

the current immigration system is a disaster. It is unfair to the people of America to allow 800,000 or more undocumented people to come into our country each year, three-fourths of whom will remain in our country, as they have over the last 20 years.

Today there are about 12 million undocumented people. We have to stop the flow of undocumented across the border. The underlying immigration bill focuses on enforcement. The version that will be before us this week for the very first time invests \$4 billion in enforcement. Those who argue we need to have stronger borders instead of broken borders, those who argue we should have enforcement in the workplace, should support this bill. It creates the laws and the tools to do that.

I might also add I don't believe the procedural arguments are valid. First, let me say this bill has been on the floor pending, available for scrutiny for weeks—4 weeks, 5 weeks, at least. Anyone who argues they haven't had a chance to look at this bill, it isn't for lack of opportunity, as everyone should for a bill of this consequence.

The second argument that somehow this process we are about to embark upon is so unusual as to be unfair, what the Senator failed to note is that the amendments which will be considered this week are an agreed-upon list of amendments on a bipartisan basis. Democratic leaders, Republican leaders came together and are offering over 20 amendments which will be debated on and considered this week. There are amendments offered by Senators who are going to oppose this bill no matter what it says and amendments offered by those who support it.

There will be ample opportunity for more debate on a bill that has already been debated for weeks—a bill which has been subjected to almost 40 amendments. I think most people understand the gravity of this bill, the importance of this bill, and the complexity of this bill. It is the effort of the majority leader, HARRY REID, to finally bring this matter to closure and a vote.

There are some, who for a variety of different reasons, oppose this bill who have said: We will do everything within our power to stop this matter from coming to a vote. That is their right as Senators in this Chamber. It is the right of those who want to bring it to a vote to use the rules for their purposes. That is the nature of this body. That is what the Senate is all about. So I think it will be a fair process.

At the end of the week, we will have considered this bill in its entirety and subjected it to amendment and debate. That is what the Senate should be about, and that is what this bill is concerned with.

#### SUPREME COURT RULING

Mr. MCCONNELL. Mr. President, 6 years ago I took to this floor to express the view that any campaign finance law must be written within the boundaries of the first amendment. It states:

Congress shall make no law, respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.

This very amendment adorns the facade of the yet-to-open Newseum a few blocks from here on Pennsylvania Avenue—a building constructed, both philosophically and physically, upon the cornerstone of our first amendment rights.

Today the U.S. Supreme Court decided that the U.S. Congress went too far 5 years ago in legislating restrictions on First Amendment rights. In its ruling this morning in *Wisconsin Right to Life vs. FEC*, the Court righted that wrong.

It took an important first step toward restoring the rights of organizations to petition the government and members of Congress.

The court rejected an intent-and-effect test for advertisements and instead went with a susceptible of no other reasonable interpretation than an appeal to vote for or against a candidate.

However, and most importantly, in a debatable case the tie is resolved in favor of protecting speech.

As the Chief Justice noted in his decision for the majority:

Where the First Amendment is implicated, the tie goes to the speaker, not the censor:

It is fitting that this opinion should come down as we approach the Fourth of July recess, when we return home to celebrate those freedoms for which our forefathers fought and died.

What better tribute to their efforts than the affirmation of our right—not just ability—but right of freedom to speech and the right to petition the government for a redress of grievances.

This afternoon, we will witness our new colleague from Wyoming be sworn, reminding us of the oath we all took upon election to this body to, "Preserve, protect and defend the Constitution of the United States of America."

Chief Justice Roberts summed up this case and, in fact, the entire campaign finance debate so well that I would like to close with his words. He wrote:

These cases are about political speech. The importance of the cases to speech and debate on public policy issues is reflected in the number of diverse organizations that have joined in supporting *Wisconsin Right to Life* before this Court: the American Civil Liberties Union, the National Rifle Association, the American Federation of Labor and Congress of Industrial Organizations, the Chamber of Commerce of the United States of America, Focus on the Family, the Coalition of Public Charities, the Cato Institute, and many others.

In his closing paragraph, the Chief Justice reminded us what lies at the heart of this issue. After quoting the language of the first amendment, he wrote:

The Framers' actual words put these cases in proper perspective. Our jurisprudence over

the past 216 years has rejected an absolutist interpretation of those words, but when it comes to drawing difficult lines in the area of pure political speech—between what is protected and what the Government can ban—it is worth recalling the language we are applying: when it comes to defining what speech qualifies as the functional equivalent of express advocacy subject to such a ban—the issue we do have to decide—we give the benefit of the doubt to speech, not censorship. The First Amendment's command that "Congress shall make no law . . . abridging the freedom of speech" demands at least that.

It is a good day for the first amendment.

I yield the floor.

#### FURTHER CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, last week, pursuant to section 309 of S. Con. Res. 21, I filed revisions to S. Con. Res. 21, the 2008 Budget Resolution. Those revisions were made for Senate amendment No. 1704, an amendment pending to Senate amendment No. 1502, an amendment in the nature of a substitute to H.R. 6, the energy bill.

The Senate did not adopt Senate amendment No. 1704. As a consequence, I am further revising the 2008 Budget Resolution and the adjustments made last week pursuant to section 309 to the aggregates and the allocation provided to the Senate Energy and Natural Resources Committee for Senate amendment No. 1704.

I ask unanimous consent that the following revisions to S. Con. Res. 21 be printed in the RECORD.

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

#### CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 309 DEFICIT-NEUTRAL RESERVE FUND FOR COUNTY PAYMENTS LEGISLATION

[In billions of dollars]

Section 101:	
(1)(A) Federal Revenues:	
FY 2007 .....	\$1,900.340
FY 2008 .....	2,015.841
FY 2009 .....	2,113.811
FY 2010 .....	2,169.475
FY 2011 .....	2,350.248
FY 2012 .....	2,488.296
(1)(B) Change in Federal Revenues:	
FY 2007 .....	— 4.366
FY 2008 .....	— 34.955
FY 2009 .....	6.885
FY 2010 .....	5.754
FY 2011 .....	— 44.302
FY 2012 .....	— 108.800
(2) New Budget Authority:	
FY 2007 .....	2,376.348
FY 2008 .....	2,495.957
FY 2009 .....	2,517.006
FY 2010 .....	2,569.530
FY 2011 .....	2,684.693
FY 2012 .....	2,719.054
(3) Budget Outlays	
FY 2007 .....	2,299.749
FY 2008 .....	2,468.215
FY 2009 .....	2,565.589
FY 2010 .....	2,599.173
FY 2011 .....	2,691.657
FY 2012 .....	2,703.260

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(in billions of dollars)

Current Allocation to Senate Energy and Natural Resources Committee:	
FY 2007 Budget Authority .....	5,016
FY 2007 Outlays .....	5,484
FY 2008 Budget Authority .....	5,636
FY 2008 Outlays .....	5,322
FY 2008–2012 Budget Authority .....	29,583
FY 2008–2012 Outlays .....	28,475
Adjustments:	
FY 2007 Budget Authority .....	0
FY 2007 Outlays .....	0
FY 2008 Budget Authority .....	–565
FY 2008 Outlays .....	–565
FY 2008–2012 Budget Authority .....	–3,745
FY 2008–2012 Outlays .....	–3,745
Revised Allocation to Senate Energy and Natural Resources Committee:	
FY 2007 Budget Authority .....	5,016
FY 2007 Outlays .....	5,484
FY 2008 Budget Authority .....	5,071
FY 2008 Outlays .....	4,757
FY 2008–2012 Budget Authority .....	25,838
FY 2008–2012 Outlays .....	24,730

### REMEMBERING SENATOR CRAIG THOMAS

Mr. VOINOVICH. Mr. President, all of us in the Senate will miss Craig Thomas. I got to know Craig when we both served on the Senate Ethics Committee. During that time, I came to admire him as a wonderful human being, a man of character and integrity, and someone who spoke plainly on how he felt about things.

I also admired Craig for speaking up in policy lunch and at the steering committee on so many occasions. He always got to the nub of the problem and never failed to tell it just as he saw it. On many occasions, I sensed he had a great frustration with the system, but he stayed in there and was an encouragement to many.

When he got sick, Janet and I put him on our prayer list. I also looked at some health care alternatives for him in Cleveland, but he felt he had great care at the Bethesda Naval Hospital. The last time I saw him, he looked like the old Craig, full of vim and vigor. We were shocked when we heard of his passing. It is said that it is not the number of years one lives that counts but what one does with those years that matters. We will all miss Craig but know that he is in heaven with our father eternally happy.

### POSITIVE ENERGY DIRECTION

Mr. FEINGOLD. Mr. President, last week this body passed energy legislation that finally sets the U.S. energy policy in a new, positive direction. In 2005, I opposed the Energy bill because it did not establish a sound and fiscally responsible energy policy. The Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007 will help wean the United States of oil dependence, encourage the development of renewable energy, and promote energy efficiency, and I was pleased to support it.

The bill includes many important provisions. A renewable fuel standard of 36 billion gallons of renewable fuel by 2022 will help spur the development of advanced fuels such as cellulosic ethanol, which holds a lot of promise for my home State of Wisconsin. The bill also includes anti-price gouging language, based on Senator CANTWELL's bill that I cosponsored, to protect consumers from price gouging by sellers and distributors of oil, gasoline, or petroleum distillates during natural disasters and abnormal market disruptions.

The bill also includes a proposal of mine that supports local renewable energy—an issue I am committed to advancing and hear a lot about during the listening sessions I annually hold in every county of Wisconsin. My amendment, cosponsored by Senators SANDERS and MENENDEZ, guarantees that a new energy and environmental block grant program would provide resources to cities and counties nationwide to reduce fossil fuel emissions, reduce energy use, and improve energy efficiency while ensuring these improvements do not harm the environment and retain the benefits of activities within the local community, such as encouraging local or cooperative ownership of bioenergy efforts.

Our Nation's addiction to oil poses a significant threat to our economy, our security, and our environment. The Federal Government should allow and encourage State and local governments to improve their energy policies while creating opportunities for rural Americans to produce and benefit from renewable energy. My amendment is based on my larger effort to increase opportunities for rural America outlined in my Rural Opportunities Act. Introduced in February 2007, the Rural Opportunities Act helps sustain and strengthen rural economies for the future and create more opportunities in rural communities. A crucial component of the bill is ensuring that the potential benefits from domestic renewable energy are gained in an environmentally responsible manner that benefits local communities.

During debate on this important bill, I also supported several efforts to improve it. I was pleased to cosponsor several successful amendments including one offered by the senior Senator from Wisconsin, Mr. KOHL, to make oil-producing and exporting cartels illegal, and make colluding oil-producing nations liable in U.S. court for violations of antitrust law. I also cosponsored the amendment from the Senator from Colorado, Mr. SALAZAR, that states the sense of Congress that America's agricultural, forestry, and working lands should provide 25 percent of the total energy consumed in the United States from renewable sources by the year 2025 while continuing to produce safe, abundant, and affordable food, feed, and fiber.

I supported an amendment offered by the Senator from Indiana, Mr. BAYH,

that sets aggressive targets for reducing oil consumption by 10,000 billion barrels a day by 2030. The language is simple—it sets our goal, and we have to figure out how to get there. We are a country of innovators. Whether it is wind, solar, biodiesel, or a technology we still have not dreamed of yet, we can—and we must—break our addiction to oil. This bold, aggressive amendment can help ensure that we meet our goal of real energy independence and security.

Any plan to move away from our dependence on oil needs to address fuel efficiency standards for our vehicles. In the last few years, I have joined a majority of my Senate colleagues in supporting legislation requiring the administration to increase fuel efficiency, but we have so far been unsuccessful in getting this requirement enacted. I supported a proposal from several of my colleagues, including Senators PRYOR and LEVIN, that was crafted to increase fuel efficiency standards substantially without jeopardizing the jobs of many hard-working Wisconsinites. It is unfortunate this amendment was never offered. I will be following the House and Senate conference closely to ensure that the final bill strikes the right balance on this issue.

I am also disappointed that the Senate was unable to muster the necessary votes to overcome Republican objections to a tax package reported by the Finance Committee that would boost energy efficiency and renewable energy programs. The cost of these new or extended tax incentives was fully offset. It is also unfortunate that the Senate could not once again pass a renewable portfolio standard to ensure that all States' utilities are producing a minimum percentage of renewable energy. My home State of Wisconsin is one of about 20 States that currently have such a standard, but a Federal standard would help level the playing field.

It is encouraging, however, that the Senate soundly rejected proposals to mandate the use of and direct Federal money to develop coal-to-liquid facilities. Private investors have not been willing to invest in this technology in the United States because of significant capital costs and risks, not to mention the unproven technology to capture and store greenhouse gas emissions.

Energy security is an important issue for America and one which my Wisconsin constituents take very seriously. I am pleased this bill rejects the efforts of some of my colleagues to insist on drilling for oil and gas in the Arctic National Wildlife Refuge. Drilling in the Arctic National Wildlife Refuge would sacrifice one of America's greatest natural treasures for a supply of oil that would not significantly enhance our energy security. The supply of oil in the Arctic Refuge may not last more than a year, would not be available for many years to come, and would decrease gas prices by only a penny when the Refuge is at its highest