



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, FRIDAY, JUNE 7, 2013

No. 80

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, June 10, 2013, at 3 p.m.

## Senate

FRIDAY, JUNE 7, 2013

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Retired Admiral Barry Black, offered the following prayer.

Let us pray.

Eternal God, who sets boundaries for the sea to make it obey Your mercies, thank You for Your faithfulness. You save us from distress, rescue us from danger because of Your great love. Lord, uphold our lawmakers and renew their strength. Empower them to bravely face the challenges of our time. When they are bewildered, lead them with Your grace. Give them the wisdom to prepare now for the difficult seasons before them. May they obey Your teaching, striving to be guided by Your words.

And, Lord, bless our Senate pages on this their graduation day.

We pray in Your holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore 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.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following my remarks—and perhaps Senator MCCONNELL's, if he wishes to speak—the Senate will resume the motion to proceed to S. 744, the comprehensive immigration legislation, on which the Chair has done a masterful job of getting us to where we are on this matter as chairman of the Judiciary Committee.

The time until 1:30 p.m. will be for debate on the motion to proceed.

Mr. President, I have been told we need a little extra time, so what we will do is extend that time until 2 p.m.

### ORDER OF PROCEDURE

I ask unanimous consent that the prior order, which is in effect, be extended until 2 p.m., and that the extra half-hour be equally divided between the majority and minority, each taking 15 minutes.

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

Mr. REID. Mr. President, I ask unanimous consent that I be recognized at 2 p.m.

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

Mr. REID. There will be no rollcall votes today. The next rollcall vote will be on Monday at 5:30 p.m. on passage of the farm bill.

### IMMIGRATION REFORM

Mr. REID. Mr. President, today Senators will have an opportunity to debate the bipartisan immigration bill reported by the Chair's committee last month. As I have already done once

today, I again commend the chairman of that committee Senator LEAHY for leading a thorough and transparent process in the committee.

I thank Senator SESSIONS for working with us yesterday to move forward on this measure as quickly as possible. As I have said before, Senator SESSIONS and I—once in a while—disagree on substance, but we have always had a friendly relationship, which I appreciate.

I applaud the efforts of the Gang of 8—four Democrats and four Republicans—to set aside partisanship to address a critical issue facing our Nation. The system is broken and needs to be fixed.

It is gratifying to see the momentum behind this package of commonsense reforms, which will make our country safer and help 11 million undocumented immigrants get right with the law.

I had a number of meetings over the last few days with pollsters who have taken a look at this legislation, and they all acknowledge that the vast majority of American people want us to move forward. Democrats, Independents, and Republicans recognize the system is broken and needs to be fixed. They all agree on a pathway to citizenship.

I have been committed to a process that is as open as possible for amendments. I don't want to say totally because sometimes with the procedures we have here—as with the farm bill—people throw a monkey wrench into things, and we are not able to do things as we would wish to do them.

We will wrap up work on this legislation before the July 4 recess. I hope

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



Printed on recycled paper.

S3997

Senators will take advantage of today's time for debate. I look forward to a thorough and thoughtful discussion of the deliberation in the days ahead.

#### RESERVATION OF LEADER TIME

Mr. REID. Will the Chair announce the business of the day?

The PRESIDING OFFICER (Mr. KAINE). Under the previous order, leadership time is reserved.

#### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to S. 744.

The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 80, S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 2 p.m. will be equally divided, with the Senator from Alabama Mr. SESSIONS or his designee controlling 3 hours 15 minutes, and the majority or his designee controlling the remaining time.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the majority leader for his kind comments. I also note that throughout the markup and debate on the immigration bill, his advice and his counsel was always there. We discussed it many times, and I appreciate the fact he made it very clear the bill would come up at the time he said. We would not have it here without his strong support, so I appreciate Senator REID's very nice comments this morning.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, this is important legislation, the immigration bill. I was able to have a discussion with Senator REID yesterday. He was moving forward on the motion to proceed to the bill which requires considerable debate. I asked for and insisted on the opportunity to have some time today to talk about it, and he agreed to that. I think that was a good step, and I thank him for that agreement.

We have a lot to talk about. The matters are complex and important, and I urge my colleagues to pay real attention to the legislation. This is the bill, as printed, front and back of each page. It was reportedly going to be 1,000 pages, and our colleagues were proud to say it was 800 pages. Since then, more has been added to it, and now it is over 1,000 pages again.

It is very complex and there are certain key points with multiple references to other code sections that are in existing law; therefore, it is very difficult to read.

It takes a considerable amount of time, and I don't even suspect the Gang

of 8 has had the time to read, digest, and understand fully what is in the legislation.

We are a nation of immigrants. The people whom I know who are concerned about this legislation in Congress are not against immigration. I certainly am not. We admit about 1 million people a year legally into our country, and that is a substantial number by any standard. Indeed, it is the highest of any country in the world. It is important we execute that policy in an effective way as it impacts our whole Nation.

Immigration has enriched our culture. It has boosted our economy, and we have had tremendously wonderful people who have come here—people who have contributed to our arts, our business and economy, science and sports. We have had a good run with immigration in a lot of ways, but we need to ask ourselves at this point in time: Is it working within limits? Are the American people happy with what we are doing? Are we moving in the right direction?

We know our generous policies have resulted in a substantial flow of people into the country, and our challenge today is to create a lawful system of immigration that serves the national interests and admits those people into our country who are most likely to be successful, to prosper, and to flourish, therefore, most likely to be beneficial to America. Surely we can agree that is a good policy, and it has not been our policy prior to this.

We have both the enormous illegal flow of people into the country as well as a legal flow that is not evaluated in a way that other advanced nations do when they execute their policies of immigration, for example, Canada. We should establish smart rules for admittance, rules that benefit America, rules that must be enforced, and must be lawful. We cannot reject a dutiful, good person to America and then turn around and allow someone else who came in illegally to benefit from breaking our laws to the disadvantage of the good person who, when told no, had to accept that answer. It is just the way we are.

So we must establish smart rules for admittance, rules that benefit America, and these rules have to be enforced—and that is not happening today.

The current policies we have are not serving our country well; therefore, a reformed immigration system should spend some time in depth in public analysis of how and what we should consider as we decide who should be admitted, because we cannot admit everybody. When that is done, we need to create a system we can expect to actually work to enforce the standards we have. I believe we can make tremendous progress, and we can fix this system. It needs to be fixed.

The legislation that has been offered by the Gang of 8 says they fixed it. Don't worry; we have taken care of all

that is needed; we have a plan that will be compassionate to people who have been here and we have a plan which will work in the future and end illegality. Well, it won't do that, and that is the problem.

It will definitely give amnesty today. It will definitely give immediate legal status to some 11 million people today, but the promises of enforcement in the future, the promises that the legislation will focus on a way that enhances the success rate of people who come to America is not fulfilled in the legislation.

Read the bill and see what is in it. I wish it were different. We will talk about in the days and weeks to come what is in the bill and why it fails. I can share with everyone how it is we came to have such a flawed bill before us. We need to understand that as we go forward.

I am amazed the Gang of 8 has sent such legislation forward, and how aggressively they defended it in the Judiciary Committee. We did have a markup in the Judiciary Committee. We were allowed to offer amendments and had some debate there, but it was an odd thing. Repeatedly members who were not even in the Gang of 8 said: I like this amendment, but I cannot vote for it because I understand it upsets the deal. We need to ask ourselves: Who made the deal? Whose deal is this? How is it that the deal is such that Members of the Senate who agreed to an amendment say they must vote against the amendment because it upsets some deal? Who was in this room? Who was in the deal-making process? So I think that was a revealing time in the committee. They had agreed and stated openly there would be no substantial changes in the agreements the Gang of 8 made, and they would stick together and vote against any changes except for minor changes. There were a number of amendments accepted, a number of Republican amendments accepted. Many of those were second degree or altered by the majority in the committee, but none of those fundamentally altered the framework and the substance of this legislation. I don't think that is disputable, and we will talk about that. So this is the problem we are working with.

So how did the legislation become as ineffective as it is? I contend—I think it is quite plain—it is because it was not written by independent Members of the Senate in a more open process but was written by special interests. I wish to share some thoughts on that subject right now because I think it goes to the heart of the difficulties we have.

There were continual meetings over a period of quite a number of months that got this bill off on the wrong track in the beginning. Powerful groups met, excluding the interests of the American people, excluding the law enforcement community. Throughout the bill we can see the influence these groups had on the drafting of it. Some of the groups actually did the drafting.