-2A program, as they would affect the sheepherding program.

Congress clearly intended that the sheepherding program be allowed to continue in its present form and under its present conditions. This was actually explicitly stated in previous Senate versions of the Immigration Reform and Control Act. I am now concerned that the proposed regulations might not fulfill congressional intent in this area.

I understand that the interim final INS regulations require all H-2A workers to return home for a minimum of 6 months after residing in the U.S. for a period equal to three labor certifications. Under present practice, there is no such requirement in the H-2 sheepherding program. While I understand the reason for a “six month return” rule in other occupations, present practice allows a much briefer time outside of the U.S. after three labor certifications for sheepherders. I suggest that current practice be continued in this area.

Thank you for your attention and assistance. With best personal regards,
Most Sincerely,

ALAN K. SIMPSON,
United States Senator.

U.S. DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION
SERVICE,
Washington, DC, November 4, 1987.

Hon. ALAN K. SIMPSON,
U.S. Senate, Washington, DC.

DEAR SENATOR SIMPSON: This is in response to your letter of July 28, 1987 concerning the interim H-2A rule that requires that a person who holds H-2A status for three years must remain abroad for six months before he can again obtain H-2A status. You indicated this would be detrimental to the sheep industry, and that in promulgating the H-2A program Congress intended that the sheepherder program continue under the prior conditions.

Persons admitted as H-2 nonimmigrants have traditionally been limited to stays of no more than three years. The interim rule to which you referred, found in 8 CFR 214.2(h)(3)(viii)(C), was an attempt to strengthen this limitation to ensure that persons who hold H-2A status are nonimmigrants, and are not using the status as quasi-permanent residence. Our concern was the practice of employing an individual as an H-2A for three years, sending him abroad solely for the purpose of obtaining a new visa, and then bringing him back to the United States. Such actions do not constitute a meaningful interruption in employment in the United States, and turns H-2A nonimmigrant status into quasi-permanent residence, while leaving control over the alien’s immigrant status with the employer.

We recognize that the prior H-2 sheepherder program worked effectively for the sheep industry. The administration has already recognized the uniqueness of this program through special provisions in the Department of Labor temporary agricultural labor certification process. Based on your statement regarding the intent of Congress regarding this program, in the final H-2A petition rule we will include a similar provision, and not require a six month absence after a sheepherder has been in the United States for three years.

Sincerely,

ALAN C. NELSON,
Commissioner.

U.S. SENATE,
Washington, DC, November 14, 2011.
Re Changes in the Special Procedures for the
H-2A Program

Hon. HILDA L. SOLIS,
Secretary of Labor, U.S. Department of Labor,
Washington, DC.

DEAR SECRETARY SOLIS: I write to respectfully request the Department of Labor reconsider several of the recent changes it made to Special Procedures for the H-2A Program. Although there are some positive changes, which are well intentioned, there are several that will have serious adverse impacts on H-2A employers. Specifically, I am concerned that the Department of Labor continues to make these changes with little or no input from stakeholders and offers little clarification as to how the guidance will be enforced.

Several Training and Employment Guidance Letters (TEGLs) were issued June 14, 2011 and published in the Federal Register on August 4, 2011 in accordance with 20 CFR 655.102. Special procedures under this section are designed to provide the Secretary of Labor with a limited degree of flexibility in carrying out the responsibilities of the Immigration and Nationality Act (INA). However, the guidance issued under these TEGLs in 2011 deviates significantly from past interpretations of employment guidelines, was written devoid of stakeholder input and causes several significant challenges for the employers in the open range livestock industry.

Although several of the changes create significant challenges, those concerning sleeping units and variances are creating the one of the most alarming negative impacts on livestock producers. Guidelines concerning the use of mobile housing for open range occupations have remained unchanged for 22 years. A separate sleeping unit has been understood to be a bedroll/sleeping bag, bed, cot, or bunk. However, the latest TEGL references the term “housed” in regards to sleeping unit and adds a three day consecutive limitation for employees sharing a mobile housing unit on the range, such as a sheep wagon. This seems to imply that a separate sleeping unit is to include a separate “housing unit.” Not only is the guideline inconsistent with previous standards but when interpreted strictly proves impractical for many employers. The resources necessary to move and secure multiple housing units in remote areas of range would not only hinder herding operations but could also prove to be dangerous in adverse weather conditions or during the shorter hours of daylight associated with the winter months.

H-2A employers engaged in sheep herding activities want to provide safe workplace conditions for their employees. However, when Department guidelines are vague, inconsistent or made without stakeholder input—challenges are due to arise that could adversely impact the industry and its employees. There is also ongoing concern about enforcement activities by the Department. Instances of inconsistent interpretations of guidance have been reported that concerns both long-standing policies and guidance resulting from the 2011 TEGLs. In the case of guidance that pre-dates the 2011 TEGLs, there have been instances in which employers are challenged for practices that are consistent with state standards for their occupation and in areas where the Department is to provide deference to state workforce and employment requirements.

Additionally, there has been a great deal of confusion over the revision of the requirements for variances by the 2011 TEGLs. In the past, operators were able to file a variance once with their appropriate state department of workforce and employment with no need to file additional variances for herding activities. However, the new guidance requires variances to be filed every year and can be applied to only extremely limited situations. This change limits flexibility for employers to best serve the needs of their employees and creates impractical consequences for a number of range operations. I encourage the Department to consider returning its policies to allow for variances to be filed once for activities recognized by the special procedures and to remove the time limit that has been imposed on variances.

Thank you for considering this request and these comments regarding the Special Procedures for the H-2A Program. Again, I encourage the Department to allow greater stakeholder participation in future changes to the special procedures. I look forward to the Department’s response on this matter.

Sincerely,

MIKE ENZI,
United States Senator.

U.S. DEPARTMENT OF LABOR,
Washington, DC, Feb. 2, 2012
Hon. MICHAEL ENZI,
U.S. Senate,
Washington, DC.

DEAR SENATOR ENZI: Thank you for your letter to Secretary of Labor Hilda L. Solis requesting that the Department of Labor (Department) reconsider the recent changes made to Special Procedures for the H-2A Program through the Training and Employment Guidance Letters (TEGL) published in

the Federal Register on August 4, 2011. The TEGLs updated special procedures previously established under the H-2A Temporary Agricultural Program for occupations such as sheep and goat herding to reflect organizational changes as well as new regulatory provisions contained in the Temporary Agricultural Employment of H-2A Foreign Workers in the United States (H-2A Final Rule) published by the Department on February 12, 2010. Your letter has been referred to my office for response. The Employment and Training Administration is responsible for administering foreign labor certification program through the Office of Foreign Labor Certification (OFLC).

In your letter you state that even though there were some positive changes set forth in the TEGLs, the Department continues to make changes with little or no input from stakeholders and offers little clarification as to how the guidance will be enforced. Of particular importance, you cite changes pertaining to sleeping units made available to workers and to the variance procedure previously required of employers when petitioning for more than one worker to be housed in mobile units used in the open range. Your letter states that the above change in guidance limits flexibility for employers to best serve the needs of their employees and creates impractical consequences for a number of range operations.

To provide for a limited degree of flexibility in carrying out the Secretary's responsibilities under the Immigration and Nationality Act (INA), while not deviating from statutory requirements, the H-2A Final Rule provides the Administrator of OFLC with the authority to establish, continue, revise, or revoke special procedures for processing certain H-2A applications. The special procedures for sheep and goat herding, for example, have been recognized for many years and draw upon the historically unique nature of the agricultural work that cannot be completely addressed within the regulatory framework generally applied to other H-2A employers. Such procedures recognize the peculiarities of the industry or agricultural activity, and establish a reasonable and tailored means for such employers to meet underlying program requirements while not deviating from statutory requirements. Prior to making determinations regarding the use of special procedures, the H-2A Final Rule states that the "OFLC Administrator may consult with affected employer and worker representatives". The Department published these revised special procedures in June 2011 with a delayed effective date of October 1, 2011, to provide affected employers time to understand and adapt to any changes. The Department then published each TEGL as a notice in the Federal Register on August 4, 2011.

The special procedures published by the Department covering occupations involved in the open range production of livestock do not change the longstanding requirement that employers must provide housing and sleeping facilities to workers under the H-2A Program. Due to the unique nature of the work performed on the open range, employers in this industry are allowed to self-certify that housing is available, sufficient to accommodate the number of workers being requested, and meets all applicable standards. Within the housing unit, workers must be afforded a separate sleeping unit such as a comfortable bed, cot, or bunk with a clean mattress. Therefore, it would be possible for the employer to continue to have one camp with more than one worker so long as each worker had his or her own bed. Because employers participating in the H-2A Program must make arrangements for housing workers several months in advance of the start

date of work, the Department believes employers likewise have sufficient time to plan and arrange for the provision of sleeping units for its workers. Where it is temporarily impractical to set up a separate sleeping unit which would result in more than one worker having to share a bed, cot or bunk, the revised special procedures defined "temporary" as no more than three consecutive days to ensure workers promptly receive the housing benefits they are entitled to under the H-2A Program.

In your letter you also state that the new guidance departs from the previous practice of allowing employers to file a housing variance request only one time with the appropriate State Workforce Agency. Though the new guidance continues the practice of allowing employers to submit a written request for a housing variance, the Department's requirement has remained consistent by stipulating that "When filing an application for certification, the employer may request a variance from the separate sleeping unit(s) requirement to allow for a second herder to temporarily join the herding operation." Each open range production of livestock application is adjudicated on a case-by-case basis and conform to housing safety and health standards.

If you have any additional questions, please contact Mr. Tony Zaffirini, Office of Congressional and Intergovernmental Affairs, at (202)-693-4600.

Sincerely,

JANE OATES,
Assistant Secretary.

Mrs. FEINSTEIN. Mr. President, I come to the floor today in support of S. 744, the bipartisan comprehensive immigration reform bill before the Senate.

Through the process of negotiation and compromise, including 212 amendments that were considered during the course of the Senate Judiciary Committee markup last month and now much discussion on the Senate floor, a workable, tough—but fair—bill sits before us, ripe for us to take action on a problem that has gone unresolved for far too long.

Colleagues, this is our last, best chance to achieve immigration reform.

The bill before the Senate provides long-sought-after solutions that will help fix our broken immigration system. It takes into consideration our country's modern-day national security, economic, and labor needs, as well as our country's age-old tradition of preserving family unity and promoting humanitarian policies.

It would also bring approximately 11 million undocumented individuals now living in the United States out of the shadows and on a path where they could proudly and openly contribute to this great nation.

The first fundamental principle of the bill is that we must control our Nation's borders and protect our national security.

Before a single undocumented person in the United States can earn a green card, several important "triggers" must be met, showing that the Federal Government has effectively secured the border and is enforcing current immigration laws. These triggers include the following:

No. 1, an unprecedented increase of 20,000 new full-time Border Patrol agents stationed along the southern border.

No. 2, the full deployment of the comprehensive southern border security strategy, which requires the Department of Homeland Security to conduct surveillance of 100 percent of the southern border region.

No. 3, DHS completion of the southern border fencing strategy, which includes at least 700 miles of pedestrian fencing along the southern border.

No. 4, implementation of a mandatory employment verification system for all employers, known as E-Verify, which will prevent unauthorized workers from obtaining employment.

No. 5, implementation of an electronic exit system at air and sea ports of entry that operates by collecting machine-readable visa or passport information from passengers of air and vessel carriers.

These enforcement improvements build upon the Department of Homeland Security's substantial progress in securing and managing our borders.

Over the past several years, DHS has deployed unprecedented amounts of manpower, resources, and technology to secure the Nation's borders, and these efforts have not only led to enhanced border security but have also expedited legitimate trade and travel.

The second fundamental principle included in the bill is the creation of a path to citizenship for the 11 million individuals who are living and working in the United States without proper immigration documentation.

While some have insisted that all 11 million undocumented immigrants should be deported, such a solution is not reasonable.

A majority of these individuals and families have become integrated into the fabric of their communities, and deportation would be a severe outcome. Many work and pay taxes, but they and their families live in the shadows and face the possibility of being picked up and deported, daily.

The State of California has the largest number of undocumented immigrants, estimated to be 2.6 million people or nearly one-fourth of all unauthorized immigrants currently living in the United States. These individuals have become an essential part of the California workforce. Many work in hotels, restaurants, agriculture, and the housing and construction industries.

A recent study of immigrants in California that was completed by Dr. Raul Hinojosa-Ojeda and Marshall Fitz of the Center for American Progress concluded that, "if all unauthorized immigrants were removed from California, the state would lose \$301.6 billion in economic activity, decrease total employment by 17.4%, and eliminate 3.6 million jobs." The study further showed that, "if unauthorized immigrants in California were legalized, it would add 633,000 jobs to the economy, increase labor income by \$26.9 billion, and increase tax revenues by \$5.3 billion."

This bill establishes a process to bring these individuals out of the shadows.

The need to provide a stable, legal, and sustainable workforce through immigration reform is critical in the agricultural sector.

According to government estimates, there are about 1.8 million people who perform hired farm work in the United States. Approximately 1.2 million of these individuals—fully two-thirds of those who help bring pistachios, almonds, wine, and other things we enjoy, to our tables—are not authorized to work here.

Some may ask, why don't farmers hire Americans to do the work? The answer is, they have tried and tried, but there are not many Americans who are willing to take a job in the fields. It is hard, stooped labor, requiring long and unpredictable hours, often in the hot Sun and high temperatures. That is why the labor shortage persists even in these challenging economic times.

The United Farm Workers initiated the "Take Our Jobs" campaign in which they invited citizens and legal residents to apply for jobs on farms across the country, but only seven people accepted jobs and trained for agriculture positions.

A 2012 California Farm Bureau survey found that 71 percent of the tree fruit growers and nearly 80 percent of raisin and berry growers were unable to find adequate labor to prune trees and vines or pick crops.

This problem also impacts year-round industries such as dairy. A 2012 Texas A&M study found that farms using an immigrant workforce produce more than 60 percent of the milk in our country. Without these immigrant dairy employees, economic output would decline by \$22 billion and 133,000 workers would lose their jobs.

All over the Nation, growers are closing their farms because they lack a stable, legal workforce. And American farmers who remain are suffering economic losses because of the lack of immigration reform.

And when farmers suffer, there is a ripple effect felt throughout the economy—in farm equipment manufacturing, packaging, processing, transportation, marketing, lending, and insurance.

The reality is that if there are not enough farm workers to harvest the crops in the United States, we will end up relying on foreign countries to provide our food supply. This is not good for our economy or for ensuring that Americans are receiving safe and healthy foods.

Right now, the H-2A visa, or temporary agricultural guest worker visa, is the only program that is available for growers to hire foreign workers. Unfortunately, this program has not worked for the vast majority of agricultural employers.

A 2011 National Council of Agricultural Employers survey found that administrative H-2A delays prevented almost three-fourths of surveyed employers from timely receiving workers, which caused economic loss of nearly \$320 million for farms in 2010.

Katie Jackson from Jackson Family Wines in Santa Rosa, CA, wrote me about the challenges she currently

faces in navigating the H-2A visa program and identifying a sufficient number of skilled workers. She wrote that because, "very few of the unemployed in this Nation will opt to work in agriculture, and even fewer have the necessary skills to do so," Jackson Family Wines turned to increased automation and use of the H-2A program. However, Ms. Jackson noted that "the H-2A program is cumbersome and from our perspective merely provides a temporary fix."

In previous Congresses, Senators Craig, Kennedy, and I repeatedly tried to pass bipartisan legislation to address this, known as AgJOBS, without success.

This year, I collaborated with Senators RUBIO, BENNET, and HATCH to negotiate and develop a new proposal that is balanced and fair to address the ag labor crisis. I am very grateful to Senator SCHUMER and the other Members of the Gang of 8 that they incorporated this proposal into this bill; it is now subtitle B of Title II, the "Agricultural Worker Program."

All of the elements of this program were negotiated between farm worker representatives and a large coalition of grower organizations. These negotiated provisions protect both farmers who are forced to rely on foreign farm labor and the farm workers by allowing the current undocumented farm workers to continue to work in agriculture to earn a blue card and eventually a green card.

Under the bill, agricultural workers who can document U.S. agricultural employment for a minimum of 100 work days or 575 hours in the 2 years prior to date of enactment are eligible to adjust to blue card status. Blue card applicants must not have a felony or violent misdemeanor conviction and must pay a \$100 fine for being in the United States without immigration status.

Agricultural workers are eligible for a green card when they pay all taxes, have no felony or violent misdemeanor convictions, and pay another fine—of \$400. The worker must also document that they performed at least 5 years of agricultural employment for at least 100 work days per year during the 8-year period beginning on the date of enactment or performed at least 3 years of agricultural employment for at least 150 work days per year during the 5-year period beginning on the date of enactment.

To replace the problematic H-2A program, the bill will also address the long-term workforce needs of farmers going forward, including dairies and other year-round ag industries, by creating a streamlined system to bring in temporary guest workers through a new agricultural visa program called the W-Visa program.

This two-part new farm worker visa program provides a temporary worker two options, which are at-will employment or contract-based employment.

No. 1 at-will employees have the freedom to move from employer to em-

ployer without any contractual commitment.

No. 2 contract employees must commit to work for an employer for a fixed period of time, which can provide increased stability for both employees and employers. After fulfilling this commitment, they are then free to work for other U.S. agricultural employers.

The bill includes specific negotiated wage rates that replace the "adverse effect wage rate" standard that exists under the current H-2A program, which has proven to be very controversial, and which many farmers say is one of the reasons that the H-2A program is unworkable.

The number of agricultural guest workers who can enter the country in any given year is subject to a carefully negotiated cap to reflect anticipated labor market demands.

For the first 5 years, the visa program is capped at 112,333 per year. With a 3-year visa, this would result in 336,999 temporary workers who can be in the country at one time.

To ensure that a given year's visa allocation is not used up by regions of the country that harvest earlier than others, the bill requires that the visas be evenly distributed on a quarterly basis in the first year and that the USDA Secretary can modify the timing of the disbursement of visas based on prior usage patterns thereafter. Any unused visas that remain at the end of a quarter can be rolled over to the next quarter but not to the next year.

The cap may be increased if there are demonstrated labor shortages or reduced in response to a high unemployment rate of agricultural workers. After 6 years, the number of applications for guest worker visas and the number of blue card applications approved will also be considered when determining the annual caps.

This new, improved visa program will help American agriculture continue to be a driving force in our Nation's economy.

For those who are currently unauthorized to be in this country, Democrats and Republicans together created a new registered provisional immigrant—or RPI—program to provide such immigrants with lawful immigration status.

RPIs would be authorized to work in the United States and to travel abroad. Only if they meet stringent criteria may they renew their RPI status for another 6 years and ultimately adjust from RPI status to that of a lawful permanent resident—or green card holder.

Let me be clear, this is not amnesty. Amnesty is automatically giving those who broke the law a clean slate, no questions asked. This bill does not do that. Instead, the bill imposes rigorous requirements in order for each individual to attain legal status, apply for a green card, and eventually become a citizen.

The time has come for those who are already here, doing jobs across the

spectrum—such as caring for our aging population, working in restaurants and hotels, and creating successful small businesses. It is realistic for us to secure a sufficient legal workforce, while importantly protecting our U.S. workers, to meet the labor needs of this country.

This bill would also finally pave the way for DREAMers who were brought to the United States by their parents and grew up here; they consider the United States their home and want to give back.

Approximately 65,000 DREAMers graduate from our high schools each year. They are hard-working and are dedicated to their education or to serving in the Nation's military. Some are valedictorians and honor roll students; some are community leaders and have an unwavering commitment to serving the United States.

Through no fault of their own, these young individuals lack the immigration status they need to realize their full potential. This bill will provide an opportunity for these students to fulfill the American dream and it is only prudent for us to give them that chance.

While still prioritizing the American workers who are seeking jobs by establishing a strict screening requirements, this bill aims to meet the needs of businesses so that our economy can succeed not only in the fields but in medical, technological, and research labs across the country.

This bill reforms the H-1B visa program for high-skilled workers by doubling and potentially tripling it depending on the country's labor needs. Ensuring that this country stays ahead of the curve in technology, it facilitates advances in science, technology, math, and engineering by stapling a green card to certain STEM graduates' passports. It creates a W visa program for low-skilled workers and encourages ideas through entrepreneurship, enabling the creation of the likes of the next eBay, Google, PayPal, and Yahoo, all which were founded by immigrants.

I want to commend the members of the Gang of Eight Senators—SCHUMER, MCCAIN, DURBIN, GRAHAM, MENENDEZ, RUBIO, BENNET, and FLAKE—for providing a foundation that strikes the right balance and reflects the best thinking on how to accommodate all the various concerns and interests.

I also want to recognize those who paved the path forward for them, including former Senators Kennedy, Specter, Salazar, Kyl, and Martinez. Their hard work in tackling this difficult issue has finally brought us to this crucial stage.

This is not a perfect bill, but it is a necessary bill. If we do not seize this opportunity, I fear that the chance of comprehensive reform will be gone for another generation—something I believe would be a terrible mistake for our country.

It realistically and pragmatically updates our current immigration system in a way that enhances our national se-

curity, ensures our labor needs are met in a fair way that does not compromise U.S. workers, facilitates timely family unification, and is humane. I hope you will join me in passing this bill in the Senate.

Mr. LEAHY. Mr. President, as we look forward to bringing our debate on comprehensive immigration reform to a close, I especially want to recognize the work of one Senator who made a major contribution to this legislation. Provisions contained in this legislation will rewrite our entire agricultural visa program, and they will do so for the better. For the first time, America's dairy farmers will have access to temporary foreign workers, and the population of undocumented farm workers will have the chance to come out of the shadows and into the lawful immigration system, where they will have rights and the protection of the law. I am grateful for the work she has done, and I am proud to support her important contributions to this legislation.

The work of the senior Senator from California on this legislation should be recognized and commended. She worked long and hard to bring agricultural workers and employers together to find consensus.

She spent many hours keeping these negotiations going, and she did not give up until a fair agreement was reached. And just this week I know that Senator FEINSTEIN stood up for farmers in the Northeastern part of the United States and resisted last-minute efforts related to this bill to create a divide between farmers in different parts of the country. For this, I thank her.

Yesterday, the Washington Post published an article about Senator FEINSTEIN's distinguished service in the Senate, her leadership, her incredible work ethic, and her tenacity. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 25, 2013]
FEINSTEIN, NSA'S TOP CONGRESSIONAL DEFENDER, HAS BUILT RESPECT OVER DECADES OF SERVICE

(By Emily Heil)

She stands before television cameras just hours after the news breaks that the U.S. government has been conducting a massive surveillance program, compiling a database of Americans' phone records and monitoring foreign terrorism suspects' Internet traffic.

Her hands form fists.
"It's called protecting America," says Dianne Feinstein.

A five-term California Democrat who chairs the Senate intelligence committee, Feinstein hardly needs to flex her muscles these days to command deference. On Sunday talk shows and from podiums around the Capitol, she's playing the role of chief congressional defender of the surveillance program to skeptical colleagues and critics who say it's Big Brother run amok. She is also one of the most senior members of the powerful Judiciary and Appropriations panels.

Just as she is playing such high-profile roles, Feinstein, who turned 80 on Saturday,

is blazing a new political trail as a symbol—an unwilling one—of the changing workplace.

"It's a non-role as far as I'm concerned," Feinstein says. "I've always had the belief that age is just chronology. I know people who are 50 who are older than I am."

With the death of Sen. Frank R. Lautenberg (D-N.J.) this month, Feinstein became the Senate's oldest member, a distinction never before held by a woman. In fact, there's only been one other female senator over 80: Rebecca L. Felton, an 87-year-old, lace-collared white-supremacist suffragette who was appointed to a vacant seat from Georgia and served for less than two months in 1922.

Feinstein's age is in most ways incidental to her success; in others, it's key. She's benefiting from the privileges that seniority brings in the Senate and from a work ethic forged in an era where women had to work twice as hard as their male counterparts to succeed.

There are now a record 20 female senators, many of whom have taken on high-ranking roles such as chairmanships of key committees that can help ensure long political life spans. They may soon be as likely as men to grow old in elected office—or in any office.

Women over 60 make up the fastest-growing segment of the workforce, notes Elizabeth Fideler, a fellow at the Sloan Center on Aging and Work at Boston College and the author of "Women Still at Work: Professionals Over 60 and on the Job." And the sight of older woman at the office—even when that office is the Capitol—is becoming more familiar. "Obviously, politics is a bit harsher an arena, but people are willing to accept an older person so long as they remain effective," she says.

Age is a sensitive topic for anyone. For politicians, even more so. When Sen. Bob Dole (R-Kan.) at 72 launched his presidential campaign in 1995, Time magazine's cover asked, "Is Dole Too Old for the Job?" And recall Sen. John McCain's (R-Ariz.) anger at a question about his age during the 2008 presidential campaign. (McCain was 70, and called the questioner a "little jerk.")

If the politician in question happens to be a woman, she's even more likely to get The Question or be the target of late-night vitriol.

In 2007, at the age of 67, Nancy Pelosi (D-Calif.) became speaker of the House—the highest-ranking woman in the history of the republic—and a feast for comedians' Botox jokes.

"Nancy Pelosi said today we've waited 200 years for this," Jay Leno cracked after Pelosi was sworn in. "Two hundred years? How many face-lifts has this woman had?"

Former congresswoman Pat Schroeder (D-Colo.) predicts that even as women remain in office into old age, the public will never tolerate "a female Strom Thurmond," a reference to the late South Carolina Republican senator who left office at the age of 100, his final years spent with staffers and colleagues overlooking (and compensating for) his diminished mental and physical powers.

"The public would turn on her," Schroeder says. "Not like they did with Strom, who everyone thought was funny—this kind of character."

Tall and unstooped, Feinstein is often seen striding down the Capitol's marble halls.

Even her political adversaries say she remains more engaged in the minutiae of her job than many of her younger counterparts.

"I always think if I'm half as prepared and energetic as Senator Feinstein, I'm doing okay," says Sen. Claire McCaskill. The Missouri Democrat calls Feinstein "the ideal of what a senator should be."

"Role model" is the one part of her new status that Feinstein embraces. "That is the biggest compliment," she says.

Former secretary of state Madeleine Albright says the scrutiny that female politicians will draw in their older years will be just a continuation of what they have faced at other points in their careers. "They'll talk about [Feinstein's] hair—but that's what happens now anyway," she says.

It did, at least, early in Feinstein's career, when media reports swooned over her looks and her impeccable ensembles. "Charm Is Only Half Her Story," was the headline of a *Time* magazine 1990 story, which described her as "a casting director's idea of a Bryn Mawr president who must be bodily restrained from adding gloves—or perhaps even a pillbox hat—to her already ultra-conservative banker-blue suits and fitted red blazers and pearls."

Ask friends and colleagues to describe Feinstein and something surprising happens. "She does her homework," says former senator Olympia Snowe (R-Maine).

"She does her homework," says Sen. Saxby Chambliss (R-Ga.), the vice chairman of the intelligence committee.

"She just does her homework," says Sen. Barbara Boxer (D-Calif.).

At home, as in the office, Feinstein works constantly. That includes spending her days off poring over thick briefing books and, always, the "weeklies," a stack of the memos she requires every member of her staff to submit each Friday.

In the memo, each employee—from top policy advisers to mailroom clerks—describes what he or she has done that week: meetings they attended, people they met with, legislation they worked on, or what kind of letters have been coming in from constituents. Feinstein scours them, and then asks pointed questions at mandatory Monday-morning staff meetings in her Washington office.

This interrogative style has led some former staffers to grouse that she is a tough boss, prone to calling out underlings, even in group settings where such queries can come off as insults. Mark Kadesh, a lobbyist who was her longtime chief of staff, says that the rigors of working for her weren't for everyone. "The thing is that she's no more demanding of herself than she is of her staff," he says. "If you couldn't keep up, it was tough. If you accepted that challenge, it was a great experience."

Yet colleagues—even Republicans—find her approachable. "You knew that she always came to her conclusions based on real knowledge and understanding, not in a partisan way," Snowe says.

Chambliss credits her with helping to smooth over the once-strained relationship between the Senate and House intelligence committees. The bipartisan leaders now meet regularly to talk about how to speak with one voice on tricky issues—a change from the past. "We couldn't afford that—the world has become too dangerous a place on intelligence issues," he says.

Feinstein's always-be-prepared ethos seems, in part, a holdover from an earlier time. When she first entered public office as a member of the San Francisco Board of Supervisors in 1969, few women held elected offices. Those who did faced far more scrutiny than their male counterparts.

Feinstein recalls being the top vote-getter in her first election to the board, which by law, meant she would be its president. But some, citing her inexperience, called on her to cede that position to the second-place man. She politely declined. Her ascent from supervisor to mayor was accompanied by tests. "You would get pressed," she says. "And so you learn to know your stuff."

To this day, Feinstein enters no forum—be it a hearing with top military brass or a one-on-one with a low-level staffer—without excruciatingly detailed preparation.

"On the NSA issue, none of the members had gone to these briefings, and yet they're all talking about them—whereas if Dianne hadn't gone to them, known everything about them, she'd have the grace not to say something," Schroeder says. "My jaw always drops when I see someone who'd rather be at the gym or running to the airport who wants to stand up and criticize something they don't know anything about."

While she's surely come a long way from those board meetings in San Francisco, the tests still come.

In March, Feinstein had a YouTube-able moment when she spoke before the Senate Judiciary Committee about her proposal to ban assault weapons. Sen. Ted Cruz, a Republican freshman from Texas and a tea party favorite, prefaced a question to her with a discourse on the Constitution, in which he informed Feinstein (who has served on Judiciary for 20 years and was the panel's first female member), that the Second Amendment gives people the right to bear arms.

"I am not a sixth grader," she replied, calmly, but with a rare edge to her voice that indicated that she was just a bit peeved with the gentleman from Texas. "It's fine you want to lecture me on the Constitution. I appreciate it. Just know I've been here for a long time."

And may be longer still. Feinstein, who won reelection in 2012, will be 85 when her term ends. Will she run again? "Ask me in three years," she says.

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, we have been working to come up with a list of amendments. Without any editorializing, this is the list we have been able to come up with. The staff has worked on this for long hours.

I ask unanimous consent that a managers' package of amendments consisting of Boxer-Landrieu-Murray No. 1240 (pending); Brown No. 1597; Carper-McCain-Udall No. 1558, as modified; Carper No. 1590; Coats No. 1288; Coats No. 1373; Coburn No. 1509; Coons No. 1715; Flake No. 1472; Heinrich-Udall of New Mexico No. 1342; Heinrich-Udall of New Mexico No. 1417; Heinrich-Udall of New Mexico-Gillibrand No. 1559; Heitkamp-Levin-Tester-Baucus No. 1593; Klobuchar-Landrieu-Coats-Blunt-Barrasso-Enzi No. 1261; Klobuchar-Coats-Landrieu-Blunt No. 1526; Landrieu-Coats-Shaheen-Franken No. 1338; Landrieu-Cochran No. 1383; Leahy No. 1454; Leahy No. 1455; Murray-Crapo No. 1368; Nelson-Wicker No. 1253; Reed No. 1223; Reed No. 1608; Schatz-Kirk No. 1416; Shaheen-Ayotte No. 1272; Stabenow-Collins No. 1405; Toomey No. 1236; Udall of New Mexico-Heinrich No. 1241; and Udall of New Mexico-Heinrich-Gillibrand No. 1242 be in order and considered en bloc; that the Senate proceed to vote on adoption of the amendments in this package en bloc; that upon disposition of the managers'

package, the following amendments be in order to be called up and the clerks be authorized to modify the instruction lines to fit the committee-reported amendment, as amended, where necessary: Sessions No. 1334; Hirono No. 1718; Fischer No. 1594; Blumenthal No. 1636; Vitter No. 1445; Brown No. 1311; Toomey No. 1599; Hagan No. 1386; Coats No. 1563; McCaskill No. 1457; Johnson of Wisconsin No. 1380; Boxer No. 1260; Cruz No. 1580; Feinstein No. 1250; Lee No. 1214; Udall of New Mexico No. 1218; Vitter No. 1577; Tester No. 1459; Vitter No. 1474; Heitkamp No. 1593; Lee No. 1207; Whitehouse No. 1419; Cruz No. 1579; Udall of New Mexico No. 1691; Cruz No. 1583; Heinrich No. 1342; Cruz No. 1585; Reed of Rhode Island No. 1608; Cruz No. 1586; Nelson-Wicker No. 1253; McCain-Cardin No. 1469; and Portman-Tester No. 1634; that at 9 a.m. tomorrow morning, June 27, the Senate proceed to vote in relation to the amendments in the order listed; that the amendments be subject to a 60-affirmative vote threshold; that there be 2 minutes equally divided prior to each vote; and all after the first vote be 10-minute votes; that upon disposition of the Portman-Tester amendment No. 1634, the pending amendments to the underlying bill be withdrawn; the majority leader then be recognized for the purpose of raising points of order against the remaining pending amendments to the substitute amendment; that after the amendments fall, the substitute amendment, as amended, be agreed to; the cloture motion with respect to S. 744 be withdrawn; the bill, as amended, be read a third time, and the Senate proceed to vote on passage of the bill, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. I object, and I ask for the floor.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, on behalf of myself and my colleagues—I better say on behalf of myself and some of my colleagues—I have to object. The majority party has offered an agreement from our point of view that is insufficient and clearly not serious, even though I know they consider it a serious offer.

Last night, our side offered a list of amendments that could be voted upon. We asked for votes on 34 amendments and those 34 amendments are less than 10 percent of all of the amendments that are filed, right now about 550. But now the majority wants to limit the number of amendments and, in a sense, limit our rights, because each Senator ought to have an opportunity to put down the amendments they want to offer. It doesn't preclude the majority party from offering any amount of their amendments they want to offer.

It seems to me the majority wants to pick and choose the amendments they like. They don't want to take tough votes so they have chosen just a few of

our amendments to make it look as though it is very accommodating.

I have to say I feel a bit used and abused in this process. For 2½ weeks we have been pushing to get votes on our amendments. We have had a measly 10 votes on amendments. I will remind my colleagues that there were 550 filed. That is pretty embarrassing for the majority after they promised a fair and open debate.

I wish to remind my colleagues about fair and open debate. One Republican Member of the Group of 8 said:

I am confident that an open and transparent process, one that engages every Senator and the American people, will make it even better. I believe that this kind of open debate is critical in helping the American people understand what is in the bill, what it means for you, and what it means for our future.

That same Senator also wrote to Chairman LEAHY on March 30 before the bill was brought up in committee:

I wish to express my strong belief that the success of any major legislation depends on the acceptance and support of the American people. That support can only be earned through a full and careful consideration of legislative language and an open process of amendments.

In a letter to me on April 5, that same Senator wrote:

If the majority does not follow regular order, you can expect that I will continue to defend the rights of every Senator, myself included, to conduct this process in an open and detailed manner.

When the bill was introduced, the senior Senator from New York said:

One of the things we all agree with is that there ought to be an open process so that people who don't agree can offer their amendments.

So it is very clear the Gang of 8, the authors of the legislation, called for a robust floor debate. They said they supported regular order.

So I ask now: Do they think that having only a few amendments considered, and this list that has just been put before us, is that a robust and open process? Do they think the majority party has used regular order?

After spinning our wheels for a couple of weeks, we had an important vote a couple of days ago. The proponents have been bragging for weeks that they were going to get over 70 votes for their legislation and somehow force the House to take up their bill. Of course, that won't happen if they don't get 70 votes. But I saw the shock of some that they had on their faces when their vote count fell short here a couple of days ago.

So now what are they doing? They need to pick up some votes and they need to make it look as though we have had a more fair process. So after less than the expected vote yesterday, the proponents came to me wanting to strike a deal that would give us votes on amendments. The problem is they still want to limit our amendments, but they want to make sure we include amendments that will help them pick up some votes.

Well, I happen to be a farmer and I am proud to be a farmer, but I want them to know I haven't just fallen off of the hay wagon. It is pretty clear what is going on around here. Regardless of the reasons for the majority now trying to look as though they are accommodating us, I am still willing to negotiate votes, but it needs to be a lot of votes.

Some on my side may be less charitable than I am since they also understand what is going on around here. So in the end, we may very well not be having any more votes on amendments. It is too bad the majority led us down this road and is aiming for the ditch. In other words, we have not had the fair and open process we were promised as we had in committee—a fair and very open process there, but it ended up completely contrary to what the Gang of 8 told us we were going to have when we got to the floor.

In the end they have only themselves to blame. In the end I think the end is right now. We are going to have votes on cloture. We are going to have a vote on final passage. I am telling people on my side of the aisle that if you are going to be against this bill, there is no sense in debating it anymore; we might as well carry our story to the other body because that is where this bill is going to be perfected, if it can be perfected, in a way that is going to be sent to the President and to solve the problems we have and not make the same mistakes we made in 1986.

I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent to speak at this time, followed by the Senator from Ohio and the Senator from New York.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I am disappointed the Senator from Iowa didn't accept the proposal of the majority leader and let us continue making improvements to this bill. But I have watched this debate and I wish to add my voice to those who came out and complimented the good work, the bipartisan work the Gang of 8 has performed in their efforts to forge a bipartisan compromise on an issue that is of remarkable importance to this nation—to our economic growth, to our security and, quite honestly, to who we are as a country.

I look forward to voting in favor of this legislation. I will not recap all of the components and the path of how we got here. Suffice it to say this piece of legislation includes protections for American workers, improves border enforcement, puts in a place a more effective identity verification process, improves our entry exit system, as well provides a reasonable earned pathway to citizenship for the 11 million undocumented immigrants who already live and work in America. Additionally, the Congressional Budget Office

has indicated that immigration reform will also help decrease the deficit.

As well, it includes key priorities I have championed in the Senate, including sensible and necessary reforms to our high skill and employment based visa programs. It makes sure that as we continue to train and educate the world's best and brightest—STEM and PhDs from Brazil or the Czech Republic or India—they can stay here in America. Unfortunately, because what happens now is that when they get their degree, we send them home to compete against us. Canada, the U.K., and Australia have changed their laws, so now these high skill individuals don't go home, they simply move across the border to Canada and take those high-paying jobs and support jobs with them.

This legislation will also makes important strides to ensure DREAMers—those young people who were brought to this country at a young age, through no fault or choice of her own, who are caught in this limbo at this point, where many jurisdictions, including unfortunately, my State, sometimes don't allow them to finish their education—have the opportunity to contribute to the only country they know.

As a matter of fact, during this year's State of the Union Address I was proud to invite Ambar Pinto. Ambar is a 19-year-old incredible young woman who was born in Bolivia, has grown up most of her life here in Virginia, and I was proud to invite her to be my guest at the State of the Union Address. I know Ambar will be able to contribute to her community, to Virginia, and to the United States, and this legislation will make sure she gets the same kind of fair shot in this country that I had and other Americans have had.

Let me also say—I know there are other Senators who wish to speak—this legislation is about the character of our country. Senator ALEXANDER from Tennessee said something the other day I have quoted him on a number of times. In this immigration debate, we discuss the character of our country. If I move to China tomorrow, I will never be Chinese. If I move to India tomorrow, I will never be Indian. If I move to France, I will never become French. It is only in America that someone from anywhere around the world, if they play by the rules, accept our democratic principles and our free enterprise system, can come here and get the fair shot and not only can they become Americans, but their children will be Americans for generations to come. Our country is at its best when it welcomes hardworking immigrants into the national fold. That American tradition is reflected in the tenants of this legislation.

This path has been circuitous. We are long overdue. The last immigration reform was more than 20 years ago. Our current system is fundamentally flawed and broken. It is time to pass this legislation with an overwhelming majority, get it to the other body, get

it out, and get this bill to the desk of the President for his signature.

I am proud of the work that has been done by Members from both parties on this important legislation. I look forward to its successful conclusion, I hope, tomorrow, and I look forward to the fact that the Ambar Pintos and so many others who have lived in the shadows for so long, will be able to pursue the American dream.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, I rise today to talk about the underlying immigration bill, but, more importantly, to talk about an important amendment that I hope can be brought up. I have spoken on the Senate floor about this before and have provided great detail as to why it works to ensure that we have employment verification at the workplace, why it is so important, really, the critical element, I believe, in terms of immigration reform.

I believe strongly if we do not have a stronger employee verification system at the workplace, the rest of this legislation is not going to work. We are not going to have the people come out of the shadows that those who are proponents of this legislation would like to see, and I would like to see. Significantly, we are not going to be able to curtail future flows of illegal immigration.

People come here to work, and it is that magnet of employment that over the years has drawn people to this great country. If we are just going to put up more fences and have more Border Patrol, which I support, we are not going to get at the problem. First, when people want to get here badly enough, they figure out a way to go over or under those fences. They figure out a way to go around them. That has been the story of our country. Every time we have increased enforcement, including some sectors of the border now where there are double fences, people still manage to find their way across in order to find work.

Second, 40 percent of those who are here illegally in this country, we are told, came here legally. They did not come across the border illegally. They overstayed their visas. The only way to get at that problem is to ensure that we have strong workplace verification. Frankly, the underlying bill must be strengthened in order for the legislation to work the way it is promised.

I believe this amendment I am prepared to offer with Senator TESTER, my colleague from Montana, is not just bipartisan, it is not just one that has been worked through with the Gang of 8, with the White House, with the

chamber of commerce, with the AFL-CIO, with all the groups—we played by the rules over the last month or so to put together a good amendment—but it is one that will actually ensure to the American people that we can have an enforcement in place both at the border and in the interior at the workplace that will enable the rest of the legislation to work.

I have made it very clear over the last several weeks that I cannot support the underlying bill unless it has those enforcement guarantees because I cannot go to my constituents, look them in the eye, and say this is going to work.

So I agree, our immigration system is broken. The legal system is broken. The illegal immigration system, obviously, is broken. But we have to do the right things to fix it or else the promises we make are simply empty promises.

They say everybody wants to go to Heaven, but not everybody is willing to do the hard things to get there. This is an example of that. It is a hard thing. A lot of people do not want to see a tightening at the workplace. But it has to happen, and I think we all acknowledge that.

I was part of the 1986 immigration reform. That dates me, I know. But I was on the commission that helped come up with that. We proposed employer sanctions—it was called at the time—both in terms of the legislation and how it was implemented. Those employer sanctions were never put in place. That is one, although 3 million people were legalized, millions more came—up to 12 million now.

This is the critical part of this legislation, and I urge my colleagues on both sides of the aisle, let's have a vote on it. If we do not have a vote on it, we will not send the necessary message to the House of Representatives of the importance of this piece of the puzzle.

People said: Well, why didn't you include it in the Corker-Hoeven amendment, which was about a border surge? Because it needs to be and deserves to be drawn out as a separate issue, a separate debate, which we have had on the Senate floor. I have spoken on it before, Senator TESTER has spoken on it, and we need to be sure that we can show through a bipartisan vote that, yes, we are willing to do the hard things to get to "Heaven," the hard things to make sure this legislation actually works; and that is dealing with this at the workplace, which is the magnet, which is the reason people come to this country.

So I would ask any colleagues on both sides of the aisle, please, let us have a vote. There have only been 10 votes out of the over 500 amendments, apparently, that have been filed. There have been only 10 votes on this floor. Let us have a vote. We will be able to do it in a bipartisan way. We will be able to show the American people, as Republicans and Democrats, we can come together to solve big problems—

and this is a big one. If it is not solved, I will tell you, it is not going to work.

The pilot program for the kind of E-Verify that is in the underlying bill has been tested. Do you know what the recent report says on it? Fifty-four percent of those who are illegal got through the system and got a job—more than half. Why? Because the verification does not work. Our legislation strengthens it in a half dozen ways.

Again, I have gone into great detail on this on the Senate floor, and it is all in the RECORD, and I have shared this with all my colleagues who are interested.

Again, we have done the right thing in terms of working with both sides of the aisle, playing by the rules in terms of being sure the Gang of 8 signs off on it. It is not perfect, it is not exactly the amendment I initially drafted, nor is the underlying legislation perfect. But it does put in place real enforcement to ensure that the legalization will not occur in the absence of enforcement, which would lead not only to fewer people coming out of the shadows, but more illegal immigration coming, as happened in 1986.

The 1986 bill casts a long shadow in this place, and we have to be sure we do not repeat those mistakes. This will ensure we do that.

I urge my Republican colleagues, including the ranking member who has been terrific in this process trying to work with us, to accept a reasonable list and to accept some time limits that are reasonable.

I will say, last July 4th, a year ago, we were kept in session in this place. I was kept in session, as was every Member. I was happy to do it. But, frankly, it was regarding legislation that was more political than it was real. It never went anywhere because it was viewed as kind of a political exercise. I think both sides of the aisle would agree with that. We stayed on Saturday. As I recall, we stayed that weekend.

Here we have a historic bill before us on immigration and we cannot stay for a couple days to be sure we get through some of these amendments? That makes no sense.

Members in this body know me. I am not a partisan. I am not a guy who normally gets up here and rails against the other party about process. But I would say both parties need to figure out a way to come together and to come up with a list of amendments that make sense to ensure that this legislation we are considering is one that not only goes over to the House with over 60 votes but goes over to the House with the kind of substantive provisions that are going to make the legislation work so we can tell the American people and, frankly, tell our colleagues in the House this is something they ought to take up because our immigration system is broken.

I see my colleague from Montana is here. I would yield to him to see if he has any comments to make.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I thank my friend from Ohio.

I just want to say this: I am not going to speak a lot about the amendment. I think Senator PORTMAN has laid it out very well. I just want to say that we have immigration problems in this country that need to be fixed, and they have needed to be fixed for some time.

I think the Gang of 8 has done a great job coming forth with a good-faith effort, with a good bill that heads us in that direction. I think this amendment makes a good bill even a better bill.

I thank Senator PORTMAN for his work in a bipartisan way to put forth an amendment that makes the bill better, that makes the bill work better.

I will tell you, at some point in time there will be a unanimous consent request offered on this amendment to get a vote on it, and I will hope that both sides agree that we can get a vote on this amendment. I will tell you why. It makes the bill better, and it will pass. That is what we are here to do.

So I thank my friend from Ohio, and I will encourage, as he did, both sides to come together to make a good bill an even better bill so we can pass it through Congress and get it to the President's desk.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I thank my colleague from Montana. I thank him for his willingness to work on this together. This was not an easy process. Let's be honest, a lot of people would like not to tighten up the workplace requirements. There are people on all sides of this issue. The business community sometimes does not want to. Labor unions sometimes do not want to. Other groups are concerned about this. But the reality is, unless we have strong workplace verification provisions in place, the rest of the legislation does not work. It is a critical piece of the puzzle.

I urge my colleagues to give us a vote. Give us a chance. Let's show we can, on a bipartisan basis, do something that will actually create the enforcement that is needed to have the rest of this legislation work.

Again, I am urging both sides of the aisle to work on this together and to come up with a reasonable list of amendments. I am not suggesting anybody else's amendment should not be offered, but I am saying there is a way to get there. If we have to stay in, I hope Members would be willing to do this on an issue this important to the American people and this important to the future of our country.

With that, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, thank you.

I thank the Senator from Ohio for his good work on his piece of legislation. I will talk about that in a minute.

I want to just talk in general about where we are. Obviously, this has been a long hard road, and we are on the edge of passing one of the most significant pieces of legislation that this body will have passed in a very long time.

The good news is we are going to pass it with just about every Democrat voting for it and a very significant number of Republicans voting for it. The reason for that is the vast majority of Members in this body realize that the immigration system is broken and needs fixing, absolutely. We have a dumb system right now. We turn away people who create jobs, and we let people cross the border who take away jobs from Americans.

America is crying out that we fix the system. We have 11 million people in the shadows. They are working for substandard wages, many of them under desperate conditions, and they bring down the wage rates for everybody else, through no fault of their own. We want to bring those people to an earned path to citizenship.

We want to take our immigration system and admit people who are going to create jobs. We have shortages. Google Maps is now in Vancouver, Canada. It is an American company. It is an American idea. But they are in Vancouver, Canada, because they cannot get the employees they need here. They are willing to pay whatever, but Canada's immigration system is much better than ours and they can get the people from all around the globe who are needed to run that part of the company.

We are fair to agriculture, growers. The farm workers have come together on this bill. It is a large improvement over the present system.

Now, I have heard my good friend from Ohio—and I like his amendment. In fact, my staff worked on it with him. But let's make no mistake about it. This is a vast bill, and E-Verify—permanent E-Verify—is in the bill. Maybe it can be improved a little bit, but it is 0.01 percent of the bill. It does not deal with border security. It does not deal with entry-exit. It does not deal with the 11 million. It does not deal with future flow. So I would urge my colleague to reconsider.

Of course, we want this amendment offered, and many of us will support it. But to say that is the only reason—if it does not get in the bill it is not worth voting for—I would have to respectfully and completely disagree with my colleague.

Let's face it, there are Members on his own side of the aisle who will block him from offering it. So that says it all, doesn't it? Why do they do that? Because they do not want a bill to pass. That has been the strategy.

I heard my good friend from Iowa talk about we are not approving enough amendments. Well, I will tell you, the folks on the other side have had a great plan: block votes for 2 weeks and then, in the final hours,

complain we have not had enough votes. That is what they have done.

The first week we wanted to move amendments. The able chairman of the Judiciary Committee did. Oh, no. We had to change the rules and change the number of votes it takes to pass a bill around here. Week 2, we proposed many amendments be offered and the pace was painstakingly slow.

That is the plan: Block votes for 2 weeks and then complain.

Finally, last night, we got a list of 35, 36 amendments from the other side. Of course, we have many amendments. That would be 72 amendments because our side would want a one-for-one. That is only logical and fair. Then we heard it was not sufficient, that they wanted more amendments than that.

Furthermore, the Republican steering committee, my own colleagues have told me, sent out word: Get more amendments out there because we want to make sure there are so many amendments that we could never finish this bill.

In fact, even in that list of 36, the majority—not the majority but those who asked for the most amendments—were professed opponents of the bill. They were not interested in improving the bill. The strategy was, at the last hour, create dilatory tactics so the bill could never be approved.

Again, look at the list. One Member—I will not mention his name—offered seven; another offered six. They are two of the five leading opponents of the bill. They are not interested in improving it. Many of the amendments on that list of 35 were debated in committee and defeated by bipartisan votes. The committee was an open process that shows our bona fides. There were 301 committee amendments, more than 130 votes, 49 Republican amendments added into the bill.

Leader REID has just made a reasonable offer. He took 17 amendments from that list of 36. Every one of them was a Republican request. He did not make them up. He did not spin them out of whole cloth. He added 15 Democratic amendments. We have a lot of people on this side who genuinely want to improve the bill. Of course, the other side objected.

So the idea—the idea that we are not allowing amendments. Please. Take the leader's offer. That is half of the amendments you submitted last night.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. SCHUMER. I would be happy to yield to my friend from Arizona.

Mr. MCCAIN. My understanding is that there were 17 amendments that were just proposed by the majority leader, and it was opposed by the Senator from Iowa because we were not allowing votes. Did I hear correctly that after a unanimous consent request for 17 Republican amendments—1 of them very critical to the Senator from Montana and the Senator from Ohio because of E-Verify, which is something which is a fundamental key to making

sure that those 40 percent of the people who are in this country illegally, who did not cross our border but came on visas and overstayed—and then it is my understanding that after those 17 votes, with 10 minutes allowed for each side, if I understand the unanimous consent request by the majority leader, then we would do 17 more and even 17 more, if necessary. Yet the Senator from Iowa says we are not allowing amendments.

I have to say, I think in honesty, if I would ask the Senator from New York this, there was a delay of a couple days there that was unnecessary, which frankly was from the other side. But to somehow allege that the rights on this side of the aisle are being abridged, when there is a unanimous consent request to have 17 votes right now with 10 minutes in between—perhaps the Senator from New York can explain to me that logic.

Mr. SCHUMER. It is very hard to explain. It is sort of twisted logic a little bit, it is sort of pretzel-like logic. It is also pretzel-like logic to delay votes for so many weeks and then say all at once we need hundreds and hundreds of amendments. Not right, not fair, particularly, as my good friend from Arizona knows, when so many of those amendments come from sworn opponents of the bill, when so many of those amendments were disposed of in committee. So he is right.

One other point I would make while my good friend from Arizona is here, one of my fellow so-called gang members. We have a lot of disputes in this body because one side is against the other side. One side says one thing and the other side bands together and says no. We get gridlock. We need 60 votes. Neither side has it.

That is not the case here. Every major vote has been bipartisan, with a very significant number from the other side supporting the bill. More than that, the whole process has been bipartisan. The Gang of 8 was four and four. We sat in that room and haggled. We had as many disputes on the Democratic side, which did not want to accept what the Republicans wanted, as disputes on the Republican side, which did not want to accept what Democrats wanted.

But we all met in the middle because we believed in this bill. The sad fact is that while the vast majority of Americans support this proposal—by every poll that is seen, a majority of Republicans support this proposal, a majority of conservative Republicans support this proposal—there is a group in the country and reflected in the Senate that is so opposed to this bill they will go to any length to stop it. But the good news is, when you have a bipartisan majority, that cannot happen. So we get the kind of logic that my good friend from Arizona has pointed out. We get the kind of thing—it is sort of like Houdini. Remember, he tied himself in a straitjacket and then complained he could not get out.

Mr. McCAIN. Would the Senator yield? The Senator from Iowa may allege that the amendments he wants considered are not in that package. I would ask the Senator from New York, and perhaps the majority leader, would we then agree to have votes on the amendments the Senator from Iowa wants? This is a beginning and something we could continue to vote on as long as it takes.

When we were doing the budget, we stayed up all night. That was another great moment in the history of the Senate. Again, I am not saying all amendments are not equal. But I think it is pretty clear that the Senator from Montana and the Senator from Ohio Mr. PORTMAN have a very important amendment that has to do with E-Verify, a fundamental of this legislation.

We can assure the American people that the magnet disappears because of the certainty of penalties for employers, which is embodied in E-Verify, which the Senator from Ohio has spent weeks on. Only a nerd such as the Senator from Ohio could come up with the absolute detailed and absolute complete and comprehensive approach to E-Verify, a man I admire enormously.

Anybody who could be the Director of the budget has to be a nerd, as we know. But I admire the work of the Senator from Ohio, along with the Senator from Montana. Is there anyone who would disagree that what the Senator from Ohio and the Senator from Montana are proposing would not improve the bill enormously and the confidence of the American people that we can verify whether someone is in this country illegally and applying for a job?

I guess my other question is, if the Senator from Iowa does not like the list that the majority leader read from, why do we not do some of the other amendments or are we not going to do any amendments? Finally, may I say to my friend from Ohio, I have the greatest respect for his intellect and his capabilities. I know he knows I was just joking with my comments.

As a personal aside, when I was practicing for a failed run for the Presidency, the Senator from Ohio played my opponent, and I began to dislike the Senator from Ohio enormously. He did a great job, as he did in the last election.

Mr. SCHUMER. I thank my colleague. Reclaiming my time, I would say, when we get a nerd from Ohio and a farmer from Big Sandy, MT, together, of course we are going to get a very good amendment.

The bottom line, though, is simple. That amendment is in the list that the leader suggested. Every one of the 17 Republican amendments was part of that list of 36. So the bottom line is—and now many more amendments have been filed—just talking about the amendment. Look, E-Verify is in the bill. I would not quite agree with my colleague from Arizona.

E-Verify will work very well without the amendment. I think it will work somewhat better with the amendment. It is a good amendment. I am supportive of the amendment. My staff helped work on the amendment. But let's not say this bill will have no internal enforcement without the amendment. It has very strong internal enforcement. In fact, it has mandatory E-Verify.

My good friend from Alabama has been railing for years that we need mandatory E-Verify in the country. As we work through the process, if the House in its wisdom moves the bill, we can improve things. This is not the last train out of the station. But I say this: If we do not have a bill, we will have no E-Verify, improved, not improved.

So many of the things that many of my colleagues on the other side of the aisle wanted will not be in the bill. Again, to me, having worked in a bipartisan way—and I have taken as many criticisms from my side of the aisle as from the other to get this done, what is happening here—not the Senator from Ohio. He is sincerely eager to improve the bill and I support that improvement. But for many others who are vehemently opposed to the bill, there is a view to delay and delay and delay in hopes—I would say forlorn hopes—that they cannot move the bill.

We have not been on this bill for 1 day. We have been on the bill for 3 weeks. Again, most of the objections, not all but the vast majority, came from the other side when we wanted to move forward. So I would urge that we adopt the leader's motion, 32 amendments, a reasonable amount of time to debate them, 17 from the Republican list, 15 from the Democratic list, and go forward.

I do not think there will be a single objection from our side, I will tell you that much. If you say we want these 32 and then untold more, that is a different story. That is a different story. But, again, let me conclude on a happy note.

We have our differences. But it has been truly amazing to work with the two Senators from Arizona and the Senator from South Carolina and the Senator from Florida and the Senator from Colorado and the Senator from Illinois and the Senator from New Jersey. It has been an amazing journey. On one of the most difficult issues that faces America, we have crafted a proposal that has broad support and strong momentum, momentum that increased with today's vote and will increase further with tomorrow's vote.

Please, one of the things our citizenry objects to is there is always naysaying. It is always easier to say no than to say yes. But as has been pointed out, when you say no, you are keeping the 11 million here under what many have called unstated amnesty. You are keeping a broken system that kicks out of the country people who create jobs and lets into the country people who take away American jobs.

You are preventing the change in our immigration system to make America grow.

CBO said: Wow, because of this bill, GDP would grow by 3 percent this decade and 5 percent next decade. It is obvious. That is the energy of immigrants—poor immigrants, unskilled immigrants, rich immigrants, educated immigrants. Our ancestors, such as James Madison Flake, who my colleague from Arizona once told me about, but all our ancestors, whatever part of the globe they came from, worked so hard and are part of the secret to American success.

This bill restores that energy and that vitality. Again, this bill is not perfect. We never claimed it would be. But I would urge my colleague, my good friend, sincere friend from Ohio, who is very smart—that is what my friend from Arizona said—but has many other great attributes as well, and everyone else in this body, to not say, if I did not get exactly the change I wanted, this bill is no good; I cannot vote for it.

That is what has paralyzed this Nation in the last decade. This is an attempt not only to fix our immigration system but to overcome it. I pray to God we will.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, because there were some comments made about the amendment that Senator TESTER and I have offered, let me be very clear. This is about making the underlying bill work.

I do not believe it will work if we do not have strong workplace verification, simply, both because as the Senator from Arizona said, 40 percent of the people who are here illegally did not come across the border, they came because they overstayed their visas and they are here illegally now, and because when folks want to come here badly enough to get work, they will go over, under, and around whatever barriers we put on the border.

I am for more border security. It is a good part of the bill. It does not solve the problem. Fifty-four percent—remember that. That is the pilot program for E-Verify. Over half of the people who are illegal who attempt to get work are getting through.

Mr. MCCAIN. Will the gentleman yield?

Mr. PORTMAN. I don't think it is going to affect anybody in this Chamber. I don't think the bill will work. I am not going to vote for it if it doesn't have strong enforcement, because I don't think they are going to come out of the shadows in the way they want to have them, including me. I don't think you are going to be able to stop people from coming in the future. The flows of illegal immigration, as we saw in 1986, cannot be curtailed unless there is strong enforcement at the workplace.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. PORTMAN. I yield to my colleague from Arizona.

Mr. MCCAIN. It is my understanding the Senator from Ohio, it is true, worked for weeks, literally consulting industry, consulting labor, the best high-tech people in America, and has come up with these fixes which all of us, no matter how we are on this issue, agree would dramatically improve our capability to make sure if anyone is in this country illegally before they obtain a job.

Maybe it might be helpful to our colleagues if the Senator could describe for a couple of minutes, if he would, what he has been through in this process of coming up with this product to make sure this is a system that can work. I am not sure people are aware of that.

Again, I say only someone with his background, knowledge, and expertise, in my view, could have come up with this amendment, along with the Senator from Montana.

Mr. PORTMAN. I thank my colleague. I have explained this on the floor in some detail as to what is in the legislation and why it is so important, including speeding up the time for E-Verify to apply, including a real trigger that is comprehensive, including having the ability to verify somebody's identity—which is the problem now with E-Verify—by photo match, by doubling the amount that goes to the States for them to provide the data.

It also has privacy protections. It also ensures we don't create a new national database that could have potential negative consequences for all of us as citizens who care about civil liberties. It is a great balance.

We have worked with the chamber, we have worked with the AFL-CIO, we have worked with the White House, we have worked with Republicans and Democrats alike. We have worked with people in the Gang of 8. It is not exactly the amendment we initially drafted. Ours was even tougher, I will say, in some respects, but it is an amendment I believe in my heart if we could get passed would create an E-Verify system that would be strong enough to create a deterrent, and right now the incentive to work is so strong that we can't solve this at the border. Plus, as my colleague from Arizona indicated, folks are coming over and overstaying their visas.

Let me say one more thing more if I could, please.

The Senator from Iowa has 34 amendments he wishes to have offered. I don't know if all 34 of those would actually be offered. Some of them, as my colleague from New York said, are being offered by the same Senator. I imagine there will be some voice votes in there. I know, as I said earlier, there has to be a time agreement that has to be reasonable. I know there has to be a limit. It seems to me there is a way for us to get there. This is, again, to show the American people that on a bill this historic we don't just have 10 amendments

on the floor, to show we have the ability to hear not just from our amendment, Senator TESTER and myself—which is critical to me to having this bill succeed—but also other Members, who as Members of the Senate have the right to be heard.

I would hope we could come together. I misspoke earlier and said it was last 4th of July. It was 2 years ago on the 4th of July. I remember missing the 4th of July events back home because we were here voting. Why? Because we wanted to spend some time on the Buffett rule, and that was fine. We all came back and did it. It didn't go anywhere.

I would only suggest this is even more important. If we have to stay through the weekend, if we have to ensure that we stay up late tonight and tomorrow tonight to get this done, I hope we will do it to provide an ability to find a way forward where we have these amendments. Significantly, we would offer an amendment like this one that enables this bill to work, and it enables us to have even more support as this bill goes to the House of Representatives.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senate majority leader.

Mr. REID. I have been very patient today, and I have just about had it on this, all of this pontificating on this amendment, all right?

The Senator from Ohio had an offer to put this in the bill. He turned it down. We are spending all of this time because he has been aggrieved in some way? He had the opportunity to put this amendment in the bill as it is offered.

I wanted to be quiet all day, but this is enough. This is enough. The American people need to know he had the right to put it in the bill. They agreed on it. He said no. I assume this is because he wants a big show out here to have a separate vote. I don't know what it is. That is enough. I have had enough. I know he is a smart man. He has been head of OMB and a lot of good things. I know nothing bad about him, but that is enough of this, enough of this.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I wish to talk a little bit about amendment No. 1634 very quickly. The good Senator from Ohio has talked about it and explained it very well, but I wish to talk about a few things.

This amendment substantially improves privacy protections in the E-Verify Program. That is a good thing. It ensures no Federal database will be created using the Photo tool or other data from a State DMV database. That is a good thing.

It ensures no other Federal Government agency can access information made available under E-Verify. That is a good thing.

It increases privacy protections using established techniques, such as requiring an individual to be notified when

their Social Security number is used for purposes of employment verification in a manner that is potentially fraudulent. That is a good thing.

It requires new regular reporting of suspected fraudulent use of the E-Verify process.

This is a good amendment. It will make a good bill better.

For that reason I ask unanimous consent that amendment No. 1634 be in order for the purpose of a vote on the Senate floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I reserve the right to object, and I will object.

I want the Members of this body to know that I very much am interested in E-Verify, because I have legislation in for mandatory E-Verify. I was involved with several Senators in 2007 as we tried to get an amendment put together in those negotiations. It is a case of something very important. I happen to support this amendment, but it is one of 34 others we sent over to the majority to give us votes on. Our side isn't going to let the other side pick our amendments and choose our amendments that are going to be adopted any more than they would let us decide what Democratic amendments are going to be offered. That applies to the Portman amendment as well and the amendment of which Senator TESTER is a cosponsor.

We had this set up where we were asked to put together amendments. It happens to be that a Republican Senator, somebody who just spoke and was involved in this colloquy, asked me to put together some amendments. I worked hard with a lot of dissenting Republicans about how we should do this process, put together 34 amendments and gave them to that Senator. He was going to negotiate with the leader or the majority.

It seems to me I ended up giving my amendments to an errand boy, didn't do much negotiation. We are here where we are.

Also for that Senator, I wish to tell him that he said we could do 15 vote amendments now, then maybe 15 more, and then maybe 15 more.

The unanimous consent request said after we do those amendments we were asked to do, the bill be read a third time and the Senate proceed to vote on final passage of the bill. There wouldn't have been a tranche of so many and then another tranche.

Here we are, even though I think it is a pretty good amendment. We were promised a free and open process of amendments, and the Group of 8 promised that from day one that they put their bill down, that this bill can be approved.

We have had a chance to improve it by a dozen votes, and that is it. I am sorry for Mr. PORTMAN and for Mr. TESTER that I have to object to their amendment, but I do object.

I think if we had 2½ weeks, we could have been doing a lot of these other

things we are going to have to rely on the other body to do to get a decent bill to go to the President of the United States.

I yield the floor.

The PRESIDING OFFICER. Objection is heard.

The Senator from Montana has the floor.

Mr. LEAHY. Would the Senator from Montana yield for 1 minute?

Mr. TESTER. I yield to the Senator.

Mr. LEAHY. Mr. President, I think of myself as one of the calmest people around here, but a lot of facts and numbers have been tossed around here. Let's get a few in perspective.

When this bill was before the Judiciary Committee, there were 301 amendments filed. We put them online. Every single person saw a week and a half in advance what the amendments were. We then brought them up. I would bring up one from one party and then one from another. We did this day after day after day into the night until people said we have no more amendments we want to bring up.

We adopted 136 of those amendments, all but 3 of them with Republican and Democratic votes. To say nobody has had a chance to amend this—we had nearly 140 amendments, including amendments from the Senator from Iowa, others, and myself. All but 3 of these 136 were by bipartisan votes.

I well remember the last night of that markup, late in the evening. I said, does any Senator, Republican or Democratic, have another amendment they want? No. There were not any more amendments, and we voted out the bill.

We have offered to have rollcall votes on 15 Democratic amendments, 17 Republican amendments, and then another 29 amendments that everybody agrees should be passed and do them en bloc in the managers' package.

Now I know some—not the Senator from Iowa because he has been here a long time, but I know some Senators are new to this body. I have been here 38 years. I have seen great legislators in the Republican Party and great legislators in the Democratic Party. We always talk about the hundreds of amendments we know we are going to get down to a finite number. Then you agree to vote on those, and you usually have a managers' package where both Republicans and Democrats agree these can be done en bloc. This is what we have done. There are several amendments here on the floor. We have offered 15 Democratic, 17 Republican, and another 29 en bloc.

The objection did not come from the Democratic side. It came from the Republican side, including some who said they would never vote for any immigration bill whatsoever.

The distinguished majority leader has more patience than the Senator from Vermont. I applaud him for his patience.

I have not spoken on this point, and I apologize for taking the time, but it

is frustrating to me to hear these numbers when so much work has been done by both Republicans and Democrats on this bill to get to the point we are.

I respect my friend Senator PORTMAN, but he was offered the opportunity to put his amendment in the package which was agreed to. I had amendments. I would love to have the glory of saying: Here is the Leahy amendment passed on the floor. I said: No, I am more interested in getting it passed. I will put it in the package and let it go through. I don't need to have my name on it. I just want to get it to the floor.

I thank the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. TESTER. I thank the Senator. I want to get back to the amendment for a second here since it was objected to.

We wonder why we have a single-digit approval rating in Congress. The people out here that I represent aren't Democrats first, they are not Republicans first, they are Americans first.

This amendment was objected to by somebody who actually agrees with the amendment. If you are home watching this on TV, you are saying what is going on in Washington, DC? We have an amendment that people agree is going to make this bill better, but yet it is objected to. Why? Is it because there will be one or two more votes for this bill in the end? Is that why? If it is, that is not a good reason.

Look, we all live in this country. We all want this country to work. We all want it to continue to be a leader in the world. This amendment makes a good bill better.

I want to kick it to the Senator from Ohio for his closing comments on this amendment.

The PRESIDING OFFICER. Without objection, the Senator from Ohio is recognized.

Mr. PORTMAN. I thank my colleague from Montana. There was some discussion, both by Senator LEAHY—who actually was complimented earlier in his absence about the way he handled this bill in committee, by Senator GRASSLEY, because of the amendments he did offer and allowed Republicans and Democrats to offer.

To my friend, the majority leader, and to the Senator from Vermont, yes, we were offered, Senator TESTER and I were offered the opportunity to put the legislation into the Hoeven-Corker amendment.

By the way, the idea there was that we had to cosponsor that amendment sight unseen, which ended up being about 1,200 pages. We chose not to do that, Senator TESTER and I, for a very simple reason, which is we wanted to have a debate and a vote on this issue.

I have discussed this on the floor now three times, and I will discuss it once more. Apparently the Senator from Nevada wasn't there to hear it.

We believe—and I am passionate about this, as you can tell—that if we don't fix the workplace we cannot have

an immigration system that works. It is as simple as that. And to not have a separate debate and a separate vote on this amendment, on this issue, does not give us the possibility of sending this over to the House with a strong message and maximizing the chance the House of Representatives will see that strong bipartisan vote on this important issue of workplace enforcement to ensure it is part of the final package. It is that simple.

If it had been part of the so-called border surge amendments, rightfully so, Members from the other body and others observing this process would have said it wasn't about E-Verify, it wasn't about the workplace, it was about the border and about the 20,000 new Border Patrol agents, and they would have been right. Let's be honest.

We asked for something simple: Give us an opportunity to have a debate. It is not about us, it is not about politics, it is about the substance of the legislation, to make sure that coming out of the shadows will actually happen because folks will find it more difficult to find jobs if they are illegal, to ensure that we don't have a future flow of illegal immigration because we have, again, an employment verification system that works, and to show that there is bipartisan support for that.

Look, it is, frankly, not a very popular part of the legislation, and over the years it hasn't been. In 1986 it wasn't. That is why it was never implemented, because there is sort of an unholy alliance among employers, among those representing labor union members, among those representing certain constituent groups who feel there might be some discrimination or other issues. That is why we have carefully drafted this amendment to address those concerns, and we wanted to be sure we had a separate debate and vote.

By the way, we are talking about a 5-minute debate, and we still hope we will get it because it makes too much sense. We could not believe—Senator TESTER and I could not believe that couldn't be possible in this body, that the world's greatest deliberative body couldn't spend 10 minutes debating this crucial issue to show, on a bipartisan basis, what kind of support there is for not just dealing with the border but also dealing with the workplace, which, in my view, is the critical element here.

We made a mistake in 1986 by not writing the legislation properly and not implementing what we had in terms of employer sanctions. That is one reason. Although 3 million people were given legal status and amnesty, millions more came, to the point where now 12 million people are living in this country in the shadows. We have to be sure that problem is addressed, and that is why legitimately we thought it would be appropriate for this body to take up that issue and have a vote on it.

I stand by that. I think we made the right decision, although I am very,

very discouraged by the fact that it now appears there might be some sort of a roadblock here. Let's get a reasonable list, let's get reasonable time limits, and let's work through these amendments. We could be doing them right now. We could have done them yesterday. We could do them tomorrow. We could be here over the weekend.

Two years ago we stayed in over the July 4th recess to talk about the Buffet rule, which never went anywhere. This is not substantive legislation that we actually hope will become the law of the land and have a major impact on all of us as American citizens and the future of our country, a nation of both immigrants and laws?

I ask again, Mr. President, that Republicans be reasonable, Democrats be reasonable, and let's come together with a list that makes sense, and let's vote on these amendments. Let's start doing our work.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Chair for allowing me to have the floor.

Look, we were moving—Senator GRASSLEY had a list of 16, 18 amendments Wednesday night. He was prepared to begin the voting on those Thursday, Friday, Saturday if need be, as Senator REID had said we could work on Saturday. Monday, what happened? They had the super-amendment, they had the Corker-Hoeven amendment, and the majority decided to sit on that and not allow any amendments to occur Thursday, not allow any amendments to occur Friday, and only have a cloture vote on Monday. And that vote—I don't think our Members understood fully—gave complete power to the majority to dominate this process, to end the idea that we would have an open, fair process. It ended with the cloture vote Monday.

We were in the process to vote on a series of amendments. Senator GRASSLEY worked and worked, and he got 35 amendments that he said we would agree to, out of the hundreds that were out there, to have votes on. Yet now they come back and say 15 or 17, and now we are going to do this, and we want this amendment and that amendment.

The process, I hate to say—it is pretty obvious to me—on Monday afternoon was altered. We had gone from an open debate process, as Senator LEAHY conducted in the Judiciary Committee—at the end of it, he did say: Anybody else have anything else they want to offer? And there was nothing else to offer, and he voted.

The committee was not a normal committee. We had four of the Gang of 8 on it. So the vote after vote after vote, including two votes on E-Verify that would have strengthened the bill, was voted down. Votes on the earned-income tax credit—fixing and honoring the promise not to provide that welfare payment—were voted down.

So I just want to say that everybody knows what happened. The Republican Members of the Gang of 8 said we would have an open process. Right after the vote Monday afternoon, they told me they were going to work for a process, but I knew then that the deal had been cooked and that this wouldn't result in something that would work and be fair.

Mr. VITTER. Will the Senator yield?

Mr. SESSIONS. I would be pleased to yield to the Senator from Louisiana.

Mr. VITTER. I thank the Senator from Alabama for yielding, and I want to echo these concerns. I, for one, have been filing amendments and trying to get votes on important amendments for weeks, since the very beginning of this process. I started the first day of this debate, and I haven't let up.

The Senator from Alabama is exactly correct. A slow, halting amendment process at the beginning was completely shut down by the proponents of this bill as they identified a path to pass the bill. As soon as they put together the major elements of the Corker-Hoeven amendment, then the amendment process was shut down. Now they are trying to resurrect a little bitsy piece of it at the tail end of the entire debate. For what reason? For the purely cynical reason that they can get a few amendments they want up to try to grow and maximize their vote. Well, that is a purely cynical, one-sided process, and I, for one, won't stand for it.

I have been here urging my amendments from the beginning and consistently. The Senator from New York was on the floor a few minutes ago saying this was some last-minute plea. It hasn't been last-minute on my part. I started on day one, and I continued on day two and continued on day three, all through the process. I was ready with my amendments early on. Friday, I organized a letter expressing this very concern about the shutdown of the amendment process and organized signatures and sent that letter on Monday to the distinguished majority leader.

So my plea for votes on significant amendments didn't start today. It didn't start yesterday. It has been part of the entire floor process, but that process has been completely controlled and manipulated in a one-sided way by the proponents of this bill, and now they just want a few amendments at the end. Why? No. 1, so they are not embarrassed by the complete shutdown they have orchestrated; and No. 2, so they can try to buy a few more votes for the bill on cloture. Well, that is not an open process, that is not a fair process, nor is it fair to be picking and choosing what amendment votes I get. All of the amendments by myself and others are germane.

This is not reasonable in any way. So I proudly join the Senator from Iowa in objecting to that offer, which was completely cynical and one-sided.

I thank the Senator for yielding.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator from Louisiana for his comments, and I thank Senator PORTMAN for providing some good language to improve our situation.

I truly believe what happened Monday afternoon heralded deep trouble. There was deep trouble the week before when a dramatic reversal of enforcement ideas came about to throw money at this problem come Friday. That is what happened, and the process has been shut down essentially since then.

Mr. JOHNSON of Wisconsin. Will the Senator yield?

Mr. SESSIONS. I will yield to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Mr. President, first of all, I appreciate the Senator from Alabama yielding the floor.

I came down first of all to express my gratitude to Senator GRASSLEY for fighting for amendments, and I wish to comment on and really affirm what Senator VITTER was talking about—the Senator from Louisiana—about how these amendments were chosen by the other side.

I have not been an abuser of the amendment process in my time in the Senate. I try to pick the amendments and I try to write the amendments I think really have a positive impact on any piece of legislation.

In this case, on the immigration bill, I want to solve the problem. I was looking for a reason to vote for the bill. What prevents me from voting for this bill is the huge cost we are having to pay for it.

Listen, I don't want to divide families. I don't want to deport children's fathers. I don't want to deport husbands and wives. But I also agree with the American people that we cannot—we are already bankrupt in this country. We cannot provide benefits to those people coming here whom we want to welcome into our country, to contribute to our country, but we can't be paying benefits.

So I offered two amendments—first of all, to not allow the Secretary to extend the registration period another 18 months, so we can get this behind us. My other amendment, which I think is more significant and would help me vote for the bill, would be to prevent immigrants from obtaining the earned-income tax credit. The American people by a 77-percent margin do not believe we should be paying benefits, as we are bankrupting this nation, to people who are not citizens.

The amendment, the one I really asked for, if it was going to be narrowed down from two to one, I asked for a vote on the amendment to prevent the earned-income tax credit—a welfare benefit paid through the Tax Code—from being offered to immigrants. That is the one I wanted, but in this package, negotiated apparently by

the majority leader, they were going to offer the other amendment. Why? Because I don't believe they want to expose their Members to that vote, basically providing benefits to non-U.S. citizens that they know full well the American people do not support.

So, once again, I appreciate Senator GRASSLEY's efforts. I also fully support Senator PORTMAN's amendment as well. He is exactly right. The way we stop illegal immigration is by reducing the demand for illegal border crossings. We do that by shutting down the demand for that labor.

Again, we want to welcome legal immigrants through a legal process, but we cannot tolerate this lawlessness and this illegal immigration, and we simply cannot afford to pay noncitizens that benefit level. The cost of the bill is \$262 billion, which just makes it very difficult for me to support it.

I yield back.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, one more thing. First, I agree with Senator JOHNSON. I offered an amendment on the earned-income tax credit in committee—and four of the Gang of 8 Members are on the committee—and they all voted that down, as I recall, even though they promised there would be no welfare benefit for those in the country illegally who would be given provisional status under this legislation. So that was a breach of one of the key promises they made when the bill was moved forward.

As a result, we know the earned-income tax credit is not a tax deduction; it is a direct check from the U.S. Treasury to people based on a lower income. It is a welfare-type payment. It is not a tax deduction-type situation. So that was a disappointment in committee, that the group's promises were violated, and they have been blocked again on the floor.

There is one more thing I want to say. I don't appreciate the idea expressed that no matter what would happen, Members on this side would not vote for the bill. That is not true. We need, and need badly, an immigration bill that would improve the immigration system of America, put us on a sound course for the future, would provide compassionate status for people who are here illegally and put them in a situation where they do not have to be deported. And I would support that and have said that for years, actually, and have said that through this process.

But let me tell you what the U.S. Citizenship and Immigration Services Association wrote to the Senate just 2 days ago, June 24:

The . . . immigration bill, if passed, will exacerbate USCIS concerns about threats to national security and public safety.

They go on to say:

It will further expose the USCIS agency as inept with an already proposed massive increase in case flow that the agency is ill prepared to handle.

They go on to say this about the bill:

It was deliberately designed to undermine the integrity of our lawful immigration system.

They go on to say:

This bill should be opposed and reforms should be offered based on consultation with the USCIS adjudicators who actually have to implement it.

Nobody asked them. They met in secret with the special interests, big business interests, the La Raza interests, the agriculture interests, the Immigration Lawyers Association, but they didn't have any of the officers there. I wrote and asked them to meet with them. They still refused to meet with them because they didn't want to hear that.

On June 24, 2013, ICE's union association wrote us and said:

I urge you to vote no as this bill fails to address the problems which have led to the nation's broken immigration system and in fact will only serve to worsen current immigration problems.

They go on to say:

Instead of empowering ICE agents to enforce the law, this legislation empowers political appointees to further violate the law and unilaterally stop law enforcement. This at a time like no other in our nation's history, in which political appointees throughout the federal government have proven to Congress their propensity for the lawless abuse of authority. There is no doubt that, if passed, public safety will be endangered and massive amounts of future illegal immigration—especially visa overstays—is ensured.

So all this talk about the greatest bill ever, it is not so. This bill is much weaker than the bill that was voted down in 2007. It was on the way to defeat last week, until they had a desperate claim to throw 20,000 agents at the border and spend a bunch of money without any thought about how it would work.

I am concerned about this. I think a lot is at stake. We know how the situation got here. We know what happened. They voted cloture Monday and the majority leader filled the tree. He, therefore, has complete control over any amendments. The last time in 2007, there were 47 amendments voted on. This time, nine have been voted on. Even with the 35 Senator GRASSLEY proposed, that would be less than last time.

We know what has happened. The Corker-Hoeven amendment was able to rescue a bill that was in deep trouble, and now it looks like we are moving on to final vote, without the ability to have amendments, because the majority will not agree to allow an open process, as was promised, and allow a number of amendments that were offered.

Senator LEAHY said a lot of amendments were offered in committee. Why couldn't they have been offered on the floor? Why couldn't we have voted for amendments on the floor? The majority doesn't get to pick and choose what amendments they are going to allow to come up. We are either going to have an open amendment process or we are not, and it looks like we are not.

I thank the Chair and would yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, before I begin my remarks on immigration reform, I would like to acknowledge the diligence and leadership of my colleague from Alabama Senator SESSIONS, who has spent a lot of hours on this floor and in the committee before this on the issue of immigration. I commend his relentless efforts to bring to light many of the problems and questions surrounding the legislation before us, some he has been talking about in the past few minutes.

As a Member of the House of Representatives in 1986, I opposed the Simpson-Mazzoli Act, which granted amnesty to nearly 3 million illegal immigrants. Supporters of that law then promised that it constituted a one-time fix to our Nation's broken immigration system. Instead, the promise itself was broken. At least four times as many illegal immigrants now reside in the United States some 27 years later.

Despite this failure, the Senate now tonight is considering legislation that repeats the mistakes of Simpson-Mazzoli. The provisions are different, but I believe the results will be the same. Still, supporters of this legislation before us promise border security in return for amnesty, just as proponents of Simpson-Mazzoli did.

In light of these facts, here is a more credible promise: I believe the child of Simpson-Mazzoli will become the mother of all amnesties. You can call it what you want.

Compounding the mistakes made a generation ago will ensure that the problem of illegal immigration revisits generations to come on a much grander scale. Therefore, I rise to urge my colleagues to reject this deeply flawed legislation.

The subject of border security has been talked about in the Senate. During consideration of the Simpson-Mazzoli Act in 1986 in the Senate, my former Senate colleague and coauthor of that legislation stated the following: "The American people, in my mind, will never accept a legalization program unless they can be assured this is a one-shot deal."

The assurances to which he referred were border security and tough enforcement of immigration laws. Specifically, Simpson-Mazzoli called for 50 percent more Border Patrol personnel for 2 years and new penalties for employers who hired illegal immigrants. Unfortunately, as we know, the former proved insufficient and the latter was hollow. But it was too late. Nearly 3 million illegal immigrants had already been granted amnesty by the time most lawmakers figured out that the assurances were basically a sham.

Despite the drastic increase in illegal immigration in the intervening years, supporters of the bill now before the Senate make similar assurances of bor-

der security in return for a form of amnesty. They say there will be a surge in Border Patrol and a fence along the southern border. We have heard it before, but they claim two main distinctions between their promise and the one we heard in 1986.

First, the supporters of this bill say this bill does not contain amnesty but a tough path to citizenship. Second, they say this bill will secure the border before legalization occurs. But will it? I believe neither claim holds water.

Under this legislation, once the Secretary of Homeland Security notifies Congress that the Department has begun to implement a so-called comprehensive southern border security strategy and a southern border fencing strategy, she can commence processing applications for registered provisional immigrant status. In addition, the Secretary must begin implementing these plans within 180 days of enactment of this legislation.

I will clarify the legal talk: No later than 6 months after this bill becomes law, those who came here illegally will be allowed to stay legally.

I will clarify that further: That is amnesty.

The sequence is also noteworthy. No fence must be built before amnesty is granted. No surge in Border Patrol must occur either. Those things come after, not before.

So I return to the fundamental question: Will these measures as structured stop illegal immigration? The Congressional Budget Office, CBO, says no. Instead, CBO provides only a vague and uninspiring assessment that the legislation will slow illegal immigration by some amount greater than 25 percent—if, and only if, the dubious promises of this legislation are fulfilled.

Perhaps that is the more salient point: We don't know what the impact of this will be. We don't know what we are doing. We only know that even the best outcome will not be nearly enough.

I believe we should know what we are doing. We should know the border is secure before any discussion of legalization begins in the Senate.

But there are economic consequences to all of this too that people need to think of. What we do know is that the economic consequences of this massive amnesty will make struggling Americans struggle even harder. By some estimates, this legislation will produce a surge of more than 30 million immigrants in just the first decade after enactment. Some people believe more.

CBO projects that passing this legislation brings grim news about what this will mean for working Americans as well as those looking for work.

For example, the unemployment rate, according to CBO, will accelerate over the next 6 years; average wages for Americans will drop over the next 10 years; meanwhile, average wages will rise for those granted amnesty or legalization; economic output per capita will decrease over the next 10 years;

and the on-budget deficit will increase by more than \$14 billion over the next 10 years.

In short, this legislation is projected to increase Americans' difficulty in finding a job and then reduce their paycheck when they get one. In my judgment, that is reason enough to oppose any legislation like this.

I understand that supporters of this legislation point to better economic projections in the so-called outyears. However, even if those projections prove accurate—which we don't know—we should never put the economic well-being of Americans on hold.

Finally, I am deeply concerned that this legislation will further strain our overcommitted entitlement and welfare programs. Our Nation, as we all know, is over \$17 trillion in debt. We should be working on a long-term plan to put our Nation back on sound fiscal footing, not adding to the burden.

There is also the issue of competitiveness. Long-term thinking would also aggressively promote American competitiveness. Real immigration reform presents a golden opportunity to advance that cause. Unfortunately, this legislation misses the mark.

By some estimates, China and India together graduate nearly 1 million engineers each year from their universities. The United States, by comparison, graduates approximately 120,000 engineers. In addition, the Manhattan Institute estimates that 51 percent of engineering Ph.D.s and 41 percent of physical sciences Ph.D.s who are foreign born are forced to leave the United States once they get their degree.

I believe if we care about immigration reform, if we want to continue to lead the world, we must attract and retain the best and the brightest minds. Yet this legislation would cause a tectonic population and labor market shift in the opposite direction.

Specifically, CBO projects that among the tens of millions of immigrants who will come to America under this legislation, there will be seven low-skilled workers for each high-skilled worker. It is little wonder then that CBO projects that Americans' wages will fall.

Two provisions in the legislation will effect this change. First, the current cap on family-based visas will be removed. This will create an unlimited influx of low-skilled workers. Second, the cap on visas for high-skilled workers will be increased, though not nearly enough to meet the demand.

The legislation will also impose onerous new restrictions on employers seeking to hire such workers. The authors of this legislation claimed that it contains a merit-based approach, which will ensure that more high-skilled immigrants receive visas. They emphasize that their point system emphasizes higher education, consistent employment, and English proficiency. Yet closer examination of the details reveals that points would also be awarded on the basis of nonmerit factors,

such as family ties and civic involvement. In effect, this dilutes not only the point system but also claims of a merit-based approach that will promote American competitiveness.

I think we have some of the best universities in the world. They attract a lot of the most gifted individuals from around the globe, deepening our country's vast pool of talent. This, in turn, attracts companies here and abroad, seeking the brightest minds in math, science, and engineering. Graduates will go on to attain high-paying jobs or even create jobs themselves if they are allowed to stay here.

I believe we must do more to allow such talent to stay, especially in light of an increasingly global and competitive economy.

In closing, I would quote Mark Twain, who once cleverly observed: "History does not repeat itself but it does rhyme."

In the context of immigration reform, the promises we hear today sound a lot like those we heard in 1986, but this time the amnesty will be much bigger. I believe the consequences will be many: undermining the rule of law, failing to secure the border, increasing economic difficulties for American workers and job seekers, eroding our Nation's finances, and weakening our competitive position internationally.

I believe one of our fundamental responsibilities as lawmakers is to support policies that foster the conditions for job creation and economic prosperity in America. I believe we must remain a welcoming nation, but we must always put Americans first.

In my judgment this legislation fails in many corners, and it fails most tests. Accordingly, I will respectfully but firmly oppose it, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I want to speak to the underlying legislation that we are debating in the Senate today. I want to acknowledge that, like many of my colleagues in the Senate, I am a descendant of immigrants. Only one generation separates me from a grandfather who was born in Norway but came to America with his brother in hopes of making a better life. My grandfather and great-uncle, when they came through Ellis Island, their given name was not the name I have today. It was Gjelsvik, and when they got to Ellis Island the immigration officials there asked them to change their name because they thought it would be difficult to spell and pronounce for people in this country. So they picked the name of the farm near where they worked near Bergen, Norway, which was the Thune farm. So Nicolai Gjelsvik became Nick Thune, my grandfather.

When they got here they worked on the railroad, saved up enough money to buy a merchandizing store, which eventually became a hardware store, and

there is to this day on the streets of Mitchell, SD, a Thune Hardware. The family is not associated with it anymore, but that is an example, like so many other cases, of people in this Chamber as well as those all across the country who came here in search of the American dream, in search of a better life for their children and grandchildren.

My grandfather raised three sons in the middle of the Great Depression. The middle son, my father Harold, became an accomplished basketball player, went on to star at the University of Minnesota, and when World War II broke out he defended his country in combat. He became a naval aviator, flew off the aircraft carrier *Intrepid* during World War II. When he returned to South Dakota he started raising his family in the small town of Murdo, which is where I grew up.

This country was built by immigrants like my grandfather, and our future both economically and as a continued example of freedom throughout the world will be maintained by future generations of immigrants who come here with the respect for the rule of law and hopes of starting a better life.

A lot has changed in the world since my grandfather came to the United States. We face new threats from abroad that attempt to use our porous borders to harm this Nation and to destroy our way of life. In addition to these new national security challenges, we depend on a more dynamic system of commerce, trade, transportation, and communication. Our government is also larger and now offers a broad social safety net to a growing and aging population. To maintain our system of government, while encouraging future generations of immigrants to come here, our immigration policy must provide a clear path for those who wish to come legally while enforcing the rule of law. As lawmakers, we have to look at each piece of legislation that comes to the Senate floor based on its own merits and the impacts that it will have on our Nation.

The immigration bill before the Senate has many aspects of it that I can support, but there are elements of this legislation that cause me concern. I appreciate the effort of those who have worked in drafting this bill to find a way to address the 12 million undocumented workers who are currently living in this country. However, if we are going to fix the problem, we need to do so in a way that doesn't result in the Senate having the same discussion again and again in years to come.

The solution to the problem of illegal immigration is not Congress passing new laws every few years that provide for legalization without securing our borders. That sends the wrong message to natural-born citizens and those waiting outside of our country to enter legally.

What legalization before enforcement communicates is if they want to come to America, don't play by the rules; it

takes too long. Instead, find a way to sneak in and wait for the next round of amnesty.

Before we get to the point of talking about what a path to legalization might look like, as a country we first need to be at the place where we can, No. 1, confirm our borders are secure; No. 2, know when people have overstayed their visas; and, No. 3, have a system in place where employment is limited to those who have played by the rules.

Once we have these tools in place, then we can look at a path to legalization. The bill before us today is legalization first and enforcement second. That is a promise the American people have heard before.

Last week I spoke several times on an amendment that I had offered to this legislation for a border fence which, at the time, was voted down by a majority in the Senate. I would prefer if we lived in a world where a border fence was not necessary, but, unfortunately, we do not. When I introduced that amendment I was surprised to learn from some of my colleagues on both sides of the aisle that in their view it was a waste of money and unnecessary. In fact, one of my colleagues even called it a dumb fence. Yet the substitute amendment agreed to this week now calls for 700 miles of fencing along the southern border.

With this new compromise, instead of the fence being a bad idea, now all of a sudden—and I guess it is not unlike some of the evolutions that occur around here—it is a good idea. I appreciate that some of my colleagues appreciate that good fencing is a key component of border security.

I would like to make clear that this 700 miles of fencing is not a trigger that is a precursor to legalization. The amendment agreed to in the Senate is still legalization first and the promise of border security down the road.

What the amendment I offered called for was 350 miles of fence to be completed prior to RPI status being granted. That would have meant border security first, then legalization. Additionally, I had proposed a double-layered fence to prohibit pedestrian traffic, which is different than the single-layered fence in the current legislation.

It would be insincere to claim we want to discourage illegal immigration and yet have a border that anyone can walk across, in some places without even knowing that a border has been crossed. No border fence will ever be 100 percent effective, we know that. But a physical barrier along with increased use of technology will stem the flow of pedestrian traffic. On the few sections of our border where a double-layered fence is already in place, this is verifiably the case.

Another provision being touted as part of the compromise version of this legislation is the inclusion of 20,000 additional Border Patrol agents to secure

our southern border. Prior to this compromise, our colleague from Texas Senator CORNYN was criticized for proposing 10,000 new agents. I would hear people coming down on the floor saying: We can't have that. How are we going to pay for it? We don't have the money to pay for this in the bill.

Now the increase of 20,000—double the number proposed by the Senator from Texas—is being defended and even celebrated by my colleagues who were criticizing the increase only a week ago. I am still not sure how these additional Border Patrol agents will be paid for, nor am I sure how Customs and Border Patrol will be able to double in size in a short period of time.

I want to point out that those who are proposing this—and, again, when this was originally proposed, the underlying bill had about \$8.3 billion in it for infrastructure and other things that were called for in the bill. But adding 20,000 Border Patrol agents now, with all the other spending in the bill, has driven the cost of this up from about \$8.3 billion, which was going to be paid for in the form of fees, to now about \$50 billion in costs. The argument is, that is OK because it is going to be paid for. The CBO has said this is going to generate a surplus over the next 20 years.

How is that surplus? How did they come up with that estimate? Of course, first of all, it is a payroll tax number. They are assuming that people who come here are going to start paying payroll taxes into the Social Security trust fund and into the Medicare trust fund—all probably fair assumptions. The only thing about that is when those payroll taxes come into those trust funds, at some point their assumption is they are going to be paid out in the form of benefits. So they took payroll tax surpluses and counted those as the way in which they would pay for the spending in the bill.

However, if we actually look at what the CBO said, if we take out those Social Security and Medicare trust fund surpluses, the general fund—or I guess you would say excluding the FICA payroll tax surpluses amount on this—is a \$70 billion deficit. If you back out Medicare, it is only a \$14 billion on-budget deficit, but it is still a deficit under the bill.

To suggest this is all going to be paid for by savings that are going to occur because of additional payroll taxes misses the point that those are payroll taxes that go into those trust funds on the assumption they are going to pay benefits at some point in the future. These are temporary savings; these are not savings we can count. In fact, when we do the on-budget analysis, we come up, again, with a deficit of \$14 billion. If we take out the Medicare surplus, payroll tax surplus, we end up with a \$70 billion deficit.

While I appreciate, again, the work of my colleagues to improve the bill, the final product is still legalization first and promises of border security down

the road. The drafters of the legislation could point to many specifics that they hope to see in place, but these promises of additional fencing, E-Verify, electronic entry-exit, and more Border Patrol agents could be years away—if they ever happen at all. There are virtually no border security or interior enforcement border security measures in place prior to the initial legalization of 12 million undocumented workers.

I would like to see a border security package that brings real border security prior to legalization. Unfortunately, this bill is not it.

We are a nation of immigrants, but we are also a nation of laws. It is important that these laws are respected and enforced in accordance with the Constitution and with respect to our immigrant heritage. We must have an immigration system that rewards those who play by the rules and come to the United States through legal means. In considering changes to our laws, we need to promote and reward lawful behavior rather than providing incentives that would encourage even more illegal immigration.

In 1986 Congress passed the Immigration Reform and Control Act offering amnesty to roughly 3 million people. Today the population of illegal immigrants in the United States is estimated to be around 12 million.

Did the 1986 amnesty legislation solve the problem? No, it did not. Yet today here we are again proposing a very similar package which repeats the same mistakes made in the past. Lawful immigration makes our communities, our economy and our country stronger. Our current immigration system needs to be fixed in a manner that continues America's great heritage as a nation of immigrants. Unfortunately, as this bill currently stands it will not solve the problem. Unless we see changes that emphasize border security and the rule of law before legalization, I will not be able to support this bill. And that is not because I oppose immigration reform. It is because this is not a piece of legislation that will help our country in the long run. This legislation will provide instant legalization, leaving in place many of the same problems which led to the situation, while exacerbating other problems.

I filed an amendment that would take many of the triggers being touted as part of this latest substitute amendment and make them prelegalization. If this amendment were to be accepted, the bill would become enforcement first and legalization later. We may not get to the point in the Senate where that type of change is going to be considered.

As we wind up this debate and move to the finish line in terms of final passage, it sounds as though additional amendments are probably unlikely to be considered, which is unfortunate. We have a lot of colleagues, as was talked about earlier, who have lots of good ideas that would improve and strengthen this bill. We will not have

an opportunity to debate or vote on those amendments.

I am hopeful that as this bill moves out of the Senate sometime tomorrow and gets to the House of Representatives it will be strengthened in ways I can support. It is time we keep our promises to the American people by securing our borders as we seek to reform our immigration system. I hope before this is all said and done and this process reaches the final finish line, which would be the President's desk, it has the right types of enforcement that put border security first and addresses what I think are the broken promises that have been made to the American people too many times in the past.

The American people need to be assured once and for all that we are serious about the issue of enforcement and the issue of border security, and that the past promises and assurances which have been given in the past are not all empty rhetoric and hollow talk and mean something. We can do that, but unfortunately this bill fails to get the job done.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I know many of my colleagues are very talented attorneys. I am reminded of the adage that when you are a lawyer, if you have the law on your side, you argue the law. If you have the facts on your side, you argue the facts. But if you have neither the law nor the facts on your side, you bang on the table and create a diversion.

What I have heard a lot about here today is clearly a diversion because it is not either the law we are promoting or the facts, which seem to be pretty stubborn, but sometimes for people in this Chamber I guess the facts are not an impediment toward their arguments.

I will try to get to what this law is and what the facts are. My colleague from Alabama Senator SESSIONS likes to whip out the phrase "welfare benefits." Let's make it clear to the American people we have not permitted welfare benefits for anyone under existing law who is undocumented in this country. We extend that and actually to some degree enlarge it in this law we are promoting. So to throw that out carelessly and suggest: Oh, there are welfare benefits—there are no welfare benefits. The existing law stops welfare benefits for anyone who is undocumented in the country, and we extend it in this law.

I must say I am chagrined when I hear my colleagues speak about certain Americans who are part of civil society, part of our civic fabric, part of national organizations such as La Raza and somehow are spoken of as if they are second-class citizens and that I should bend at the altar of some others who Senator SESSIONS believes are somehow superior. They have every right, as a U.S. citizen, to voice their opinions about what our government

should do in this question of immigration reform. I don't care for the categorization of people who are engaged as ordinary citizens of this country to be treated as if they were some second-class citizen.

Only in Washington could we hear an argument that somehow public safety will be "endangered" as a result of this legislation. There are 20,000 additional border agents and more resources are going to immigration enforcement than all other Federal criminal enforcement agencies, and somehow that creates greater endangerment of the public safety? So 20,000 more Border Patrol agents will somehow make the Nation less secure? Only in Washington could some of the detractors of this legislation suggest that 20,000 additional border agents and doubling the Border Patrol makes us less secure. Only in Washington could 700 miles of fencing make the Nation less secure. Only in Washington could the suggestion be made that an entrance-exit visa program to check who is coming in and making sure they leave or else they can be pursued is making us less secure. Only in Washington could we think about a mandatory universal E-Verify Program that has been enhanced under this legislation and somehow that makes the public less secure.

This comes from some of the very voices that for so long have said, we need more Border Patrol agents and more fencing. When they finally get the Border Patrol agents, fencing, and E-Verify system nationally mandated so everybody who gets a job or seeks to get a job is going to have to go through the system, as well as an entrance-exit visa program that is going to be implemented, and they still say: Oh, no, it is either not what we wanted or it is not enough.

And triggers—my God. Personally, from my perspective, we are trigger happy in this bill. We have more triggers in this bill than I have seen in virtually any other legislation. I believe we have up to five triggers. We have five triggers that have to be pulled, which means they have to be achieved before they can move forward to citizenship. That is a pretty significant period of time.

Now to the suggestion about costs. Well, this is one of the elements of where facts are a stubborn thing to overcome. Truth crushed to the ground still springs back. So what does it say? Well, let's start off with what it says about the deficit. This isn't me saying it as a proponent of the bill, as the Gang of 8. The Congressional Budget Office—the nonpartisan entity of the Congress that both Democrats and Republicans rely on for an analysis of whether a piece of legislation will cost money, what sort of economic impact it will have, and what the consequences will be—came to their own independent conclusion.

They said the gross domestic product would ultimately grow by 3.3 percent

in the first 10 years after enactment. What does that mean? That means from all the output of this Nation, gross domestic product would grow dramatically. When we see growth at that additional rate, it means every American prospers as a result of it.

Then it went on to say an additional 5.4 percent of gross domestic product increase would exist in the second 10 years. That means even greater growth, which means greater opportunities for all Americans here at home. It also means the bipartisan immigration reform we have been debating in the Senate will actually grow our economy, not harm it, as some of the most ardent opponents have tried to argue. I have been saying that, as well as many others, all along.

What else did the Congressional Budget Office tell us? It told us we are going to reduce the deficit. We are going to reduce the deficit by—I think I have the wrong chart. Let me look. This is actually taxes paid. We had a chart, but basically what it says is that it is going to reduce the deficit by \$197 billion over the first 10 years, and an additional \$700 billion over the second 10 years. That is \$900 billion of deficit reduction.

We will have nearly \$1 trillion of deficit reduction as a result of this legislation. That deficit reduction is critical for the Nation's economic growth, prosperity, and to make sure the next generation doesn't bear that burden. According to the Congressional Budget Office, that is what we are going to get from achieving passage of this legislation and ultimately moving it into law.

The report went on to say revenue will come in a whole host of ways, such as payroll taxes, income taxes, fees, and fines estimated to be about \$459 billion in the first 10 years and \$1.5 trillion in the second 10 years. It also found there were fewer unauthorized individuals coming into the United States under the bill.

One of the things the CBO said was: Well, there will be those whom we are concerned will overstay future visas. Two things on that score, and one point my colleagues have used consistently: No. 1, which visas are they talking about? Are they talking about the visas our Republican colleagues have largely championed for businesses in this country they want to see grow? Some have amendments to grow it even more. Those are the visas CBO talked about ultimately having the concern that people may overstay. That is why the entrance-exit visa program is so important to ensure that doesn't happen.

It is ironic, again, how they can argue all sides here. Because if we look at what CBO said, they said the potential for overstay of those new visas would be the issue. That is why this employment verification system and the entrance-exit visa program is so important.

The bottom line of the Congressional Budget Office report is pretty clear. It

tells us the 11 million people who are living in fear in the shadows are not, as some would have us believe, part of America's problem, but by bringing them out of the shadows will be part of our solution. It is the key to economic growth.

Also, immigration reform, according to their views, will also save Medicare and Social Security trust funds. In so many ways these are so incredibly important.

I heard that somehow this will create challenges on the question of wages. Well, as I listened to some of my colleagues make their remarks about the CBO's reports on wages, I don't think the numbers say what they believe they say. They were talking about how American families' wages would go down. The report explicitly says that is not the case. In fact, Ezra Klein wrote in the Washington Post that the idea that immigration would lower wages of already-working Americans is "actually a bit misleading."

As for folks who are already here, the Congressional Budget Office is careful to note that their estimates "do not necessarily imply the current U.S. resident would be worse off in the first 10 years." And in the second 10 years they estimate the average American wages will actually rise as a result of immigration reform to the tune of about \$470 billion, an average annual increase in jobs of 121,000 per year for 10 years. That is 1.2 million additional jobs to the United States. It is \$470 billion in increased wages of all Americans.

The truth is stubborn. Crush it to the ground and it springs back.

In addition to that, I have to remind my colleagues as they come closer to having to cast a vote—and I hear some voices who say: Oh, I would be open to vote for the bill if this or that. Immigrants constituted 12 percent of the population in the year 2000, but they accounted for 26 percent of the Nobel Prize winners based in the United States. Twelve percent of the population, immigrants; 26 percent Nobel Prize winners. They made up 25 percent of public venture-backed companies that started between 1990 and 2005. The fact is immigrants receive patents in our country at twice the rate of native-born populations.

So the bill's overall effect on the overall economy is unambiguously positive. One can try to distort it any way one wants, but that is simply the case.

Those are the economic benefits refuting some of the things I have heard here. Wages go up for all Americans, jobs get increased, GDP growth takes place, the deficit is reduced. How many things will we do in the Senate that can bring all of those elements together? Maybe some pieces of legislation might be about job growth. Maybe some pieces of legislation might be about GDP growth. Maybe some pieces of legislation might be about how to reduce our deficit. But what singular piece of legislation, according to the

Congressional Budget Office, brings all of those elements together? I would suggest not one that I have seen in the last 7 years.

I know there is a lot of thrashing and gnashing and banging on the table because when a person doesn't have the law on their side and when a person doesn't have the facts on their side, they create a diversion. There have been a lot of crocodile tears related to the request for amendments.

Let me just say, first of all, this whole process began with a bipartisan group of Senators who had input from their colleagues. They did not, in and of themselves, the Gang of 8, just say this is my view of what needs to be done. They went back to their caucuses. They asked: What are the foundations, what are the principles we need? There was a lot of input during that whole period of time. I constantly heard from my four Republican colleagues of the Gang of 8 how they had spoken to X or Y Senator and how they believed this was necessary, what were some of the essential elements, and those got incorporated through the process. They got incorporated through the process in which the legislation was ultimately devised and put forth. They got incorporated, unlike the 2007 bill referred to by several of my colleagues. The 2007 bill on immigration did not go through the process of the Judiciary Committee. It didn't go through the Judiciary Committee process. This bill did. It went through that regular order. Over 212 amendments—212 amendments—were considered. Over 136 changes, amendments, were accepted; 43 Republican amendments were adopted, and all but 3 of those 212 votes, from what I understand, were bipartisan votes.

So we had 136 changes to the law that the Gang of 8 proposed. Then we came to the floor. What happened on the floor? This bill, which has been on the floor for 20 days—this didn't just pop up. It has been on the floor for 20 days, which is nearly 3 weeks of Senate floor time. What happened at the beginning is that every time there was an effort to offer unanimous consent requests on the question of amendments, there were objections by the other side. There were objections against amendments offered by their own Members because those who oppose this legislation, no matter what, did not want to give Members an opportunity for a vote on their side, because they believed if their amendments were adopted, the Member would agree to vote for the bill because they had made the improvement they sought to the underlying bill they otherwise could support but with the change they were offering.

So, strategically, they decided not to allow their Members to ultimately have amendments because they were afraid they would join in the growing cadre of Members who were supporting the bill. It wasn't about who gets to pick or choose amendments; it was a strategic decision and that took the better part of the first 2 weeks.

We did have nine amendments; overwhelmingly, they were Republican. Then we had the Corker-Hoeven amendment, which of course had the most dramatic, significant impact on border security. But there were an additional nine amendments that were included in Corker-Hoeven. All of them, I understand, were Republican. We would have had a 10th amendment because, I understand, as has been said here—and I was asked as part of the Gang of 8, can you accept this. The Portman amendment on E-Verify would have been part of that package, and we wouldn't be debating about whether that is here; it would have been part of that package.

Then we had an offer by the majority leader of 17 additional Republican amendments and that was rejected. A whole host of those amendments were from some of the most ardent opponents of this legislation.

So this thrashing and gnashing about process—look, I understand if one doesn't want to get to a final judgment and they want to do everything possible not to get there; they want to do everything possible not to see the legislation move forward because they fundamentally disagree. Let's be honest. Let me make my final point. There is a universe of our colleagues in which no pathway to citizenship would ever be accepted. That is the unseen elephant in the room, but there is a universe of our colleagues—as a matter of fact, some of them are more overt about it. They show it by virtue of even some of the amendments they wanted to offer in which there would be no pathway for citizenship whatsoever—trigger, no trigger, any set of circumstances. We have seen the consequences of that in Europe. The consequence of that is that we create unrest in the community.

It is not OK to exploit 10 or 11 million people and not let them have the chance to make themselves right and earn their way into citizenship in the United States. It is not OK to say there can never be a pathway to citizenship when they are the ones who are bending their backs over, picking up the crops my colleagues and I get to eat every day for dinner or for breakfast. It is not OK to have that immigrant who is taking care of a loved one with a tender heart and warm hand, helping with their daily necessities, and say they can never get a pathway to citizenship. It is not OK to have had chicken for dinner tonight and not understand that this is from the cut-up hands of an immigrant worker. It is not OK to say the country is somehow less secure by virtue of what we are doing.

I have said it many times: I don't know who is here to pursue the American dream versus who might be here to do it harm unless I bring people out of the shadows and into the light. They go through a criminal background check which they have to pass, and if they don't, they get deported right

away. If they do, then they have an opportunity to earn their way after a decade in this country toward permanent residency and then later on to U.S. citizenship.

So let's say it as it is. If you don't want a pathway to citizenship, then stand in the Chamber and make a case, if a Member doesn't want a pathway to citizenship under any circumstances. My colleagues have the right to have that opinion. I would strongly disagree but don't hide behind procedures and amendments. Tell me what legislation has come before the floor grows GDP in our country, grows jobs in our country, increases wages of all Americans, and reduces the debt by nearly \$1 trillion. I haven't seen it.

That is what the opportunity is before the Senate. That is why no diversion will ultimately sell with the American people. In poll after poll after poll across the landscape of this country, Americans have said across the political spectrum—Republicans, Democrats, and Independents—they want to see our broken system fixed. When the elements of this legislation—all of its elements—have been tested, they have overwhelmingly won support.

That is why I am proud of our colleagues, both Democratic and Republican, who have chosen to finally tackle a tough challenge and actually do something to fix this problem and to show America this institution can actually work. That is the other side benefit of everything I have just talked about in terms of economics, of security, of promoting our future, of creating greater jobs, of creating growth and prosperity, of having the best and the brightest in the world be able to help us continue to be a global economic leader, which is that the Senate can actually function.

That is the opportunity before us: fixing our broken immigration system, showing this institution can function in a bipartisan process, and ultimately preserving our legacy as a nation of immigrants.

I always say that the greatest experiment in the history of mankind is the United States, the greatest country on the face of the Earth. A part of American exceptionalism is that experiment we have had, to bring from different lands different people who have contributed enormously to this country.

Tomorrow, I hope to show a series of Americans whom we have proudly held up as examples of greatness, who, in fact, would not be here today but for the opportunities—sometimes under a legal immigration system and sometimes not through a legal immigration system—who have served this country greatly, whom we admire and, at the end of the day, we show as examples to our children of what a person can do for one's country, what a person can achieve for one's Nation, and models to hold up to the world. I can't wait to share that with the rest of my colleagues in the Senate.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I am going to begin my comments, but I am told by the majority leader he may want to come in and do wrapup, and I am perfectly comfortable with him coming in and interrupting me if he does get to the floor to do that.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I would ask my friend from Georgia, through the Chair, if I could do the closing script. It will take about 2 or 3 minutes.

Mr. CHAMBLISS. Certainly.

Mr. REID. Mr. President, I do appreciate the Senator's courtesy very much.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE
CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 11:30 a.m. tomorrow morning, Thursday, June 27, the Senate proceed to executive session to consider Calendar No. 179, Anthony Renard Foxx, to be Secretary of Transportation; that there be 2 minutes for debate equally divided in the usual form; that following the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that tomorrow, June 27, upon disposition of the Foxx nomination and the resumption of legislative session, all postcloture time be considered expired with respect to the committee-reported amendment, as amended; that the pending amendments to the underlying bill be withdrawn; that I be recognized for the purpose of raising points of order against the remaining pending amendments to the substitute amendment; that after the amendments fall, the Senate proceed to vote on the adoption of the committee-reported substitute amendment, as amended; that upon disposition of the committee-reported substitute amendment, the Senate proceed to vote on the motion to invoke cloture on S. 744, as amended; finally, if cloture is invoked, it be considered as if cloture had been invoked at 7 a.m., Thursday, June 27.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, are we in a period of morning business now?

The PRESIDING OFFICER. No. We are on S. 744.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ALBERT CAREY
CASWELL

Mr. REID. Mr. President, I rise to recognize a man, Albert Carey Caswell, who has dedicated his life to recounting the stories of our Nation's history to the visitors of the U.S. Capitol, as well as many others who have participated in Albert's tours.

Albert's poetic talent and upbeat attitude has enriched the lives of his colleagues, Senators, staff and visitors during his nearly 30-year career in the U.S. Capitol.

Albert is known for his gift of words, in poetry and in prose, which have left an indelible mark on the CONGRESSIONAL RECORD, as more than 150 of his poems are included in the RECORD. More recently, Albert wrote a poem to honor the late Senator Lautenberg from New Jersey.

Albert got to know Senator Lautenberg from years of escorting veterans around the U.S. Capitol. Albert had immense respect for Senator Lautenberg's military record as well as for his enduring commitment to public service.

Mr. President, I share Albert's "Let's Be Frank" poem for all to read.

LET'S BE FRANK

Let's!
Let's be Frank!
Of how his long fine life upon this earth so
ranks!
Now, that's a Laut . . . En . . . Berg
For he was but a public servant,
Who our Nation all so Heard!
A Jersey Boy
Who so lived The Great American Dream
Who so looked as if he would live forever,
As so it seemed!
In his 80's
he looked like he was in his 60's . . .
Because, hard work was but his life's dig-
nity!
Give me your tired and your poor!
As American opened up her arms and her
doors . . .
To a family who came from far across the
dark deep shores!
When,
at the edge . . .
as Mankind bled!
He volunteered to join the Army
As he so raised his hand and his life so
pledged
To Save The World
In a World War!
While, Fighting in The Big One . . .
So far across those most distant shores!
And came back home,
and yet still to more greatness his heart of
courage roamed!
As he took that GI Bill
And climbed another hill . . .
With now a great education he so owned
ADP,
as him and his friends built a great Amer-
ican Company!

But deep down inside . . .
something far much more important out to
him so cried!

To serve his country and beloved New Jer-
sey,

his heart would decide!
Like his favorite band Bon Jovi,
"like a cowboy" he wanted it "dead or
alive!"

Until, finally rising all the way to the top,
To The Senate Floor where he would so stop
as he so strived!

In thirty years,
It became oh so very clear!
The title of a United States Senator,
He was so meant to own!
Upon the Senate floor,
where his great shadow would be so cast for
evermore!

Now Let's Be Frank,
you were one hell of a public servant and
that's for sure!

For yours was a life of standing tall
To somehow,
somehow make it a better world for one and
all!

For you had a style and a grace!
And a look and a smile upon your face!
And a presence and a command
That so said that you so belonged in this
place!

And even though you retired,
you went home and still you had the fire!
So you came back,
To ever one her to so inspire!
Let's Be Frank,
one could not have lived a life much more
higher!

Right up to the end,
What you did Frank but so meant so very
much!

But as a family man,
as where your greatest accomplishments
would stand as such!

For Frank,
you were a giver . . . not a taker!
And it's clear a better world on your life's
journey,

You would so make here!
But there's more debates,
Byrd, Stevens, and Teddy up in Heaven you
now await!

And all of your GI buddies,
Who the trip home with you never made
Let's Be Frank,
wouldn't we all want to live a long life so
great!

Because all in the end,
it's far . . . far . . . far better to give, than
to take!

Let's Be Frank!

TRIBUTE TO WILBURN K. ROSS

Mr. McCONNELL. Mr. President, I rise today to pay tribute to an honorable Kentuckian and decorated World War II veteran, Mr. Wilburn K. Ross of Strunk, KY. Ross, who turned 91 in May, celebrated his birthday by making a trip to Kentucky from his current home in Dupont, WA. Ross has not only served his country but continues to serve his childhood home by coming back each year to spend time with his family and fellow veterans of McCreary County.

Ross, who is also known as "Wib," was raised in Strunk, KY, and joined the U.S. Army here to begin his extraordinary service to our country. Every year for his birthday, Ross makes the visit back to Kentucky. "Everybody here treats me well," Ross said. "I like coming back here because