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Senate

The Senate met at 11 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, You don't disappoint those who look to You in faith. Guide our lawmakers by Your truth and instruct them with Your wisdom. Lord, lead them to do what is right and to stay on Your path. Keep them from being intimidated by the many challenges they face, knowing that Your grace is sufficient for every need. May they be true to You, living so that their words and actions will receive Your approval. Help them to live this day with a sense of accountability to You.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 16, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Sen-

ator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in executive session to consider the nomination of Ernest Moniz to be Energy Secretary. There will be up to 3 hours of debate on the nomination. At about 2 p.m. there will be a rollcall vote on confirmation of that nomination.

BENGHAZI ATTACK

Mr. REID. Mr. President, for months my Republican colleagues have argued the Obama administration has engaged in a coverup regarding the tragic events surrounding an attack on the U.S. consulate in Benghazi. The administration provided Members of Congress with over 100 pages of e-mails—sent following that attack—during closed-door sessions. The e-mails proved there was simply no coverup.

Yet Republicans, with full knowledge of these e-mails, claimed the White House was hiding the truth. Yesterday, the administration released even more e-mails to the public. This is only the latest effort by the administration to ensure transparency for the media and the public regarding this awful attack on Americans.

This new information came out for a number of reasons, not the least of which is that we know the press corps spent most of the past week chasing a story based on an e-mail that didn't

exist. It was fabricated by a Republican aide and then reported as fact. It is a sad commentary that Republicans are so dead set on embarrassing the President, the Foreign Service, the CIA, and our military they would actually lie to a news organization about the contents of an e-mail and let that news organization report their lies as facts.

The attack on Benghazi is an issue of life and death. We should be focused on tracking down the terrorists who committed this act and bringing them to justice, not on smear politics and false scandals. I hope the media will realize they were fed a false bill of goods and be more skeptical next time.

IMMIGRATION REFORM

Mr. REID. Mr. President, 6 short years ago the prospects for a bipartisan solution to America's broken immigration system seemed bleak. Despite support from congressional Democrats and a Republican President, an immigration reform proposal had been defeated on a procedural vote. Let's say that again. Despite support from congressional Democrats and a Republican President, we couldn't get enough Republicans in the Senate to move forward on a reform proposal. It was defeated, I repeat, on a procedural vote in the Senate.

But one man, who was a long-time member of the Judiciary Committee and who had been chairman of the Subcommittee on Immigration, Refugees and Border Security for decades—Senator Ted Kennedy—reminded us all the reform for which he had fought so hard would pass one day and that day could not be far off. This is what he said when that bill was defeated:

America always finds a way to solve its problems, expand its frontiers, and move closer to its ideals. It is not always easy, but it is the American way. . . . I believe we will soon succeed where we failed today, and that we will enact the kind of comprehensive reform that our ideals and our national security demand.

- This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Ted Kennedy said that in 2007. He always spoke from back here, and I can still hear his booming voice, and I can hear him saying this. Our friend Ted Kennedy was right, and I believe the time for commonsense immigration reform has come. I am sorry Senator Kennedy is not alive to see the widespread bipartisan support for the legislation being considered today in the Judiciary Committee, legislation that I will shortly bring before the full Senate. Senator Kennedy would be very satisfied with the efforts of the Gang of 8—four Democrats and four Republicans.

Even though Ted Kennedy was known as one of America's great progressives, his legacy is that he worked with liberals, conservatives, Independents—he worked with everyone—to get work done. He always was willing to set aside partisanship, and that is what the Gang of 8 has done and that is why he would like this so much.

This Gang of 8 has addressed a critical issue facing our Nation, and he would applaud the work of the Senate Judiciary Committee and the leadership of his long-time friend he served with on that committee for, oh, it must be four decades. Kennedy and LEAHY, they did a lot of work together, and Senator LEAHY has done so much in this committee—work that he has done in the last several weeks to refine and perfect the reasonable proposal of the Gang of 8.

So it is gratifying to see the momentum behind commonsense reforms that will make our country safer and help 11 million undocumented immigrants get right with the law. Although neither Republicans nor Democrats will support each and every proposal or aspect of this legislation, it is reassuring to see the diverse coalition that has formed in support of real reform, commonsense reform—reform that improves our dysfunctional legal immigration system, reform that continues to secure our borders, reform that requires 11 million undocumented people to pass a criminal background check, and pay fines and taxes to start on the path to earn their citizenship. We can't do this piecemeal, and we can't do it without a pathway to earning citizenship.

The thorough and open process underway in the Judiciary Committee is exemplary of how the Senate should work. So far the committee has considered 62 amendments to the original proposal, some from Democrats and some from Republicans. In fact, the committee has adopted 12 Republican amendments, including measures to strengthen the border and improve our legal immigration system.

The Senate completed work on important water resource legislation yesterday—a lot is going on in the Senate—and we are now going to begin consideration of a crucial piece of legislation dealing with agriculture. I commend and applaud the chairman of that committee DEBBIE STABENOW. She

is a very good legislator. They got the bill out of that committee in a very quick fashion. So I repeat, I admire what she has done. She also has a new ranking member there, THAD COCHRAN from Mississippi, who is a fine man and a good legislator.

As I have said, as soon as it is ready, I am going to bring that immigration legislation to the floor. We are going to start on the farm bill Monday, and I am going to bring the immigration bill to the floor regardless of whether we have completed action on the farm bill. Although immigration is a complex and controversial issue that deserves ample time for thoughtful debate and consideration, it is also too important to delay action any longer.

As a Senator from Nevada and whose father-in-law was born in Russia and immigrated to the United States, I have witnessed firsthand the heartbreak of our broken immigration system. I see the heartbreak it has caused for immigrants and their families. So this issue is very personal to me, as I have just indicated, and it is very personal to every immigrant family striving to build a better life in America. That is why they came here.

The time has come for permanent solutions—solutions that are tough but fair, solutions that fix our broken legal immigration system, solutions that punish unscrupulous employers that exploit immigrants and drag down wages for every worker in America, solutions that pull 11 million people out of the shadows so they can pay taxes, learn English, and get right with the law, solutions that put them on the path to citizenship so they can contribute fully to their communities and to this country.

I will do everything in my power to have this bill become law. I am confident the time is right. As Senator Kennedy put it, the kind of comprehensive reform that our ideals and our national security demand.

RESERVATION OF LEADER TIME

Mr. REID. Mr. President, would you announce the work in the Senate today.

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

EXECUTIVE SESSION

NOMINATION OF ERNEST J. MONIZ TO BE SECRETARY OF ENERGY

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of Ernest J. Moniz, of Massachusetts, to be Secretary of Energy.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 3 hours for debate equally divided in the usual form.

Mr. REID. Mr. President, I ask unanimous consent that when the Republican leader finishes his time and a quorum call is made, that the time during the quorum be equally divided between the two sides.

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

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

IRS INVESTIGATION

Mr. McCONNELL. Mr. President, last night the President took an important symbolic step in accepting the resignation of acting IRS Commissioner Miller. I had called for this resignation on Monday, when we learned Mr. Miller signed his name to one, if not more, letters that we now know couldn't possibly have been truthful—couldn't possibly have been truthful. But let us be clear: This symbolic step was just that, symbolic.

What Americans want right now is answers about what happened at the IRS, why it wasn't disclosed earlier, who is ultimately accountable for this behavior, and assurances this kind of thing isn't going to go on at the IRS or anywhere else in the Federal Government because the allegations of ideological targeting only continue to multiply. This is continuing to multiply.

This morning I would like to focus on just one of those incidents. It is the case of a group called the National Organization for Marriage. Last May Senator HATCH, the top Republican on the Finance Committee, sent a letter to the IRS inquiring about reports that someone—someone—at the IRS had leaked confidential donor information from NOM—the National Organization for Marriage—to an advocacy group whose political goals were in direct conflict with its own.

NOM has since released documents suggesting that this information came from one source—from within the IRS itself.

All this took place, by the way, in the middle of a national political campaign. Significantly, one of the NOM donors whose name was leaked was none other than Mitt Romney.

And what about the group it was leaked to?

It was headed by a guy who was named a national co-chair of the Obama campaign, and who published the confidential donor information on the website of the organization he ran, an organization opposed to the goals of NOM.

So here is another situation that, at the very least, clearly merits investigation.

There are allegations here that someone at the IRS committed a very serious crime that had the effect of chilling the speech of a political organization that happened to be on the wrong side of the current administration.

Yet, a year later, Senator HATCH has yet to hear anything back from the