

their foreign country and set up a plant or business and the company, U.S. company, outsources the work, costing American jobs. He has done studies on this. This is not just a theory he came up with.

He further testified that the actual H-1B and L-1 visa use has become antithetical to policymakers' goals due to four fundamental flaws: The work permits are held by the employer, so basically these individuals come as indentured servants and are able to be controlled in a way that gives the employer the advantage over an American worker. No. 2, he says that the visa period is far too long for them to come and, in addition to the inherent design flaws, there is little oversight or enforcement on these programs. Nobody is watching them. According to Professor Hira, by closing H-1B and L-1 loopholes, Congress would create and retain tens of thousands of high-wage American jobs and ensure our labor market works fairly for American and foreign workers alike.

I am summarizing now. In his opinion, the following needs to be done: institute an effective labor market test—make sure we actually need these workers, pay workers true market wages—he asserts they are not being paid true market wages; limit the visa to a maximum of 3 years—for a lot of reasons I suggest that is very important—with no renewal. If they come for longer periods of time and they can renew and renew, then we end up with somebody who is married here, their children are in junior high school, maybe they are American citizens by now—and we are going to ask them to leave even though the law says for them to leave? It is not likely.

That is how 40 percent of the people here illegally have come to America. They have come legally but overstayed the visa they had.

We should eliminate access to additional H-1B and L-1 visas for any dependent firm. Those that are dependent on these programs to maintain their basic workforce, those are the ones who should get their numbers reduced, rather than getting more visas. We should shine a light on the process, institute sensible oversight, establish a clear single objective for the programs. Also other programs, he notes, are badly in need of an overhaul and are being used to circumvent the annual numerical limit on H-1Bs and the regulatory controls on the L-1 program.

Given the widespread use of H-1B and L-1 visas by offshore outsourcing firms—people who are truly moving jobs out of the United States—Congress should take affirmative steps to make clear that most guest worker programs and permanent residents are immigration issues, not trade and policy issues.

Finally, we heard over and over again from our good friends in Silicon Valley all the great things they have done. We are proud of them and they have been great for America. He talks about some of that. He contested the assertion by

Mr. Brad Smith of Microsoft. Microsoft has been aggressive in pushing this program. He pushes back and contests the assertion that the United States does not have enough high-skilled workers. We have heard we don't have enough high-skilled workers. He says no. He studied it. According to Professor Hira, the unemployment rate for STEM graduates—science, technology, engineering, and mathematics—is higher than that of regular college graduates.

Goodness. He noted that in the petroleum engineering field things have gone better. Wages have increased prompting an increase in the enrollment in such programs by American college students who almost exclusively have filled the petroleum engineering jobs. That is the way the system is supposed to work. Wages start going up, there is a shortage of petroleum engineers and workers, people start majoring in that, and they go out and find jobs. That is the way the system is supposed to work. This example, he says, shows that markets do work when they are allowed to work. But he said H-1B and L-1 programs are intervening in labor markets. With that privilege should come accountability.

I will conclude by saying I urge my colleagues, before we rush out and sign on to an immigration proposal that has all kinds of special interests and political interests, somebody has to question what it is doing to recent college graduates as well as low-skilled workers. The actual statistical data from experts indicate these workers are struggling today and many are unemployed and in much need of work.

The Civil Rights Commissioner, Abigail Thernstrom, also wrote a letter to the Commission and the Congress that said we don't have a shortage of low-skilled workers in America. We have a glut of them. We have more low-skilled workers looking for jobs than we have jobs. But to read the papers, one would think just the opposite; that we have this crisis with high unemployment, high numbers of people dropped out of the labor force, and we have to bring in more workers to do basic American work.

All I am saying is that immigration policy needs to allow the right flow to come into America. It needs to be faithfully enforced. It needs to serve the national interest, not the special interest. It needs to remember the dutiful workers out there who lawfully entered the country through immigration or native born, and their interests need to be protected in this process. I do not believe they are being protected properly.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Kansas.

Mr. MORAN. I ask unanimous consent to address the Senate.

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

IRS TARGETING INVESTIGATIONS

Mr. MORAN. Mr. President, late last week we learned of the apology by the Internal Revenue Service official about the targeting of certain information and applications for 501(c)(4) organizations in this country. Certainly the indication is that because of certain words generally considered to suggest that organization has conservative leanings, those organizations were targeted for different or additional treatment at the Internal Revenue Service. It was indicated there was an apology offered. This became a significant topic of conversation over the weekend by certain elected officials, certainly by my colleagues in the Senate but by the American people as well.

Last Wednesday, May 8, before this revelation was known, the Appropriations Subcommittee for Financial Services was holding its hearing—usually an annual affair—in which we were discussing the appropriations request in the President's budget for the Treasury Department. That gave me the opportunity to visit with Secretary Lew. Of course, the Internal Revenue Service is a component of the Treasury Department. My conversation with Secretary Lew during that hearing dealt with a related topic.

While I have great objection to targeting any group—liberal, conservative, Republican, Democratic-leaning—certainly the ability for us to examine an application is important. But none of us would expect or consider it to be appropriate that the Internal Revenue Service would treat one application different from another based upon its apparent political leanings.

While that is terrible enough, I also want to point out the topic I raised with the Secretary, Treasury Secretary Jack Lew, last Wednesday. This comes from media reports and from complaints by organizations. The reason this seems so important is the admission that conservative groups were treated differently or one group was treated differently from another within the Internal Revenue Service lends credibility to press reports and to complaints by organizations across the country about their treatment by the IRS.

My questions to Secretary Lew, some of them that day but also submitted in writing since then, deal with a number of instances in which it was reported by an organization or a press report that the Internal Revenue Service improperly disclosed information about donors to 501(c)(4) organizations. Last April, the IRS apparently improperly disclosed schedule B donor lists on the form 990 of an organization called National Organizations for Marriage. It is an a 501(c)(4) group. While the form 990 is publicly available, tax laws and IRS regulations make clear that the schedule B—that is the donor list on the 990 is not to be released for 501(c)(3)s or (c)(4)s.

The issue was raised. The organization complained. It was reported in the

press. Part of my inquiry to Secretary Lew is what has transpired since that point in time. Have the employees at the Internal Revenue Service who released this information been challenged for their actions? Have they been admonished? Have they been treated appropriately for what clearly seems to be an inappropriate release of private taxpayer information?

The second example was the IRS turned over several applications for nonprofit status, including the pending applications for tax-exempt status, for several groups. They were released and ended up in the hands of an organization called ProPublica. Again, while the applications for nonprofit status are available to the public after an exemption is granted, they are protected as tax return information while that application is pending. This organization then published that information, despite that that is what I understand to be a felony. Publishing unauthorized tax returns or return information is a felony punishable by up to 5 years in prison or a fine up to \$5,000 or both. Again, my question of the Treasury Secretary is that I have not been able to confirm any action has been taken, any recommendation from the Treasury Department, the Justice Department, that anybody be prosecuted for publishing private taxpayer information.

Finally, we learned earlier this year, again, of something described as an inadvertent IRS disclosure related to releasing one page of the schedule B showing donors to the Republican Governors Association. These are alarming in and of themselves and become more significant to me, having learned that there is a bias, a treatment different of one taxpayer over another at the IRS. While it is important for us to determine, and I am anxious to read the inspector general's report as to the findings about what occurred with the singling out of certain organizations for a different kind of treatment at the IRS, I also think it is important for us to pursue the issue of the release of information that comes from one organization's filing that is inappropriate to release and ultimately its being used by an organization that apparently has a different political perspective than the one whose application is pending.

Again, I would raise this issue that now we know something is wrong at the IRS, there is more to be discovered as we look at how this information was released. Were people who released it punished? Is there any pending criminal action against the individuals who published this information?

I am surprised by the circumstance we find ourselves in. I never would have expected this from the Internal Revenue Service, which must be, needs to be, and has to be above the political fray.

The IRS can never be an instrument of any political party, of any administration, or of any political philosophy. All Americans have the right to as-

sume that the IRS, which has great powers and consequences upon the taxpayers of this country, is operating in a neutral, fair, and appropriate manner.

The circumstances now present themselves in a way that we have to wonder about more than just these three examples. These three examples are ones now worthy of additional concern by Members of the Senate, and, even more importantly, by the IRS and individuals within the administration who are responsible for the management and governance of the Internal Revenue Service and the Treasury Department.

I have submitted a series of questions to Secretary Lew. As a member of the Appropriations Committee responsible for the Internal Revenue Service's appropriations, I look forward to seeing what those answers are and to make certain appropriate action is taken in regard to individuals who apparently have violated the public trust, with the understanding that all of us expect the privacy the Internal Revenue Service is to provide.

Once again I want to outline that while we learned something over the weekend that is very troublesome, there may be much more to this story that has yet to be told, and I am anxious to see the answers that come from the Treasury Department in regard to the Internal Revenue Service.

In fact, I encourage all Members of the Senate to reach the same conclusion—no matter their political leaning or philosophical bent, whether Republican or Democrat—that the Internal Revenue Service with its tremendous enforcement capabilities and the tremendous consequences it has to the American people in the decisions it makes always be above the political fray.

I thank the Presiding Officer for the opportunity to be on the Senate floor today to outline an extended concern I have about actions at the Internal Revenue Service. I anxiously wait for the Treasury Department to respond and provide answers to our subcommittee, committee, and the full Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I ask unanimous consent to speak as in morning business.

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

GUN VIOLENCE

Mr. MURPHY. Mr. President, on December 14 of last year the world watched in horror as we received news that in Sandy Hook, CT, 20 6- and 7-year-olds as well as 6 of their teachers and professionals who were charged with caring for them were killed at the hands of a gunman wielding a semi-automatic rifle armed with multiple 30-round clips. Twenty-six people died in that school that day, and the world has not been the same since.

The State of Connecticut, as well as many other States, including New York and Colorado, passed some of the strongest gun laws in trying to bring some common sense to our gun laws in a generation. However, this body, in the days since Sandy Hook, has done nothing.

We debated a bill which was supported by 90 percent of Americans that would extend background checks to most all gun sales in this country so we could make sure criminals and people with serious mental illness didn't have their hands on guns. Even though the measure received 55 votes here in the Senate, it didn't become a law because of a strange rule we have requiring 60 votes for most everything that comes through this place.

While everything we have done here has been driven by the memory of what happened to those 20 beautiful little first-graders in our State, the fact is 28 people died that day—including the gunman and his mother—but that is still less than those who die every day in this country at the hands of gun violence.

The everyday deaths that occur in our cities and suburbs throughout our country have become like raindrops in this Nation. We have become callously used to the fact that people die due to guns in our country at a greater rate than almost anywhere else in the world.

I intend to come down to this floor week after week until we get our act together and do what the American public wants us to do, which is to keep guns out of the hands of criminals and try to get the most dangerous weapons back into the hands of law enforcement and the military. I am going to come down here week after week and tell the simple stories of the dozens of people who lose their lives every day due to gun violence.

Since December 14—that awful, terrible day—3,966 people have died at the hands of a gun. By the end of today—depending on how tonight goes across this country—that number could be 4,000. We are averaging about 30 a day all across this country.

While people have gotten to know the people in Sandy Hook due to some amazing reporting that has taken place, people don't know the stories of the people who die every day. So I am going to come down here every week and tell the stories of those people to give voice to these victims.

First I will focus on Hartford, CT, where a few days ago—May 8—Felix Jesus III was killed when he was simply going to sell a Samsung electric tablet to someone who agreed to buy it over craigslist. His father said this guy kept calling and calling. The guy arranged for my son to meet him, and he said he would be right back.

At around 8 p.m. on May 8, police received a 911 call, and they found him dead in his car suffering from a single gunshot wound.

His father said: