

Mr. MENENDEZ. Mr. President, I appreciate the comments of my distinguished colleague from Alabama, but I have to correct some things.

First, we do, under the unanimous consent that I will ask for briefly, under S. 3414, extend E-Verify. We extend it for 5 years. We do it, as the House did, protecting Social Security and protecting U.S. citizens who get rejected by the system and yet have every right to work. So that is one thing.

The second thing is, I heard my colleague talk about extending current law. We heard a lot of business-related elements—investors who have a lot of money and who are going to get visas, businesses are going to have these checks and all these things are going to happen. Well, current law allows a U.S. citizen to claim their immediate family. And as far as family values, it seems to me that the core of what our immigration policy has been and the core of what Members of this body have talked about time and time again in the context of family values is that family reunification is the core of those family values. You can't have family values if you don't have a family in the first place. And the family in the first place is the core essence of that family. That is, in essence, what the current law provides.

So what is simply done, as we look to solve businesses' challenges and problems, and bring in investors who have a lot of money, who now get a visa because they have a lot of money, is to say to a current U.S. citizen that we are going to recapture and use, for the purposes of absolutely legal immigration, under the current law, visas that exist but don't get used because of the way our system is working. This would allow a U.S. citizen to claim their relative using those visas, or a portion of them.

By the way, I would urge my distinguished colleague to look at the numbers. We are not talking anywhere near the number he throws around of half a million. It is more like 300,000. And we have even talked about working on that number and narrowing the universe. So this is about using the existing legal system to have U.S. citizens be able to claim their relatives under the existing system and make sure the visas that exist under the existing system are used in a way that meets the goal of legal immigration.

Now, I don't know why we are so hell bound on giving businesses everything they need and then saying to U.S. citizens they do not have the opportunity to be able to meet some of their challenges. In my mind, that is promoting a lawful system. I know it is very easy to slap up the word "amnesty" every time somebody wants to talk about immigration. You can become famous by claiming everything is amnesty, but it doesn't necessarily make it true.

The bottom line is what we are talking about is making sure that U.S. citizens who are presently torn apart from

their families, and who under existing law have the right to claim that immediate family, have the wherewithal to be reunified using visas that don't get used but which should be used for this family reunification under existing law. So it seems to me we can do E-Verify, and do it the way the House did it, so Social Security is not hurt in terms of funds; and we can make sure that we improve upon a system that right now rejects a percentage of American citizens who have legal eligibility to work and yet now have the burden of proof shifted upon them.

It changes the whole legal precedent where in our country you are considered innocent until proven guilty. Under E-Verify you are guilty until proven innocent. I would be outraged as a citizen if I had to be challenged about my ability to work when I have every right to work but some system is barring me from that right to work. And that situation exists under E-Verify. Now, it doesn't mean we should do away with E-verify, but we need to make it better, and the House provisions do that.

We also say: OK, you want to give those people who have a lot of money to come here and make investments a visa? OK, we will do that. You want the religious workers, of course, who are not necessarily clergy members, but religious workers? OK, we will do that. You want to bring in doctors? OK, we will do that. But at the same time let's have a smaller universe of those whose families have been waiting and who followed the law.

This is the interesting part. We can't even seem to incentivize people who follow the law. These are people who didn't come crossing a border, whether it is the southern or northern border. These are people waiting. They have waited and they are still waiting. Yet their U.S. citizen husband or wife or mother and father can't get reunified in what is a core family. We seem to have lost sense of that core value.

So in that respect, I think we are being very reasonable here. And this is not about a broad comprehensive immigration reform. This is not about amnesty. It is not about all those things people like to throw up on the wall and suggest ultimately that is the case and paint it as one big swath. I don't know when U.S. citizens became second-class citizens in terms of being able to be reunified with their families.

UNANIMOUS-CONSENT REQUEST— S. 3414

Mr. MENENDEZ. In pursuit of meeting these goals, redoing E-verify, giving it a 5-year life, doing it the right way, doing those other things, as well as trying to help this small universe of American citizens, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 3414, the Visa Efficiency and E-Verify Extension Act of 2008, the Senate proceed to its immediate con-

sideration and to the consideration of H.R. 5569, the E-V-5 extension, which was received from the House, en bloc; further, that the bills be read a third time and passed, en bloc; and the motions to reconsider be laid upon the table, en bloc, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. Reserving the right to object, Mr. President, I note that we are talking about some sort of capture of unused visas in the past, which we calculate at about 550,000. Maybe it is 300,000. This is a major alteration of current law that has a certain number of family members, a large number, actually, who can come in every year. This would be a major expansion of that.

Those are the kinds of things I think the Senate has gotten to the point we know we don't need to have a full debate on before we recess this year. Therefore, I consider that addition to the House bill that Senator MENENDEZ wishes to see become law as a non-starter and would have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. MENENDEZ. Mr. President, I regret my colleague's objection. At the end of the day, I understand how passionately he feels. I hope he understands how passionately I feel. The reality is I find it very difficult when my constituents, U.S. citizens, paying their taxes, being good citizens, come to me and say: We cannot get reunified with our spouse. We cannot get reunified with our mother and father. We cannot get reunified with our son and daughter. That is the universe we are talking about.

If we do not stand for the very core value of family reunification, while we talk about those who have money to invest and who get visas because they have money, well, we have seen what has happened with our system around here when everything is about money, and it is a huge failure. The proposition is that if you have money, yes, you can get a visa. But God forbid we give a U.S. citizen who is claiming their family a visa as well.

I feel very passionately about this. I understand Senator SESSIONS feels very passionately about the way he views it, and I hope we can reconcile our passions and be able to have a little less heat, a little more light, and create an opportunity to be able to move forward in the days ahead. We have time until the end of November, and I certainly look forward to working constructively to make that happen.

Mr. President, I yield the floor, and 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. AKAKA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Hawaii is recognized.

Mr. AKAKA. I thank the Chair.

(The remarks of Mr. AKAKA pertaining to the introduction of S. 3527 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS-CONSENT AGREEMENT—H.R. 6049

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, September 23, following a period of morning business, the Senate proceed to the consideration of Calendar No. 767, H.R. 6049, the energy extenders, that the bill be considered under the following limitations: there be 60 minutes of general debate on the bill, equally divided and controlled between the leaders or their designees, that the only first-degree amendments in order be the following, with no other amendments in order, and that they be subject to an affirmative 60-vote threshold, and if the amendment achieves that threshold, then it be agreed to and the motion to reconsider be laid on table; if the amendment does not achieve that threshold, then it be withdrawn; that each amendment be subject to a debate limitation of 60 minutes, equally divided and controlled in the usual form: Baucus-Grassley substitute amendment regarding energy tax extenders with offset; Reid or designee perfecting amendment regarding AMT with offset; Baucus-Grassley perfecting amendment regarding tax extenders amendment without full offset; that it be in order for Senator CONRAD to raise a budget point of order against the amendment, and that once debate time has been used or yielded back, a motion to waive the applicable point of order be considered to have been made; further, that if the motion to waive is successful, then the amendment be agreed to and a motion to reconsider be laid on the table; if the motion to waive is not successful, the amendment be withdrawn; and that Senator CONRAD control up to 10 minutes of time during debate on this amendment; provided further that regardless of the outcome of the vote with respect to the Baucus-Grassley substitute amendment, the Senate would vote in relation to the remaining two amendments covered in this agreement, that the votes in relation to the above-listed amendments occur in the order listed after the use or yielding back of time; upon disposition of all amendments, the bill be read a third time and the Senate then proceed to vote on passage of the bill as amended, if amended, with no intervening action or debate.

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

I ask unanimous consent that the cloture motions on the motions to proceed to Calendar No. 895 and Calendar No. 767 be vitiated.

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

Mr. REID. Mr. President, we are keyed up now to start the energy debate on Tuesday. It has been a long, hard 24 hours. Everyone has been working hard. You have to be patient in this business. I especially extend my appreciation to Senators BAUCUS and GRASSLEY, and it has been difficult.

We have had a terrible natural disaster that has hit. Louisiana—not to denigrate Katrina—they still got hurt, but Texas was devastated. That is the reason this was held up. I understand Senator HUTCHISON and Senator CORNYN being concerned. I would say to them, if this does not take care of all of the problems, we will have to take another look at it because pictures are worth 1,000 words. We have had a lot of pictures about what took place with this terrible wind storm.

So, again, I wish we could have moved this more quickly. But certain things do not happen as you would want. Next week we have to complete this legislation. We just arrived at a way to move forward on it. We have to do what remains with energy after that. We have to do a CR and maybe a stimulus.

We still have the Coburn package floating around. So we have a lot to do. We will do our best to try to complete our work by a week from tomorrow. I also appreciate the efforts of my colleague, Senator MCCONNELL. It has been difficult for him because the problems have been on his side. But he has been a gentleman about this and has been probably more patient than I have.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, my good friend, the majority leader, should feel good about this. We are on the cusp of a very significant piece of legislation worked out on a bipartisan basis. I, too, feel grateful to Chairman BAUCUS and Ranking Member GRASSLEY for their endless number of hours in crafting this truly bipartisan compromise.

So I think it is something the Senate can be proud of achieving. We are set up to reach that achievement on Tuesday.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I am very grateful to Senators for working to put this together for several reasons: One, this is going to help to create jobs in America. It is going to very much help American families. Third, it is going to help us move more quickly toward energy independence, something we all need.

On a procedural basis, I very much appreciate that this was worked out on a bipartisan basis. I worked with my good friend from Iowa, Senator GRASSLEY, also with the staffs of the majority leader and minority leader, and other key Senators who worked together to put this together.

I am very grateful, frankly, that we see a glide path now. We are going to get this legislation enacted, hopefully, on Tuesday. Again, my thanks to everyone involved.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SANDERS.) The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VOINOVICH. 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. VOINOVICH. Mr. President, I ask unanimous consent to speak for up to 17 minutes as in morning business.

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

REGARDING ENERGY AND NATIONAL SECURITY

Mr. VOINOVICH. Mr. President, I rise today to speak about one of the top issues facing our Nation: the high cost of energy and how it relates to our national security.

There has been much controversy on Capitol Hill regarding the reason why prices have climbed. My colleagues have introduced various pieces of legislation that attempt to address our energy security.

I am hearing loud and clear from thousands of Ohioans how this crisis is directly affecting them and their loved ones. Ohioans are demanding that the Senate have a lengthy and open debate on the issue of high energy costs. They are expecting that we work together in a bipartisan fashion to craft legislation that will address our Nation's long-term energy requirements and set us down a path towards energy independence.

Their urgency is underscored by the fact that this is no longer just a question about the price of oil but also about national security.

Americans are hurting from our addiction to oil, but I am not sure they fully realize the extent our national security; and indeed our very way of life, is threatened by our reliance on foreign oil.

Every year we send hundreds of billions of dollars overseas for oil to pad the coffers of many nations that do not have our best interests at heart, and to some like Venezuela, whose leader has threatened to cut off oil.

In fact, in 2007, we spent more than \$327 billion to import oil, and 60 percent of that, or nearly \$200 billion, went to the oil-exporting OPEC nations. In 2008, the amount we will spend to import oil is expected to double to more than \$600 billion, \$360 billion of which will come from OPEC. Let's take a moment to put those import figures into context. When compared to our Fiscal Year 2008 budget for our Nation's defense, which was more than \$693 billion, the \$600 billion we will spend to import oil in 2008 is nearly equal to our entire defense budget.