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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our refuge and fortress, we look to You for protection. We depend on You to do what is best for our Nation and world and cherish no desire to dictate the terms of Your providence. Gathering strength from the knowledge that You have protected us across the years of our lives, we trust You to remain the author and finisher of our destinies.

We pray today for the Members of Congress as they labor during a time of duress. Strengthen them to strive to preserve in our Nation the values that will keep it great. Renew in them the commitment to keep us one nation, sustained by Your power, indivisible, with liberty and justice for all.

Inspire us all to acknowledge You with our thoughts and deeds so that You will direct our paths. We pray in Your glorious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 14, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SUNUNU thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, we will return to Homeland Security appropriations in just a few minutes. Last night, we entered into an agreement to provide for a series of five stacked votes beginning at 10 a.m. The first vote will be normal in length; however, the remaining votes in the series will be limited to 10-minute lengths. Senators should remain in or close to the Chamber for the purposes of voting. The two managers expect to stack other votes on amendments that are ready to be disposed of. We will announce shortly whether those will be added to the current list or if we will debate additional amendments and stack them for later this morning. It is possible to finish the Homeland Security bill today or this evening. We can do that if Senators cooperate over the course of the day.

We have other important appropriations bills to consider as well as other legislative matters, executive items, over the course of the next couple of days. In all likelihood, we will go to foreign operations tomorrow, assuming—and I hope—we will finish Homeland Security today.

I will turn to the Democratic leader, and then I have a few words on port security.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

COOPERATION OF SENATORS

Mr. REID. Mr. President, I say this to my colleagues or their staffs watching. We have spent considerable time on this bill. Yesterday was a little disjointed because of the funeral of Gaylord Nelson and the space shuttle blastoff that did not occur. We had a number of Senators who had gone to both of those events.

Under the order now before the Senate, the leader and I have the ability to offer amendments. I have one Senator who has come to me, and I think the amendment he has asked that I offer is appropriate, and I will do that. I will confer with Senator JUDD GREGG before I offer that amendment.

All good things need to come to an end, and we need to stop any amendments we now have with the dozen pending now. I prevailed upon the majority leader not to file cloture yesterday or Tuesday. I think that is appropriate.

For Members who have amendments to offer, if they have something they believe is extremely important, they can come to me, and I will make every consideration I can.

It is time we finish this bill. I don't know if we can finish it tonight. I hope we can. The leader said we will stay in tonight and work through as long as we need to. It is my understanding, regardless of what we do tonight, that we are going to try to move to another bill tomorrow, which is fine with me.

I say to my colleagues, if there are Members who have something to say

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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on this amendment or any amendments filed, do that because there is a time when the sun goes down and everyone will be in a hurry to get out of here. The fact is, if we have a lot of amendments stacked, we will not be able to do that.

The ACTING PRESIDENT pro tempore. The majority leader.

BORDER SECURITY

Mr. FRIST. Mr. President, people around the world know the United States as a land of freedom and opportunity.

We have remained that way in large part because we open our doors to immigrants.

We must continue to do so.

People come to America looking for a better life. We live better lives because of them. They contribute to our economy. They help weave the rich cultural fabric that makes up our society. But we must ensure that immigrants who come to America come here legally.

We face a crisis. Over 7,000 miles of land stretch across our borders. Our ports handle 16 million cargo containers. And 330 million noncitizens—students, visitors and workers—cross our borders every year.

An unprecedented flow of illegal immigrants, criminals, terrorists, and unsecured cargo also cross our borders. This challenges our standards of compassion and threatens our national security.

It also offers us an opportunity to define our Nation's future.

First and foremost, we face a grave humanitarian challenge. Last year, several hundred people died in the deserts and mountains that separate the United States from Mexico. Most died of exposure to the elements. Some died in accidents. An alarming number were murdered.

Along Arizona's southern border—the only area for which we have good data—over 20 people died as a result of hanging, blunt-force trauma, gun shot wounds and other apparently deliberate means during 2004.

But we have this data collected only because of the work of an Arizona newspaper. We don't know how many more corpses are buried in shallow, unmarked graves. Nobody keeps a complete database of deaths along our borders. And many apparent homicides go uninvestigated.

That's why I've asked the Government Accountability Office to produce a report on the deaths along our border as a guide to future action.

We must protect our Nation from those who seek to enter it illegally. But we have a higher, moral obligation to do our best to protect the life of every person who sets foot on American soil.

Second, the insecurity of our borders threatens America's national security. Each year, thousands of people cross our border illegally. The vast majority

seek little more than better lives for their families. But some bring drugs. Some traffic in human beings. A few may even have links to terrorist groups.

We don't know exactly how many come. We don't know their backgrounds. Nor do we know who might want to harm us.

But we do know one thing: if drug dealers and human traffickers can operate on our borders, terrorists can as well.

Our national security requires a safer, more secure border. And our standards of compassion demand it. Anything else is morally unacceptable. We must act swiftly.

At the right time, Congress must reform our laws to strengthen and improve our immigration system. We also need free trade agreements like CAFTA, which we passed just before the July 4th recess. This will give economic hope to the people of Central America. It will give them greater opportunities to live more prosperous lives in their communities. But, for now, we must tighten enforcement of our borders. And that's what this bill does.

First, it dramatically increases the corps of border protection professionals. Congress has already added 500 border patrol agents this year. This bill adds 2,000 more patrol agents, investigators, and detention and deportation officers. After this bill, there will be nearly 41,000 people protecting our border. Our long-term goal should be 10,000 new border patrol agents within the next 5 years.

Second, this bill gives our border patrol more technology and training and aircraft. This will bolster security by, for example, doubling the number of ports subject to high-risk container checks.

Third, this bill strengthens the infrastructure that protects our borders. It provides more than \$300 billion for frontline defenses—which will help prevent people from entering our country illegally.

Fourth, this bill increases funding for detention beds by 10 percent—boosting the total number of beds to 23,000. It does no good to increase our border patrol forces and border monitoring technology if we don't have the space to hold illegal aliens while their cases are being processed.

Simply put, we should not release individuals with criminal ties. Instead, our nation should detain them until their cases can be heard.

Over 400,000 individuals—nearly as many as live in Atlanta—have simply walked away from orders of deportation and removal. This is unacceptable.

By adding detention space, we can make sure that people entering the country illegally are not released back into the country while we are in the process of trying to send them back home. In all, this bill increases total spending on border security by nearly 12 percent for a total of nearly \$10 billion.

I congratulate Chairman GREGG and Senator BYRD for their leadership in bringing this bill to the floor.

Immigrants have enhanced our history. And they will enhance our future. But we must make sure they to America legally. It's a matter of security in a time of war. It's also a matter of morality for a caring nation and a nation of laws.

RESERVATION OF LEADER TIME

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

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2006

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2360, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2360) making appropriations to the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

Byrd amendment No. 1200, to provide funds for certain programs authorized by the Federal Fire Prevention and Control Act of 1974.

Akaka amendment No. 1113, to increase funding for State and local grant programs and firefighter assistance grants.

Dorgan amendment No. 1111, to prohibit the use of funds appropriated under this Act to promulgate the regulations to implement the plan developed pursuant to section 7209(b) of the Intelligence Reform Act of 2004.

Durbin (for Boxer) amendment No. 1216, to provide for the strengthening of security at nuclear power plants.

Durbin (for Stabenow) amendment No. 1217, to provide funding for interoperable communications equipment grants.

Gregg (for Ensign) modified amendment No. 1124, to transfer appropriated funds from the Office of State and Local Government Coordination and Preparedness to the U.S. Customs and Border Protection for the purpose of hiring 1,000 additional border agents and related expenditures.

McCain modified amendment No. 1150, to increase the number of border patrol agents consistent with the number authorized in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458).

McCain modified amendment No. 1171, to increase the number of detention beds and positions or FTEs in the United States consistent with the number authorized in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458).

Schumer amendment No. 1189, to provide that certain air cargo security programs are implemented.

Schumer amendment No. 1190, to appropriate \$70,000,000 to identify and track hazardous materials shipments.

Reid (for Byrd) amendment No. 1218, to provide additional funding for intercity passenger rail transportation, freight rail, and mass transit.

Ensign amendment No. 1219 (to amendment No. 1124), of a perfecting nature.

Shelby modified amendment No. 1205, to appropriate funds for transit security grants for fiscal year 2006 authorized in the Public Transportation Terrorism Prevention Act of 2004.