



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152

WASHINGTON, FRIDAY, MARCH 31, 2006

No. 39

House of Representatives

The House was not in session today. Its next meeting will be held on Monday, April 3, 2006, at 2 p.m.

Senate

FRIDAY, MARCH 31, 2006

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

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

Let us pray.

Lead us, O Lord, through the challenging roads of our world. Impart to us the wisdom to make wise decisions that lead to life and harmony. Make us quick to listen, slow to speak, and slow to anger. Bind us together in one great family with many different opinions but a respect and esteem for each other.

Lead the Members of this body toward common ground. May they unite their efforts for the good of all, so that Your will may be done on Earth.

Remind us that everyone shall give account to You, the author and finisher of our faith.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, we are immediately resuming debate today on the border security measure that is pending. Yesterday we were only able to complete action on one amendment, and we have three additional amendments still pending. During today's session we expect to set up votes on those amendments so that others may get into a queue for consideration.

With only a week left before our Easter break, it had been my desire to have more votes yesterday and today. We were unable to reach any agreements to allow that to happen, but today we do need to make progress on setting up votes for Monday. We need to put in full nights and days next week to complete the bill and, therefore, I am prepared to have several votes on Monday to begin to process as many amendments as possible. I encourage Senators to come to the floor today and Monday and use this time for any statements they may have on the border security issue.

BORDER SECURITY AND IMMIGRATION REFORM

Mr. FRIST. Mr. President, so far this week, we have had good debate, strong debate, robust debate, on strengthening our borders and crafting a comprehensive immigration plan. Everyone

agrees we need to secure our borders, that our national security is at stake.

We are also in agreement that we need to craft a comprehensive immigration plan that is compassionate, reasonable, and fair, that upholds our immigrant tradition without crossing over the line of granting amnesty. As I have said before, a nation that cannot secure its borders cannot secure its destiny.

I am gratified by my colleagues' support for my amendment yesterday to have the Department of Homeland Security collect data on the terrible problem of border crossing fatalities, of deaths of people crossing the border. The amendment also suggests policies to reduce the number of these tragedies.

As I mentioned on the floor, over the past decade over 3,000 men, women, and children—families—have died along our borders, in many cases because of the brutality and indifference of criminal human smugglers who, at the first sign of trouble, abandon their human cargo in the desert to suffer and die.

We have an obligation to protect our borders, but we also have an obligation to protect and preserve the life of every person who sets foot on American soil. I am hopeful that by gathering this information on this tragic problem, we can devise the best methods to put an end to it.

I am also certain that as we continue with the larger debate, we will be able to craft a comprehensive plan that deals fairly with the 11 to 12 million illegal immigrants now residing within our borders without granting amnesty.

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



Printed on recycled paper.

S2677

I believe the Judiciary Committee bill—the bill that came out of the Judiciary Committee—goes too far in granting illegal immigrants with what can fairly be described as amnesty.

We will hear a lot of debate on what is amnesty, and I hope there will be some consensus over time coming out of this debate as to what amnesty actually is. I believe the Judiciary bill does enter this realm of amnesty, and, thus, I am very hopeful that over the next several days amendments will be offered on the floor to pull back from this amnesty provision.

I disagree with the amnesty approach. I do not think we should be rewarding illegal behavior, not just as a matter of principle but also because granting amnesty now will encourage people in the future to cross the border illegally, expecting amnesty to be granted every 5 years or every 10 years or every 15 years. It undermines our securing our borders. It gives an incentive for people to cross our borders, not just legally but illegally, if we grant amnesty.

In the coming week, I look forward to my colleagues coming to the floor to offer a variety of ideas and solutions to these problems, these challenges. I hope they will have ample opportunity to do that.

I said 2 or 3 months ago, we would have 2 weeks—in essence, 2 weeks—on the floor of the Senate to provide an opportunity to come and debate and amend whatever bill came to the floor. I am concerned a little bit that we are entering into a delay or a postpone mode. I say that because we did not have votes last night, after my amendment—or late yesterday afternoon—and we are not having votes today. It does take consent on both sides of the aisle to have these votes. I encourage my colleagues on both sides of the aisle to come forward so we can have that debate, we can have that amendment, we can have those votes, and define this bill in a way that will reflect the majority of people on this floor.

An example: Last night, Senator ALLEXANDER offered his widely supported Strengthening American Citizenship Act—a beautiful and a very important amendment. It is reasonable. It is common sense. It is patriotic. It would help newly arrived immigrants to learn their responsibilities and assimilate the habits and privileges of American citizenship. Unfortunately, however, the other side objected to allowing a vote on the amendment.

I mention that because we cannot run the bill that way throughout. We have to have the debate, we have to have the votes in order to define this bill. We need a debate that is robust, that is vigorous, that is open, that is participatory in the sense that people can come forward and get the votes they deserve.

I have set up a process to be as fair as possible so all points of views are heard. Many of the Senators, understandably, do want to offer amend-

ments. For my part, though we began with the Securing America's Borders Act, a bill I brought to the floor, the first amendment was Chairman SPECTER's amendment, and that is to offer the Judiciary Committee bill as a substitute. I, and I think the whole body, accept that out of deep respect for the committee process and the great work the committee has done thus far and the right for the committee's voice to be heard.

I am optimistic about where we are going with this bill. It is interesting, in our caucus, and I know in the Democratic caucus as well, there is a lot of discussion going on. You can't help but to pick up the papers now and listen to the radio and watch television and not see this discussion of these very real problems being put first and foremost in the headlines and in the stories.

I think that is healthy because we have problems which we have failed to address as a people, problems we absolutely must address, the problems of people crossing these borders illegally, at a rate that about 2.8 million people came across our Southwest border last year. That number is increasing every year by about 25 percent. These are illegal people coming across the borders. It is a problem that is there. It is a problem that is growing. It is a problem we have to address.

The challenge which is probably the most difficult is how to address the 11 million people who have crossed those borders in the past, probably 7.5 million of whom are working, many of them families. Many of them—I guess all of them—came here with the intention of a better life. But they broke the law and they are here illegally. How can we treat them with compassion and understanding but not give them a leg up among other law-abiding people who also want citizenship?

Those are challenges. I think everybody is struggling with that. I appreciate it. And it means we are going to have passionate debate, contentious debate. Not everybody is going to agree on even those two issues I mentioned. It is going to be a highly charged issue. There are deep feelings and deep and strong principles at stake.

The process will work. I am confident in this body the process will work if we keep our debate civilized and dignified and fair to every Member of the body. And by "fair," I mean allow people to come to the floor and offer those amendments and have them voted on.

As I said when I introduced the border security bill, I do want our debate to reflect our commitment to the rule of law and to our proud immigrant heritage—to both. We are a nation of immigrants, and we have all benefited from America's uniquely inclusive character. I believe we can honor both our history and our laws, and by working together, we can forge a solution that does credit to this body and to the American people.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. 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. MCCONNELL. I ask unanimous consent that I be allowed to proceed as in morning business for up to 10 minutes.

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

HONORING OUR ARMED FORCES

SERGEANT RYAN MONTGOMERY

Mr. MCCONNELL. Mr. President, I ask my colleagues to pause for a moment today to commemorate the life and sacrifice of SGT Ryan Jay Montgomery.

Sergeant Montgomery of Greensburg, KY, served with the 623rd Field Artillery in the Kentucky Army National Guard. On July 3, 2005, he gave his life in defense of our country near Baghdad, Iraq. He had served his Nation as a citizen-soldier for almost 5 years. He was 22 years old.

On that day in July, Sergeant Montgomery and two of his fellow Kentucky National Guard soldiers were returning from escorting a supply convoy when, just outside of Baghdad, a roadside bomb struck his humvee. The other two soldiers were injured; sadly, Sergeant Montgomery was killed.

For his valiant service, Sergeant Montgomery was awarded the Bronze Star Medal, the Purple Heart, and the Combat Action Badge. He had previously received both the Army Commendation Medal and the Armed Forces Reserve Medal. And he was awarded the Kentucky Distinguished Service Medal, for demonstrating all the qualities of a great soldier, remaining combat-focused while decisively engaged with the enemy, performing his duties and accomplishing his mission.

While a student at Green County High School, Sergeant Montgomery started a Junior ROTC program there, for kids interested in a military career. The discipline and purpose of Army life appealed to him, so young Ryan decided he could better himself through joining the Guard. Enlisting before he finished high school, he hoped to use money from the Guard to help him pay for his education necessary to realize his goal of becoming an architect.

Ryan's mother, Patricia Montgomery, said that Ryan's service in the Kentucky National Guard could "give him a better start in life." His twin brother, Bryan, who never strayed far from his brother's side, was so impressed by the opportunities the military gave his brother that he, too, decided to serve, and ended up a member of Bravo Battery, First Battalion, in the 623rd Field Artillery—the same unit as his brother Ryan.

Before he was deployed to Iraq, Ryan worked two jobs in addition to his