

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.

A lot of the language clearly came from the special interest groups engaged in these secret negotiations.

What is a special interest group? A special interest group is a group of people who have a commitment, an interest they want to advance, but they don't pretend to share the national interest. So maybe it is a legitimate special interest, maybe it is not a legitimate special interest, but they have a special interest, a particular interest they want to advance.

So this is what happened: Big labor and big business were active in drafting this legislation, with the entire deal obviously hanging on, it was reported, their negotiations. For example, the *Wall Street Journal*, March 10:

Competing interests abound. The Chamber of Commerce and businesses it represents are locked into negotiations with the AFL-CIO about workers in industries like hospitality and landscaping. Meanwhile, farm-worker unions have been quietly negotiating with growers associations about how to revamp short-term visas for agricultural workers. And senators on both sides of the aisle are weighing in to ensure their state industries are protected.

The *Washington Post*, March 10: "Hush-hush Meetings for Gang of 8 senators as they work on sweeping immigration bill." The article reads:

They are struggling on the question of legal immigration and future workers, and are trading proposals with leaders of the AFL-CIO and the Chamber of Commerce to try to get a deal.

"Try to get a deal," they are working on a deal.

How about this: *Roll Call*, March 21:

Talks led by the U.S. Chamber of Commerce and AFL-CIO over a new guest-worker program for lower-skilled immigrants are stalled, prompting members of the bipartisan group of eight senators to get personally involved to try to nudge the negotiations on to resolution.

So the Senators were not in those discussions. The Senators, when it got to be tough and things weren't moving along, they came in to try to egg it on, to get the agreement. Who is the agreement between? It is between the unions and big business, which are representing the American worker, effectively.

New York Times, March 30:

The nation's top businesses and labor groups have reached an agreement on a guest worker program for low-skilled immigrants, a person with knowledge of the negotiations said . . . Senator SCHUMER convened a conference call on Friday night with Thomas J. Donohue, the president of the U.S. Chamber of Commerce, and Richard L. Trumka, the president of the AFL-CIO, the nation's main federation of labor unions, in which they agreed in principle on a guest worker program for low-skilled, year-round, temporary workers.

We know there is one group not included in these talks, and that is the group given the duty to enforce the immigration laws. The national ICE union, the customs and enforcement organization, pleaded with the Gang of 8 to consult them. They urged the Gang of 8, they wrote letters to the

Gang of 8, and I sent information to the Gang of 8 asking them to consult with the officers who have the duty to enforce this law, but to no avail. They were shut out of every meeting and never have been consulted.

It is interesting to note, however, that others weren't shut out of the meeting. They weren't left out of the room.

The *Washington Post*, April 13:

While Obama has allowed Senate negotiators to work on a compromise that can win approval, a White House staff member attends each staff-level meeting to monitor progress and assist with the technical aspects of writing the bill.

So there has been an attempt to suggest that this is truly a congressional action, that the White House is just sort of hands off. But we know the White House is deeply involved in this and approving every aspect or disapproving aspects they don't like. The question is, Who is influencing this? Who is influencing the White House, President Obama?

The *Daily Caller*, on February 6, notes this:

On February 5th, Obama held a White House meeting with a series of industry leaders, progressive advocates and ethnic lobbies, including La Raza, to boost support for his plan that would provide a conditional amnesty to 11 million illegal aliens, allow new immigrants to get residency for their relatives and elderly parents, and also establish rules for a "Future Flow" of skilled and unskilled workers. The invitees included the CEO of Goldman-Sachs, Motorola, Marriott, and DeLoitte.

So they are in the meeting, apparently.

Also, we know participating in a lot of these discussions was the American Immigration Lawyers Association. This group obviously was involved in writing the bill, and I have to tell my colleagues that they will be the biggest winners of this legislation.

Time and again, rules that were fairly clear—and probably should have been made clearer—are muddled, provisions were placed in that will create litigation and encourage lawsuits, delays, and will increase costs. For example, "hardship" is the new standard for many waivers and exemptions in this bill, in many cases the exemptions are for family problems and other things of that nature. Well, when ICE says a person should be deported, then the deportee has the ability to say: Well, I have a hardship. My mother is here, I have a brother who is sick, or I need this or that.

What does "hardship" mean? It means a trial. That is what it means. So the Immigration Lawyers Association was substantially involved in the meetings.

Politico, on March 9, said:

In a bid to capitalize on the shared interest in immigration reform, a budget deal and new trade pacts, the White House has launched a charm offensive toward corporate America since the November election, hosting more than a dozen conference calls with top industry officials—which have not previously been disclosed—along with a flurry of meetings at the White House.

Continuing the quote:

Participants on the recent calls include the heads of Goldman Sachs, the Business Roundtable, Evercore, Silver Lake, Centerbridge Partners, the U.S. Chamber of Commerce as well as the heads of Washington trade groups representing the banking industry, such as the Financial Services Roundtable.

So they have been involved in these discussions. Even foreign countries have had a say in drafting our law.

The *Hill*, on February 7, reported:

Mexico's new Ambassador to the U.S., Eduardo Medina-Mora, has had a "number of meetings with the administration" where the issue of immigration has come up since he took office last month, said a Mexican official familiar with the process. He is expected to meet with lawmakers shortly as legislation begins to take form. "Probably like no other country, we are a player in this particular issue," the source said.

Well, the law officers weren't in the room, we know that. People who question economically the size and scope and nature of our immigration system weren't in the room.

So in case anyone doubts the role of special interests in drafting the legislation, pay attention to this quote by Frank Sharry, executive director of the liberal pro-amnesty group, *America's Voice*, in the *Wall Street Journal*, April 17:

The triggers are based on developing plans and spending money, not on reaching that effectiveness, which is really quite clever.

In other words, the sponsors of the bill were telling everyone they had triggers in the bill that would guarantee enforcement of laws in the future about immigration flow into America, and that if enforcement didn't occur, the triggers would stop people from being legalized and end the process. That is not so. We have studied the language and we know the triggers are ineffectual and are not significant and won't work. That will be explained in the days to come.

Mr. Sharry acknowledges it. He said it was clever to have these faux triggers—these triggers that will not work—because we can tell everybody: Don't worry, the legality will not occur if the enforcement doesn't occur. But in clever ways they drafted a bill that will not work. They will say it works, but it will not work.

Again, with all of the slush funds in this bill, there are a number of them that go to private activist groups, community action groups. It is easy to see that special interests had a seat at the negotiation table.

The *National Review*, on May 29, reported:

A number of immigration-activist groups, such as the National Council of La Raza, would be eligible to receive millions in taxpayer funding to "advise" illegal immigrants applying for legal status under the bill.

So money will go to these activist groups, such as La Raza. La Raza is responsible for advocating, not enforcing, our laws. So La Raza is in the meetings. La Raza is an open advocate for not enforcing laws involving illegal immigration. They are active participants in advocating for amnesty. They

are going to get money out of the deal with some of the grant programs, while the law officers who have the ability to tell the committee, the Gang of 8, how to make the system work are shut out of the process.

Were prosecutors involved in the process? No, they have not been.

The National Immigration Forum, a pro-immigrant group, has been involved in some of these discussions.

So some people have said the bill had to be drafted in secret, but that the markup process in the Judiciary Committee would be open and transparent. But that is only partially so. We did have a markup. We were allowed, those who had objections to the bill, to offer amendments, as did those who support the bill. We had the opportunity to talk and offer amendments. But at every turn in the committee the members of the Gang of 8 expressed support on occasions for certain amendments, only to vote against the amendment. Due, they said, to the agreement, they had to vote together and against significant amendments, regardless of their personal feelings.

The gang influenced other members on the committee to do the same. The Huffington Post, April 16, headline: "Senate Immigration Group Turns to Keeping Fragile Agreement Intact."

It goes on to quote Senator McCAIN as saying:

We will pledge to oppose, all eight of us, provisions that would destroy the fragile agreement we have.

So they have an agreement. They have an agreement with the unions and big business and the agribusinesses and the food processors and La Raza and the immigration lawyers. They have an agreement with them, and they are going to defend it, even though they acknowledge amendments that were offered would improve the bill. This is no way to serve the national interest, in my view.

In discussing an amendment that would require workers to make a good-faith effort to hire American workers first, Senator WHITEHOUSE said this—this is what happened in the committee—

I'm in a position which I'm being informed that this would be a deal breaker to the deal. I, frankly, don't see how that could be the case, but I'm not privy to that understanding, and so I'm going to vote in support of the agreement that has been reached.

In other words, Senator WHITEHOUSE says: Well, I do not understand this. I would like to vote the other way, but I am told you have a deal and this would damage the deal and so I cannot vote for it. He was not even in the Gang of 8 but went along with that.

Related to that same amendment, Senator FRANKEN echoed the remarks, saying:

I really just want to associate myself with Senator Whitehouse's remarks.

He goes on to say:

I don't want to be a deal breaker.

In discussing an amendment that would increase family-based immigration, Senator FEINSTEIN noted:

I think it's been a unique process because those people who are members of a group that put this together have stood together and have voted against amendments that they felt would be a violation of the bipartisan agreement that brought both sides together.

I am not sure that is always good. I am not sure that is the right thing to do to set public policy in America: to have some secret agreement, reached with a group of people we hardly know who they are, trump the ability to do the right thing for the American people.

I want to say that is what has happened here. And the point to make is, and what I think our colleagues need to understand and the American people need to understand: In reality, the special interests—La Raza, the unions, the corporate world, the big agriculture businesses, the food processors—they are the ones that made the agreement in this process, and the Senators merely ratified it, and they cannot agree to a change because they promised these special interest groups things. So if La Raza would accept point A that somebody wanted accepted, and the unions would accept point B, then they would both agree: I will do A if you will do B.

Then the bill gets to the floor and somebody says: A is wrong and we should not put that in the bill. Let's change that. Oh, no, we cannot change that. We have an agreement. The agreement with who? La Raza, the agribusinesses, the Chamber of Commerce, Microsoft, Zuckerberg. That is what happened here. I am just telling you. And the people who drafted this bill, the people who have advocated these special interests—we should not be surprised at their influence. Businesses, groups, organizations have special interests. There is nothing inherently wrong with that. What is wrong is that Members of Congress—Members of the Senate—need to be representing the national interests, the people's interests, the workers' interests in America. That is what we need to be doing—not representing the special interests.

I have to tell you, the openness of this is sort of breathtaking to me. Who is protecting the national interests? Did they have any of the top-ranked economists in this country being asked what would be the right number of low-skilled workers to bring into America? Did they have any of the top experts say how many advanced science degrees can we have? How many of our college graduates are unemployed? What is the right number? None of this was apparently discussed by our colleagues who allowed this process to go forward.

I would say, finally, with regard to the special interests, they have no interest—virtually none of them that were involved in this process—of guaranteeing in the future that we do not have more illegally immigration. That is the failure here. They do not have any interest in that and, therefore, there was no intensity of interest in that aspect of the legislation.

Oh, there was a lot of interest in how many computer programmers could be admitted or how many agriculture workers or how many low-skilled factory workers or construction workers or other workers. They all worried about that. They fought over that. That is what these negotiations were about. There were internal discussions and disagreements.

But nobody was investing any time or interest in the second phase of this. If you have an amnesty, if you have a legality of millions of people who came here illegally, what are we going to do to ensure it does not happen in the future?

I was a Federal prosecutor. I personally tried an immigration case myself. I bet nobody else here can say that. So I am aware you have to have certain legal processes and certain investments in investigative and enforcement mechanisms to make the system work in the future.

As we go forward with this debate, we are going to show—and it is going to be clear—that this has not been fixed and, in fact, the standards of current law with regard to what ought to be done—requirements in current Federal law—are being weakened, some of them eviscerated by this bill.

This bill is far weaker than the 2007 legislation. I do not think there is any doubt about that. It will be clear when we get through it. It was rejected by the American people—the 2007 agreement—and it actually weakens current law in quite a number of significant areas—weakens current law—while we are being told: Do not worry, this is the toughest bill ever.

If I am mistaken, I am sure we will hear about that as we discuss it. This is a great democracy we are part of and I am expressing my view. But I have spent some time on these issues. I was involved with it in 2006 and 2007. I was a Federal prosecutor. I have done this over the years. I know how our ICE agents work, our Border Patrol agents work, our customs and immigration service people work. I have worked with them. I have tried cases for them. I know them personally. They have been left out of this process.

The ICE union has voted no confidence in John Morton, their supervisor. What a dramatic event. I am not aware of that ever happening in my 14 years-plus as a Federal prosecutor—the actual employment union declaring that they have no confidence in their supervisor. And what did they say? They said he spends all his time advocating for amnesty and not enforcing the laws. He is directing us to not follow legal requirements we took an oath to follow.

And get this: The ICE officers have filed a lawsuit in Federal court attacking Secretary Napolitano, or at least the conduct of her office. They have asserted she is not above the law, she is not authorized to direct them not to follow plain requirements of Federal law. The Federal judge initially seemed to accept the validity of the lawsuit.

I have never heard of that before. This is an incredible event. Nobody is even talking about it. It has been the position of this administration, everybody has to know, to see that the law is not being effectively enforced, particularly in the interior of America.

That has basically been—some even acknowledge—a *de facto* amnesty because you are directing your law officers not to do their duty. You basically eliminated the law. The administration should not be doing that. Congress has refused to change these laws time and again. If anything, they have sometimes increased them, strengthened them. And now we have our agents blocked from enforcing them.

The U.S. customs and immigration service that deals with the visas, deals with the applications for citizenship—CIS, the Citizenship and Immigration Service, they deal with the citizenship processes and the paperwork and all of that. They have written in opposition to this legislation.

So first, the ICE officers—Chris Crane, the head of that group, has written a powerful letter in detail condemning this legislation, saying it will not work, it will make matters worse, and it will endanger national security.

The Citizenship and Immigration Service group that deals with the paperwork and the citizenship processing and the visa work—and a lot of that—has likewise written saying this bill will not work and they oppose it.

Well, I have to say, somebody needs to be thinking about what is going on here. Right. Amnesty—done. The promise of enforcement, the toughest bill ever in the future—no, sir, not there, not close. That is why we have a problem. I cannot understand why people would not want the legal system to be complete, to be effective, and would be followed so we as Americans could be proud of it.

There is a lot of power behind this legislation. I can feel it. When I raise questions, push-back comes. You are not politically correct; you are unkind; you do not like immigrants. That is offensive to me. I believe in immigration. We have a million people who come in here every year legally. I do not oppose that. I do not oppose doing something responsible and compassionate for the people who have been here a long time illegally. But we have to be careful about it.

But the American people are so right on their basic instinct about this matter. I have to say how I believe the American people's hearts and souls are good about immigration. A lot of people think: Well, we have to meet in secret and we have to run this bill through as fast as possible because we do not want the American people to find out about it because they do not like immigrants. Not so. A recent poll revealed something very important, and our Members of this body and the House need to know it. It said: If you are angry about the way things are going with regard to immigration, are

you angry at the people who came into the country illegally or are you angry at the government officials for allowing it to happen? Mr. President, 12 percent said they were angry at the people who entered illegally. Mr. President, 88 percent said they were angry at public officials for not creating a legal system that will work.

Doesn't that speak well of the American people? You could be angry about somebody who came into our country in violation of the law. But I think the American people understand that people want to come here, and it is our duty to stop it. They have been pleading with Congress for over 30 years to do something about it, to create a lawful system, to end the lawlessness, to do the right thing, to create immigration processes that we can be proud of, such as Canada has and other countries around the world have.

We believe in immigration. We want to do the right thing, but it needs to be lawful. We have more applicants for admission into America than we can possibly accept. I was in, I believe, Peru with Senator Specter a number of years ago, and a poll was called to our attention from Nicaragua that said 60 percent of the people in Nicaragua said they would come to America if they could—60 percent. Then the Ambassador in Peru told us they had a poll around there that said 70 percent.

Well, everybody cannot come to America.

We are not able to assimilate or absorb that. We all know that. We all agree with that. So therefore you set rules and processes that we can be proud of, that are fair and objective, and that people who want to come meet those standards and they wait their turn and they come lawfully.

We have had from this administration and prior administrations—President Bush also—too little interest in seeing that the law is enforced. We have loopholes in our laws and processes that need to be fixed. We can do that with a good immigration bill, but this one does not get it done.

I noticed that my friend did an op-ed yesterday—Karl Rove, who was President Bush's political adviser, a man of great talent back in the day that we were in college together. He quotes a lot of polls that say the American people are willing to accept legal processes and status for people in this country. I acknowledge that. They are. But he does not quote the polls that say overwhelmingly that they want the illegality ended. They want border security first because they are smart enough to know that if we do not get border security now, we may never get it. In fact, they want to get it. History tells us so.

He did not quote a recent Rasmussen poll. This is what was in the Rasmussen polling report. The so-called Gang of 8 proposal in the Senate legalizes the status of immigrants first and promises to secure the border later. By a 4-to-1 margin, people want that proc-

ess reversed. My good friend Karl Rove did not quote that.

Additionally, while voters think highly of immigrants, which speaks well of us as American people, they do not trust the government. That skepticism is growing. In January 45 percent thought it was at least somewhat likely that the Federal Government would work to secure the border and prevent future illegal immigration. Today only 30 percent has that confidence. Why? Because they are beginning to learn that this bill does not do what they were told it was going to do.

The growing awareness of the border control issue has led to other shifts in public opinion as well. Early in the year Democrats were trusted more than Republicans on the issue of immigration. Now that has switched. Well, we are not interested in politics, we are interested in doing the right thing. When we do the right thing, the people will affirm it.

So Mr. Rove goes on to say: Now, do not say amnesty.

My friend Karl: Do not say amnesty. That is a bad thing for you to say.

Well, let me just say that under the legislation that is before us now, we would have a circumstance immediately where people will be given legal status. They will be able to get any job and they are here safe and sound. Unless they get arrested for a felony or something very serious like that, they are put on a path that guarantees them the ability to go all the way to citizenship.

Mr. Rove says they have to pay a \$1,000 fine over 6 years. What is that—\$170 dollars a year, \$15, \$12 a month? So this is the punishment? You pay \$12 a month worth of fines, which allows you not to have to go home even though you entered the country illegally, did not wait your turn, and you are guaranteed a path to citizenship. Then at the end you have to pay another \$1,000 some 10, 13 years later. So this is the punishment in the legislation. But the people who came illegally get exactly what they wanted immediately, which is to stay here, have the ability to work here. They will get a Social Security card. They will get the ability to go to any job in the country. They will have an ID that would allow them to do that. So they will be able to compete for any job in America. They will be able to compete for jobs that our husbands and sons and daughters and grandchildren might be competing for out there. There will be 11 million in that position.

So I do not think my friend Karl is making a very strong point there that this is some sort of punishment. He says: They must pay taxes. Well, hallelujah. Should you not pay taxes? They are "barred from receiving any Federal benefits, including welfare and ObamaCare." That is a flat statement, and it is flat wrong. The first group, the DREAM Act group, which will be some 2, 2½ million, maybe 3 million, they will be citizens in 5 years and will

be able to get any of the Federal welfare programs in 5 years. Many of the ag workers will be in that position in 10 years. Any workers who qualify for the earned-income tax credit can get that immediately—now.

Other provisions are put off for 10, 13 years, and that makes the cost score look better. But over the long term, once the group is given legal status and citizenship, they will then qualify for every program. Since overwhelmingly the number of the workers here today are lower skilled who are illegal—they are lower skilled, and you can expect their incomes to be low—they will qualify for the earned-income tax credit, for Medicaid and program after program, food stamps and others.

The score goes up tremendously in the outyears. The Heritage Foundation is the only group who has done an in-depth analysis. They say that over the lifetime of the program, the people who are here illegally—if they are legalized under this bill, it would add \$6.3 trillion to the debt and deficit of the United States. That is a lot of money. That is almost as much as the unfunded liability of Social Security, which is about \$7 trillion. So this will be \$6 trillion. Some say that number is too high, but I have not seen anybody say that number is not in the ballpark. Nobody else has done a study to refute it. It is going to be trillions of dollars in the outyears.

It is not true that there will be no government benefits going to people who are in the country who get legalized under this. It is just not so. Well, this is another point. To me, this is sort of a fundamental point. It sounds so good when you have a political guru like my friend Carl. He says: To renew their temporary status after 6 years, those waiting to become citizens must prove they have been steadily employed, paid all taxes, and are not on welfare.

So let's take what has happened. So we have an individual who has been in the country 3 years. They get the provisional legal status immediately when the bill passes. In 6 years they have to, we are told, show they are steadily employed, paying taxes, and are not on welfare. Well, who is going to investigate that, first? No one.

So they have already been here 3 years. As long as they came before December 31, 2011, they are given legal status. Whether they have a job or not, they are given this legal status. Without a family, without roots in America other than having been here, they claim, before December 31, 2011. But we are not willing to deport them. So now 6 years later, they work intermittently, they are unemployed, and we have a recession, and we do not have enough jobs for people, and we are going to send out the feds and uproot them—their children are now in junior high and high school—and send them back home? Give me a break. That is one of the most bogus claims ever. That will not be enforced. There are

waiver authorities in the bill, so waivers will be issued. Nobody is going out to enforce this. I am just tired of them saying this. They should not even say it to try to get the American people to believe that we are going to actually go out and deport what could be millions of people who are out of work in the 5- or 6-year period when they have to reestablish themselves. That just bothers me.

These individuals, Karl Rove said, “must stand at the back of the line behind everyone who is waiting patiently and legally to immigrate here.” That is not so. Give me a break. Those people are here illegally now. They do not want to be deported, which is understandable. They are going to be given permanent status, a Social Security number, and a right to work anywhere in America. They are not ahead of somebody from Honduras waiting in line to come here, or not ahead of somebody in China or Italy or Spain? Of course they are ahead of them. They are not waiting. I am without words to express my concern about that. We need to be accurate about what the legislation says.

What about this amnesty? Well, people say: You should not call it amnesty.

Well, I think that is a legitimate word. The legislation before us would immediately give legal status, allow people to move to legal permanent residency and citizenship later. You have to pay a few thousand dollars in fines. Well, I think that is amnesty.

Someone said: Well, they pay a \$1,000 fine. They paid a penalty; therefore, you can't call it amnesty.

No, I do not agree. This legislation basically says that everybody here is given legal status and put on a guaranteed path to citizenship; just do not get convicted of a felony. So I really do not think that is a good argument. So that will continue for a bit. But I think the sponsors kind of gave up objecting back in 2007 when the legislation was before us at that time. But I would note that in 2007 the initial fine that people paid had to be paid up front—\$3,000. Under this bill you pay a \$1,000 fine over 6 years. Then to get a green card, the legal permanent residency, you had to pay an additional \$4,000, and an interim review period called for a fine or payment of \$1,500. In total, \$8,500. So in 2007 the payment required for somebody to move forward to citizenship was up to \$8,500. This bill is \$2,000—really \$1,000 to be able to stay here and work here, and that is a payment which is stretched out over time. The bill allows the fine to be paid in installments. So I would have to say it is difficult for me to accept that these people are earning their citizenship and that they are paying a price for it.

Then Mr. Rove mentions they have to pay their taxes. But one of our watchful publications, *Politico*, did an article about that on June 3. They said with regard to tax payments:

After all, it was one of the Gang of Eight's main talking points when it unveiled the im-

migration blueprint in January. Sponsors vowed that their proposal would include a back tax requirement to ward off critics' claims that their bill would be amnesty. Citizenship would come at a price, they said.

But the gang has all but dropped that talking point. The immigration legislation currently moving through the Senate includes a scaled-back provision that relies almost entirely on immigrants coming forward to the Internal Revenue Service voluntarily. Critics call it “toothless.”

It is toothless. There is no back tax. My friend, Karl Rove, is still out here spinning, claiming you have some great advantage. We are going to collect all these back taxes.

Nobody is going to investigate these cases, even if the law is clear. We don't have the money and the ability to do so, and it is not going to happen. That is just a fact.

Let's talk about in general some of the other issues that will come before us. I know my colleague, Senator LEE, will be joining us on the floor in a little bit, and I will yield to him if and when he comes, but I wanted to talk about these promises we were given by the people who wrote the bill, a promise that the path to citizenship would be “contingent upon securing our border and tracking whether legal immigrants have left the country when required.”

Now, that is fundamentally correct. That was the promise. That is one of the Gang of 8 principles they published. Our bill, they say, does that. I wish that were so. A path to citizenship would be “contingent upon securing our borders and tracking whether legal immigrants have left the country when required.” But in truth, the bill is amnesty first and a promise of enforcement later.

With regard to tracking immigrants who leave the country when they are required to, it devastates and weakens current law, so that can never happen, effectively. It is unbelievable to me they would directly pass a bill that directly contradicts current law.

On “Meet the Press” not too long ago, Senator SCHUMER—and one of the Gang of 8—said it flatout. He acknowledged that promise of enforcement first is not going to happen. He said, “First, people will be legalized. . . . Then we will make sure the border is secure.”

Instead of enforcement first, it is legalization first. That is as plain as day. It is not even disputed in any law. The illegal immigrants would be legalized immediately, and not a single border or interior enforcement measure has to be in place then or ever.

All Secretary Napolitano needs to do is submit two reports to Congress. Illegal immigrants will then begin receiving legal status, work permits, Social Security accounts, driver's licenses, travel documents, and other State benefits, financial benefits, that come from the States. Nothing requires that any border security be in place, any fence be built, before this amnesty is ever accomplished.

We were told we were going to have a trigger. Until the fences were built, until other enforcement mechanisms were undertaken, until that happened, you weren't going to have amnesty. But it is not so. All the Secretary needs to do is submit a report. She has already said we have better enforcement than ever before in history and indicated she does not believe we need more fencing. The contention from the Gang of 8 that we are going to have major fencing at the border has not been proven.

The Secretary of Homeland Security is merely supposed to develop a plan. Frank Sharry, the head of the pro-amnesty group, as I noted, said the following:

The triggers are based on developing plans and spending money, not on reaching that effectiveness, which is really quite clever.

Mr. Sharry let the cat out of the bag. He said it is a faux trigger, an apparent trigger that is not real. He said it was "quite clever"—and indeed it is—but it is now becoming clear that what has been promised is not happening. You could say to the American people: Don't be taken in on this. We can see it now, make your voices heard, follow this debate. If the promises for this bill are not followed, then let your voice be heard in Congress. Tell your Congressmen you are not happy. Tell your Senator you have to do better.

The whole crux of it is that if we have an amnesty, if we have a very generous, compassionate treatment of people who violated our laws and come here, shouldn't we have a policy that ends the illegality in the future?

That is what the American people have demanded for 30 years. They are good and decent people. That is an absolutely proper thing for them to demand of Congress, and we are not doing it. It is heartbreaking to me that we are here going through this process with a bill as flawed as this one. As times goes by we will talk more about it.

I see my friend, the Senator from Utah, Mr. LEE, who is a fabulous new addition to the Senate Judiciary Committee, where this legislation moved. He contributed in many able ways to the discussion, offering excellent amendments. He is a skilled lawyer and a man who is deeply committed to the principles of law that made our country great.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, today I rise in favor of immigration reform. The current immigration system is a travesty. It is inefficient, it is uncompassionate, and it is dangerous. It doesn't serve America's economic or social interests, and it undermines respect for the rule of law while simultaneously undermining respect for our democratic institutions. Comprehensive reform is both badly needed and long overdue.

The comprehensive immigration reform I envision includes real border se-

curity, visa modernization, employment verification, robust programs for both high- and low-skilled workers, and a compassionate approach to addressing the needs of those currently in the country illegally. But I believe each of these vital components must be addressed incrementally and sequentially in order to ensure meaningful results. I understand our reluctance to admit it, but Congress is simply very bad at overhauling and creating massive bureaucratic systems all at once.

Every new law, no matter how big, carries with it some unintended consequences. The bigger the law, the more accidental problems we tend to create. History teaches us that trying to fix lots of problems all at once is the surest way to avoid fixing any of them very well. ObamaCare is and will continue to make our health care system worse, not better. It promised to lower health insurance premiums. Yet they are exploding all across the country. The Dodd-Frank financial reform measure was supposed to end too-big-to-fail and prevent another financial meltdown. Yet Fannie Mae and Freddie Mac are still on the taxpayers' books, and today the very biggest banks on Wall Street are bigger than ever.

Do the American people have any idea that the PATRIOT Act would empower the National Security Agency to spy on all Americans through their cell phones and their computers? What makes any of us, least of all any conservative, believe this immigration bill is going to work out any better?

The lesson we should be taking from our recent mistakes is not that we need to pass better, huge, sweeping new laws, but that we should, instead, undertake major necessary reforms incrementally, one step at a time, and in the proper sequence. We need to face the fact that 1,000-page bureaucratic overhauls simply do not achieve their desired goals, and they create far more problems than they tend to solve. We can achieve comprehensive immigration reform without having to pass another 1,000-page bill full of loopholes, carveouts, and unintended consequences.

Therefore, from my perspective there is no one amendment that can fix this bill. Indeed, there is no series of tinkering changes that will turn this mess of a bill into the reform the country needs and that Americans deserve.

The only way to guarantee successful reform of the entire system is through a series of incremental reforms that ensure the foundational pieces, like the border security pieces and an effective entry and exit system, are done first and done directly. Such a common-sense process will allow Congress—and, more importantly, will allow the American people—to monitor policy changes as they are implemented with each step. That way we can isolate and fix unintended consequences before they grow out of control and before we move on to the next phase.

A step-by-step approach would also allow Congress to move quickly on

those measures on which Republicans and Democrats both tend to agree. We ought not hold commonsense and essential measures hostage to unavoidably contentious ones, and that is what this bill does. Both sides largely agree on many essential elements. These measures are relatively uncontroversial and could pass incrementally with broad bipartisan support in Congress.

Indeed, the only reason immigration reform is controversial is that Congress refuses to adopt the incremental approach. That is why true immigration reform must be pursued step by step, with individual reform measures implemented and verified in the proper sequence.

Happily for immigration reformers like me, this appears to be the approach being pursued by the House of Representatives. It is the only one that makes sense.

First of all, let's secure the border. Let's set up a workable entry-exit system and create a reliable employment verification system that protects immigrants, protects citizens, and protects businesses from bureaucratic mistakes. Then let's fix our legal immigration system to make sure we are letting in the immigrants our economy needs in numbers that make sense for our country. There is no good reason why we must, or even why we should, try to do it all at once, all in one bill, all in the same legislative package.

Once these and other tasks, which are plenty big in and of themselves, are completed to the American people's satisfaction, then we can address the needs of current undocumented workers with justice, compassion, and sensitivity. Since the beginning of this year, more than 40 immigration-related bills have been introduced in the House and the Senate. By a rough count, I could support more than half of them. Eight of them have Republican and Democratic cosponsors.

We should not risk progress on these and other bipartisan reforms simply because we are unable to iron out each and every one of the more contentious issues. This is not the bill to fix our immigration system.

I want to pass immigration reform. I want to debate immigration reform. That is exactly why we should not proceed to the Gang of 8 bill. We are being presented with a choice between the Gang of 8 bill or nothing. Common sense, recent history, and the ongoing legislative process of the House of Representatives confirmed that is a false choice. There is another way. It is a more sensible and a more successful way.

We can do better than another 1,000-page mistake. Haven't we learned our lesson in this regard? Isn't it time that we try?

Rather than fix our current immigration problems, the Gang of 8 bill will make many of them worse. It is not immigration reform, it is big government dysfunction. All advocates of

true immigration reform on the left and on the right should oppose it.

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

The PRESIDING OFFICER pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. Mr. President, I ask unanimous consent that I be allowed to engage in a colloquy with Senator LEE.

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

Mr. SESSIONS. Mr. President, I thank the Senator for his comments and insight and contribution to the debate, as well as his clear mind and thinking that causes us to analyze how to handle things.

The problem we have today, at the most fundamental level, is that in 1987, as Senator GRASSLEY has been so passionate and so clear about, we voted for the 1987 amnesty, and amnesty occurred immediately with the promise of enforcement in the future. So in the view of Senator GRASSLEY, and the view of the American people by a 4-to-1 margin in a recent poll, we should have the enforcement first and then we will talk about amnesty. All right?

Senator LEE offered an amendment that dealt with this process. Under the legislation we have here, the question of enforcement is almost entirely given to the Secretary of Homeland Security, who has basically said enforcement is good now and we don't need any more enforcement and that she would basically certify or establish whether we have an effective border and enforcement system, and if not she would issue a report and would turn it over to a commission that had no power and they could review it. But that absolves Congress of their responsibility.

With that as background, the Senator offered a very interesting amendment that I think places the responsibility for enforcement where it should be. Would the Senator explain his thinking on that?

Mr. LEE. I certainly would. I would be happy to.

In the Judiciary Committee, on which the Senator from Alabama and I both sit, during the markup session on this bill we were able to propose a number of amendments. One of the amendments I proposed—Lee amendment No. 4—addressed this very problem, the problem inherent in the fact that much of what this bill accomplishes is to outsource and delegate many of the delicate tasks. Many of the delicate decisions that have to be made along the way in the implementation of this bill are outsourced to the Secretary of Homeland Security—the task of coming up with a border security plan and a border fencing plan. Once those plans are in place, and once the Secretary makes the necessary

findings under the bill, which she has basically complete discretion to do, then the RPI status begins—the pathway to citizenship commences. And citizenship from that moment forward, for those who meet the basic eligibility standards, becomes more or less a virtual certainty or becomes, at the very least, very likely.

So my concern was Congress would have no subsequent input in this decision. Each of us has been elected to this body, and each of our colleagues in the House of Representatives has been elected to that body, to make decisions, to make law, and not simply to make outside lawmakers who will make incremental pieces of law on the outside. Each of us will stand accountable at regular 6-year intervals in this body and 2-year incremental periods in the other body to the voters who placed us here. Each of us should have the opportunity to decide whether and to what extent the border has adequately been secured and whether and to what extent we have enough fencing along the border in order for us to begin this legalization process and the pathway to citizenship.

So Lee amendment No. 4 to this bill would have said simply the RPI status, this pathway, would not have commenced until such time as Congress had the chance to vote on whether we had made sufficient progress toward securing the border and fencing the border before the period of legalization started.

It is a very simple question, and it is the question that lies at the heart of the concerns surrounding this very bill. It is the question that lies at the heart of the lingering concerns regarding what we did back in 1986. I was only 14 years old at the time that debate commenced, so it was not at the forefront of my mind, although perhaps it should have been. But the lingering concerns surrounding what happened in 1986 relate to the fact that Congress said, in effect, we are going to go ahead and legalize the several million people who are here illegally right now, and then, once and for all, we are going to secure the border. We are going to stop the flow of illegal immigration once and for all. Well, that didn't happen because they sort of put it off and said at some unknown point in the future the border will in fact be secured. That would have solved that problem. At the very least it would have kept Members of Congress on the hook for finding the border was adequately secured by a subsequent vote before a pathway to legalization commenced.

To my surprise, to my dismay, and to my frustration my amendment was rejected, and it was rejected along the lines of a particularly odd argument. The argument went something like this, from those who professed their undying loyalty to the Gang of 8 bill as it was originally drafted. The argument said, in essence: We cannot adopt Lee amendment No. 4 because we can't trust Congress to do the right thing.

We can't trust Congress to do what we want Congress to do. In particular, the argument was made that we can't be certain the House of Representatives, currently under the control of the Republican Party, will in fact vote to commence the legalization process.

Well, if that is the case, aren't we saying we can't trust the democratic process? If that is the case, aren't we saying the American people aren't yet comfortable with that?

So I would ask my colleague from Alabama, why should we not trust the elected representatives of the American people to make critical decisions such as these? And why should we, instead, outsource them to someone having been appointed by the President and confirmed by the President, who doesn't respond, at least not directly, to the people at regular intervals in elections?

Mr. SESSIONS. I would say this is a very important amendment and I think it reveals a lot, as the Senator indicated. When we vote on an amnesty bill, and if that were to pass, the Senators voting for it are basically promising the American people, giving assurances to the American people they will end the illegality in the future. Because as I noted, the polls are 4 to 1 that we should have the enforcement before we give amnesty. And the reason is due to a lack of confidence.

So I think if the Senator's amendment had been passed, it would have placed some burden on us, a moral obligation to stand before the world at a point in time in the future and declare whether we have accomplished what we promised the American people we would do. Is that part of the Senator's thinking?

Mr. LEE. Yes, that is exactly why I introduced Lee amendment No. 4 in the committee and why I think it should have been passed. Because the whole reason we entrust the legislative power only to people who are elected at regular intervals and stand accountable to their electors at regular intervals is because of the fact it is perhaps the most dangerous power of government. We can do a lot of damage when we make law. And as a result of that potential for damage, that potential for harm we can inflict on the people, we have to stand accountable in incremental time periods of either 6 or 2 years to make sure we don't abuse that power. That is why it is so harmful when we take that very dangerous, potentially destructive power and we outsource it.

To some extent, in different ways, this has been going on for many decades. It started more or less during the New Deal era, when Congress discovered as the Federal Government was dramatically expanding Congress physically couldn't come up with the immense and steadily building task of legislating—of doing all the lawmaking and all the rulemaking it needed to do. So it started passing broader pieces of legislation, setting out very broad objectives, and then outsourcing to some

outside body—sometimes a Cabinet-level official, other times a so-called independent commission to do the real lawmaking.

During this time period, Congress discovered an interesting and important tool. During this time period it discovered sometimes we, as Members of Congress, are not going to like the way the outside body or the outside official within the executive branch might exercise this delegated lawmaking authority. So they reserved to themselves, they reserved for Congress an out—a legislative veto, as it became known. In some instances, this legislative veto allowed Congress, either the House or the Senate, to undo a rulemaking or an important decision made by an executive branch official or entity. In other cases it required both Houses to act in unison. But these legislative veto provisions did not require subsequent presentment to the President who could then sign or veto that legislative veto.

This went on for several decades. It went on until the mid-1980s when the Supreme Court intervened in a case called *INS v. Chada*, occurring, interestingly enough, in the immigration context; occurring, interestingly enough, in the specific context of a decision by the Attorney General to exercise delegated authority from Congress to issue a discretionary waiver of deportability to an otherwise removable alien.

The Supreme Court said this legislative veto was itself unconstitutional because it amounted, in essence, to a subsequent enactment by Congress that was not subject to the presentment requirement of article I, section 7 of the Constitution. Thus, the Supreme Court concluded in *INS v. Chada* the legislative veto provision, as it had been used for many decades, was itself unconstitutional, it was invalid, and was stricken.

Some might have predicted that, as of the moment of the issuance of this decision in *INS v. Chada*, Congress would say: That is it, we are not going to delegate this much authority anymore because we can't trust these outside officials, these outside entities within the executive branch of government to do the lawmaking. That is our job.

But that is not what happened. Shockingly, in the eyes of some, Congress continued to delegate its lawmaking authority left and right. If anything, it has accelerated its delegation of lawmaking authority. In part because Members of Congress, first and foremost, like to wash their hands of things, in the grand tradition of Pontius Pilate we are sometimes inclined to wash our hands of things and push important decisions off to someone else to make them, someone else who can take accountability for those decisions. It makes it easier for us. And in some ways that is what is happening here. In some ways that is what we are doing here by pushing off to the Sec-

retary of Homeland Security the decision to make a decision we ourselves ought to be making. That decision ought to rest here so we ourselves can be held accountable. We are not sovereigns unto ourselves. We certainly ought not be making sovereigns out of others who do not stand accountable to the people.

Mr. SESSIONS. I thank the Senator. I think that is very wise insight.

On the question of immigration, Congress has been irresponsible. The American people have pleaded with us to end the illegality and create a lawful system that serves the national interest—a system we can be proud of. And for 30 years Congress has failed.

The Senator's amendment requiring that vote by Congress to assure we do what we have promised to do reminds me of what happened in 2007—another bill that was a comprehensive immigration bill on the floor. I opposed that bill. It was stronger than this bill, considerably, in a lot of different ways, but it failed because we didn't have confidence about the future.

In the course of that debate, I think maybe shortly after the bill failed, we had an amendment to build a certain amount of fencing on the border. I offered that amendment, and it passed overwhelmingly.

Republicans and Democrats, virtually everybody, voted to build more fencing at the border—700 miles out of about a 1,700-mile border. Everybody was for that. But that was just the first vote, as our colleagues know. The second vote was whether anybody would appropriate any money to build the fence. So not long afterwards up comes an appropriations bill for homeland security and it had no money for the fence in it. Our colleagues, going back home: I voted to build a fence. But here we have a bill on the floor that doesn't have any money to build a fence. The fence wasn't going to get built.

I raised Cain about it and fussed and fussed and sort of mocked the Congress for one moment, saying: You are going to do something and not step up to the plate a little later. And they put money in for the fence. But you know what happened. Of the double-layered fencing that was required, 700 miles of it, only 36 were built. They came up with this idea of a virtual fence—airplanes and computers and radar. I guess. It was a total failure. We spent \$1 billion. It was abandoned. There are only 36 miles of double-fencing and 100 or so miles of automobile barriers. It was never built.

If we had to vote again to affirm what we did in the year, I think that would make it more likely—from my experience here about how this body works—that what we promised would get done. Does the Senator agree?

Mr. LEE. I certainly do. I think that would make a big difference. If we had to vote on it, it would have a couple of effects. First of all, the fact that we would have to vote on it would have an impact on the executive branch of gov-

ernment whose job it is to implement laws that we pass. The executive branch of government would normally have a duty—a duty that we would be following up on not just in some amorphous oversight committee hearing context, but we would be exercising oversight in a very real way in the sense that we would have to vote on whether they had done something adequately within a specified period of time. There would be consequences, real consequences, if we were to refuse to exercise that vote.

This vote would go through the normal process. It would be debated, discussed, and acted upon in both Houses of Congress and then submitted to the President for signature or veto and would therefore be wholly consistent with the presentment clause of the Constitution.

Some have suggested this might be a bad idea because it would perhaps get held up through some procedural mechanism or another, but the way the amendment was written, that would not, in fact, be the effect. This would be a privileged motion through which it could come on the floor. It would go through the Senate on a 51-vote threshold and would therefore be able to move through quite quickly. That is why it is important for this kind of mechanism to be in a bill such as this.

Mr. SESSIONS. I thank my colleague because the dangerous problem is so very real. As Senator GRASSLEY has so eloquently discussed, it is one thing to grant amnesty today, it is another to see in the future that we follow through on a system that will end illegality in America.

Senator LEE, you are a good lawyer. You have been involved in a number of these issues. It is very clear that the American Immigration Lawyers Association was involved in the drafting of this legislation. I do not say it was all done just for their personal gain, but did the Senator notice quite a number of alterations in current law that gave more flexibility, and resulted in more uncertainty; where the law says thus and so, but it can be waived for hardship or family problems or other matters?

As a lawyer, consider what at first glance would be an open-and-shut case where your client is in the country illegally and due to be deported, but now under the bill, the client can demand a trial and perhaps overload the system. Everybody claims hardship; everybody claims some other exception to the rule. Is there a danger that our whole enforcement system would be bogged down in litigation we never had before?

Mr. LEE. Yes, it certainly could be and it certainly would be if at the end of the day you have literally hundreds of instances of Secretarial discretion built into the bill. If every one of these important decisions that have to be made along the way, or through the process, on legal immigration—if any of the critical decisions that have to be made along the way are subject to certain rules but those rules can be

waived by the Secretary at the Secretary's unfettered discretion, it is not much of a law. It becomes something else. It becomes a set of guidelines with ultimate discretionary decisionmaking vested in the Secretary. That is something very different than a law.

I do not doubt that there were lots of people who had input on this bill, nor do I necessarily blame any one group for being involved. They have every right to give their input into a law. But at the end of the day we have to ask the question: Whose job is it to legislate? It is not their decision to legislate. The accountability to legislate or the accountability for flaws in this bill therefore must not rest with any outside group, any group of lawyers or activists of any stripe or at either end of the political spectrum. The accountability for the legislation that moves through this body must rest ultimately with us, and that includes legislation that gives someone else the effective power to legislate, as this one does, in literally hundreds of instances.

If at the end of the day this bill—assuming it is passed out of this body and passed by the House of Representatives and signed into law by the President—if this bill at the end of the day says, for instance, that the Secretary may at her discretion waive certain exclusions, waive exclusions that would otherwise prevent somebody from entering onto the pathway to citizenship on grounds that they had reentered the country after previously being deported, that is a pretty big issue. At that moment somebody who has reentered the country after previously being deported has committed a felony.

The point has been made many times that it is not necessarily a crime to enter this country illegally. It is considered by most to be a civil violation. But that changes when you have been previously deported. A previously deported illegal alien who reenters following deportation has committed a felony offense. So if the legislation we are considering now becomes law and if at the end of the day it is enacted, it allows for those people to enter onto a pathway to citizenship, and I think that is cause for concern. It is one of many areas in which we need to be very cautious in granting this much discretion to the Secretary of Homeland Security.

I got a letter from a woman in my home State of Utah, a woman who is a schoolteacher in American Fork, UT. She is an immigrant to this country. She is here on a nonimmigrant visa. She sent me a letter saying: I spent years of my life and thousands of dollars immigrating to this country legally, the right way. I have a job. It is a good job, a job that I love, a job teaching school. But I am here on a visa, and that visa expires in a few years. I know when that visa expires unless somehow I am able to get that visa extended or able to get another visa, I will be sent home. I will have to leave this country. And it breaks my

heart, she wrote, that at the same time that I am going to have to leave this country, there will be lots of people—in fact, 11 million or more—who are currently here illegally, who have broken the law coming here, many of whom have been working here illegally, who will not only be allowed to stay, not only allowed to stay in their current job, but put on a pathway to citizenship.

She said: This seems like a profound unfairness, that we are rewarding those who have broken the law while we are punishing people who, like me, a schoolteacher, came here on a non-immigrant visa and have spent years of their lives and thousands of dollars trying to do it the right way.

Does the Senator think that is cause for concern that relates to this excessive granting of discretion?

Mr. SESSIONS. I couldn't agree more. When you, as I had the honor to do, prosecute violations of Federal law for over 14 years, you feel a deep, abiding sense that fairness has to occur. You are putting somebody in jail for a period of time. You are saying "you don't get this money" if they submit a claim you cannot give them, even though they might benefit but they do not qualify. When you do these things day after day, you have to believe that the system works.

With regard to immigration, it is so deeply important that people who wait in line and who do things the right way, believe others are not getting away with it and are not beating the system. Otherwise, they feel like chumps. They feel as though they have been had by the system.

It is such a deep moral responsibility, not just for the Federal prosecutors. The ones I know feel deeply about this. They really feel that sense because you cannot do your job every day and go to bed and sleep if you do not believe that everybody is equal and the system works.

You do a tough job one day: You don't qualify for disability; you don't qualify for money; you have to go to jail. The guidelines say you go. And then the next guy comes along and the guidelines don't apply to him. The next guy files a claim and he gets some money and you didn't. It is so critical for the magnificent legal heritage of our country that the law be followed equally. Anybody who suggests that this amnesty that will occur has no moral consequences does not understand the depth of the question involved.

If we do it and if we do something very compassionate for people who are here illegally, the American people are correct to say: Do not let it happen again. Do not let this happen again. The way the law should work in America: You come legally—OK. You don't come legally, you get deported. That is what the law is. That is what it should be. Anything less than that cannot be defended morally. It cannot be defended constitutionally. It cannot be

defended legally. It cannot be defended as a matter of policy.

People blithely suggest we can just reward an American who came into this country illegally, 18 months ago, and never had a job, but because they were not caught and deported in the interim, they get to stay here legally forever and be on a guaranteed path to citizenship. Whereas your friend who came here legally and followed the rules, the lady who wrote you, has to go back home? We cannot treat this lightly.

If we do this—and I am prepared to work on it and try to do it in a good way—we absolutely have to do it in a way that does not damage, too much, the rule of law. It will damage the rule of law because it is a violation of the rule of law to reward somebody who came illegally by giving them the benefit of their act. If people rob a bank and you catch them, they have to give the money back. They don't get to keep the money. They don't get to keep the benefits of their activity, normally.

We are willing to reconsider that. We are willing, as a nation, to compassionately reconsider that. I think the American people are willing to do this. But I ask my colleague Senator LEE whether he believes people feel uneasy about this. They don't like it that this is a thing they believe they must do, but they know it is not a good thing and should be avoided in the future?

Mr. LEE. The American people are a compassionate people. They are a people who welcome immigrants because we are a nation of immigrants and we always have been. I think most of us hope we always will be. We want people to continue to come to this country. It is this sense of compassion that causes many of us to have some sense of concern about this particular legislation. This legislation goes far beyond simply showing compassion. This legislation in some ways is the opposite of compassion when you consider it from the perspective of those who, like this woman who wrote this letter to me, have come here legally. And those who, unlike her, have waited—in some cases for years outside the United States. There are many people who have spent a lot of money and time hoping and praying that one day they too will get to immigrate to this country legally. We do them a great disservice when we say the effort, time, blood, sweat, and tears they devoted to this process is all for naught, because all they had to do was come here illegally, and not only were they put on a pathway to legalization but on a pathway to citizenship.

One of the more enlightening moments in the Senate Judiciary Committee during the markup of this bill was when our friend and colleague, the junior Senator from Texas, introduced an amendment which would have done one simple thing to adjust that process. All hell broke loose.

Senator CRUZ introduced an amendment which would have left everything

else about the bill intact and kept everything else in the bill identical to what it says now with only one change. It would have said those people who entered into RPI status—entered into the pathway of legalization—would not ultimately become citizens. They could ultimately become lawful, permanent residents or the functional equivalent thereof, but they would not become citizens under the bill. Everything else would be left intact. They still would be allowed to come out of the shadows, stay here, work here, and we could have a separate debate and discussion over whether that would be the right approach in and of itself.

This particular amendment focused simply on the citizenship aspect of it, and yet one would have thought by the reaction that it was offering up something horrible and Draconian. The proponents of this bill could not even handle the change that would have said: Let's have there be some consequence, at least, for the fact that this group of people entered here illegally. At least at this point let's not put them on a pathway to citizenship so they can vote and all the other rights which accompany citizenship to this great country.

Yes, I do think this is strange. I do think the American people—not in spite of the fact they are compassionate, but because of the fact they are compassionate—deserve more than to have the rule of law turned on its head and deserve more than to have those who have taken the time and expended the energy and financial resources to immigrate here legally, to have their sacrifice denigrated to the point that it means nothing or less than nothing.

Mr. SESSIONS. That is a very interesting insight the Senator made. I believe Senator SCHUMER was particularly hostile to that amendment and said: Without citizenship, there is no reform. In other words, we will not agree to anything; that is absolutely nonnegotiable.

I thought about that bill a lot since 2007 and have been thinking about it ever since. I believe after 1986 we gave amnesty and citizenship with the promise of enforcement, and that didn't happen. We promised it wouldn't happen again and that we wouldn't do another amnesty.

This was supposed to be a one-time amnesty which wouldn't happen again. It was supposed to be the clear policy of the United States that if someone entered the country illegally, that person would not get every single thing America could provide, and we would not provide such benefits as would be provided to people who entered lawfully. I don't believe we should—and certainly are not required—to provide citizenship to somebody who entered the country unlawfully. It is just not required.

I thought attacking Senator CRUZ's amendment was odd and revealing as the junior Senator from Utah did. It

was a surprise to me as far as the intensity of their pushback on that. I don't believe it should happen. I don't think it is the right thing.

So the person would be able to get permanent, legal, resident status; participate in America; and, of course, their children would be citizens; but they can't get everything if they come illegally.

I read a brilliant piece recently by a Yale graduate lawyer, a marine, and he talked about the military. We act as though, if somebody comes into this country illegally, it would be unthinkable that they would be required to move themselves back to where they came from. We tell our military guys all the time to move their families. They get orders to go to west Texas, Alabama, Germany, Japan, and Korea. They spend 18 months in Iraq with their lives on the line. They have to leave their families, and they do it all the time.

So they come to this country under the lawful condition that they can come for so many months—and they volunteer, they sign up. I come in, I get to stay so many years, and I am supposed to go home.

Is this somehow unkind? Is it immoral to expect those people—when their time is up—to go home?

Some of the thinking, which came up in the committee, seemed to be totally oblivious to this fundamental concept. There are certain requirements. They are not allowed to pay a guide to come across the border illegally and 18 months later demand a pathway to citizenship in the United States. It is just not law. I don't know what that is, but it is not law. It is not the way principled policies should be executed.

We are willing to consider and work through a process. For some time I have said we want to be compassionate to those people who have been here a long time and have done well. We can work through it. But when they come through this system, they need to have no doubt that in the future, if they overstay their visa or come into the country illegally, and they are apprehended, they will be deported. If we don't make that commitment intellectually, morally, and legally, then we have guaranteed we will have another amnesty, or fight, and the integrity of our immigration law will be further degraded.

Mr. LEE. As surely as past is prologue, this will happen again if we do it in the wrong sequence. Sequencing matters.

When I was 6 or 7 years old, my mother pointed out to me that you don't try to butter the toast before you toast it. You toast it first and then put the butter on top.

There are all kinds of examples where we need to follow the right sequence. If they don't follow the right sequence, they don't get the results they want. This is another area where sequence matters.

I am convinced we can treat those 11 million people who are currently here

illegally with the dignity, respect, and compassion we want to treat them with as Americans. I am convinced we can find a way to do that. I am convinced we can find a broad-based bipartisan solution to do that. I am less convinced that it makes any sense to do that now before we fix the underlying problem.

Again, it is a matter of simple sequencing. We have to first stop the flow of illegal immigration. After that, we will be in a better position to ascertain the needs of those who are currently here illegally. It is only in that circumstance that we will know best how to address that.

Along those lines, I would like to address an issue which sometimes comes up. Sometimes arguments are made by the proponents of this bill that if we don't support this bill—not just if we don't support immigration reform generally, but if we don't support this particular bill—we are somehow anti-immigrant or uncategorically uncompassionate people. If we don't support the bill, our hearts are made of stone, our ribs are made of concrete, and we have no heart. I think that is a reckless argument and an argument beneath the dignity of this august body.

During the markup, one of my colleagues—I think the junior Senator from Texas—introduced another amendment. It was an amendment which would have in some way limited the ability of those currently illegally in the country to participate in certain entitlement benefits, certain anti-poverty benefits that would otherwise be available to them. Perhaps it was the earned-income tax credit. I don't remember the exact information, but it would have had some broad application to make sure that those who are currently here illegally would not—during this RPI period—be able to benefit from federally funded entitlements.

To my great dismay, one of our colleagues on that committee—who was a devout supporter of this bill—personally attacked the junior Senator from Texas simply for having introduced that amendment. It wasn't enough for him to say: I disagree with this amendment or that this amendment is bad policy. He attacked with something like this: You don't care about these people. You don't care about their children. You are willing to let their children remain hungry and uneducated. You don't care about them. You are not compassionate.

With respect, I think that kind of comment has no place here. It is not helpful. It is not productive, and it is something that completely clouds the issue. It is because we are compassionate that we do need to ask these questions.

Look, we are in a difficult spot as a country. We are trying to do everything we can to make those programs solvent which are designed specifically to alleviate some of the needs of the most vulnerable in our society. Unless we make sure we are in a position economically to be able to sustain those

programs, we are going to run out of money. And when we run out of money, it will be the poor and the vulnerable who suffer most as a result of our inability to pay for those programs.

So with respect, I advise all of my colleagues—particularly those who have made comments like that one—to resist the temptation that some of them have succumbed to in recent weeks to say that anyone who opposes this bill is somehow uncompassionate. It is because we are compassionate that we have to ask these difficult questions. It is because we are compassionate that we have to propose amendments we think are necessary in order to make the programs upon which our society's most vulnerable have come to depend on more sustainable.

Mr. SESSIONS. I am glad Senator LEE mentioned that because we have to have an honest debate. We have to have an honest discussion about what is in the national interest of the United States and how immigration fits into that. First and foremost, do we want to have a lawful system or not? Do we want to allow lawlessness to continue in the future? It is not unkind to talk about that.

Prime Minister Cameron, of the UK in London, recently made this remark—they are wrestling with immigration and how to do it the right way in the United Kingdom. He says:

There are those who say you can't have a sensible debate because it is somehow wrong to express concerns about immigration. Now I think that is nonsense.

I think we can have a sensible discussion about it when we ask about how many people will come, what skills they should possess, and what America would benefit from most with the immigrants we have coming to our country; what immigrants would be most likely to be successful, flourish, and do well.

We have had statistics established that people who come with about 2 years of college and speak English almost always do very well, but people who come without high school diplomas don't do as well. If we cannot accept everybody, we ought to think about and try to develop a system which allows people who can be the most successful to take advantage of America. That would be helpful.

Prime Minister Cameron goes on to say:

While I've always believed in the benefits of migration and immigration, I've also always believed that immigration has to be properly controlled. Without proper controls, community confidence is sapped, resources are stretched and the benefits that immigration can bring are lost or forgotten.

I think that is somewhat in line with the points the Senator from Utah was making.

I see the chairman of the Judiciary Committee, Senator LEAHY, who has wrestled with these issues longer than I have. He conducted a markup which allowed a large number of amendments. Unfortunately, some of the

members, even though they liked their amendments, wouldn't agree to vote for them. We have a process that allowed some airing of the details of the bill, and a lot of amendments were offered.

I thank Senator LEE for participating in this discussion and coming to the Senate with fresh ideas, enthusiasm, and passion for America, the rule of law, the proper functioning of our branches of government, and the classical constitutional heritage of this Nation. I am honored to serve with my distinguished colleague.

I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Vermont.

Mr. LEAHY. Madam President, it is good to see the Presiding Officer here as a member of the Senate Judiciary Committee.

As the Presiding Officer knows, the Senate Judiciary Committee held lengthy and extensive public markup sessions on the Border Security, Economic Opportunity and Immigration Modernization Act, S. 744. We worked late into the evenings—we also started pretty early in the morning—debating the bill. We considered hundreds of amendments.

The public saw our consideration firsthand. We streamed everything we did on the Internet and it was broadcast on television. We took all the proposed amendments, Republican and Democratic alike, and put them on our Web site. We updated the Committee's Web site to include adopted amendments in real time. I heard from people all over the country that they felt they actually had involvement in what we were doing, which is what I want.

I appreciate the fact that members from both sides of the aisle, Republicans and Democrats, praised the transparent process and also praised the significant improvements to the bill made by the Judiciary Committee. In fact, the markup process followed three additional hearings on the bill—on top of all the others we had—with 26 witnesses, and the bill, as amended, was supported by a bipartisan two-thirds majority of the committee.

I have sent that bill, S. 744, to the Senate on behalf of the Judiciary Committee and am filing an extensive committee report as well. I hope the report is going to be a valuable resource for Senators. It explains not only the underlying provisions in the legislation and its history, but it also summarizes all the amendments that were adopted and also those that were rejected.

In order for all Senators to be able to file amendments and work on this bill, of course the Senate first needs to proceed to the bill. I had hoped that what has become all too typical obstruction would not infect the proceedings. Senators from both sides of the aisle worked together to develop this legislation. Senators from both sides of the aisle had amendments adopted by the Judiciary Committee. Almost none of the more than 135 amendments adopted

by the Judiciary Committee were adopted along party-line votes, unlike this week's vote in the House in which nearly every member of the Republican conference stood together to prevent DREAMers from being able to stay in our country. The one thing that ought to unite all of us is the DREAM Act.

These young people are here through no fault of their own. They have enriched our Nation. They have enriched this debate. I am proud that we in the Senate are considering inclusive legislation that supports them, and I hope a fair process in the Senate finally prompts action in the other Chamber.

I don't know how anybody who professes to care about family values, who professes to care about other people, can sit down with these young people—the DREAMers—and not be moved and not want them to have the same advantages our children and our grandchildren have.

The dysfunction in our current immigration system affects all of us. It is long past time for reform. As members of the Senate Judiciary Committee from both parties said at the conclusion of our proceedings, this is a matter of great significance to the American people, and the Senate should debate it. But the Senate is being delayed from doing so by a small minority of opponents. This is not the time to have a tiny handful stop a debate.

There are only 99 Senators now, with the loss of our dear friend Frank Lautenberg. But take a Senate of 100 people, we represent over 300 million Americans, and they are counting on us not to use stalling tactics, but to stand—vote for or vote against, but stand up and vote.

When one stalls and refuses to let votes come in, it is an easy way to say: I am voting maybe. Then you can go back home and you can be on everybody's side, for the people for it or people against it. "I am on your side," because nobody can point that you voted one way or the other. That is not what we were elected for. We were elected to stand and take a position, yes or no, not maybe.

The legislation we seek to bring before the Senate was the result of Senators from both sides of the aisle who came together and made an agreement. What was initially a proposal from the so-called Gang of 8 became, through the committee process, the product of a group of 18. Now let's have a product of a group of 100 representing all States in this country.

Amendments offered by 17 of those 18 members were adopted into the bill. Seventeen of the eighteen members of the Senate Judiciary Committee had amendments adopted into the bill. A bipartisan majority of more than two-thirds of the Senate Judiciary Committee voted for the bill the Senate is being called upon to consider.

I am honored to serve as both the chairman of the Senate Judiciary Committee and the President pro tempore of the Senate, an office established in

article 1, section 3 of the Constitution of the United States. I have been privileged to serve the people of Vermont for more than 45 years, the last 38 as their Senator. But one thing I learned many years ago, taught to me by the distinguished majority leader at that time when I came to the Senate, Senator Mike Mansfield, is how important it is for Senators to keep their commitments, keep their word, to stay true to their agreements. If Senators who have come together to help develop this bill do those things, I have no doubt we will be able to end this filibuster, stop voting maybe, and actually vote up or down and pass this fair but tough legislation on comprehensive immigration reform.

Our history, our values, and our decency can inspire us finally to take action without the prolonged partisanship that often paralyzes this Chamber. We need an immigration system that lives up to American values. This is a time when we are called upon to come together. Few topics are more fundamental to who we are as a nation than immigration.

The Statue of Liberty has long proclaimed America's welcome:

Give us your tired, your poor, your huddled masses yearning to breathe free. . . . Send these, the homeless, tempest-tost to me.

That is what America stood for. That is what we should continue to represent. That is the America that attracted my maternal grandparents from Italy to Vermont and my paternal great-grandparents from Ireland to Vermont. Immigration through our history has been an ongoing source of renewal of our spirit, our creativity, and our economic strength.

Our bipartisan legislation establishes a path to earned citizenship for the 11 million undocumented immigrants in this country. It addresses the lengthy backlogs in our current immigration system—backlogs that have kept families apart sometimes for decades. It grants a faster track to the DREAMers brought to this country as children through no fault of their own, and to agricultural workers who provide our Nation's critical food supply. It makes important changes to the visas used by dairy farmers and the tourists and by immigrant investors who are creating jobs in our communities.

It addresses the needs of law enforcement, which requires the help of immigrants who witness crime or are victims of domestic violence and human trafficking. It improves the treatment of refugees and asylum seekers so the United States will remain the beacon of hope in the world. This is going to make us all safer.

This is a measure the Senate should come together, consider, and pass. We should do what is right, what is fair, and what is just. Immigration reform is an important economic issue, a civil rights issue, and a fairness issue. If a majority of us stand together and we stay true to our values and our agreements, I believe we can pass legislation

to write the next great chapter in the American history of immigration.

Those of us serving in the Senate who are immigrants understand that. Those of us who are children or grandchildren of immigrants understand that. Just as my wife's family came to this country and created a better State of Vermont, they understood it, similar to so many who come.

The distinguished Presiding Officer knows better than anybody in here what it is to come and become part of this great country. One can come as an immigrant and then become a Senator of the United States. As President pro tempore, I am delighted to see the Presiding Officer in the chair.

I suggest the absence of a quorum, and I ask unanimous consent that the time be divided equally.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Florida.

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

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

Mr. NELSON. Madam President, I wish to address the issue being debated in front of the Senate. I thank the chairman of the Judiciary Committee for the leadership he has offered. The chairman has a strong and firm but fair hand. He has allowed the bill to be here and has been assisted by very able lieutenants on the Judiciary Committee, not the least of whom is Senator SCHUMER of New York who, as the subcommittee chairman, has been absolutely key.

I also wish to compliment our colleague from Florida Senator RUBIO. People in this highly charged partisan atmosphere say, How can a Democrat or a Republican, or vice versa, say good things about each other; and, of course, I am not only willing to do so but do so at the drop of a hat, to give credit where credit is due. It is too bad so much of the discussion is based on ideological philosophies and is so partisan-charged and tinged. We seem to be looking for that slight little advantage in the next election so that we get to the point where we can't come together.

I think what we are going to see on display in the Senate over the course of the next several weeks is that the Senate can function and it can function in a bipartisan way. I give no small amount of credit to the bipartisan group in the Gang of 8. They have arrived on the scene at the right place at the right time.

A number of us have been trying in this Chamber, and previously when I was a Member of the House of Representatives, going back to when I was a young Congressman, to get comprehensive immigration reform. I voted on it in the 1980s. We actually passed a

bill. It is instructive to know at that time, in the 1980s, there were less than 3 million illegal aliens or undocumented individuals, however we wish to refer to them, in the country. That attempt at immigration reform failed because there were no safeguards to make sure the law was followed—especially among employers—to make sure the people they were hiring were legal. As a result, over the ensuing decades, the law wasn't followed. So what happened? The amount of undocumented individuals in the country rose from less than 3 million in the 1980s all the way to where it is now, which is about 11.5 million.

So the time and the place has arisen to do something about it. It is too bad it hasn't been done, but what is done is done. Now we have a chance to change that.

If one happens to come from a State such as my beloved State of Florida that has such a rich mixture in the fabric of our society of so many different peoples from so many different parts of the world, then, of course, a person ought to be a little more sensitive to the broken system we have. Thus, it was not unusual that when it came time that suddenly a case exploded in the newspapers of a child, a DREAMer who had come here as a child with parents who were undocumented, the child never even knew he or she was not American and it gets down to the end of their graduation in high school and they want to go off to college or they want to go into the military and, lo and behold, they are now under the order of deportation.

Of course, this Senator, similar to many other Senators, has had to try to intervene in these very egregious cases. I wish to mention one, and it illustrates the ridiculousness of the present system that is so broken.

A child brought at age 6 months from the Bahamas now grows up in America thinking he is American. He is a Floridian. He goes into the Army. How he missed the checks there that he was undocumented I do not know. But he goes into the Army. He serves two tours in Iraq. He has a top secret rating.

When he comes back, after the two tours, going into the private sector, he enlists in the Naval Reserves, and because of his top secret clearance, this particular now Navy reservist on Active Duty is sent to the very sensitive position—because of his top secret clearance—of being a photographer at the Guantanamo detention facility for the detainees, and he serves in that position admirably.

Somehow in the process after this, back in civilian life, this particular former Army, now Navy, reservist, in applying for an application for a passport, answers something incorrectly on the passport application—because he does not know he is not an American—and he gets arrested and he is thrown in jail and is in jail for 3 going on 4 months, until this Senator finds out

about this case—because I am reading it in the newspaper—and, of course, once we blew this up to the attention of the public at large, even the Federal judge asked the prosecutor: Why in the world are you prosecuting this case? That shows the ridiculousness of existing law because it is so broken.

That, of course, had a good outcome. It did not have a good outcome while somebody who had a top secret clearance is sitting in jail for over 3 months, but it is illustrative, again, that we have to do something about the existing system.

Thus, we have in front of us a compromise. Remember, the art of legislating is respecting the other fellow's point of view, reaching out, trying to bridge the differences, with the goal that we want to achieve a result.

There are some here who do not want to achieve that result, and they are going to try to torpedo it. They are going to try to put poison pills that are so seductive as amendments that will kill the bill. They are going to make a lot of the Senators on both sides of the aisle take tough votes on things they would ordinarily support, but they are going to have to reject them to keep the integrity of the compromise in order, at the end of the day, to pass an immigration reform bill and then hope we get a big enough vote so that there is such a momentum—and with all the different advocacy groups, including businesses, farmers, the immigration community, pro-immigration reform community, all of them—to start to lean heavily on the House of Representatives, and maybe at that point we can get the bill passed.

As we consider this bill to fix this broken immigration system, many of us are going to disagree about details, but we have to remember what is the goal at the end of the day. This bill includes important things to secure the borders. You think the borders are secure now? By the way, they are a lot more secure now than they were just a few years ago. They are catching some 60 percent of all the people who are coming across the border now, but that is not good enough. Forty percent is still coming across. This bill is going to try to take it up to 90 percent.

They are going to reform the visa program. They are going to make it easier, at the end of the day, because of the technology we have, where you can swipe the passport. Some countries desperately have wanted to get into a visa waiver instead of having families come hundreds of miles to the consulate. Because of the information that is going to be contained on that passport—biometric information—we are going to be able to streamline that process.

Certainly, at the end of the day, we are going to be able to supply the workforce needs of the country if the employers will follow the law. So now this reform bill is going to make it mandatory upon those employers to follow the law so they can have a legal

workforce instead of what is the case now: Do not look. I have to have them for my business or my farm, my agriculture—whatever the business is, I have to have them—but do not look because I know they are illegal. That is going to be changed.

Then there is another component. What about those people who came here on a legal visa, but now they have overstayed the visa. We are going to be able to check because now, with that biometric information, they are going to swipe as they leave the country that information so it matches with the information we got when they came into the country on a legal visa. Now we are going to know who is staying behind.

By the way, those countries that want to be in the visa waiver program, such as Chile or Brazil, they have to keep those defaults under 3 percent of the total visas. Lo and behold, now those countries that want to keep the visa waiver to make it easier on their citizens to travel to the United States—how about all those Brazilians who want to come to Disney World—now they have an incentive to help their own people by keeping those defaults under 3 percent of the total visas for that country. This reform of the visa program is very important.

What about the people who are here? Does anybody think the solution to the problem is to deport 11 million people? We cannot do that. But if we could, what would happen to this national economy? It would collapse. So we are going to make a very lengthy path to getting a green card, of which they are going to have to pay fines, they are going to have to pay the taxes, they are going to have to learn English, and they are going to have to go to the end of the line, but they are going to be here legally so they can be employed, and they have to stay employed. If they do not stay employed, they are out.

Anybody who does not abide by all of that presently—we do not have a requirement that they have to learn English. Now they are going to have to learn English. So anybody who does not make all of those requirements is going to have to leave.

I have just scratched the surface of the bill. But I think we can see it is a good-faith attempt to bring together all of the interests, using a little common sense to try to reform what is a broken system. I hope we will get a huge vote out of the Senate. I hope this vote exceeds three-quarters of the Senate. That will send a real message to the House.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Madam President, as we begin to discuss this legislation, the immigration bill that is before us, a lot of people have not realized it is coming up. A lot of people do not realize the breadth of it and a lot of people are concerned about it. We have gotten a lot of phone calls in my office. People are wondering who is speaking up about the bill and they want to know what is in the bill. So I think that is a big part of what we should be doing in the days to come—going over the bill in a careful way concerning any progress the bill makes and any deficiencies the legislation has.

As I noted previously, the fundamental challenge we must recognize—based on the way Congress works and the difficulty it has had with these issues over the last number of years—is that we have to be sure that once the amnesty is granted that there is enforcement in the future.

In 1986, that bill, as Senator GRASSLEY has so passionately delineated—he voted for it. Amnesty was given to 3 million people, but the enforcement never occurred, and now we have 11 million people here illegally. This cannot happen again. If we allow this to happen again, we will have eviscerated any ability we have to ask people to comply with the law because people who do not comply with the law are not held to account.

There is nothing wrong with saying a person can come to America under certain conditions for certain periods of time and then they must leave. If they do not leave, and they are apprehended, they should be deported. We are in a condition today where nobody is being deported.

Ask your law officers in whatever city and county you are in—and this has been going on since before President Obama took office—if they catch somebody who was speeding in their town in Alabama or Indiana or Colorado and they discover they are here illegally what happens. Isn't this a fundamental question?

What happens is they turn them loose—you ask them, your law officers—because nobody will come and get them. The Federal Government has reached a point now where virtually no one is being deported except those convicted of serious crimes.

It has led to the ICE union—the Immigration and Customs Enforcement officers who deal with deportations and arrests—these officers voting no confidence in the head of the ICE Department, John Morton—the head man, John Morton, no confidence.

I never heard of it. Then, in addition, they have opposed the bill. They said it makes things worse. It will diminish America's national security. And it will not make the law better. So we have the association, the union for customs—Citizenship and Immigration Services, which deals with the citizenship processing—they have opposed the bill. They say it will make the situation worse than present law, which is not being enforced today.

That is what we are wrestling with here overall. I know the American people need to get alerted to this.

We have been told by the supporters of the legislation: Do not worry—we are going to have the toughest enforcement legislation in history. Senator SCHUMER said: “Tough as nails.” “The toughest ever.” Well, this is not in the bill.

So what happened in 1987 was that once the amnesty was given, everybody forgot in the future to worry about enforcement. Enforcement just did not happen. It is going to happen again. That is exactly what is going to happen again.

The people who are concerned about the legislation and are objecting to this legislation are not against immigration. We allow 1 million people to come into the country legally every year—more than any other country in the world. We are not trying to stop that. What we are trying to say is that you need a good future now for immigration, and you need to be sure it is enforceable.

More people want to come to this great land than can come here. I do not blame them for wanting to come here. If somebody convinces them that the American people or the American Government does not care if they come illegally and stay here and eventually they will be given citizenship, why should they not come illegally?

So we have to have a national consensus that as we treat compassionately people who have been here a long time and have been good people and we try to be generous there, that we do not create a further flow of illegal immigration. We have been warned of what will happen by governmental experts. We have to have a national consensus that we tighten up the enforcement mechanisms that are so clearly broken today. So that is the fundamental principle of what we are about. I am going to mention some of that now. We will talk about more of those problems in the future.

The whole fundamental principle is that we need to create a lawful system of immigration that works in the future as well as today. Our sponsors, the Gang of 8, have said that is what they have. They have told us their bill does that. They say: Our bill will end the illegality at the border. They say they are going to have strong enforcement on visa violations, which is really not true. They say they have guaranteed enforcement at the workplace. That one has some benefits, but the way they have done it, it delays it longer than it should be. It creates some changes there. But good workforce enforcement would be a step forward. Then they claim they have mechanisms that lead to removal of dangerous people from the country—all of which I have to say is fundamentally not accurate. So they acknowledge what needs to be done.

So the Members of the Senate and the Members of Congress and the

American people need to be asking: Does this bill do what has been promised? If it does, we may be on the track to doing something good. But if it does not, it needs to be rejected.

We cannot go down the path of amnesty now and another massive illegality in the future. We cannot do that. We have to do the right thing. Isn't that the right thing? Our sponsors of the bill say it. They promised this is going to be “as tough as nails,” “the toughest bill ever.”

Well, I can tell you with absolute confidence that it is not as strong as the bill in 2007 that was voted down and rejected. It is weaker than that was. It is weaker than current law in so many important areas.

You say: Well, you can say that, JEFF. It is not true.

It is true. Fundamentally, we will show that the legislation is not where it needs to be. Even Senator RUBIO is saying he will not vote for the bill itself. He is one of the Gang of 8 who wrote it, but he says there are enough loopholes that he would not vote for it now. It has to be reformed. It absolutely has to be reformed, there is no doubt about that. But the problem is, except for Senator RUBIO, I guess the Gang of 8 agreed to stick together and had no real amendments passed. They did that in the committee. We had a committee process. We had a lot of amendments offered. They stuck together and voted down all of the amendments that were significant. A lot of smaller amendments were passed. But, you know, Senator SCHUMER apparently said: Well, the Republicans have a pass on this vote. That means, did the Republicans on the Gang of 8, those Members—were they allowed to vote their conscience or were they still expected to be voting like the Gang of 8, who signed in blood to vote? They gave them a pass on a few votes. So this is not a way to do the public's business. It is just not.

One thing I think I do believe is important for us to understand—and I have been wrestling with this for a long time. I have been a Federal prosecutor. I will tell you that we can make the system work. A lot of people think it is just hopeless, that we cannot make the system work. Not so. We have made some progress at the border. If we had really strong leadership, were really effective in identifying where the gaps are, in moving resources and stepping up our fencing and our equipment, we could see real progress at the border—real progress.

A lot of it is math. I would say from my law enforcement experience. If you add more police officers and crime rates are going down, then you have more police officers per criminal, per crime. You have more ability to drive down crime in a virtual cycle. So we added, after 2007, a number of Border Patrol officers. President Obama claims credit for it, but he did not have credit. It happened before he took office. They were hiring into his term, I

am sure, but it was passed before he took office. So we have more people there. We have fewer illegal immigrants for a whole lot of reasons. And then if you have more officers per illegal immigrant, you can do better at the border.

Secondly, biometrics. Entry-exit visas have been required by six different pieces of congressional legislation. It was recommended by the 9/11 Commission.

When people come into the country, they have a fingerprint taken and they are admitted into the country. What we are not doing is verifying that they ever leave the country. We know that most of the 9/11 attackers came on a visa. People do not know if they are legal or overstaying or have ever left.

It is easy. They said it is going to cost billions of dollars—\$25 billion to do this. One of our Gang of 8 said that in the committee. It is not going to cost \$25 billion. We discovered, I believe, a 2009 report issued by the Department of Homeland Security. That report discovered that you could easily identify people when they depart the country. One of the complaints is that we have to build all of these new buildings and structures and so forth. But when you leave, all you have to do is put your finger on a fingerprint-recording machine and it leaves your fingerprint. It identifies you. What they found was that in Atlanta when they were doing this, like 20,000 or 25,000, I believe, were exiting, and over 100 were hits from the watch list. Some of them had felony warrants out. Some of them were on the terrorist list. That is a large number. It did not cost much money and was not hard to do. So that could be done.

We can absolutely make the workplace secure by using an E-Verify system at all employment places. That is the key.

So there are things we do. Fundamentally, we can make the system work. Unfortunately, the promises made in this legislation do not do it. What would happen under this bill is that Secretary Napolitano, after the enforcement officially stopped, must give two reports to Congress within 6 months—two reports. Not do anything—two reports. Then all the people here illegally will be given provisional status, be legal, get a Social Security card, and have the ability to work. So there are no real actions that have to occur at the border or anyplace else. That is the fundamental flaw we have to deal with. But the American people are saying it: First deal with the illegality and then let's talk about how to be compassionate for people who have been here for a long time. But the more troubling issue that has not been fully discussed, the other half of the immigration equation, is interior enforcement. The bill further weakens an already decimated interior enforcement system.

Immigration reform will never work. This bill will never work unless the

U.S. immigration and customs officers are given the resources and the authority they need to do their job. It will not work. Their morale has plummeted because their leadership has blocked them from enforcing plain law. They have virtually the lowest morale rating of any agency in government. Over a year ago, I asked Secretary Napolitano was she not concerned about it and would she meet with the ICE agents and determine what the problem was? So she came back. I asked her had she met with them. No. They voted no confidence in their supervisor, John Morton. They have written us a long letter detailing the failures in this bill, saying it will make it worse than current law and will leave this country more insecure than we are.

It is really remarkable. But they have to be allowed to be a part of the game. It cannot be the policy of the United States of America that if someone gets into the country illegally, they are home free; if they get past the Border Patrol at the border, nobody will ever deport them. That is what we are doing now unless they are convicted of a serious felony. Nobody is being deported.

So you say: Well, people have been here a long time. We do not want to start deporting people. We are about to give them amnesty. But the bill, if passed, assumes everybody has been given amnesty. The bill assumes that everybody has been given permanent legal status or legal status, which is basically a guaranteed permanent status in the country. They will be given a Social Security card, identification, and the right to work anywhere.

So what about people who come illegally after that? Are we never going to enforce the law again if other people come illegally, overstay visas, come through the border, stow away on ships? We have to know that it is going to be fixed.

It cannot be that if somebody gets past the border, nobody will ever apprehend them and make them be deported because they shouldn't be here. You are not entitled to come to America illegally and then protest when you are apprehended: Oh, no, I have a right to be here. I have been here for 18 months. You cannot deport me.

Once this amnesty occurs, we have to know that we have the mechanism in place to do the job that immigration enforcement at a minimum requires. I think that is so important.

Chris Crane, the president of the ICE officers union, an ICE officer himself, and a former marine, explained the situation in his testimony before the House of Representatives recently.

Agents report that if they encounter suspected illegal aliens in public—

I am talking about Federal agents, ICE agents, immigration agents—they cannot arrest them.

They cannot arrest them.

The day-to-day duties of ICE agents and officers often seem in conflict with the law as

ICE officers are prohibited from enforcing many laws enacted by Congress; laws they took an oath to enforce. . . . ICE is now guided in large part by influences of powerful special interest groups that advocate on behalf of illegal aliens.

Does that not cause any concern? We have to deal with this. We have to get our ICE people off the mat and into the game.

He also testified:

Morale is at an all-time low as criminal aliens are released to the streets.

Criminal aliens. He is not talking about people who violate the immigration law; he is talking about aliens who committed crimes such as drug offenses and assault.

Continuing:

Criminal aliens are released to the streets and ICE instead takes disciplinary—

He is talking about his supervisors—actions against its own officers for making lawful arrests. . . . It appears clear that Federal law enforcement officers are the enemy and not those who break our Nation's laws.

He is saying that the supervisors are punishing the ICE officers who actually go out and arrest people because they have set a policy not to enforce the law of the United States. People may not think that is true, but it is absolutely a fact that we have basically made it impossible to enforce the law, and that has come from Secretary Napolitano right on down. That is why she doesn't want to meet with them—because she doesn't have an answer. She is telling them and her deputy is telling them not to enforce the law.

Mr. Crane further testified:

If an alien is arrested by local police and placed in jail, again, ICE agents may not arrest them for illegal entry or VISA overstay. . . . New policies require that illegal aliens have a felony arrest or conviction or be convicted of three or more misdemeanors. . . . So, many illegal aliens with criminal convictions are also now untouchable.

That is the reality of law enforcement in this country. It is very, very serious. This is a sad state of affairs, no doubt about it.

Were these officers consulted when the Gang of 8 wrote the bill? They tell us they have a bill that is going to work to end the lawlessness in America in the future, but did they ever consult with the people who are out there trying to enforce the law now to get their ideas about how to make the system work better in the future? Do they have new provisions in the bill that give our ICE agents, Border Patrol agents, and citizen immigration officers more authority to do their job? No.

The bill actually gives more discretion to the Secretary to eviscerate enforcement by not having to enforce plain law. There are a number of provisions in the Code that say that if somebody is arrested and they are due to be deported, they shall be deported. That is the law. Well, they are not doing that.

I don't think this is, frankly, just loophole or failure of attention. I don't

think the Gang of 8 was really on top of all of the details of the legislation. I think they spent most of their time consulting with Mr. Trumka at the AFL-CIO, Mr. Donohue at the chamber of commerce, La Raza, the immigration lawyers association, the meat packers, and the grocery folks or the big agribusinesses. That is whom they have been talking with, the computer gurus demanding more and more. They didn't focus on this.

The people who are actually in there writing it—the immigration lawyers, the chamber of commerce, the union lawyers, and all who have been working on this bill—they knew what they were doing. These scribes, these drafters of the legislation I believe fully understood what it meant. Under this bill, amnesty will occur at once, just as it did in 1987, and like then, we get a mere promise of enforcement in the future—a mere promise. Far from making our laws tougher, as the Gang of 8 has promised and as we need to do, the enforcement of laws is greatly weakened in a whole number of significant areas.

Ladies and gentlemen, the drafters of the bill will have received what they want. They will have received amnesty for the 11 million. They will get a dramatic increase in the flow of workers and low-skilled workers into America. That is what they want. They are not interested in future enforcement. In fact, many of them felt as though the big increases in immigration in the future aren't enough, so they have no objection to illegal immigration, it seems, or they would have put a lot more intention in drafting a legislation that would have improved the illegal system.

This bill fails. We will go into more detail about it as time goes by. This bill still fails as a matter of law enforcement. That is going to be clear.

I am looking at a new piece of legislation introduced by TREY GOWDY, who is the chairman of the House subcommittee. He is a former prosecutor, a Federal prosecutor, 6 years as assistant U.S. attorney. He is a real prosecutor who understands how the system works. Mr. GOWDY has put together a good bill. He says this: "robust internal immigration enforcement." That is what the ICE agents do in Denver, in Memphis, and in Indianapolis.

Robust internal immigration enforcement, paired with border security, is our safeguard against repeating the mistakes of 1986. The SAFE Act is a critical step in our efforts to fix our broken immigration system and ensures we will not be having this conversation again in 10, 20, or 30 years.

It ensures we won't be back here with another amnesty demand because we have enforced the law.

He has put together some good principles that are not in this bill. First, it grants states and localities the authority to enforce immigration laws. The Supreme Court says: You can't do that, it is unconstitutional. Not so. The Supreme Court says the U.S. Congress, by

the way it passed this legislation, preempted local enforcement in a lot of areas. They couldn't participate because when Attorney General Holder tells the Federal agents not to enforce the laws, State people can't enforce them either, basically. Attorney General Holder says we are not enforcing these laws. Secretary Napolitano: We are not enforcing these laws. Then the State can't do it because it is totally preempted, essentially, by the Federal Government, except for peripheral areas, like a business can't get a business license if it knowingly hires illegal workers. That is probably a State issue.

Well, it is just a matter of Congress's actions. Mr. GOWDY would explicitly allow help from State and local officers.

Now, let's get this straight. If a police officer in Alabama arrests somebody who is in the country illegally, they cannot prosecute them. They can only hold them for a short period of time. All they can do is turn them over to Federal officials. That is clear. Mr. GOWDY doesn't change that, really. The fundamental thing is that they could do that. That is the way the system works.

What we need to be thinking about is, don't we have to have local law enforcement to be participants in any system that guarantees legality? There are 600,000 State and local law enforcement officers. There are 5,000 interior Federal immigration officers, 5,000 ICE officers, and many of them have other duties. It is our local police and sheriffs who are out on the highways and State troopers who are out there every day coming in touch with thousands of people, and they are the ones who identify people here illegally.

When the Attorney General and the Secretary of Homeland Security rejected agreements for State and Federal officers to have their assistance in identifying people here, they knew what they were doing. They were effectively eliminating the identification of many of the people here illegally. That was a deliberate, calculated act. People need to know it, and it was wrong.

For a good system of immigration for America in the future—remember now, we are talking about after people have been given the amnesty under the bill—the bill should welcome the assistance of State and Federal officers and make up policies that will help with that.

The Gowdy bill would protect American communities from dangerous criminals by facilitating and expediting the removal of criminal aliens. This has been delayed. It is not working effectively. It is costing us a lot of money. If someone is here illegally and has been convicted a felony, they ought to be removed and there ought not to be a big deal about it. How much trouble is that? His bill would speed that up and make the system work better.

It improves visa security.

It helps the ICE agents do a better job. It assists the ICE officers in car-

rying out their jobs by enforcing Federal immigration laws, by allowing them to make arrests. They basically are being prohibited from making arrests today—can you believe it—for Federal felonies, for Federal criminal offenses, for bringing in and harboring unlawful aliens. The officers need to be able to enforce those laws.

It strengthens border security in a number of ways.

It reviews the prosecutorial authority that basically is a directive not to follow the law, not to enforce the law that is out there.

It strengthens national security in quite a number of ways.

This is a good piece of legislation. He knew what he was doing. He drafted something that will make a difference. It will make the law stronger. I would ask my colleagues, why wouldn't you put something like that in the legislation? You say want to have a tough bill. You say your bill is tough.

This will be called to the attention of the bill's sponsors. We will ask for legislation like this to be passed as an amendment to the bill, and we will see if it passes. If it doesn't pass, then we can draw a conclusion that the sponsors of the bill and the people who are promoting the bill don't really want to see the law enforced better in the future than it is today. That would be a sad admission, it seems to me.

To wrap up, this is a great institution, the Senate. I am glad Senator REID acquiesced to my insistence to at least have the opportunity to begin our discussion today. It is just the beginning. We will begin to talk about the legislation, talk about how to make our system work better, talk about the American people's desire—good and decent people that they are—to be compassionate to the people who have been here for a long time but their insistence that in the process we create a system of lawful immigration in the future so we are not back here.

Again, as I indicated earlier, a poll shows 88 percent of the people said they are angry with their elected officials about failure to enforce the law, whereas only 12 percent said they were angry at people who entered the country illegally. The American people are willing to create a legal status for people who come here illegally. But we need to do it in a way that works. They are demanding we create a system of lawfulness that will work, and we can do it. It is absolutely possible, and that will be demonstrated as we go forward.

We are going to have to change this bill, however, and put some teeth in it and give some real power to our dedicated law officers whose lives are at risk every day out there on the streets. We must give them the backing and the mechanisms in law that allow them to be effective. If we do it right, the whole world will say: Uh-oh, the United States has gotten their act together. The United States is serious about their immigration system being lawful. If you try to enter, they are liable to

catch you. If you try to enter, you won't be able to get a job legally. And if you enter and get past the border and hide out in Minneapolis and you get caught, you are going to be deported. So don't try to go there illegally. Apply to go there legally.

We could see a rather dramatic drop in the attempts to enter illegally if we do that. That is what a system of integrity requires. First, people need to know they shouldn't do it, that the United States will enforce this law. They need to know if they come into the country illegally, they will be deported.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. BOXER. Madam President, I take the floor today in strong support of comprehensive immigration reform. The action that was taken yesterday by the House of Representatives underscores how critical the work we will do in the next few weeks is to the future of our Nation.

What did the House Republicans do yesterday? They voted to deport hundreds of thousands of young people whom we refer to as DREAMers. These young people were brought to this country through no fault of their own, and they are contributing greatly to our society and our economy. Some of these young people were brought here at 2 years old, 4 years old. They had no idea they were doing anything wrong.

Senator DURBIN has been working for years to pass the DREAM Act. President Obama implemented the DREAM Act to put a stop to deporting these people if they met certain requirements, and those requirements are pretty clear. They have to be truly good people, they have to be people who are getting their education, serving in the military, and being responsible. But yesterday, the House Republicans said: No. They said: Deport these DREAMers.

That is not what the American people want. In poll after poll the American people say: If someone is brought here through no fault of their own at a young age, this is their country. Yet the House Republicans would say we should deport them.

Now, I never say I speak for the American people. I am just talking about polls. And the polls I have seen—and, Madam President, the polls you have seen—show the people know we need immigration reform, comprehensive reform, that will take people out of the shadows, that will make sure they are not afraid to be part of society. If we do that, they will buy homes and start businesses. They will create jobs, they will lift our economy, they

will lift their families out of poverty, and they will strengthen our country. The American people get this.

Like so many Americans, I am proud of my immigrant roots. My mother came here from Austria as an infant. She never finished high school because she had to work to support her family. My dad was from an immigrant family too, the only one of nine children to be born in America and the only one to graduate from college. Then, when I was a little girl, he graduated from law school.

When my mother passed away, I remember going through her memorabilia and I discovered a certificate that was wrapped in plastic. She stored it with other valuables in her jewelry box. It was the only document she protected in that fashion because it meant so much to my mother. It was her certificate of citizenship. That is what the dream of citizenship means to the millions of Californians and to the millions of Americans who are now forced to live in the shadows.

For immigration reform to be truly comprehensive it must include a path to citizenship for all 11 million undocumented immigrants in our country today, and it must include the DREAM Act. We can't have two classes of citizens in America: one with full citizenship and one with half citizenship. That is not the promise of our Nation. The bill we will debate next week addresses this problem, and it provides a tough but fair path to citizenship.

It is also crucial we pass reforms that protect workers and their families from exploitation and abuse. Too many immigrants, especially women, face sexual harassment in the workplace, violence and discrimination. The Judiciary Committee bill includes critical protections for women, including U visas, to keep women safe from domestic violence.

A strong reform bill must also include a fair and effective guest worker program which provides workers with livable wages and strong labor protections, and this bill meets many of these tests. Would I have made it even stronger? Yes. Would my friend in the Chair have made it even stronger in many ways? Absolutely. But the bill is a real step forward.

When we pass comprehensive immigration reform, we don't just help immigrant families, we help all Americans. I would like to see family reunification be made stronger in this bill.

I commend those who worked on this bill. I know they had to hammer out these compromises. Having brought a successful highway bill to passage, a successful WRDA bill to passage on the Senate floor, I know I didn't get everything I wanted, so I am sympathetic to the fact this is not a perfect bill. But I know the Presiding Officer and I will support making this bill better, making this bill stronger, and maybe we will persuade colleagues to go along with us. We have to remember this bill isn't the be-all and end-all. We can

make it stronger over the coming months and years.

According to a 2010 USC study—University of Southern California—when we create a path to citizenship, it will result in 25,000 new jobs and \$3 billion in direct and indirect spending in California alone every single year. Nationwide, our immigration bill will increase our GDP, our gross domestic product, by \$1.5 trillion over 10 years. It will increase wages for workers.

That is what happens when workers come out of the shadows. It will lead to between 750,000 and 900,000 new jobs, according to the Center for American Progress. When workers come out of the shadows their wages rise, they open bank accounts, they buy homes, they spend money in their communities, and they are known to find new businesses.

Businesses will benefit by having access to talented workers in fields ranging from manufacturing to health care to agriculture to high tech. And taxpayers are going to benefit. We will hear horror stories about how expensive this is, but the fact is studies show—that is, studies that don't have a bias—that taxpayers will benefit from an estimated \$5 billion in new revenues in the first 3 years alone, including \$310 million a year in State income taxes, which will help support education and other important services just in my home State of California.

So will we see workers benefiting? Yes, from higher wages, but also better working conditions. And they will get respect and they will get dignity. What that means is they will be proud members of our communities. Families and children will benefit when we lift the fear of being deported and separated from their loved ones. I know the DREAM Act that Senator DURBIN has worked on for so many years does impact the families of the DREAMers, and it will help them, because we don't want to separate families.

I am going to be working on many amendments and offering some to improve this bill—amendments to provide a fair and reasonable path to citizenship, amendments to ensure we treat immigrants with dignity and respect, amendments that are friendly to family reunification, amendments that are friendly to workers. Workers are the backbone of this country.

I want to close with a quote from President John F. Kennedy. Back in 1958, he wrote a book entitled, "A Nation of Immigrants." In that book he eloquently described how immigrants have strengthened our Nation. I already talked about my own immigrant roots. This is what John Kennedy wrote:

This was the secret of America: a Nation of people with the fresh memory of old traditions who dared to explore new frontiers, people eager to build lives for themselves in a spacious society that did not restrict their freedom of choice and their action.

He added:

Every ethnic minority, in seeking its own freedom, helped to strengthen the fabric of liberty in American life.

Those words were true back in 1958 and they are just as true today. Americans are ready and they are waiting for comprehensive immigration reform.

I thank our colleagues who worked so hard on this bill, including my own colleague, Senator FEINSTEIN, who worked so hard on the ag jobs title. We have to protect that title. There are those who would weaken it, and we can't weaken it. It is put together in such a way that we have the growers and workers supporting it. That is pretty good when we can get those two sides together.

The President has said the time is now. I agree. The time is past now. We need to get this done. I think Senator LEAHY has handled this bill beautifully. I believe 150 amendments were adopted in the committee, and also many others were offered. The system has been fair. Senator REID has given us plenty of time to offer amendments, to debate these issues.

I am excited about it. My State is waiting with bated breath for this. It is so overdue. Let's get to work. Let's make comprehensive immigration reform a reality. I am pleased to say to the President, I leave this floor with great hopes that we can get it done.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

TRIBUTE TO BOB CONLON

Mr. LEAHY. Madam President, I would like to take a moment to recognize Bob Conlon, a coowner of Leunig's Bistro, a fixture on Burlington's historic Church Street for decades. Bob was recently honored by the Burlington Business Association, BBA, for his contributions not only to the local economy through the success of Leunig's but also because of his commitment to community service.

Originally from Waterbury, CT, Bob has been a resident of Chittenden County for over 45 years, first arriving in the area to attend my own alma mater, St. Michael's College. Bob first came to Leunig's as a bartender, rose to the post of manager, and today is a coowner of one of Church Street's most successful restaurants. Marcelle and I enjoy seeing and talking with Bob when we are in Burlington.

Bob's contributions to the greater Burlington community are not limited