

[Rollcall Vote No. 86 Ex.]

## YEAS—98

Akaka	Domenici	McCain
Alexander	Dorgan	McConnell
Allard	Durbin	Menendez
Allen	Ensign	Mikulski
Baucus	Enzi	Murkowski
Bayh	Feingold	Murray
Bennett	Feinstein	Nelson (FL)
Biden	Frist	Nelson (NE)
Bingaman	Graham	Obama
Bond	Grassley	Pryor
Boxer	Gregg	Reed
Brownback	Hagel	Reid
Bunning	Harkin	Roberts
Burns	Hatch	Salazar
Burr	Hutchison	Santorum
Byrd	Inhofe	Sarbanes
Cantwell	Inouye	Schumer
Carper	Isakson	Sessions
Chafee	Jeffords	Shelby
Chambliss	Johnson	Smith
Clinton	Kennedy	Snowe
Coburn	Kerry	Specter
Coleman	Kohl	Stabenow
Collins	Kyl	Stevens
Conrad	Landrieu	Sununu
Cornyn	Lautenberg	Talent
Craig	Leahy	Thomas
Crapo	Levin	Thune
Dayton	Lieberman	Vitter
DeMint	Lincoln	Voinovich
DeWine	Lott	Warner
Dodd	Lugar	Wyden
Dole	Martinez	

## NOT VOTING—2

Cochran Rockefeller

The nomination was confirmed.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. KYL. Mr. President, I move to lay that motion on the table.

The ACTING PRESIDENT pro tempore. Without objection, under the previous order, the President shall be notified of the Senate's action.

## LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now return to legislative session.

## ORDER OF PROCEDURE

Mr. LEAHY. Mr. President, we have a number of people who want to speak on both sides, and the distinguished chairman is here. I was going to ask unanimous consent—let me discuss one thing first before I do—to first allow the two distinguished Senators from Florida to speak briefly on a matter not involving immigration but involving—

Mr. CRAIG. Does that have to do with basketball?

Mr. LEAHY. A group by the name of the Gators.

But before they do that—I hope to maybe go back and forth—I would like to ask to be able to lock in on this side, realizing that we will probably go the traditional way, back and forth on the bill on both sides, that it would be Senators NELSON, MENENDEZ, LIEBERMAN, SALAZAR, DURBIN, and KENNEDY.

What I was going to recommend is we ask people to be able to speak in 15-minute blocks, each one of them speaking for 15 minutes, realizing that if we work it this way, I would imagine the distinguished chairman would want 15 minutes on his side, and go back and forth.

So I would propound that following discussion by Senators NELSON and MARTINEZ, recognizing the significant accomplishment for Florida, we have 15 minutes a side for discussion and that the Senators on our side in the slotted times be Senator NELSON of Florida, Senator MENENDEZ, Senator LIEBERMAN, Senator SALAZAR, Senator DURBIN, and Senator KENNEDY.

Mr. SPECTER. Mr. President, reserving the right to object, and I may well object, the question that comes to my mind is, When are we going to proceed to consider amendments and try to move the bill? When the distinguished ranking member says to give the chairman a chance to speak—I have spoken enough. We went on this bill on Wednesday afternoon and we spoke all day Thursday, and there weren't too many speakers around on Friday, but there was an opportunity to speak. And we were here yesterday afternoon, and not too many speakers pursued an opportunity to speak.

So the question that I have—and perhaps I can better talk to Senator LEAHY about it privately—when are we going to move to amendments? We need to finish this bill this week, and I would like to move to amendments.

Mr. LEAHY. Mr. President, I have the floor.

Mr. SPECTER. Wait a minute. I don't know who has the floor, but I will yield to you.

Mr. LEAHY. No, no. Finish what you were saying.

Mr. SPECTER. Mr. President, Senator KYL is ready to offer an amendment. Senator ALLARD is ready to offer an amendment. I see Senator KENNEDY with his portfolio; maybe he has an amendment. I would like to move to amendments to try to move the bill.

Mr. LEAHY. Mr. President, I know there are amendments on both sides. I have already stated my admiration for the way the Senator from Pennsylvania moved this bill through the committee and on to the floor. I would like to have finished the bill last week, and I share his sense of urgency to finish. I suspect there will be discussions about this in both the caucuses this noon. I wonder if possibly the Senator from Pennsylvania and I, and whomever else he would like, could try to sit down and work out an order for amendments so that we can move forward. But that probably will not happen until after the caucuses, and I thought we could at least have others speak. I have spoken, and I will include another statement for the legislative record this morning. But I think if we get Senators down here to talk about it, we can also work out the time for amendments.

Mr. KYL. Mr. President, would the Senator from Vermont yield for a question from me regarding this unanimous consent request?

Mr. LEAHY. Of course.

Mr. KYL. That would not preclude the offering of an amendment by unanimous consent?

Mr. LEAHY. Mr. President, for offering an amendment, it would require, of

course, unanimous consent. I have not included, just because it gets too complicated—that is why I wanted to work out with the distinguished chairman when such amendments might be offered. It would allow Senators to speak, but any Senator speaking, if they wanted to offer an amendment, would still require unanimous consent then. Rather than trying to micro-manage this all the way down the line, I will let each Senator make that request.

Mr. KYL. I thank the Senator. I just wanted to get an amendment pending but not to speak on it.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. SPECTER. Mr. President, we are only going to move ahead if we come to an understanding; I recognize that. If the Senator from Vermont wants to have a speaking sequence, I will not object, and we can retreat from here into his cloakroom to try to figure out when we are going to move the bill. We are giving up almost 2 hours; perhaps we can work this evening to make up that time.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. ALLARD. Mr. President, I have an amendment I am ready to offer, and I would like to speak to that amendment. So the way the agreement is being put together now, I will be expected not to offer that amendment until after we have had more discussion between both sides; is that correct?

Mr. SPECTER. Mr. President, I think Senator ALLARD accurately states it. When he has his 15 minutes, nothing will stop him from talking about the amendment.

Mr. LEAHY. That is right.

Mr. SPECTER. And he can lay the groundwork so that when he does offer the amendment later, he will not have to speak quite as long.

Mr. LEAHY. Mr. President, the Senator from Pennsylvania states it accurately. A number of Senators, I suspect, on both sides are going to talk about amendments they intend to offer. Unanimous consent will not be given for anybody to offer an amendment on either side during this time, but I would encourage Senators to talk about the amendments they intend to offer.

Mr. KYL. Mr. President, I object to the request.

The ACTING PRESIDENT pro tempore. The objection is heard.

Mr. LEAHY. Mr. President, any Senator can object. I have been told that there are those on the Republican side who would object to a Democrat offering an amendment, so I suspect there would be similar objections here. But any Senator can speak about his or her amendment. Any Senator can offer an amendment. Any Senator can make an objection. But insofar as there are going to be objections on the Republican side to some Democratic amendments, and vice versa—there is a

Democratic amendment pending, of course, that of Senator MIKULSKI—I thought, until we get to the caucus, at least we could accomplish something by talking about the amendments we want to offer.

I will again make a unanimous consent request that after the two distinguished Senators from Florida speak about the Gators, there be 15 minutes a side to talk on the bill or amendments Members wish to offer. And if we do that, again, I realize we would alternate. On the Democratic side it would be Senator NELSON of Florida, Senator MENENDEZ, Senator LIEBERMAN, Senator SALAZAR, Senator DURBIN, and Senator KENNEDY.

I renew that request.

Mr. KYL. Mr. President, might I direct an inquiry to the Senator from Vermont?

Mr. LEAHY. Certainly, Mr. President.

Mr. KYL. If the Senator from Vermont would agree to have the two Senators from Florida speak to their State's accomplishment, as you noted it, perhaps we could then work out the rest of it. I simply have an amendment I want to lay down and not to speak to it, but I hope nobody would object to that. That is what I wish to discuss with the Senator. Can we amend the unanimous consent request to get the conversation started and we can go back and see what we can work out to accommodate Senators?

Mr. LEAHY. Mr. President, I ask unanimous consent the two Senators from Florida be allowed to speak at this point about the Gators as in morning business, but I will then again request at least on our side we have an order of speakers as I have noted.

I ask unanimous consent now simply that the two distinguished Senators from Florida be allowed to speak as in morning business.

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

The Senator from Florida.

#### CONGRATULATING THE FLORIDA GATORS

Mr. NELSON of Florida. Mr. President, for anyone who watched on national TV or was privileged to be there in Indianapolis to see the game, there is a profound respect that is now accorded to the University of Florida Gators basketball achievement of being the national champions.

What teamwork. What individual accomplishment. But in that individual accomplishment, what teamwork. For all of that, certainly, a great deal of credit has to be given to the coach.

Florida has long been known as a football powerhouse. But the basketball coach of the University of Florida has now made it, in athletic history, a basketball powerhouse.

Floridians are celebrating this morning, as they have celebrated throughout the night, and with just occasion.

The Florida Gators, coming in, were not at the top seed. Indeed, at the beginning of the season the Florida Gators were not even ranked. Yet this incredible talent, all melded together in extraordinary teamwork, has produced a national champion.

This Senator joins with my colleague from Florida and we offer our heartiest congratulations. Later in the day we will be jointly offering a resolution.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I join my colleague from Florida in congratulating the University of Florida, the Florida Gators, Jeremy Foley, the athletic director, Billy Donovan, the brilliant head coach, and all the members of that very distinguished team in their first historic national championship in basketball for a Florida school.

As a dyed-in-the-wool Florida State Seminole, I must say I take my hat off to the Gators. Today is a day for all Floridians to rejoice in this accomplishment and this victory.

In this accomplishment we have seen not only the magnificent leadership of the coach—and I think he ought to be recognized nationally for that—but also this team that worked and performed in such an unselfish way. We hear the phrase, “they were an unselfish team.” In this day and time, when it is the “me” culture—so much of it is about me, me, me—these guys played as a team. They passed the ball to each other, they contributed as a team, and all were able to make a contribution. The average margin of victory in the tournament was 16 points, which speaks volumes for this very tremendously competitive tournament.

But focusing on Billy Donovan, he is only 40 years old and is now competing in his second National Championship game—the unusual feat of doing it as a player with Providence and now doing it as a coach for the University of Florida. John Wooten, the much heralded and historic coach at UCLA who actually led the Bruins to victory against Florida State in 1972 in the final game, was at UCLA for 15 years before he won his first national title. Billy Donovan is way ahead of that mark.

Today is a terrific day to rejoice, for all Floridians to rejoice for this great accomplishment of teamwork, of a job well done. I will be very happy to join with the senior Senator from Florida in a joint resolution that we will make part of the record.

I want to make sure all in Gainesville and throughout the State know how proud we are here in the Nation's Capitol of the accomplishment of those young men who played so well and displayed such good sportsmanship and unselfishness.

I yield the floor.

#### SECURING AMERICA'S BORDERS ACT—Resumed

The ACTING PRESIDENT pro tempore. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (S. 2454) to amend the Immigration and Nationality Act to provide for comprehensive reform, and for other purposes.

Pending:

Specter/Leahy amendment No. 3192, in the nature of a substitute.

Kyl/Cornyn amendment No. 3206 (to amendment No. 3192), to make certain aliens ineligible for conditional nonimmigrant work authorization and status.

Cornyn amendment No. 3207 (to amendment No. 3206), to establish an enactment date.

Isakson amendment No. 3215 (to amendment No. 3192), to demonstrate respect for legal immigration by prohibiting the implementation of a new alien guest worker program until the Secretary of Homeland Security certifies to the President and the Congress that the borders of the United States are reasonably sealed and secured.

Dorgan amendment No. 3223 (to amendment No. 3192), to allow United States citizens under 18 years of age to travel to Canada without a passport, to develop a system to enable United States citizens to take 24-hour excursions to Canada without a passport, and to limit the cost of passport cards or similar alternatives to passports to \$20.

Mikulski/Warner amendment No. 3217 (to amendment No. 3192), to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAIG. Mr. President, now that we are back on the immigration bill, I thought I might for a few moments discuss in general some of the provisions in it that I think are extremely important and that are being discussed by a good number of my colleagues. I understand the Senator from Colorado wishes to discuss in general an amendment he will offer later. I hope no one would object to that because it does not actually offer the amendments but allows the debate to move forward while the chairman and the ranking member are determining the schedule of events here.

Mr. LEAHY. Mr. President, will the Senator from Idaho yield, without losing the floor, for a suggestion?

Mr. CRAIG. I yield for that purpose.

The PRESIDING OFFICER (Mr. MARTINEZ). Without objection, it is so ordered.

Mr. LEAHY. Mr. President, may it be in order to ask consent that when the distinguished Senator has finished speaking, the senior Senator from Florida be then recognized to speak, all sides retaining their rights, of course, on the offering of amendments?

Mr. CRAIG. With the understanding following that the Senator from Colorado will be recognized? Does that fit his schedule?

Mr. ALLARD. That will work out fine for me.

Mr. LEAHY. I ask further consent that following the distinguished Senator from Colorado the distinguished Senator from New Jersey, Mr. MENENDEZ, be then recognized.

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