

times within 1 year of ethics violations. He was indicted in the State of Texas. He resigned.

Another Member of Congress is serving jail time for corruption. Abramoff, whose tentacles seem to go throughout this town, is in prison.

Trips to Scotland to play golf, lavish gifts by lobbyists, parties by lobbyists, free travel on airplanes, the legislation that passed the Senate eliminates all that. I have only given a brief capsule of the corruption in this town under Republican leadership. I have only given a brief capsule of what they have done to prevent our going to conference.

I want all of the Republicans to know, I am not going to ask again for unanimous consent to go to conference. When they get ready to go to conference, they can come to us.

But everyone should understand that prior to the August recess, we are going to complete ethics and lobbying reform. We are going to do it if we have to spend nights, weekends, take days out of our August recess. Everyone has had fair warning.

It takes a lot of time to overcome the hurdles they have placed in front of us, but we are going to do that. It will eat up valuable Senate time, but we are going to do it. We are going to complete lobbying and ethics reform. That was the first bill we placed on the agenda, ethics and lobbying reform, to try to have the American people feel better about their Congress and what we do.

I can still remember 9/11. I was in S-219. I was the first one in that room that morning. It was a Tuesday morning. It is when Senator Daschle held his leadership meeting. Senator Breaux came in and said: Flip on the TV, something is happening in New York. We could see one of the buildings burning.

Without elaborating in great detail, the leadership meeting started, someone came and got Senator Daschle. There was an evacuation of this building that took place. There was a plane heading toward the Capitol.

It would take someone living in New York to understand the horror of that day, I believe. But it was a horrible day. There was a 9/11 Commission appointed after great turmoil and consternation. The President fought that for a number of months. Finally, it was done, a bipartisan commission. They came back with recommendations. It has been almost 3 years and those have not been implemented.

We passed in the Senate, as one of our top priorities, implementation of the 9/11 Commission recommendations. Remember, that same commission graded the Bush administration on how they were implementing those recommendations: Ds and Fs.

With the legislation we passed, all As. Once again, the Republicans have stood in our way procedurally and will not let us go to conference. Yesterday someone came in and said: Well, I do

not like what happens postaudit; we need to make sure that following the spending of those moneys the audit trail is appropriate.

So do I. So does every member of the Senate. We want this money spent wisely and properly. This is a diversionary, delaying tactic to stop us from doing this.

The President did not want the 9/11 Commission appointed in the first place. He wouldn't implement the recommendations. He is trying to stop the Congress from forcing him to sign a bill.

I will say the same thing on the 9/11 Commission recommendations that I said on ethics and lobbying reform. I am no longer going to come and beg the Republicans to do what is good for the country. It is up to them. When they get ready to do the 9/11 Commission recommendations, come to us and we will appoint conferees immediately and complete the conference within a matter of a couple of days.

Like ethics and lobbying reform, we are going to complete this before the August recess. Now, is that going to shorten the August recess? It is up to the Republicans. But we are going to complete this legislation. It is not right that two of the most important issues facing this country, ethics and lobbying reform—getting rid of the culture of corruption—and implementing the 9/11 Commission recommendations should not go into effect.

The 9/11 Commission recommendations, they are not just for the State of New York, they are for our country, to protect people in Las Vegas and Reno, to protect Hoover Dam, where millions of people cross that bridge every year, to make sure there is not some terrorist act, throwing something over that dam, disrupting power that is generated that goes, most of it, to California, or the water sources, most of which goes to California.

I think this is a very dangerous game the Republicans are playing, delaying the implementation of ethics and lobbying reform and the implementation of the 9/11 Commission recommendations.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

The senior Senator from New York is recognized.

#### POLICY OF OBSTRUCTION

Mr. SCHUMER. Mr. President, I wish to salute our majority leader, Senator

REID, for what he said. The bottom line is, these are two very important pieces of legislation.

The other side cannot come up with many substantive objections, none, as we have heard yesterday when they moved to block it. But they have had a policy of obstruct, obstruct, obstruct. Why, you might ask? How does it help a political party? How does it help a Senator to obstruct things that are motherhood and apple pie such as ethics and lobbying reform, the 9/11 Commission, things desperately needed, first by this town and second by the whole Nation and of course my State.

The answer is very simple. When you are divided, as the other side is on about every issue; when you can't lead, as yesterday's immigration bill showed, the President's No. 1 domestic priority—fewer than a quarter of the Senators on that side voted for it—there is only one answer that can unify; that is, obstruct.

There is one problem with that—there are two. The main problem is: It is wrong for America. It is wrong for America. The second is, it does not work politically. That is why we are seeing the fact that so many on the other side are so worried.

So I wish to salute our majority leader. I will—and I know all the Members on our side will—stand with him side by side. If we have to meet at 2 in the morning, if we have to go into the August recess to get these things done, we will.

The Senate gives the minority the power to lay down the gauntlet of cloture and filibuster. You cannot move unless you get 60 votes. Of course, we do not have them. But we are not powerless. The ability to push through those filibusters—even if it means some inconvenience for the Senators—is our right and I salute our majority leader for telling the other side, and more importantly the American people, we will use that right to move the Nation forward.

So I wish to thank our majority leader for doing this. It is the right thing to do. Everyone is put on notice. A little inconvenience for the Senators to make our country safe, to clean up the unethical swamp in Washington, it sure is worth it. I think the majority leader is absolutely correct. I hope the other side will not continue to obstruct. But if they do, we will get these things done because our country and the American people demand no less.

#### IMMIGRATION

Mr. SCHUMER. Mr. President, I would like to make one other point in morning business and talk about, very briefly, on the events of the day yesterday. Yesterday was a very sad day for America, in two instances, when an ideological extreme group set back our country on immigration.

On immigration, we had lots of prattling, lots of scare tactics. As a result, the immigration bill is paralyzed. That

means something. It means that illegal immigrants will continue to flow into America. The number is 12 million; in 5 years, it will be 20 million. We will have done nothing. It will mean our legal immigration policies will be backward, and thousands of people who should be in this country, because of their skills and because we need them, will not be allowed to enter. We will lose competitive advantage. We hear it all the time, companies wanting to locate in America because they love our system but, because they can't get employees, going to Europe or Asia.

On the immigration bill, a great nation is able to deal with its problems. A great nation leads and overcomes narrow, partisan, and sometimes nasty division to move forward. A great nation fails when it becomes paralyzed. I hope, I pray that what happened yesterday on the immigration bill is not portentous of the future. I hope and pray what happened yesterday on the immigration bill does not portend that we will be tied in a knot on every single issue of major import—education, health care, energy, immigration—and not able to move forward.

The double whammy: Yesterday, the Supreme Court, a new majority—the two new members of the Supreme Court who had impressed upon us their fidelity to stare decisis, to the rule of law, judicial modesty—with one stroke of the pen threw out decades of progress on civil rights in a reading just about everyone who participated in *Brown v. Board* who is still alive commented on and said that the reading flies in the face of *Brown v. Board*, despite the fact that the Chief Justice said by allowing segregated schools to continue, he was helping implement *Brown v. Board*. That is doublespeak, if there ever was. The Nation was set back again.

What is happening? What happened here on the Senate floor yesterday and what happened across the street at the Supreme Court indicates that a narrow ideological minority is setting this country back, paralyzing this country. We live in a vast, changing global world where we need to move forward. We seem paralyzed because of a small ideological minority.

I hope the American people will understand what has happened. I hope the American people will voice their protest. I hope the Supreme Court will come to its senses and not continue on this path of rollback on civil rights. I hope the Senate will come to its senses and come together on a fair immigration bill that deals with our Nation's problems. I pray for the future of this country.

I yield the floor and suggest the absence of quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### IMMIGRATION

Mr. WEBB. Mr. President, I would like to address a few things this morning, some in retrospect of what has been for all of us a pretty emotional couple of weeks of debate, and also looking forward to what is going to occur when we return after the July 4 work period.

The first thing I would like to point out is my admiration for our majority leader for how he handled the situation on the immigration bill. I think it was an extraordinarily difficult situation for our majority leader to have been in, and he did a great job with a very difficult assignment. I think we should back up and remember the bill that was put before us had not gone through debate. It was put together in a bipartisan way but removed from the committee process. In other words, people from both sides of the aisle, including some pretty strong members of the leadership on both sides of the aisle, got together and put together this extraordinarily complex bill, which the President himself wanted to see passed, and then it fell to our majority leader to attempt to get the provisions of the bill through the Senate. So we had a situation where there were members of the other party involved in putting together the components of the bill, we had a President who was urging that the bill be passed, and then our majority leader was the individual upon whom it fell to try to make this happen, with very little cooperation, quite frankly, from the other side.

So I would just like to express my admiration and support for the majority leader for the way he handled himself during this process.

Also with respect to the immigration bill, I think there has been a lot of rhetoric that has flown back and forth over the last 24 hours or so about motivations of individuals and what caused people to vote one way or the other. I think some of this is unfortunate. I think some of the people who have made some of the more extreme comments are going to be looking back at them 4 or 5 years from now and perhaps be a little bit embarrassed. This was an enormously complex piece of legislation. There were parts of the legislation which were very good, and hopefully we can find a way to bring them into law at another time. But there were parts in that legislation which needed to be fixed.

I, personally, as the Presiding Officer knows, attempted to get an amendment through the Senate that, in my view, would have brought fairness to the issue of legalization and practicality—fairness in the sense that the proposed bill was going to legalize every individual, virtually, who had come to the United States in violation of American laws by the end of last

year—and I felt strongly for a good bit of time that those who came during a period of lax immigration laws and who were able to put roots down into the community should be provided a path toward citizenship. I made this case during the campaign last year, and by saying that last year, I was viewed to be sort of on the forward edge of where this debate was going to go. But this bill, by reaching out and including virtually everyone who had been here by the end of last year, inflamed the passions of a lot of people in this country who otherwise would support fair immigration reform.

At the same time, the amendment I offered also proposed to eliminate what is called the touchback provision, which would have eliminated—for those people who had been here for 4 years and had put down roots—the necessity for them to go back to their home country in order to apply for a green card.

I think that approach was fair. I regret that the amendment didn't pass. At the same time, I and a number of other people found it impossible for us to vote for the bill as it was coming up with the provision that was so much broader.

The bottom line on immigration now is there are laws on the books. We have seen a lot of talk over the past day or so that immigration reform is dead. These comprehensive immigration reform packages have a way of falling under their own weight because the issue itself is so complex. What we should be doing now, in the next year and a half or so, given that there is an election, is to do everything we can to enforce the laws that are on the books. One idea I like is the \$4.4 billion recommendation that was put into title I of this immigration bill that just failed that would go toward border security, and employer certification could well be added to any appropriations bill, where the measure would be relevant and could help existing law.

So for those who are attempting to say that all immigration reform has now skidded to a halt because a flawed bill was not passed by this body, I say let's enforce the existing laws. There are a lot of laws on the books. One of the greatest problems we have had is particularly in the area of workers being hired by employers on a large scale who know they are here without papers. In those sorts of areas, there are laws on the books we need to enforce.

#### CONFIRMATION OF GENERAL LUTE

Mr. WEBB. Mr. President, yesterday, this body confirmed General Lute of the U.S. Army to be a Deputy National Security Adviser to cover the operations that are ongoing in Iraq and Afghanistan. I voted against General Lute.

I will explain why I voted against General Lute because I believe there is a pretty important principle at stake