

and Thailand and Vietnam's agreement to jointly develop areas of the Gulf of Thailand for gas exports, despite ongoing territorial disputes;

Whereas the Government of the Republic of the Philippines states that it "has exhausted almost all political and diplomatic avenues for a peaceful negotiated settlement of its maritime dispute with China" and in his statement of January 23, 2013, Republic of Philippines Secretary of Foreign Affairs Del Rosario stated that therefore "the Philippines has taken the step of bringing China before the Arbitral Tribunal under Article 287 and Annex VII of the 1982 Convention on the Law of the Sea in order to achieve a peaceful and durable solution to the dispute";

Whereas, in January 2013, a Chinese naval ship allegedly fixed its weapons-targeting radar on Japanese vessels in the vicinity of the Senkaku islands, and, on April 23, 2013, eight Chinese marine surveillance ships entered the 12-nautical-mile territorial zone off the Senkaku Islands, further escalating regional tensions;

Whereas, on May 8, 2013, the Chinese Communist Party's main newspaper, The People's Daily, published an article by several Chinese scholars questioning Japan's sovereignty over Okinawa, where key United States military installations are located which contribute to preserving security and stability in the Asia-Pacific region;

Whereas the Government of the People's Republic of China has recently taken other unilateral steps, including declaring the Senkaku Islands a "core interest", "improperly drawing" baselines around the Senkaku Islands in September 2102, which the 2013 Annual Report to Congress on Military and Security Developments Involving the People's Republic of China found to be "inconsistent with international law", and maintaining a continuous military and paramilitary presence around the Senkaku Islands;

Whereas, although the United States does not take a position on the ultimate sovereignty of the Senkaku Islands, the United States Government acknowledges that they are under the administration of Japan and opposes any unilateral actions that would seek to undermine such administration, affirms that the unilateral actions of a third party will not affect the United States' acknowledgment of the administration of Japan over the Senkaku Islands, remains committed under the Treaty of Mutual Cooperation and Security to respond to any armed attack in the territories under the administration of Japan, and has urged all parties to take steps to prevent incidents and manage disagreements through peaceful means;

Whereas, on August 3, 2012, a Department of State spokesperson expressed concern over "China's upgrading of the administrative level of Sansha City and the establishment of a new military garrison there," encouraged ASEAN and China "to make meaningful progress toward finalizing a comprehensive Code of Conduct," and called upon claimants to "explore every diplomatic or other peaceful avenue for resolution, including the use of arbitration or other international legal mechanisms as needed";

Whereas the United States recognizes the importance of strong, cohesive, and integrated regional institutions, including the East Asia Summit (EAS), ASEAN, and the Asia-Pacific Economic Cooperation (APEC) forum, as foundation for effective regional frameworks to promote peace and security and economic growth, including in the maritime domain, and to ensure that the Asia-Pacific community develops rules-based regional norms which discourage coercion and the use of force;

Whereas the United States welcomes the development of a peaceful and prosperous China, the government of which respects international norms, international laws, international institutions, and international rules; enhances security and peace; and seeks to advance a "new model" of relations between the United States and China; and

Whereas ASEAN plays an important role, in partnership with others in the regional and international community, in addressing maritime security issues in the Asia-Pacific region and into the Indian Ocean, including open access to the maritime domain of Asia: Now, therefore, be it

*Resolved.* That the Senate—

(1) condemns the use of coercion, threats, or force by naval, maritime security, or fishing vessels and military or civilian aircraft in the South China Sea and the East China Sea to assert disputed maritime or territorial claims or alter the status quo;

(2) strongly urges that all parties to maritime and territorial disputes in the region exercise self-restraint in the conduct of activities that would undermine stability or complicate or escalate disputes, including refraining from inhabiting presently uninhabited islands, reefs, shoals, and other features and handle their differences in a constructive manner;

(3) reaffirms the strong support of the United States for the member states of ASEAN and the Government of the People's Republic of China as they seek to develop a code of conduct of parties in the South China Sea, and urges all countries to substantively support ASEAN in its efforts in this regard;

(4) supports collaborative diplomatic processes by all claimants in the South China Sea for resolving outstanding maritime or territorial disputes, in a manner that maintains peace and security, adheres to international law, and protects unimpeded lawful commerce as well as freedom of navigation and overflight, and including through international arbitration, allowing parties to peacefully settle claims and disputes using universally recognized principles of international law;

(5) encourages the deepening of efforts by the United States Government to develop partnerships with other countries in the region for maritime domain awareness and capacity building; and

(6) supports the continuation of operations by the United States Armed Forces in the Western Pacific, including in partnership with the armed forces of other countries in the region, in support of freedom of navigation, the maintenance of peace and stability, and respect for universally recognized principles of international law, including the peaceful resolution of issues of sovereignty and unimpeded lawful commerce.

#### NOTICES OF HEARINGS

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources has been postponed. This hearing was scheduled to be held on Tuesday, June 11, 2013, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the hearing was to receive testimony on the November 6, 2012, referendum on the political status of Puerto Rico and the administration's response.

For further information, please contact Allen Stayman at (202) 224-7865 or Danielle Deraney at (202) 224-1219.

##### COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, June 12, 2013, in SR-301, Russell Senate Office Building, at 10 a.m., to conduct a hearing on the nomination of Davita Vance-Cooks, of Virginia, to be the Public Printer.

For further information regarding this hearing, please contact Lynden Armstrong at the Rules and Administration Committee, (202) 224-6352.

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, I wish to announce that the Committee on Small Business and Entrepreneurship will meet on June 13, 2013, at 10 a.m. in room 428A, Russell Senate Office Building to hold a markup of pending legislation.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Monday, June 10, 2013, at 5:30 p.m. in room S-216.

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

#### PRIVILEGES OF THE FLOOR

Mr. DURBIN. Mr. President, I ask unanimous consent that Emily Sharp, Michael Branson, Mike Oleyar, Teresa Bloom, fellows from the Senate Budget Committee, be granted floor privileges during consideration of S. 744.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that fellows in Senator BLUMENTHAL's office, Afton Cissell and Sean Arenson, be granted floor privileges for the duration of debate on S. 744.

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

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Chair grant privileges of the floor to Joseph McCormack of the Budget Committee for the remainder of the first session of the 113th Congress.

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

#### ORDER FOR PRINTING OF TRIBUTES

Mr. BROWN. Mr. President, I ask unanimous consent that tributes to Frank Lautenberg, the late Senator from New Jersey, be printed as a Senate document and that Members have until 12 noon on Thursday, June 20, to submit said tributes.

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

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, the appointment of the following Senator as a member of the Senate National Security Working Group for the 113th Congress: ROBERT MENENDEZ of New Jersey (Majority Co-Chairman), vice Frank R. Lautenberg of New Jersey (Majority Co-Chairman).

#### ORDERS FOR TUESDAY, JUNE 11, 2013

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, June 11, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to S. 744, the comprehensive immigration reform bill, under the previous order; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

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

#### PROGRAM

Mr. BROWN. Tomorrow at 2:15 p.m., there will be a cloture vote on the motion to proceed to the immigration bill. If cloture is invoked, there will be a second vote at 4 p.m. to adopt the motion to proceed and begin consideration of the bill.

#### ORDER FOR ADJOURNMENT

Mr. BROWN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn following the remarks of Senator SESSIONS, as provided for under the previous order.

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

Mr. COCHRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will 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.

#### IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, we are looking at now and considering an immigration bill. S. 744 is before us. This is a two-volume set consisting of over 1,000 pages, and unfortunately it

doesn't do what its sponsors say it does. It doesn't provide the security and other important items we want in an immigration reform bill, and therefore it cannot be passed in its present form and should not be passed in that form. It is just that simple.

This is a big, important issue. When we pass immigration reform, we do not need to be back in the situation that occurred in 1986 when they passed immigration reform and promised to do enforcement in the future. We gave the amnesty immediately, and the promises of enforcement never occurred. This is not a little matter. It has resulted in 11 million people now being in our country illegally. This is a result directly of the failure of the 1986 bill to carry out its enforcement promises, a direct result of Presidents and Congress not insisting that happen.

So there is a general consensus even among the Gang of 8 that Congress and the President can't be trusted, and we need to have legislation that somehow mandates that to happen because we have to have—in their minds—the amnesty first. That is just the way it has to be, and once that is given, well, we will promise to take care of it in the future.

I have been discussing the two aspects of immigration that cause us to have the illegal immigrants. The first part is obvious—it is people who cross the border illegally. At any number of our borders and ports, they come in illegally, and that is a big part of our problem—actually, though, only 60 percent. Forty percent of the problem is the people coming into our country legally on a visa. The others just come illegally. They have no right to enter the country; they just enter. These have a right to enter the country. They come in on a visa and they just don't go home. They just stay. And history tells them nothing ever happens. Nobody knows they didn't return home. Nobody clocks them out when they go home. Nobody knows they are here, and they just stay.

The President of the United States, through the Secretary of Homeland Security, has directed its ICE agents—Immigration and Customs Enforcement officers who are all over and around our country, although small in number, about 5,000—to basically not execute any deportation proceedings against anybody—almost none. They have to be convicted of a big felony, a serious crime, and only then do they initiate deportation.

We also have cities that are failing to support the Federal Government in any way. When they catch somebody for a crime in their city and discover they are illegally in the country, they won't notify the Federal Government they are there so they can come and pick them up and carry out the deportation that is required. This is the kind of sad state we are in, and it certainly is a sad state indeed.

So the American people, by a 4-to-1 margin in a poll of just a few days ago,

said: We are prepared to be generous to people who entered the country illegally and haven't gotten into trouble. We will be compassionate to them. But we want to see the enforcement occur. By a 4-to-1 margin, that poll showed that the American people said the enforcement should come first before we grant the legality—before we give the amnesty. Now, isn't that good common sense?

As I go through the second part of my concern about this process, you will see the ineffectiveness and unwillingness of the Federal Government to fulfill its role of ensuring that our sovereignty is defended through the elimination of illegal immigration. And we can do that. We can do it, but we are not doing it.

So the first part, dealing with the border, as I mentioned today, they softened the current law.

Current law is you have to have 100 percent operational control at the border. Under the standards they utilize there, this bill says 90 percent of border patrol encounters and otherwise reduces the enforceability and the enforcement standards of making sure our border is lawful.

I would just say, first and foremost, each one of these matters are exceedingly complex and must be done properly. As we talked about earlier, the crafting of legislation necessary to ensure that our border is lawful requires a lot of work and a lot of different strategies and capabilities for our men and women who are out there at risk enforcing that law. That is the fundamental reason we should have legislation that goes step by step. We should have a piece of legislation that has been worked on very hard involving Immigration and Border Patrol officers. That legislation should be brought forth and we would pass it to fix the border.

Then, the second part, as I am talking about today, the entry-exit visa situation where people enter the country lawfully according to a visa but don't return to their home country, that has its own unique and complex systems that need to be dealt with, and that needs to be done independently and separately. We need a separate and independent analysis of how to deal with the workplace to ensure that people who come into the country illegally don't get jobs in the future. We have to end this.

So I am taking the bill at its word. They want to give legal status to everybody who is here. So what do we do to try to ensure this doesn't happen again in the future? We are not saying go out and try to find everybody who is in the country illegally and capture and deport them. That is not a practical solution at this point in our history. We do need to figure out how to compassionately deal with those individuals, but we don't need to be where we can't enforce the law in the future so we have another amnesty upon us,