

that can be achieved and, after all, isn't compromise the essence of what the Senate is all about, is coming to a consensus after a long debate? The difference with this grand bargain is that the die was cast long before the debate began. The process whereby this bill came to the floor bypassed the regular order, and its outcome has been ordained by the grand bargainers to prevent amendments that might actually improve the bill from becoming part of the solution to America's broken immigration system.

Opposing the underlying bill or proposing amendments to improve it has led to labels such as anti-immigrant or nativist or xenophobic. I am none of the above. It is not anti-immigrant to be for the rule of law. It is not nativist to be for enforcing America's laws. And it is not xenophobic to believe that those who come to America should come here legally.

America has a long tradition as a welcoming nation. I am a product of that tradition. In 1906, two Norwegian brothers named Nicolai and Matthew Gjelsvik came to America from Norway. The only English they knew were the words "apple pie" and "coffee," which evidently they learned on the way over.

When they arrived at Ellis Island, the immigration officials determined that their given name would be too difficult to spell and pronounce for people in this country so they asked them to change it. G-j-e-l-s-v-i-k was how they spelled it. They picked the name of the farm where they worked near Bergin, Norway, which was called the Thune Farm. So Nicolai Gjelsvik became Nick Thune, my grandfather.

Then, as now, there was a great demand in America's economy for workers. They went to work on the transcontinental railroad doing hard manual labor. They learned English and made enough to start a small merchandising company which subsequently became a hardware store that to this day bears their name. They came here for the opportunity that America offered—the opportunity to succeed and the opportunity to fail.

Their story has been duplicated millions and millions of times over and continues today. Millions and millions of Americans came here from other places, but they came here legally. I support them and the millions more who are still to come. You see, you can be pro-immigration and pro rule of law. The two are not mutually exclusive. Unfortunately, the bill before the Senate violates that bedrock American distinction of the rule of law. Under this bill, somewhere between 12 and 20 million illegal immigrants will be immediately legalized.

Ironically, it is that very rule of law that serves as a magnet that attracts people to America. The reason America's economy is the most prosperous in the world is its foundation is in the rule of law. Concepts such as legal certainty, private property rights, and an

independent judiciary provide the framework for the most successful economy in the history of civilization. It doesn't happen by happenstance. It happens because the rule of law is an inviolable principle of American democracy.

The solution to America's broken immigration system is really quite simple: Enforce the laws in the workplace and enforce the laws at the border. Sacrificing America's most basic foundational principle in the interest of a short-term fix betrays the belief of the millions who are here legally and the millions more to come that America is different because here the rule of law matters.

President Ronald Reagan once said that a nation that "can't control its own borders can't control its destiny." We are a country, we are a nation. We need the strong border security measures in this bill, and we need the strong workplace verification measures in this bill, but the immediate legalization of 12 million people is a bridge too far.

It contradicts one of the great ideals of our democracy and sends wrong and conflicting signals to those who are here currently and those who will come in the future. The demand for workers in America can be met when those here illegally go back and return through legal channels or when they are replaced by those who wait to come legally. This bill is the wrong solution, and I believe and I hope that the Senate will reject it.

We can get a good immigration bill, a solid immigration bill that secures the border, that deals with the issue of workplace verification, and it sends the right message to those who are waiting to come to America that America is a nation, a welcoming nation, a nation that is pro-immigration, but a nation that fundamentally respects its great tradition as a nation that is based upon the rule of law.

I hope my colleagues, as they consider how they will vote tomorrow on these important votes, will think about the importance of that tradition of the rule of law, the importance of the message we send to those who have observed our laws, such as the lady I mentioned whose husband is in Sioux Falls, SD, and she hopes to come back to our great country and to our State. She made a fundamental decision that she was going to play by the rules, she was going to follow the laws. There are so many like her. What we want to do is send a message that people like her are welcome here, people who follow our laws. We don't want to reward those who come here illegally. I believe on a most basic level that is what the legislation before the Senate does.

I urge my colleagues to vote "no" on these important votes tomorrow.

Mr. President, I yield back the remainder of my time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### UNANIMOUS-CONSENT REQUEST— H.R. 1

Mr. REID. Mr. President, despite the fact that we are fast approaching the 6-year anniversary since the terrorist attacks of September 11, it is painfully clear that we have a lot of work to do to protect this Nation from further terrorist attacks. The threats are real, they are growing, and when Democrats took control of the Congress at the start of this year, we said we would implement the unanimous recommendation of the bipartisan 9/11 Commission. That matter passed this body by a big vote. That is where we said we should implement into law the 9/11 Commission recommendations. Democrats voted for that, and Republicans voted for it. It was one of the first bills we passed at the start of this session of Congress. The House passed its version of the bill on January 9. The Senate passed our bill on March 13. The House bill was 299 to 128; ours was 60 to 38.

As my colleagues know, Democrats and Republicans who serve on the House and Senate committees with jurisdiction over this bill have worked tirelessly to resolve the differences on these two bills. I myself have spoken to Chairman LIEBERMAN, I don't think it is an exaggeration to say a dozen times. The American people expect us to finish this work quickly, and that is why we believe we need to take the next procedural step as part of our regular order, which is to appoint conferees to finish these negotiations.

When this bill is signed into law, it will make America more secure. It will improve the screening of maritime cargo so that Americans can be assured we are doing all we can to prevent the smuggling of weapons into this country, including nuclear weapons. It will improve the congressional oversight of intelligence to ensure we are building the best capabilities possible to stop terrorist attacks. It will improve information sharing and communications interoperability among first responders so that they can work swiftly to prevent terrorist attacks. It will ensure that transportation and mass-transit structures are hardened against terrorist attacks.

This legislation wasn't something a couple of Senators dreamed up. It was the recommendations of the bipartisan 9/11 Commission, chaired by Governor Kean and cochaired by Congressman Hamilton, a Republican and a Democrat. This is what we are doing. We are long past when we should have done this. We need to do this.

I make the following request, Mr. President: I ask unanimous consent

that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of H.R. 1 and that the Senate then proceed to its consideration; that all after the enacting clause be stricken and the text of S.4, as passed by the Senate on March 13, 2007, be inserted in lieu thereof; that the bill be read a third time, passed, and the motion to reconsider be laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, with the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Mr. President, reserving the right to object, the leadership has been continuing to consult with our colleagues who are working on this legislation, and I have the impression, from talking to Members who are involved, that they have done a lot of good work and perhaps have made some progress that will lead to being able to get a conference and act on it. They have been discussing some very significant issues.

One of the problems that I recall is that this legislation went well beyond what was just in the 9/11 Commission recommendations, and that is a major part of the problem. There was some other language that was of great concern and could lead this bill to be vetoed by the President, but he does not want to veto it, and we want to get a bill that we can agree on that can become law. We all want to strengthen our homeland security, but, as quite often is the case in the Congress—the House or the Senate or the both of us—we put language in these bills that is problematic and, in my opinion and others, counterproductive. So we don't want to get to a point where we can't get an agreement or get a bill signed into law and have to start back at square one.

I wish to emphasize that the impression of the leadership—and that is whom I am speaking for here—is that they are working and making progress, and we hope they will continue to do that and get a good, productive, and bipartisan agreement.

At this point, I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. I, of course, am very disappointed my Republican colleague has chosen to object to this request on moving forward on the 9/11 Commission recommendations bill. The minority stated yesterday that they had a problem with the bill. We agreed to take that out of the bill. I don't know how much more we can do.

It appears to me there are forces within the Republican Senate that simply don't want this bill enacted. This is really too bad. As my friend—and we have worked together on this Senate floor, my friend, the junior Senator

from Mississippi, we have worked on this floor together for many years. When he was the majority leader, we worked together in detail on so many different issues, so this is not directed toward him. But I do say that there have been procedural roadblocks thrown up in front of virtually everything we have tried to do in the Senate this year. I was hoping we could reconsider this obstructionism when it comes to moving legislation that would make America more secure. Every day we wait on this is another day for the terrorists. For example, I talked about cargo screening. Other countries do it, but we don't.

These phantom issues which are blocking this bill do not exist. This is a bill which the managers, Senator LIEBERMAN and others, have worked out. We could go to conference and do this bill in one-half hour, an hour. And this is a real conference where conferees would sit down, there would be open debate, public debate, there is nothing to jam this through. This is the way we should do things.

The 9/11 victims' families have organizations, and these family representatives are calling for all parties to move this forward, and we are listening to them. This bill needs to pass. We are willing to be flexible. We have shown that. I would hope my Republican colleagues and the administration will demonstrate what they do not like about this bill, and what they do not like about it, tell us. This bill is important. It is important for me and my family, every Senator here and their families, everybody in this country, and every day we don't do something is a day lost.

I can assure my Republican colleague that Senator LIEBERMAN, our lead conferee, as well as the rest of our conferees will continue to work in a bipartisan manner, as they have to date. So I am very disappointed the Republicans are still objecting to moving the process forward on this bill. I say to my colleagues and to all Americans that I will be back on the floor again and again until our Republican friends allow us to move forward.

I do say, Mr. President, that it is a real shame we can't get this done before the Fourth of July recess. I am not exaggerating when I say this bill needs to be done. I think, without going into any confidential information, this bill should pass. We should do it as soon as we can. I urge my friend to speak to whomever needs to be spoken to on the other side to reconsider their objection.

Tomorrow, let us move this bill. It is Thursday. We could complete this before we go home, and it would be a day of celebration for all America that we are implementing the 9/11 Commission recommendations.

#### UNANIMOUS-CONSENT REQUEST— H.R. 1585

Mr. REID. Mr. President, I have a unanimous consent request that I

would like to make, and I will do that right now.

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 189, H.R. 1585, the Department of Defense Authorization Act, on Monday, July 9, following the period of morning business.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Reserving the right to object, Mr. President, it is my understanding the Senate bill is not yet available. I think the bill will be filed at some point soon so that Members can review it, but at this time, until Members see the legislation, I will object, and maybe we can revisit this when the bill is reported. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. If I could ask the indulgence of the majority leader briefly.

With regard to the effort on the homeland security, 9/11 Commission recommendations, I think the concerns we have on this legislation were made very clear, laid out in the CONGRESSIONAL RECORD when the legislation was being considered. We want homeland security in America, but we also want to make sure the money we provide and what we authorize is done in a responsible and appropriate way. There is the possibility of gorging the system without getting a lot of results.

I have flown to the different ports in this country and looked at port security and all the intermodal activities and the security that goes on there. More is being done than maybe some people realize. But also there were some labor provisions in this legislation that clearly needed to be worked out in order for this legislation to make it through the process.

But I agree, hopefully we can get something worked out here where this legislation could perhaps get into conference and get it done before we leave for the Fourth of July. The conferees know where the problems are; if they would meet and get those problems worked out, then I think probably this legislation could be cleared.

I just wanted to respond to the majority leader's concern. I understand how he feels and what he is trying to do, but I did want to put those comments and those thoughts on the record.

Mr. REID. Mr. President, I would say this: The labor provisions about which the distinguished Senator talked, we have agreed to take care of those. Everybody knows that. Maybe my friend doesn't, but we certainly have conveyed this to the minority in great detail. I would simply say, if it is not this, then what is it? We have agreed to handle the labor situation in this bill. The Speaker and I have agreed, and I don't know what other assurance anyone could give.

This is really stunning to me, that on the Defense authorization bill I am