in your hotel room where you stayed last night, the person who works in all of those jobs at the lower end of the economic ladder, they will never, ever see a better income.

It took us nearly 10 years to pass an increase in the minimum wage in this Congress. One of the reasons for that is the same influence in this Chamber that exists in support of this bill. The biggest businesses in this country didn't want an increase in the minimum wage and they blocked it for nearly 10 years. The biggest interests in this country that want to shift jobs overseas, want to continue to bring cheap labor through the back door, and that is the genesis of this kind of legislation.

I am not averse to resolving the status of the 12 million who are here without legal authorization, but I wouldn't do it this way. I certainly wouldn't point to December 31 and say: By the way, if you got here last December 31, good for you, we declare you to be legal. That is a thoughtless approach, not a thoughtful approach, to dealing with these issues.

Mr. President, one final point: It is the case that I come to the floor of the Senate on this issue concerned about a lot of people in this country who work hard and get little for it. We have seen a dramatic increase in the largesse of this country going to the top 1 percent of the income in this country—the top 1 percent, I should say, of the people who earn income in this country have seen dramatic increases in their income. Yet the bottom 20, bottom 40 percent, in many cases, have seen that they have not been able to increase their income at all.

I think an aggressive debate about how we improve the lot of all Americans would be helpful. But we don't improve the lot of Americans who have done the work they wanted to do, to go find a job and get educated, we don't do their bidding and help them by deciding we are going to keep downward pressure on their wages. This is exactly the wrong approach.

I know the Chair and the ranking member are here. They wish to get to the bill. I know there will be many amendments this week. Let me say this. I would be very interested in voting for a piece of legislation that I thought was on the level, that will provide real border security. That is the first and most important need in dealing with immigration. But 2 weeks ago, the very people who wrote this bill said if we don't have temporary workers coming in under the temporary worker program, they will come in illegally anyway.

I think that unmasks the fallacy of this bill. There is not border protection here that will work. There has not been a will to enforce it in the past. This legislation will continue to put downward pressure on the income for American workers. That is exactly the wrong thing for us to do.

I yield the floor.

COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007

The PRESIDING OFFICER (Mr. DURBIN). Under the previous order, the Senate will resume consideration of S. 1348, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1348) to provide for comprehensive immigration reform, and for other purposes.

Pending:

Reid (for Kennedy-Specter) amendment No. 1150, in the nature of a substitute.

Grassley-DeMint amendment No. 1166 (to amendment No. 1150), to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review.

Cornyn modified amendment No. 1184 (to amendment No. 1150), to establish a permanent bar for gang members, terrorists, and other criminals.

Dodd-Menendez amendment No. 1199 (to amendment No. 1150), to increase the number of green cards for parents of U.S. citizens, to extend the duration of the new parent visitor visa, and to make penalties imposed on individuals who overstay such visas applicable only to such individuals.

Menendez amendment No. 1194 (to Amendment No. 1150), to modify the deadline for the family backlog reduction.

McConnell amendment No. 1170 (to amendment No. 1150), to amend the Help America Vote Act of 2002 to require individuals voting in person to present photo identification.

Feingold amendment No. 1176 (to amendment No. 1150), to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II.

Durbin-Grassley amendment No. 1231 (to amendment No. 1150), to ensure that employers make efforts to recruit American workers.

Sessions amendment No. 1234 (to amendment No. 1150), to save American taxpayers up to $24 billion in the 10 years after passage of this act, by preventing the earned-income tax credit, which is, according to the Congressional Research Service, the largest antipoverty entitlement program of the Federal Government, from being claimed by Y temporary workers or illegal aliens given status by this act until they adjust to legal permanent resident status.

Sessions amendment No. 1235 (to amendment No. 1150), to save American taxpayers up to $24 billion in the 10 years after passage of this act, by preventing the earned-income tax credit, which is, according to the Congressional Research Service, the largest antipoverty entitlement program of the Federal Government, from being claimed by Y temporary workers or illegal aliens given status by this act until they adjust to legal permanent resident status.

Lieberman amendment No. 1191 (to amendment No. 1150), to provide safeguards against faulty asylum procedures and to improve conditions of detention.

Cornyn (for Allard) amendment No. 1189 (to amendment No. 1150), to eliminate the preference given to people who entered the United States illegally over people seeking to enter the country legally in the merit-based evaluation system for visas.

Cornyn amendment No. 1250 (to amendment No. 1150), to address documentation of employment and to make an amendment with respect to mandatory disclosure of information.

Salazar (for Clinton) modified amendment No. 1183 (to amendment No. 1150), to reclassify the spouses and minor children of lawful permanent residents as immediate relatives.

Salazar (for Obama-Menendez) amendment No. 1202 (to Amendment No. 1150), to provide a date on which the authority of the section relating to the increasing of American competitiveness through a merit-based evaluation system for immigrants shall be terminated.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, the Senator from Colorado is here. He and I are in the unenviable position on a Monday evening of managing this bill for a little while. Senator SALAZAR will speak on behalf of the majority. I do think it is the majority's desire that no amendments be laid down this evening. We would like to get Members to come to the floor first thing tomorrow morning to begin laying down amendments, and we will work out an order for the amendments, voice votes and rollcall votes, and advise Members of when those will occur tomorrow. We hope to do that later this evening.

We wish to encourage our colleagues to bring their amendments to the floor and get them pending after this evening, so that we can work as much as possible this week in getting the bill concluded.

I have several things I would like to say in response to the Senator from North Dakota.

Let me yield at this point to the Senator from California.

Mr. SALAZAR. Mr. President, as we resume the immigration reform debate in the Senate this week, I am mindful of the fact that we have indeed come a very long way and that this Senate has spent a significant amount of time dealing with the issue of immigration. Last year, we were on the issue of immigration for over a month. This year, through the dialog and discussion of immigration, we have been working on this for the last several months. We were on the bill through last week and will continue to work on it this week. Hopefully, at the end of the week, we will be able to act on comprehensive immigration reform for our country.

As I have often said, from my point of view, this is an issue of national security. It would be an abdication on the part of the Senate in Washington today if we were not able to move forward with comprehensive immigration reform. Since in the days after 9/11, it has become clearer and clearer to us that we need to secure the borders. Our legislation does, in fact, secure the borders.

Secondly, the legislation makes sure that we move forward to enforce the laws of America. The legislation we have proposed is a tough law-and-order piece of legislation that will make sure we have the resources, that the United States doesn't look away from the enforcement of our laws, and that we enforce them.

Third, our legislation also deals with the economic realities that are so much of the immigration debate, the components of the economic realities relating to the guest worker program, as well as the agricultural job workers,

as well as other provisions of the bill that speak to the economic realities our country faces. I hope we will be able to move forward to the conclusion of this legislation this week.

I note there was progress made on the legislation during the last week. We disposed of 13 of the 107 amendments that were filed. Seven of them were disposed of by rollcall vote and six by voice votes with unanimous consent. At this point, we have 14 amendments that are pending and that we will vote on. Some of them we hope to begin voting on tomorrow morning and work our way through some of the more difficult amendments in the afternoon.

Let me also say at this point that as the President of the United States has spoken out around the country on the issue of immigration reform, he has taken a lot of heat for his position. A lot of people, both Democrats and Republicans, have taken a lot of heat on what we are trying to do with immigration reform. I think it is a responsibility of the Members of the Senate, the Members of the House of Representatives, and the President to do what is right for the country. There are some who, frankly, will argue that we ought not to do anything, that the answer to dealing with immigration reform is simply to not do anything for a year, 2, 3 or 4 years and to do what they call an enforcement-only approach. We know, from a realistic point of view, that will not work; we will not be able to secure our borders or to enforce our laws within our country, and we would not be able to deal with the reality of the 12 million undocumented workers who toil in America today.

So the comprehensive, bipartisan approach we have brought forward for consideration by the Senate is our best attempt at coming up with something that makes sense for comprehensive immigration legal reform in our country. I appreciate Senator KYL and his leadership, the leadership of many on the Republican side of the aisle as well as those on the Democratic side, who have said we are going to get the solution.

For those who say there is no solution to this issue or that we can wait 4 years to resolve it, they are wrong. We have it within our capacity and within the courage of the Members of this Chamber to get to a good conclusion on immigration for the United States.

I yield the floor for my friend from Arizona.

Mr. KYL. Mr. President, I compliment the Senator from Colorado, who frequently during the very difficult negotiations over the last several months was able, because of his legal skills and sunny personality, to bring contending factions together. I could not agree with him more that, as responsible public servants, we cannot allow this problem to continue to fester. Surely, working together in a bipartisan way, committed to fairness, justice, and a solution, we can come up with a resolution of the problem that will work, as well as anything might work.

Our colleague from North Dakota said a moment ago that he disagreed with this bill and that we need to find a way, and he described pretty much what we are trying to find a way to do. He is right. Well, we have tried to find a way. It is just that not everybody agrees with exactly what we have come up with. One of the reasons for that is that if you are not part of the process of trying to reach a bipartisan consensus, you may have the idea you can get most of what you want without conceding anything to people who have a different point of view. The reality is that this is one of the most contentious, complex, emotional issues of our time, and no one is going to get 100 percent of what they think is the right solution. We are alleging we have to recognize that there are other points of view and that in order for us to be able to politically reach a decision, we might have to be supporting something that none of us like 100 percent, and that is certainly the case with me.

I wish to explain this evening a couple of things that came from my discussions with constituents during the time of the Memorial Day recess and why I agree with the Senator from Colorado that this is the time to try to tackle this very tough issue. I was asked by a reporter why I was doing this, especially since I voted against the bill last year. The answer is that last year I didn't have an opportunity to participate in the construction of the legislation the Senate voted on. By the time it came to the Senate floor, the die was essentially cast. We had several amendments we offered; some were accepted and some were defeated. It was not possible at that point to substantially change the legislation. I thought it was a bad bill and I voted against it.

It is also true that the situation in the United States, and in my State in particular, is getting worse every day. If you represent a State such as Arizona, on the border with Mexico, you simply cannot continue to ignore the problem, hoping it will go away or some magical solution will be developed that everyone can support. You realize you are going to have to get in there, fight like heck to do the best you can, and get the problems resolved, even though the solution is not going to be perfect from anyone's perspective.

Here is what is happening every day: Thousands and thousands more illegal immigrants are pouring across the border. We wish to stop that. We have crime and violence increasing at an unprecedented rate, much of it due to illegal immigration. The drug smugglers are using the illegal immigrants as decoys to try to get the agents to chase the illegal immigrants so they can bring the drugs across. Because the Border Patrol is getting much more effective at controlling the border now, the violence is increasing because the people smuggling immigrants and drugs are finding their territory is now being contested by the Border Patrol. They are fighting back. They are fighting back with weapons, including large caliber weapons. This violence is a scourge not just at the border but on our society as a whole. We had a shootout on the freeway between Tucson and Phoenix, where two rival gangs were fighting over a load of illegal immigrants. Why? Because those illegal immigrants represented more potential income for whoever controlled them. They are essentially kidnapped and ransomed, and their families back in El Salvador, Mexico, or wherever they are from, are contacted and are told if they want their relatives to be freed, they have to pay additional money. As a result, a lot of money is paid and there is a lot of violence. The harm perpetrated on the immigrants—and, frankly, the harm perpetrated by some of the coyotes and smugglers and other criminals crossing the border—is infecting our State to an unacceptable degree.

Last year, over 10 percent of the illegal immigrants coming across the border from Mexico were criminals, people wanted for serious crimes. These are not just nice people wanting to work in the U.S., though that is far and away the majority of them. It is a national security problem. We don't know how many of these people may have terrorist inclinations. Many come from countries that are on the terrorist list. Again, between 10 and 13 percent, approximately, we know to be criminals. As a result, we have to do something about the problem.

I was mentioning to a reporter this morning—she said: What differentiates Arizona from a Midwestern or an Eastern State? Well, two things. The violence associated with this, first, has a deleterious effect, all the way from the people the violence is perpetrated on, to the court system which cannot handle it, to the jail system, to the social network that has to be established; all of this is enormously expensive and disruptive.

Secondly, I said, you have the problem of the environmental degradation, with thousands of people—millions over the years—crossing through into our State, and the impact on the desert environment has been dramatic. We have national monuments, parks, game refuges, military bases, Indian reservations, as well as private land and national forests right on the border.

With this many people coming across with very little regard for the impact on the environment, they have left thousands of tons of trash. They have cut fences. They have let water run. They have let animals run loose. They have threatened, in some cases, to hurt individuals. They have burned property. They have trashed the properties, as I have said, and they cut literally thousands of trails which will take thousands of years to revegetate. That is the least of the problems. But one

can see it in my State of Arizona, and I think anybody who says we shouldn't try to do something to stop that simply has no sense of responsibility, especially if they are in a position to do something about it, as we in the Senate are. That is what has motivated me to do something about this problem as best I can.

One can sit on the sidelines and complain about how bad the legislation is. One could say, as some of my colleagues have said, we need to find a way to do something to solve this or one can try to find a way and work with their colleagues on the other side of the aisle, do their best to come up with a consensus that has a chance of passing and being signed into law. That is what those of us who have worked on this legislation have tried to do. Is it perfect? No way. Are there many provisions in it I don't like? Absolutely. Or that my friend Senator SALAZAR doesn't like? Absolutely. But that is the nature of attempting to reach a bipartisan consensus.

I next wish to talk about what my constituents have told me in the last couple of weeks. It is very interesting that the same question keeps coming up over and over. In my campaign last year, it was the same question: Why do you think a new law will be enforced when the existing law is not being enforced? And that is a very good question because the truth is, neither the current administration nor the previous administration nor Congresses working with the administration nor the bureaucracies and people responsible for enforcing the law have done a good job of enforcing the law. One can argue that in some cases there hasn't even been a significant attempt to enforce the law. When we do attempt to enforce it, a lot of roadblocks are thrown in the way.

So it is a legitimate question: Why do we think this new law might be enforced when the current law is not being adequately enforced? Unless you can answer that question, you can't really support some new proposal, as we have here.

Before I answer the question, let me say something else. It is absolutely wrong to accuse the people who ask that question, who are skeptical of our ability to enforce a law and, therefore, skeptical of this new law, and call them bigots or restrictionists or nativists or leftwing or rightwing nuts or people who simply want to obstruct the process. The reality is, these are hardworking, tax-paying Americans who believe in the rule of law and are extraordinarily upset that their Government has let them down, and that is exactly what has happened—their Government has let them down. They have a right to be angry, and they have a right to ask the question: Why should we believe a new law is going to be enforced when the existing law is not being enforced?

Remember, I say to my colleagues, we work for them. They hired us. They pay our salary, and they pay the President's salary and all of the people who work in the executive branch. They have a right to answers to these questions rather than having people suggest that because they may oppose what we are proposing, somehow or another we think less of them. I think a great deal of them, especially those people who disagree with me agreeably, such as one of my constituents with whom I spoke today. She said: I trust you, but I don't like this new bill which has been proposed. I appreciate the question she asked, which was the same one: How are you going to enforce it? So let me try to answer that question.

First of all, we understood that the experience of 20 years ago with the amnesty bill of 1986 demonstrated that unless we took enforcement seriously, we would end up with something unenforceable. So we tried to do that in this new legislation.

The first thing we did was to ensure that several new actions will be done for enforcement before any of the benefits accrue to people who are here illegally. That is a way of ensuring that at least some enforcement gets done. What did we do? We applied triggers. We said that until the following things are done, no temporary visa will be issued to an illegal immigrant in the United States. What are those things?

No. 1, we are going to increase the numbers of the Border Patrol. By the way, this isn't the end of it. We said 18,000, and an amendment has been adopted that says take it to 20,000, and that is great, and we will need more than that. Do you know what 20,000 Border Patrol agents represents, Mr. President? It is half the New York City Police Department. So if they have about 39,000 people on the New York City Police Department—and I don't know how many square miles that is, but we have 2,000 miles of border to Mexico, not to mention our northern border—I think one can appreciate probably 20,000 Border Patrol agents is not enough, but we at least get to that mark before any of those triggers are pulled.

We do the same thing with fencing. We have authorized 700 miles of fencing. We are going to have at least 371 of those miles completed before the trigger is pulled. We are going to have over 300 miles of vehicle barriers.

Incidentally, on fencing, there is a rumor, a myth out in the land that we only have 2 miles of fencing. We have over 80 miles of fencing, and it is being built several miles a day. I have seen it being built on the border near Yuma, AZ.

We will have something like 70 more radars, maybe more than that. I have forgotten the exact number. We will have four unmanned aerial vehicles. We have over 26,000 detention spaces, so there will be no more catch and release of people who are detained.

These are some of the items which will actually have to be done before the trigger is pulled and a visa can be issued to an illegal immigrant, even a temporary visa.

In addition to that, we will have up and operating and ready to go the electronic employee verification system, or so-called EEVS. This was lacking in the bill in 1986. We had a requirement that employers check to verify the eligibility of employees. Mr. President, do you know what they had to check? A driver's license and Social Security card, which are counterfeitable and I think cost 30 to 35 bucks apiece, or about $60 for the two of them, and employers can't hold them up to the light and say: This is a counterfeit and that one is real. We cannot expect employers to do that, as a result of which they suspect a lot of the people on their payroll are illegal immigrants, but they have the documents to prove they are legal, and the U.S. Government very seldom comes to audit them to check to see whether the people they hired are legal. Of course, we preclude them from asking insensitive questions that might violate their legal rights, such as: Are you an illegal immigrant? So employers are stuck in a catch-22 situation. That is the situation today.

For those who say we don't like the bill, I say, fine, do you want the situation where today we have a totally unenforceable employee verification system or would you like to see something like that which is in this bill put into place? It is very effective. It will require the Government to do the validating, not the employer.

The Government will have two different items to validate. No. 1, it is going to clean up the Social Security system and the database, and when an individual applies for a job, that database is going to be accessed with algorithms developed to ensure that not only do you ensure that the number which has been issued is a valid number issued to that person on that date but that it hasn't been used by somebody else for employment purposes or the individual hasn't died and so forth. So they can determine whether the Social Security eligibility is real.

Second, you can determine who the individual is. There is a variety of ways to do this. If you have a U.S. passport, that is the gold standard because the information is typed in and the real passport that was issued will then be displayed on the computer screen of the employer. All the employer has to do is match that with the passport the prospective employee has given them and determine if they are identical. If the photographs are identical, it looks like the individual in the photograph, that is him. If they are not, then that situation is noted and the individual cannot be employed. If it is a driver's license, a REAL ID Act driver's license, it is the same thing—the photograph has to match.

There is a system, in other words, that will be put into place that this time will not rely on the employer trying to determine the validity of the

document but, rather, having that document checked through the database of the U.S. Government or States in the case of driver's licenses or birth certificates, and the employer is able to verify that, in fact, is a proper document.

There are very difficult sanctions. If an employer violates this law more than once, it is a $75,000 fine, as opposed to $250 for a violation today. This is serious. And I think employers want a legal way that doesn't impose too big a burden on them to ensure the people they hire are, in fact, eligible to be hired. I think they will appreciate the speed and the ease with which this new system will allow them to determine eligibility of their employees. This will work so that the combination of strong border security and the inability to get a job if you are here illegally will reduce, we believe right down to the bare minimum, the number of people who shouldn't be here but are. That bare minimum, of course, is the criminal element—absconders, gang or terrorist members, and those people who have committed crimes. They are here today, and it is going to be much easier to find and catch them tomorrow if they are the ones on which we can concentrate. Instead of having to concentrate on 100 percent of the people who are here illegally, we can focus on that 15 percent or so we really want to catch. This is the second way in which we have anticipated we need to enforce the law.

Third, amazingly, in the 1986 law, you couldn't even prosecute someone for fraud if they told you they had been here for longer than 3 years or 5 years and it turns out they hadn't been. Last year, there was an attempt to amend the bill to at least allow people who made such fraudulent claims to be prosecuted, and that amendment failed. Needless to say, the ability to prosecute fraud is in this legislation.

There are many other ways in which we have sought to ensure this legislation, unlike the past, will be enforced.

I conclude this part of my remarks with this statement. Let me answer in another way the question about whether the law will be enforced. If you are unhappy with the status quo, if you don't like the way things are today, then why would you oppose a change that at least offers the prospect that the new law will be enforced when we know the old law is not being adequately enforced? If you say: Let's just enforce the current law, I ask you, with regard to the employee verification system I just discussed, how can you enforce a law that is inherently not enforceable? You can't prosecute for fraud, you can't check the status of prospective employees, you cannot hold an employer liable because you can't prove that person knowingly hired the illegal immigrant. You can't enforce the existing law at the workplace. We have to change the law. That is the whole point of this legislation. I think you have to argue that the status quo is better than what this bill offers if you are going to oppose the bill.

Let me mention two other points since I see my colleague from New Mexico is in the Chamber. Like me, he appreciates the impact on our society of illegal immigrants who are imposing themselves, who are using social services, who are stressing our court system, and I appreciate the fact that the senior Senator from New Mexico has offered legislation to add judges so that we at least have enough judges to handle the cases that come before the courts.

A lot of our colleagues say that the problem with this legislation and the only reason they can't go along with it is that it represents amnesty. Of course, everybody has a different definition of what amnesty is. I don't think it is amnesty. It seems to me that arguing over whether something is amnesty or isn't amnesty is a dead-end argument.

The question is, What would you like to see done so it isn't what you don't like? I argue this: If merely allowing the illegal immigrants to stay here is amnesty, which is what a lot of my constituents have said they believe, then the status quo is amnesty because we are letting them stay here and we are not doing anything about it. So if your definition is the mere fact you allow them to stay here is amnesty, then I say, fine, you, too, are for amnesty. I am just trying to do something about it.

What are we trying to do about it? The first thing is that what we want to do is to ensure the people who came here illegally will appreciate that they did something wrong, they are going to have to pay a penalty for it, and for them to continue to stay, they are going to have to meet serious conditions of probation. They are going to have to say: I came here illegally; if you find I committed fraud or if you find I am ineligible for the benefits of this program in any way, I waive my right to contest that, in effect, and I am going to pay a fine, and I am going to be on probation, I am going to have to not violate the law, I am going to have to continue to work, if you are the head of the household. If you violate any of those conditions, you are going to have to go home, and so are your family members. If you want to stay here permanently, you are going to have to go home and apply like everyone else. You are going to have to get in line. You are going to have to pass an English test. And that is all simply to get a green card. After that, of course, if you want to be a citizen, you have to wait the 5 years and do the things necessary to become a citizen. That deals with the second point.

To me, one of the definitions of amnesty is this automatic path to citizenship. We have done away with that. In addition, we have established a merit-based system for green cards for those people who want them who are here illegally.

Finally, one of the benefits of amnesty is the ability to chain migrate your family. We have eliminated that in this legislation. You no longer have the right to chain migrate your family. By that, what we are talking about is to bring in the nonnuclear family, someone other than your spouse and minor children, simply because you are a green card holder or a U.S. citizen. We say: no longer. When this bill goes into effect, once the current backlog is cleared up, there will be no more chain migration of this nonnuclear family.

Incidentally, there was an error made in the description of our bill by one of our colleagues. The visa that will be issued to people illegally here today does not allow chain migration. In fact, it doesn't even allow the migration of your nuclear family, your spouse, or minor children, if they are in another country.

The last thing I want to talk about is the matter of the amendments we will have to deal with during the course of this next week. There will be a lot of amendments, some of which improve the bill. I know the Presiding Officer has an amendment which I think is a good amendment, and it doesn't in any way disrupt the basic agreement that was reached on a bipartisan basis but strengthens the bill. There will be many other amendments that either do or do not strengthen the bill, and we will have a chance to vote on them. We also understand there are some amendments which go right to the heart of the negotiation that occurred, to the agreements that were reached, and there are some Members in the Senate who, frankly, want to see them adopted because they do not want to see the bill passed. They know they are killer amendments, and they have been so dubbed, and I wish to illustrate what I mean.

We have a temporary worker program. We worked very hard to make sure it gave people an opportunity to come here temporarily to work and to return home. Any amendment that would allow them to morph into legal permanent residency and citizenship would convert that from a temporary worker program to a permanent worker program, and that would violate the basic understanding of the bill. We already have a permanent worker program.

Now, speaking of that, we were very careful to try to balance that permanent worker program, the so-called green card program, legal permanent residence, based on worker visas. We carefully calibrated that with family visas and the need for high skills versus low skills. We developed a merit-based system that establishes points for that and allocated the different visas for different groups. It would be a deal killer, a killer amendment, a breaking of the bipartisan agreement here if that is substantially altered. There is an amendment out there that would in fact substantially alter it by increasing by something

like 300,000 per year the number of green cards that would be provided for employers to dole out to their prospective employees, as a condition of employment, basically. This is not a green card applied for by the individual. This is a green card the employer applies for and says to a prospective employee from another country, if you will come work for me for 5 years and take substandard wages, I will give you a green card at the end of that 5-year period.

I remember studying in school the concept of indentured servitude. You come and work off your debt for 7 years and then you get to stay in the United States of America. It is not the same thing, but it is analogous. What we say here is we are going to make visas available for both the employee to apply for and the employer, and we are going to substantially increase the number of those visas. But we are not going to substantially increase it and then add another 300,000 on top of that. That would break the deal.

Moreover, that particular amendment goes right to the heart of some other reforms, reforms that I support, that the Presiding Officer supports, and would, frankly, undercut what we have tried to do here in terms of worker rights. To be real clear about it, we already have 150,000 green cards per year, most of which will go to skilled workers because of the merit-based system we have. In addition to that, we have created another 107,000 per year to clear up what we believe is a 5-year backlog for those high-skilled workers, those so-called H–1B workers, and we add another 240,000 at the end of 8 years when they are no longer needed for family purposes. We have a merit-based system, as I said, that will pretty much ensure these green cards go to the best and the brightest, the high-skilled people who will bring with them the kinds of things we need to compete in the global economy.

Another killer amendment has to do with the nonnuclear family migration, the so-called chain migration. We have decided that, even though some people would literally never get to this country with a family visa because the backlog is too long, we are going to allow about 4 million people to come into the country over an 8-year period. This is extraordinarily generous, and let me mention one country where I believe the backlog for our neighbor to the south, Mexico, is 176 years. You cannot argue that you have a reasonable expectation you are ever going to get a visa granted and get to the United States and have anything left of your life if the timelag before you could get it is 176 years. It is also long for many other countries. Nevertheless, we said if you had applied by May of 2005, you would be able to come into this country within an 8-year period. We had originally said 2004, because I believe in March of that year, the Department of Homeland Security sent a letter to everybody who was pending and said, look, we have stopped processing these applications because there is no reasonable expectation we are ever going to get to them. So if you applied after that date, especially if you are from one of these countries that has a long backlog, forget it, you are never going to make it here. Nevertheless, we said, we will allow you to come in during this 8-year period.

Well, there is an amendment that would move that date from May of 2005—remember, we moved it from March of 2004, in the spirit of compromise, to May of 2005—this amendment would move it 2 years forward to today, basically, for another over 650,000 applicants. These people have no reasonable expectation of ever coming into the country.

Finally, there is an amendment that deals with spouses and children. Both legal permanent residents and citizens are enabled to bring in spouses and legal children. If you are a legal permanent resident, there is a cap and there is some waiting period. It is not substantial, but it is a waiting period. This amendment would eliminate that difference between citizenship and legal permanent residence for the sake of bringing the nuclear family in. I think it is very important for us to retain the distinction. Citizenship has to mean something in this country, and one of the key things we think it means is being able to bring your spouse and minor children into the country when you want to do that.

My point in discussing these amendments is to make the point that as anxious as I am to solve this problem by getting legislation passed that we believe does offer the opportunity for enforcement to end illegal immigration, to end the employment of illegal immigrants, and to ensure that from now on people who are here are playing by our rules rather than someone else's rules, as much as we want to ensure this legislation can pass the Senate and the House and be signed by the President, we also appreciate the fact that it represents a consensus based upon an extraordinary amount of negotiation.

I go back to the point I made starting out. Nobody got 100 percent of what they wanted. We all made sacrifices in the sense that we agreed to things we didn't like. The end result was a bipartisan bill which I believe can pass. But if any of these other amendments are adopted, then many of us have made the commitment that we will no longer support the legislation. I certainly will not support the legislation, and I would do everything I could to get it defeated.

It seems to me unless there is a bipartisan consensus that represents a balanced bill that can pass both Houses and that the President will sign, we are simply engaging in an exercise in futility, and perhaps worse. So I want my colleagues to appreciate the fact that I am very anxious to support some of their amendments, that I will oppose others, but they need to come down and get their amendments pending so we can get them voted on.

Again, there are some things which go right to the heart of this bargain, and many of the people who will support those amendments know that. I am sad to say one of the reasons they will be supported by some Members is precisely to kill the bill. I don't want to see the bill killed. I want to see the bill passed. As a result, I hope my colleagues will keep this in mind when we consider these various amendments.

Mr. President, I think there are other people here now who wish to speak to the bill, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I express my appreciation for the leadership Senator KYL has given to this Senate in so many different areas. I am normally one of his righthand guys, but on this deal, I can't be with him.

I don't agree that a small group of Senators can meet in closed meetings and reach a compromise nobody can amend. In fact, Senator BINGAMAN noted earlier today that he offered an amendment to change the temporary guest worker program. They said that amendment would be a deal breaker. But it passed with 74 votes. So we obviously ought to be able to amend this thing, and hopefully we will.

I will speak briefly, because my colleague from New Mexico, Senator DOMENICI, is here, and I will yield to him in a moment, but I will add a couple of things.

I do believe we need effective, comprehensive immigration reform legislation, and I support that. I was hopeful the legislation that was being discussed was based on the principles contained in the talking points utilized by members of the President's Cabinet and those Senators who were meeting to discuss the bill. Those principles struck me as being far preferable to last year's legislation, and I said publicly I was most intrigued by it.

I must say, however, that on reading the fine print in this legislation, I have concluded the legislation does not effectuate the promises and principles announced beforehand.

For example, they said this year we would have an effective trigger; trigger being proof that enforcement measures were in place before any amnesty would occur. That was defeated last year. The people this year assured us it would be in there. But reading the language on the trigger, it has very little teeth in it. It is trigger locked. It is not an effective trigger, and I have demonstrated that in earlier speeches.

They promised we would end chain migration and move to a merit system of immigration. However, for the next 8 years, the number of people entering under the chain-migration, nonskill-based status will increase dramatically, almost three times the current rate. Indeed, only after 8 years will the merit-based system have the kind of teeth I had hoped it would have immediately. But I would note that Senator

OBAMA has indicated he is filing an amendment to sunset the merit system and eliminate even that.

The temporary worker program gives me great concern because I am afraid it will not work. I also note it allows spouses and parents to visit. A spouse can visit a worker even if that spouse indicates they do not intend to stay in the country they are living in—the foreign country. So I am worried about how that will work. Who is going to apprehend those who don't return?

People who came into our country in the last 5 months, who got past the National Guard that President Bush called out, who got into our country December 31 of last year, will be given permanent status in this country. Those who are members of MS–13, an international gang, if they say they are a member of that gang but that they renounce the principles of that gang, will be able to stay and be given citizenship in the United States.

They said the bill would have greater emphasis on assimilation, because we all agree we need to do a better job of assimilating those who come to our country. I believe it is only mentioned once in the bill, and that is at page 300-something of the bill—almost the last page of the bill.

They said we would emphasize English much more. But under the bill, those who would be given amnesty won't have to produce any proof of English skills for 12 years.

They said there would not be a benefit of welfare. But the earned income tax credit will be given to people immediately upon their being given lawful status in the country; not a Z visa, even, but the probationary status. An average recipient of the earned income tax credit gets about $1,800 a year, and that is not chickenfeed. It was designed to encourage work by working Americans, not to provide an incentive for people to come to our country illegally. The document that is required to enable you to prove you were here before January 1 of this year is simply an affidavit by someone. I submit that the Department of Homeland Security is not going to be able to check on those affidavits and we are going to have massive fraud. Indeed, most people, probably, who are working here today carry false documents of some kind or another. It certainly would not be difficult at all to obtain a false affidavit in that regard.

I have listed 20 loopholes or objections I have identified with the bill—actually, 25, and Senator BINGAMAN pointed out another one earlier today that we did not include in our list. There are many discrete, specific defects in the legislation. But the problem is that the defects and mindset behind the legislation indicate a lack of commitment to creating a lawfully enforceable system of immigration and indicate a lack of commitment to moving to a more skill-based system like Canada's—which system, I note to my colleagues, the Canadian system, was favorably reviewed in a USA Today editorial yesterday. That absolutely should be a part of this legislation.

I salute my colleagues for working to move to a more merit-based system and for taking some steps that would be better from the enforcement side, but I have to say I believe it is not sufficient. I wish it were. It is not. We need immigration in America. We are a nation of immigrants. I do not oppose immigration. I just think we ought to create a system that serves our national interest, that allows talented people from around the world to apply and come here, those persons most likely to flourish in our system. It should serve our national interests and should be effective. I am afraid this bill is not.

I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ). The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I thank my good friend from Alabama for expediting his remarks. I did not get to hear all the speeches this afternoon, including the speech of my good friend Senator SALAZAR from my neighboring State of Colorado or even all of the speech made today by my very good friend from another of my adjoining States, Arizona, Senator KYL. But I heard a little bit of both of their remarks.

I came to the floor after hearing some of the speech of Senator KYL to tell him how I analyzed his work on this bill.

Senator KYL, I have known you ever since you have been in the Senate. As luck would have it, I can call you my junior. That is only because New Mexicans sent me up here a few years before Arizonans sent you. In no other respect would the use of that word be appropriate because you are a terrific Senator. It would have been a shame if you would have lost this opportunity, with your talent and your ability to convince people, to get the United States of America a new immigration bill.

I say to my junior friend from the State of Colorado, the same goes for you as far as your work on this bill. The same goes for Senator KENNEDY and the other Senators who were in the group who worked together on this bill. But since the two of you are here, I will use you as an example of all of those who decided they had enough and they were going to work until they had a bill.

Let me say that we are not elected to the Senate to handle easy problems, nor are we elected to the Senate to let other people handle problems and then argue that they didn't do it right, so we can be on the defensive all the time and argue against anybody who is trying to do something for the country. We were not elected for that. It happens that we have parties, so most of the time we choose up sides on bills and amendments.

Let me suggest to the American people who do not understand it—and I don't say that in any pejorative sense—something good has transpired in the Senate with this bill. One of the worst problems we have is an immigration system that does not work. If there is anybody in the United States who believes the borders of this great, marvelous country are being policed so we can determine who comes in and who goes out—more significantly who comes in, of course—if they think we can do that, then they are living in another world. They are not talking about their home country because we have little border control yet. We know it in the State of Arizona, my State's neighbor, by just going out and looking. We know it in New Mexico because our Border Patrol agents tell us all the time that thousands of illegal immigrants have come across and thousands more are coming across and we can't stop them. That is because we do not have a comprehensive system, so we get them, they are sent home, and they come back. We arrest them inside the country, we tell them to come to court in 2 or 3 days, they never show up, and we never find them again.

The truth is, this great country has about reached a point where we have lost total control of our borders as to citizenry, occupancy, who raises their children here and what influence they have over our society. We have come very close to living under no border or immigration law.

For anybody who says to the Senate or to a Senator, either a media person or citizen, ''we do not want this bill because we don't like this or that piece of it,'' let me ask them the question, Do you like what we have? Is that not the right question to ask, Senator? Do you like what we have? If you don't like what we are trying to do after months of work, do you really know what you are advocating for when you tell us don't do it and fax our offices and call us long distance? What you are asking us to do is do nothing.

We don't have anything effective. If you want us to not pass a law, you want us to do nothing and you want to leave us with nothing. You want to leave the people of the country open as to who can come to the U.S., how many can come, what they can do when they get here and what kind of opportunity we give them. Right now we do not know who they are, where they come from, or why we are doing what we are doing. That is exactly where we are today.

I say to Senators who will come here in the next few days and say: I looked at this bill with my staff, and they told me I had to have an amendment—I urge you be very serious about amendments. I know, better than most, you can make an argument that a few Senators, no matter how well motivated or how good they are, when they get together for months upon months and write a bill, they have not given everybody a chance, in the institution called the Senate, to participate. But I suggest if those people—led by Senator

KENNEDY, Senator KYL, Senator SPECTER and others—if they have produced something that is substantially better than our current laws, do you think there is anything else that is apt to make it through the Congress if this bill dies? Are we really going to go through this effort again next year? I think we are going to have to wait until there is a whole new group of Senators before we write another bill. So before you insist you are going to offer an amendment, even if it kills this bill, so you can exercise your senatorial rights, then I urge you give some serious thought to the proposition: Just so you can say you offered an amendment, do you want to kill a bill which is dramatically better than the laws we are living with, without question? Do you want to kill a bill about which many people who have analyzed it carefully say that if we provide sufficient resources, sufficient manpower, the strength we need and the law enforcement we need, it has a chance of securing our borders so people cannot come in unless they are supposed to?

What we are living under has no chance of providing the security we need. The laws cannot be enforced. The laws are not currently, with court interpretations and the like, endowed with the capacity to be enforced. The current law of the land cannot be enforced in a way that will sustain our borders. That is just not possible. So don't wish for us nothing. Don't say: Enforce our current law. There is no good law to be enforced. We have a bushel basket full of loopholes and of opportunities for people to obfuscate and get out of trouble through rules and regulations, so much so that our Border Patrol is so frustrated that they have been for years crying out to us to give them help. When they say help, they always say: Change the law. Fix the law so we can do what you want us to do. This is our chance to do that.

I went home for recess like most Senators. I did not travel overseas; I went home. I spoke at three editorial boards in three cities, and I then spoke to a couple of groups, such as the Hispano Chamber in Albuquerque, about 50 to 100 men or women were there. When I had time to answer questions on this bill and to explain its principal provisions, nobody stood up to challenge me, to say that it was bad, except one person who insisted that I was defining amnesty wrong. I ended up in an argument. Maybe I should not have done that, saying ''it doesn't matter whether it is amnesty, here are the words describing what the bill does. Is there something wrong with this accumulation of words we put in the bill that says when somebody can stay here if they have worked for at least 13 years and then they apply for citizenship? Is there anything wrong with those words? If there is not, then we shouldn't worry about amnesty, whether we define it that way or not.''

I believe there is no general amnesty in this bill. The minimum time you must be here to become a citizen is 13 years under 2 different cards, a Z card and a green card. You must spend 13 years being a good resident—not counting how much time you spent here before getting a Z card—and paying fines along the way for violating the law, having to know sufficient English and sufficient civics. Is that amnesty? I thought amnesty was more like a gift. There is no gift here. You have to work and you have to learn and you have to pass an exam and you have to pay fines.

And the first thing undocumented workers have to do is get up from where they are, half incognito, and turn themselves in and have enough trust that the Federal Government is going to treat you right. That is the first thing the bill is going to do after securing the border. A lot of people are going to wonder about that. You are going to find out. We are going to put plenty of resources into that, going out and asking them to turn themselves in. Is that right? That is one of the first actions in this bill. Go to where they hide out, because they are illegal aliens, and ask them to come forward. They are not going to be illegal anymore. They are going to get a legal work card.

I worked on the immigration bill last year. It was not nearly as good as this bill. I have not worked as long as those who have worked the longest this year. I have worked long enough to be sure I have something here that I can tell my constituents is much better than what we have now. In fact, this bill has a real chance of controlling the borders. Once we have it passed, if we do not throw up our hands and abandon it but keep with it and enforce it and put the money into the equipment needed to do the work required, if we do all those things when we have this bill finished—and we are going to have to do that—we will have legislation we can be proud of. If we do that, I will be glad to say, in this year, in this month, I worked on and helped pass a bill in spite of many people being against it in the media—we passed something good for the American people from a set of facts that were difficult, from laws we had to amend, which had many special interests that made them difficult to change.

I will be saying in that month, this month, this year: We got it done. I will be very happy and very proud in the meantime, for those who are working on the bill—I have a lot of other things on other committees—but I stand ready to be of help wherever I can during the week. You can put me down as one who is ready to help.

Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, first I want to make a comment about the process that has been underway on immigration. We sometimes think about what is the most important thing we are given as Senators. What is the privilege we get to exercise on behalf of the American people in representing our States? We get to work on issues of enormous importance to civilization, to the United States, and to our respective States in this country. But one of the decisions that is made here by the majority leader is what kind of time is going to be allocated on what kinds of issues.

Well, this majority leader, Senator REID, said 2 months ago he would set aside May, some time in May, for us to deal with the issue of immigration. He did the right thing, because what he did is he held peoples' feet to the fire to deal with this issue that some people would rather not deal with at all. He said for us in the Senate, the 100 Members of this Chamber would be spending a significant amount of time in May and now into June dealing with this issue. But the amount of time we spent working on the issue of immigration goes far beyond the current effort we have on this bill.

Last year, through the Judiciary Committee hearing that lasted for weeks prior to a markup and then for almost a month here on the floor of the Senate, we labored hard day and night to come up with a comprehensive immigration reform package. When all was said and done, some 35 votes were cast on that legislation, and there were over 60 votes in the Senate to move forward with comprehensive immigration reform. That was a month of struggle in this Chamber, trying to come up with a solution to deal with the very significant challenges we face with immigration.

The group that has been working with Senator KENNEDY, Senator KYL, Senator SPECTER, the Presiding Officer, and others who have spent so much time in trying to come up with a comprehensive bill that would allow us to deal with this issue and move it forward worked very hard over the last several months. So we have been on this legislation for a very long time. We were on this legislation for all of last week. There were 13 amendments that were made to the legislation during the week we had on this legislation last week.

At this point there are 14 pending amendments. We hope we will begin to vote on those amendments tomorrow morning and will continue through the rest of the day and through the rest of the week. It is my hope at the end of the day we will have an immigration reform package that is adopted by the Senate, and will then move forward.

I wish to make a comment on one of the attacks that has been made on this legislation by many Members around the country where they said what we are trying to do is give people amnesty. Well, when I looked up the definition of amnesty in the Merriam Webster online dictionary, it says essentially amnesty is a pardon. Amnesty is a pardon.

This is not a pardon. What we are calling for in this legislation is a far

cry from a pardon. This is a probationary status people are being put in.

I come from a law enforcement background. I spent 6 years as attorney general. I helped put thousands and thousands of people behind bars. I prosecuted gangs and white-collar crime, and made sure that murderers were serving their time in the prisons of my State. That is a part of what I did as a prosecutor, as a member of law enforcement.

In law enforcement we say: If you do the crime, you got to do the time; you got to pay the fine. Well, what is it we are asking people here to do? We are asking them to do a tremendous amount of work and activity to demonstrate that they are, in fact, entitled at some point down the road to a green card.

The first thing you are asking people to do under the new program we are setting up is that they have to come out of the shadows into the sunlight of society, and to register with the Government. That is not a requirement we make of any citizen in the United States, but it is a requirement we are going to make to have undocumented workers here in America, that they have to register with the Government and they have to do that and then go into a probationary period that is going to last for a very long period of time.

At the time they register, they have to pay a fine. Now, it is not a $5 fine, a $25 fine, a little slap on the wrist. You are talking about an accumulation of fines and processing fees and impact fees that at the end of the day is probably going to be somewhere in the neighborhood of $7,500 to $8,000 per person.

At the time they pay their penalty, they have to pay $1,000. After they pay their penalty of $1,000, they have to pay $1,500 dollars to get their Z card application, and then 3 years later they have to pay another $1,500, at 8 years of going through this purgatory where we require them during those 8 years to take English classes, to make sure they stay out of trouble with the law, to make sure they are gainfully employed. If they survive that 8-year period of purgatory, at that period of time they have to pay an additional amount of money in order to get their green card.

When you add up all of that money they have to pay, you are talking about somewhere in the neighborhood of $8,000. That is not amnesty. That is people having to pay a very significant fine and take on a very significant number of affirmative actions that ultimately, after waiting for a period of 8 years, might qualify them to get a green card.

For those who cry the word ''amnesty'' when we talk about immigration reform, they are continuing to play into the hands of those who want to make a political debate with no end. They believe if you label people who are for comprehensive immigration reform with the word ''amnesty,'' somehow it will never get done. That is the do-nothing crowd. In fact, that is what happened in the House of Representatives last year, when in this body, in a bipartisan vote, Democrats and Republicans coming together, passed comprehensive immigration reform. The other body, the House of Representatives, then decided they did not want to take it up—not because of the national security issues that are at stake; not because of the economic security issues which might be dealt with in this legislation; not because of the human and moral issues which are at stake in the immigration reform debate, they did not want to take it up in the House of Representatives, the then Republican majority did not want to take it up in the House of Representatives simply because of the fact that they thought it was their trump card to keep the majority in the November elections.

So those who parade around the country with the shrill cry of ''amnesty'' are doing the American people a great disservice. What they are doing is they are playing politics and having politics trump the national interests. The national interests, which we are trying to serve in this legislation, to me are important, fundamental, simple, but they are interests which we cannot escape as the leaders of this country.

They are first securing our country. We came here as Members of the Senate because we want to protect America. We all say we want to protect America. Well, what more can we do to protect America than to make sure the borders of our country are, in fact, being secured? This legislation we now have in this Chamber will, in fact, secure our borders.

Those of us who come here to the Senate also say we need to do something to enforce our laws. One of the values we have as the people of America is we say we are a nation of laws.

What makes us different today than the circumstances we see happening in places such as Iraq, such as Lebanon, and other places? What makes us different here in the United States of America is we are a nation of laws. We enforce our laws. We pass laws here in the Senate, the House of Representatives, that are signed by the President, and then we have an executive branch that enforces the laws of America.

Well, they haven't been enforced very well. In fact, I think in the last several years we have seen the lowest number of enforcement cases that have been taken against employers who have hired people who were not authorized to be in this country.

What we have set up in this legislation is a program that will, in fact, make sure we are enforcing the laws of our Nation, and that that value of being a nation of laws is something we can celebrate.

Certainly the legislation before us as well deals with the reality of the 12 million undocumented workers who are here. We deal with the other issues that are part of the economic challenges we face in America. The 12 million people who are here working with undocumented status are providing very valuable assistance to the American people.

For every American who is watching the debate on immigration, they ought to ask themselves: Who is it that is cleaning your yard? Who are the landscapers of America today? Who is it that is working out in the meatpacking plants making sure you have the meat and produce that ends up on your table for your evening dinner? Who is it that is working out, in resort areas, making sure that not only your landscaping is being taken care of but the needs of your household are being taken care of? Who is out working in the homes of America making sure that the children of America are being taken care of? Who is it out there in America today making sure that the nurses' aides working in homes of Americans taking carry of our elderly are there?

Many of them are the undocumented workers of America. Most of those people today live very much in the shadows of our society. They live in the shadows of our society. They often are subject to exploitation. Often when they come from whatever country, they are subject to the kind of exploitation that is very un-American. What we are trying to do is move our immigration system from a system that does not work, from a system that is a system of lawlessness, of broken borders, to a system that is a lawful and orderly program for immigration in our country.

At the end of the day, my hope is as we debate the issues on amendments the rest of the week, that we in this Chamber, in this Senate, will move forward and we will say we are going to move with an immigration reform legislation that will address the issues of national security, that will address the economic security issues here in our country, that realize the human and moral issues that are very much at stake.

Let me conclude, before I yield to my colleague from Arizona, by reminding people about the moral issues which are very much at the heart of this debate issue. Last year when we opened the debate on immigration reform in the Senate, Senator MCCAIN, who has been an advocate for comprehensive immigration reform, talked about the number of people who had died in the desert in his State. He said at the time there had been 400 people who died in 2004. I believe 600 people died in 2006. He said: These are not just statistics; those are people who were found dead in the desert.

If I remember correctly, he talked about a young mother who was found dead in the desert holding her child, who also died, in her arms.

In my own church in the State of Colorado, our archbishop, Archbishop

Chaput, has often spoken out about the moral issues which are at stake with respect to the immigration debate. He wrote a column that was widely published in the Catholic Register last year which he titled ''Dying to Live.'' What he meant to say in that title, what he said in his article, is that people who are coming here to live the American dream were actually dying in our deserts as they came here to live the American dream.

It seems to me what we can do as a Senate, working with the House of Representatives, working with the President, is come up with a system of law and order that will give people an understanding of how our immigration system works, that will make sure our borders are secure, that will make sure we enforce our laws in the United States of America, and that will make sure we end the immorality that has been very much a part of our system of lawlessness and chaos we have made with immigration in our country.

I hope my Democratic and Republican colleagues will help us move forward as we address amendments through the rest of the week and to produce legislation that we can move forward to the House of Representatives.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Arizona.

Mr. KYL. Mr. President, I compliment the Senator from Colorado. He has correctly pointed out that there are moral, humanitarian, judicial, and fairness dimensions to this debate. The stories of people dying in the desert are well known to Arizonans because we are coming into the hot time of year. That is when it begins to hit home that there are people who, because of desperation on their part, seek to cross the desert, which is difficult under the best of circumstances, and they are frequently ill-prepared. The coyotes take advantage of them. They take their money and send them on their way without adequately preparing them to cross. The stories are heartbreaking, and there is a great deal of other crime—sexual assaults and other kinds of crime—that is perpetrated on people and has to stop. The best way to stop it is to get the border secure, find a legal way for people to come here, and help them to realize their dream.

People say we are a nation of immigrants. We are also a nation of laws. One thing that distinguishes us from other countries is that we have respect for law. I always use the example of the intersection on the street. When you have a green light and you drive through, you don't think about it. You know that because other people respect the law, you can drive through the intersection without worrying that someone else is going to run the red light and hit you. It is very rare that happens. Because we understand and respect law in our society, when we see law that is not enforced, we begin to wonder whether we are a society of law, and some people decide it is OK for them to begin to break the law in little ways. It is corrosive, when you drive down the street you see people whom you presume to be illegal immigrants congregating around a hardware store, looking for work in the morning, or you hear stories about people being picked up.

It is, frankly, hard to fool the American people. They know there are millions of illegal immigrants employed in the country today, and they don't like it. They don't like the fact that we can't control the border. It is corrosive to respect for the rule of law.

They say: Gee, it is nice not to be able to pay your taxes. Maybe I would like not to pay my taxes, too.

You don't want American citizens beginning to think the Government doesn't care about enforcing the law and that they should begin to disrespect and therefore not abide by the law. Yet that is exactly the kind of attitude that crops up when the Government is not careful about enforcing the law in a fair and just way.

Unfortunately, we have a law today that is not easy to enforce. It requires employers' cooperation in ways that make it very difficult. One of the reasons we need to work our hardest to pass a new bill is so that we have a law that can be enforced. It will be up to us and to the administration, whatever administration is in power, to see to it that it is enforced, but at least it has to be something we can work with.

When those who say: Let's just let the situation be by enforcing the laws today, that is the answer to the problem, my response is, the law today is very difficult to enforce and, as a result, we have to change it. That is one of the reasons for adopting a new law. Getting back to respect for the rule of law and recognizing the humanitarian aspects of this are two of the things that are not discussed enough.

I appreciate the Senator from Colorado bringing them up.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to respond to a couple of suggestions proffered before the Senate as it relates to those Senators who have amendments to offer to the comprehensive immigration reform legislation. I am compelled to do so because the way they are characterized ultimately demeans what should be a clear process of what is the greatest marketplace of ideas, the Senate.

The first item that I have heard several times is the suggestion that certain amendments are killer amendments. When one of our colleagues, particularly those who were part of constructing the bargain, suggests that a certain amendment is a ''killer amendment,'' a killer amendment where the intention, the purpose, the main goal is to kill the legislation before us because they don't like it and they don't want to see it pass, maybe they are a part of the universe who believes we should just seek to deport everybody in the country, 12 million people, the greatest deportation in the history of mankind. Maybe it is those who believe we should spend $250 billion in order to accomplish that. But, regardless, there is a universe of individuals that clearly does not like this bill or the idea of comprehensive immigration reform, and they seek to have amendments that would in essence destroy the essence of the legislation.

I am chagrined to hear my distinguished colleague from Arizona, in a listing of amendments, suggest that my amendments on family reunification are killer amendments. I didn't know that family reunification rose to the level of being a killer amendment because unlike some of our colleagues who last year opposed comprehensive immigration reform, I was here advocating for and casting votes for final passage of a comprehensive immigration reform bill. Yet some who come to the floor now and suggest that certain amendments are killer amendments weren't there last year for comprehensive immigration reform. I do want to see comprehensive immigration reform. I worked for it last year and voted for last year's version. I spent countless hours in negotiation sessions this year to try to achieve a bill that I could support.

It is still my fervent hope that we will pass a comprehensive bill, one that is tough but also smart; one that provides security at our borders north and south because it is amazing to me how in this entire debate we never hear about security at our northern border. Yet last year approximately 50,000 people came across the northern border. I guess we are not worried about those people. But we do focus a lot on the southern border. We forget that the millennium bomber came through the northern border. There must be something about that northern border that is OK. The southern border is a little bit of a problem. I don't know what it is, whether there are different people crossing those different types of borders, but they are still crossing in an undocumented fashion. So I am for security at the northern and southern borders.

I am also one who understands, in terms of the comprehensive nature of this bill, the economic realities of our country; that it helps fuel our economy and drives it forward, and also to stop human trafficking, the use of people enslaved for certain purposes and exploitation. I want to know who is in America to pursue the American dream versus who is here to destroy it. That is real security.

In the pursuit, I heard a lot about the rule of law. I am for the rule of law. But how does the rule of law get promoted when we say to a U.S. citizen who has applied for their family member waiting abroad, waiting their time, following the rules, obeying the rule of law, that, in fact, they have an inferior

right to someone who did not follow the rules, who did not obey the law, and who ultimately will receive a benefit superior to that U.S. citizen who is claiming their family member and waiting under the law and pursuing the law. I think it sends the wrong message about what the rule of law is all about.

Our amendment very simply says a U.S. citizen claiming their family member waiting under the legal process, waiting abroad, that their right should not be snuffed out like that under this bill in May of 2005, when those who have crossed the borders of our country through a process that is unchecked, undocumented, get a benefit January 2007. Break the law, you get a benefit January 2007; follow the law, the rule of law, obey it, your right is snuffed out in May of 2005. I think if we want to send a message about the rule of law, what we want to do is ensure that we put on an equal footing the right of a U.S. citizen claiming their family member, obeying the law, to give them the same opportunity as those who have not. That is what our amendment is all about. Killer amendment? Family reunification, rule of law, following the rules, a killer amendment?

I have heard a lot about family values in my 15 years in the Congress. It is interesting. The voices of family values don't have the same values when it comes to this issue. Clearly, this vote will be a test of those who say they are for strengthening families, for bringing families together, for understanding the very essence of how strong families make for strong communities, of how we want to bring families together. Family reunification is at the core of the amendment I have offered before the Senate and that I believe we will be voting on tomorrow.

I believe it is a false choice to suggest that this legislation cannot move forward and that, in fact, we will have a killer amendment simply because we want to give a universe of people who have obeyed the law, followed the rules, sons and daughters, mothers and fathers, children of U.S. citizens, a chance over time to be able to come in. It seems to me that is a false choice.

It is also a false choice, under the new point system that is being devised for future immigration, that this new point system, in which there is 100 points maximum score, well, yes, we need new workers who will be highly skilled. I believe we can reconcile that need. I am hoping that we will actually do a much better job of educating Americans who will be able to be the engineers, the scientists, the researchers, and developers; those in the new technologies who will fuel America's prosperity. But while we move toward making that a reality, sure I am for saying that, OK, we are going to subscribe a series of points toward those people who have the skills. But must it be largely at the exclusion of family reunification? Is there no significant value to the idea that when you have someone come that their family members are ultimately a significant part of the strength and vitality of the country, of the success of those individuals on behalf of the country?

Servicemembers, who are not United States citizens or were not United States citizens, in different branches of the Armed Forces of the United States, who were worthy of wearing the uniform of the United States, worthy of fighting for the United States, worthy of being injured and shedding blood on behalf of the United States, but not worthy—not worthy—of being able to claim their family members? Is that what our values have come to?

I believe under both our amendment that offers the opportunity for U.S. citizens to claim their family members and Senator CLINTON's amendment, which I have cosponsored with her, to have U.S. permanent residents to be able to claim their family members, if you are worthy to fight, then you are worthy to claim your family members.

It seems to me, isn't family worth 10 or 15 points in the 100-point system—and not with a barrier that says: Well, you get some points only if you reach a certain numeric number, and then the family is worth something. No. Families are worth something, it seems to me, from the very beginning, the very get-go.

In the 100-point system, 10 or 15 points is not worth going toward family? I think it is. If you are worthy of serving, you are worthy of claiming your family members.

Here is someone who served his country exceptionally well, I believe: Colin Powell. He served his country both as Chairman of the Joint Chiefs of Staff and as Secretary of State. Under this system we are debating in the Senate, his parents would not have made it to America and he would not have served the country as well as he did. We are talking about the future Colin Powells, as we debate this legislation today.

GEN David Petraeus is right now leading our efforts in Iraq—a different challenge. Under this legislation, his parents would have likely not have made it to this country and his service would not have been realized. We are talking about the future General Petraeuses.

Under this bill, the person who discovered the polio vaccine, Jonas Salk, and eradicated polio—his parents would not have made it to this country and we would not have been the beneficiaries of his genius. He would not qualify with that high-tech percentage and certainly would have gotten very little for family reunification as it is presently constructed. If he happened to be among those family members now being claimed by a U.S. citizen after May 1, 2005, he would be out of luck, his right to be here would have been gone, and we would have lost one of the great scientists of our time.

Thomas Edison. His is the effort that in fact has made this Chamber light up, our homes light up, our businesses light up. I am particularly proud of Thomas Edison, of Menlo Park, New Jersey. Under this bill—if we do not change it by that which are being described as killer amendments—we would not have had a Thomas Edison because his parents would not have qualified under this bill.

Bob Hope. He went across the globe making sure our service men and women—who were giving of their all—were entertained. He brought laughter to us. He brought laughter to them in some of the most difficult theaters in the world. Under this bill, it is likely we would not have had Bob Hope as a national treasure.

So it seems to me when I listen to the suggestion that amendments on family reunification, particularly those upholding the right of a United States citizen today, who has filed for his family member—and where that right has been snuffed out, yet someone who crossed the border illegally and did not wait their turn, follow the rules, and obey the law has a better position—that is not about the rule of law.

The second set of propositions I want to talk about—and I spent a lot of time with these Senators, and I appreciate enormously the work they did. I really do. I think there are many aspects of this bill that are very good. Certainly, the security aspect is out there, big time. There are a lot of elements of the security aspect of this bill.

There are aspects that certainly recognize the economic future of our country. There is certainly finding a pathway to earned legalization—and it is earned legalization. It is not amnesty. Amnesty is something for nothing. This is certainly not something for nothing. As a matter of fact, under this bill, if you happen to have a family of four in an undocumented status, by the time the process is finished, it costs you nearly $29,000, $30,000.

I was looking at the Federal Criminal Code. You can commit crimes on narcotics trafficking, you can commit crimes on possession of weapons, you can commit a series of crimes that have, as a maximum fine, $5,000. This is a civil penalty, and yet we are going to have people doing some of the harder jobs in America and their families of four paying about $29,000. That is not amnesty.

But even though I respect the incredible work of those 12 Senators who finally agreed to move forward with the bill we are debating today, 12 is not 100. It is not even a majority. No one has a monopoly on how to best provide for comprehensive immigration reform. Proponents say this now: that family reunification amendments are killer amendments or that any set of amendments may be killer amendments. But at the end of the day, when it does not go to the heart of security, does not go to the heart of employment verification, does not go to the heart of Border Patrol, does not go to the heart of employment verification, does not

go to the heart of even a new system for determining who comes into the country under a new point system, does not go to the heart of violating the rule of law—but, in my mind, promotes the rule of law—I find it difficult that anyone can say those are killer amendments.

They may suggest it now in this context, but I am sure there will be a future piece of legislation in which they will be arguing on the other side, saying that as well intentioned as 12 Senators may be, it is not, in fact, even a majority of the Senate; it certainly is not 100.

This is the Senate. It represents, collectively, 300 million Americans. That means all of us come together on behalf of the Nation's collective will, its collective purpose, and its collective common good.

Now, in that respect, the bottom line is, when you have amendments that do not go to the heart of security, employment verification, Border Patrol, that do not go to the heart of the ability to follow the rule of law, that do not go to the heart of the very essence of worker protections, that do not go to the heart of employment verification, do not go to the heart of the undoing of the balance in the earned legalization system—my God, we are talking about people who are waiting under the law to come to the country in a legal process.

So I have to take strong umbrage to the suggestion that there is somehow a monopoly on how to provide for comprehensive immigration reform, and particularly when amendments that are being offered by some of us on family reunification are suggested to be killer amendments.

I want to see comprehensive immigration reform pass. A killer amendment is offered by someone who wants to see it not pass. I did not dedicate all this time and effort to try to change one of the Nation's critical challenges in a way that can be tough, can be strong, can be smart, can provide for our security, can fuel our economy, and, at the same time, end human trafficking, exploitation, and bring people out of the shadows into the light—to know who is here to pursue the American dream versus those who are here to destroy it—I did not spend all that time to try to kill legislation. I am seeking to improve it.

I hope our colleagues, who travel across the country and talk about family values, are going to join us tomorrow on that amendment. This institution is the greatest marketplace of ideas. That is what the Senate is about. It is in the clash of ideas that we hopefully come together and provide some of the best possible solutions to some of our greatest challenges.

I hope the amendments we are offering in that respect are not categorized as killer amendments but they are categorized as ideas within this marketplace to improve this legislation in a way we can all be proud of.

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

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I commend my good friend, the Senator from New Jersey, BOB MENENDEZ. Since he has been in the Senate, he has brought a passion and a voice of reason to so many issues. It is a delight to have his voice heard in the Senate.

In every way, each of the 100 Members of this Senate brings our own personal history and our own personal perspectives to this debate on immigration. The Senator from New Jersey brings a tremendous sense of practical experience and personal knowledge, and a sense of how immigration has affected his family and his parents and his community in a way, perhaps, that is very unique in this Chamber. His contributions to the whole debate on immigration reform—not only here in the Senate this year but throughout his entire history in public service—are something we all very much appreciate. We hope to be able to work with him as we move forward and try to get to a final conclusion on this bill. His comments are comments which are not only eloquent, they are comments which are very much heartfelt by me and others in this Chamber.

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. SALAZAR. 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. SALAZAR. Mr. President, we continue to make significant progress as we move forward to getting to some final votes on this legislation.

Last week, we disposed of 13 amendments. In comparison, last year, there were approximately 35 amendments throughout the entire debate on comprehensive immigration reform. So last week we accomplished disposing of 13 significant amendments to the immigration reform legislation before us.

The unanimous consent request I will propound in a second will add an additional four amendments to this legislation.

AMENDMENTS NOS. 1167; 1163; 1238; AND 1166, AS MODIFIED

With that, Mr. President, I ask unanimous consent that it be in order to consider en bloc the following amendments, that they be considered and agreed to en bloc, and that the motions to reconsider be laid upon the table en bloc: Cantwell amendment No. 1167; Alexander amendment No. 1163; Cornyn amendment No. 1238; and Grassley amendment No. 1166, as modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 1167

(Purpose: To authorize the Attorney General to carry out a program, known as the Northern Border Prosecution Initiative, to provide funds to northern border States to reimburse county and municipal governments for costs associated with certain criminal activities, and for other purposes)

At the appropriate place, insert the following:

SEC. ___. NORTHERN BORDER PROSECUTION REIMBURSEMENT.

(a) SHORT TITLE.—This section may be cited as the ''Northern Border Prosecution Initiative Reimbursement Act''.

(b) NORTHERN BORDER PROSECUTION INITIATIVE.—

(1) INITIATIVE REQUIRED.—From amounts made available to carry out this section, the Attorney General, acting through the Director of the Bureau of Justice Assistance of the Office of Justice Programs, shall carry out a program, to be known as the Northern Border Prosecution Initiative, to provide funds to reimburse eligible northern border entities for costs incurred by those entities for handling case dispositions of criminal cases that are federally initiated but federally declined-referred. This program shall be modeled after the Southwestern Border Prosecution Initiative and shall serve as a partner program to that initiative to reimburse local jurisdictions for processing Federal cases.

(2) PROVISION AND ALLOCATION OF FUNDS.—Funds provided under the program shall be provided in the form of direct reimbursements and shall be allocated in a manner consistent with the manner under which funds are allocated under the Southwestern Border Prosecution Initiative.

(3) USE OF FUNDS.—Funds provided to an eligible northern border entity may be used by the entity for any lawful purpose, including the following purposes:

(A) Prosecution and related costs.

(B) Court costs.

(C) Costs of courtroom technology.

(D) Costs of constructing holding spaces.

(E) Costs of administrative staff.

(F) Costs of defense counsel for indigent defendants.

(G) Detention costs, including pre-trial and post-trial detention.

(4) DEFINITIONS.—In this section:

(A) The term ''eligible northern border entity'' means—

(i) any of the following States: Alaska, Idaho, Maine, Michigan, Minnesota, Montana, New Hampshire, New York, North Dakota, Ohio, Pennsylvania, Vermont, Washington, and Wisconsin; or

(ii) any unit of local government within a State referred to in claluse (i).

(B) The term ''federally initiated'' means, with respect to a criminal case, that the case results from a criminal investigation or an arrest involving Federal law enforcement authorities for a potential violation of Federal criminal law, including investigations resulting from multi-jurisdictional task forces.

(C) The term ''federally declined-referred'' means, with respect to a criminal case, that a decision has been made in that case by a United States Attorney or a Federal law enforcement agency during a Federal investigation to no longer pursue Federal criminal charges against a defendant and to refer the investigation to a State or local jurisdiction for possible prosecution. The term includes a decision made on an individualized case-by-case basis as well as a decision made pursuant to a general policy or practice or pursuant to prosecutorial discretion.

(D) The term ''case disposition'', for purposes of the Northern Border Prosecution

Initiative, refers to the time between a suspect's arrest and the resolution of the criminal charges through a county or State judicial or prosecutorial process. Disposition does not include incarceration time for sentenced offenders, or time spent by prosecutors on judicial appeals.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $28,000,000 for fiscal year 2008 and such sums as may be necessary for each succeeding fiscal year.

AMENDMENT NO. 1163

(Purpose: To establish an award to recognize companies for extraordinary efforts in English literacy and civics)

At the appropriate place, insert the following:

SEC. ___. PRESIDENTIAL AWARD FOR BUSINESS LEADERSHIP IN PROMOTING AMERICAN CITIZENSHIP.

(a) ESTABLISHMENT.—There is established the Presidential Award for Business Leadership in Promoting American Citizenship, which shall be awarded to companies and other organizations that make extraordinary efforts in assisting their employees and members to learn English and increase their understanding of American history and civics.

(b) SELECTION AND PRESENTATION OF AWARD.—

(1) SELECTION.—The President, upon recommendations from the Secretary, the Secretary of Labor, and the Secretary of Education, shall periodically award the Citizenship Education Award to large and small companies and other organizations described in subsection (a).

(2) PRESENTATION.—The presentation of the award shall be made by the President, or designee of the President, in conjunction with an appropriate ceremony.

AMENDMENT NO. 1238

(Purpose: To increased the authorization of appropriations for the Border Relief Grant Program)

On page 26, line 27, strike ''$50,000,000'' and insert ''$100,000,000''.

AMENDMENT NO. 1166, AS MODIFIED

(Purpose: To clarify that the revocation of an alien's visa or other documentation is not subject to judicial review)

At the appropriate place, insert the following:

SEC. _____. JUDICIAL REVIEW OF VISA REVOCATION.

(a) IN GENERAL.—Section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)) is amended by striking ''There shall be no means of judicial review'' and all that follows and inserting the following: ''Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, any other habeas corpus provision, and sections 1361 and 1651 of such title, a revocation under this subsection may not be reviewed by any court, and no court shall have jurisdiction to hear any claim arising from, or any challenge to, such a revocation, provided that the revocation is executed by the Secretary.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to all revocations made on or after such date.

Mr. SALAZAR. Mr. President, I would note that with the adoption of those 4 amendments, when you add them to the 13 amendments that were added to this legislation last week, we have now acted on 17 amendments that have been proposed to the Senate. We have a number of other amendments that are pending, and we encourage our colleagues to come forward with other amendments they may also have. We are also ready to move forward to schedule votes on additional amendments beginning tomorrow morning.

Mr. President, I ask unanimous consent that on Tuesday, June 5, when the Senate resumes consideration of S. 1348, the immigration legislation, that the time until 11:50 a.m. be for debate with respect to the Allard amendment No. 1189 and the Durbin amendment No. 1231, with the time to run concurrently on both amendments and divided as follows: 10 minutes each, the majority and Republican managers or their designees and Senators Allard and Durbin; that no amendments be in order to either amendment prior to the vote; that the amendments be voted on in the order listed here; that upon disposition of the Durbin amendment, the Senate stand in recess until 2:15 p.m. in order to accommodate the respective party conference work periods; that there be 2 minutes of debate equally divided prior to the second vote and that the second vote be 10 minutes in duration, with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, let me make a closing comment prior to adjourning the Senate for the day.

We begin our work on immigration reform legislation in this time after the work period for Memorial Day. We have a lot of work ahead of us in this week ahead. It is my hope we will be able to work together to get to a position where we will have a final vote in the Senate this week on immigration reform legislation.

We will hear, as this week continues, many personal stories about immigration, how the families of some Members of the Senate came into this country from different places. You will hear the stories which often tell us of immigration which has made us a rich country. I am sure we will hear the story of Senator DOMENICI and his parents and how his parents and his grandparents came to this country as immigrants—illegally at one point—and became part of the American dream. You will hear lots of those dreams told here as we deal with the issue of immigration reform.

For me, the issue of immigration is an important one for a lot of different reasons. Today, it is a very important issue for us because of the national security issues which are at stake. Unless we are able to fix our broken borders, I don't think any of us can say we are truly advancing the ball of national security for our country. The Presiding Officer knows well that as attorney general, the members of the law enforcement community hold ourselves up with pride to say we are different from other countries around the world because we honor the fact that we are a nation of laws and we uphold those laws in our country. That is integral to making this the great democracy we have in our country. So it is very important for us to move forward because we need to uphold those values which are so fundamental—the value of national security, the value of upholding a nation of laws. Those are fundamental values.

For me, the issue of immigration reform also has some history in my whole family because my family did not immigrate to this country as is often thought about with respect to many of the immigrants we have here in the United States, families who came here in the last generation or the last 100 years. My family settled the city of Santa Fe, NM, in 1598. That was some 409 years ago. It was a time when, for the next 250 years following 1598, the part of the Southwest which is now northern New Mexico and southern Colorado was in the hands of the Spanish Government through 1821 and under the sovereignty of Mexico from 1821 until 1848. So for 250 years, my family farmed and ranched on the banks of the Rio Grande River in northern New Mexico and the southern part of Colorado and were very much a fabric of that landscape of the Southwest, very much a fabric of those non-Native American settlers who came and who found the great American dream to be a true dream in the United States in later years.

In 1848, the treaty between the United States and Mexico was signed and Mexico ceded the northern part of its territory to the United States of America. At that time, those generations who came before me and my family were given a choice—a choice to become American citizens under article 10 of the Treaty of Guadalupe Hidalgo or, in the alternative, they could move some several hundred miles to the south to what had been a new border that had been created, now several hundred miles along the Rio Grande River, about 400 miles to the south of Santa Fe, NM, some 500 miles to the south of where our current ranch resides.

At that time, my family, like many families of the day and in other generations as well, made the decision that they would stay. They would stay because they knew that this land was their land and those communities were their communities, that those landscapes were their landscapes and that they would make it their home.

So for the generations in southern Colorado and northern New Mexico since 1848 until today, they continued to contribute greatly to the American dream in many different ways.

In my own case, many members of my family have served in the U.S. military and have contributed greatly to the American dream. My own mother and father came here to Washington in the early years of World War II. My mother worked in the War Department

at the age of 19, coming from a village in northern New Mexico, and spending 5 years working in the War Department as part of that ''greatest generation'' which gave back so much to America to give us the kind of greatness we have had for the last 60-plus years here in the United States. My father became a soldier in the Army. He retired as a staff sergeant after having served his time in the U.S. Army.

There were other members of my family. My uncle Leandro, who is my mother's brother, 2 years older than my mother, gave his life in the soils of Europe defending this country's efforts in World War II as the United States of America saved this world from the hands of the Nazis and the hands of the fascists who would have turned civilization back to a place none of us ever wanted to go back to.

So today, as we stand here on the floor of the U.S. Senate debating what we should do with the immigration laws of this country, it is important to remember that this country has indeed come a long way, that we are, in fact, an America in progress, that the America in progress we have seen for centuries and for generations is one we must build upon. For us here in the Senate to simply accept what some would suggest—and that is that we do nothing with this issue of immigration—is, in my view, a dishonor to our country and to the responsibilities we have. It is an abdication of duty, for those of us who have taken the oath of office to uphold the laws of the United States and the Constitution of our country to make this country greater than it is today, for us to simply say that this issue of immigration is too tough for us to deal with and that all we ought to do is somehow ignore it or figure out ways of sidestepping it and go on to work on other issues.

I so much admire Senator HARRY REID because he has said to the Nation that he would hold the feet of the Senate to the fire as we deal with the issue of immigration. It may not be a comfortable issue for most people to deal with. It is a contentious issue. The phone calls and e-mails—and I am sure every Senator, both Democratic and Republican, has had their phones ringing off the hook for the last several weeks as we have dealt with this issue. Through the courage of Senator REID, he has said we will move forward with this issue, and we are dealing with the issue. Through the courage of other Senators, both Democrats and Republicans, we have said this is an issue we can tackle. Yes, there are tough amendments, and we are working our way through those tough amendments, trying to make this immigration legislation which is on the floor better legislation, perhaps, than what was introduced here at the beginning of last week, and we are making progress.

As I said, I think there are now 21 amendments which have been made to the legislation. There will be others we will make as the week goes on. But at the end of the day, America's greatness really depends upon chambers like this Chamber here, which holds the keys to the democracy of our country, and debating those issues which are difficult and getting us to a point of a conclusion to deal with these issues which are so fundamental to the 21st century of America. When we deal with this issue, what we will have done is we will have found solutions to the issue of a broken border that has been broken for a very long time. When we effectively deal with this issue, we will deal with the reality of the economic demands of the United States of America and how we treat people with the kind of humanity and morality we would expect of others.

It is true that when one looks back at the immigration history of this country, there have been chapters in that immigration history which have been very difficult and very painful for those involved.

From 1942 until 1964, there was a chapter in our immigration laws called the national Mexican immigration program, or the Bracero Program, in which people were brought into this country because there was a need for labor, and we had many of our men and women in uniform serving in faraway places, as those in my family were serving at that particular time, but because there was a need for labor in our factories and on our farms, people were brought to this country under a program. But it was a program that did not have worker protections, and the consequence of that program was that there were many people who suffered and who lived through a tremendous amount of pain because they did not have the protection of the laws of the United States of America.

Today, in the legislation we have brought forward, we have included the worker protections that will ensure these people are protected. At the same time, the legislation we brought forward recognizes the importance of the American worker because even under the temporary guest worker program, which is a controversial issue being debated on this floor, what we have said in that part of the legislation is that a job has to be advertised first to the American worker and that if an American anywhere is willing and ready to take that job, it will not be available to somebody who would come in under the temporary guest worker program.

So the economic issues, the national security issues, the human and moral issues which are at stake in this debate are some of the most important issues we face. I am hopeful that colleagues, working together in the Senate for the remainder of this week, will be able to come to a successful conclusion with respect to immigration reform legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. SALAZAR. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

SEQUENTIAL REFERRAL REQUEST

Mr. LEVIN. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Majority Leader HARRY REID dated June 4, 2007.

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

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 4, 2007.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR REID: Pursuant to paragraph 3(b) of S. Res. 400 of the 94th Congress, as amended by S. Res. 445 of the 108th Congress, I request that S. 1538, the Intelligence Authorization Act for Fiscal Year 2008, as filed by the Select Committee on Intelligence on May 31, 2007, be sequentially referred to the Committee on Armed Services for a period of 10 days. This request is without prejudice to any request for an additional extension of five days, as provided for under the resolution.

S. Res. 400, as amended by S. Res. 445 of the 108th Congress, makes the running of the period for sequential referrals of proposed legislation contingent upon the receipt of that legislation ''in its entirety and including annexes'' by the standing committee to which it is referred. Past intelligence authorization bills have included an unclassified portion and one or more classified annexes.

I request that I be consulted with regard to any unanimous consent or time agreements regarding this bill.

Thank you for your assistance.

Sincerely,

CARL LEVIN,
Chairman.

REPORT FILING

Mr. ROCKEFELLER. Mr. President I ask unanimous consent that a letter dated May 25, 2007, to Senator BYRD be printed in the RECORD.

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

U.S. SENATE,
SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, May 25, 2007.

Hon. ROBERT C. BYRD,
President Pro Tempore,
U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: On behalf of all members of the Select Committee on Intelligence, we are filing the Committee's report on the ''Prewar Intelligence Assessments About Postwar Iraq.'' The report was approved by a majority vote of the Committee at a meeting held on May 8, 2007.

Senate Resolution 400 of the 94th Congress (1976) charges the Committee with the duty