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Senate

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The PRESIDING OFFICER. Today we welcome back Rabbi Moshe Feller, director at Upper Midwest Merkos-Lubavitch House in St. Paul, MN, who will lead the Senate in prayer.

The guest Rabbi offered the following prayer:

By the grace of God, Almighty God, I invoke Your blessing today on this august body, the U.S. Senate. In their divinely inspired wisdom, the Founding Fathers of our blessed country, the United States of America, established a policy of separation of church and state. However, it was never their intention to separate our country from You, sovereign ruler of all mankind. Hence, both legislative bodies of our blessed country begin their sessions invoking Your divine presence and guidance in their legislation. Hence, in our Pledge of Allegiance we declare "one Nation under God," on our currency is printed "In God We Trust," and on the walls of this very Senate hall in which we invoke Your blessing is engraved in bold letters "In God We Trust."

Grant, Almighty God, that the Senators realize that in legislating just laws they are fulfilling one of the seven commandments which You issued to Noah and his family after the great flood as related in the book of Genesis and its sacred commentaries—the command that every society govern by just laws.

Almighty God, I beseech You today to bless the Senate in the merit of one of the spiritual giants of our time and our Nation, the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson of saintly blessed memory, who passed away 19 years ago today. The Rebbe labored with great love, dedication, and self-sacrifice to make all mankind aware of Your sacred presence.

May his memory be for a blessing and his merit be for a shield for our government and our Nation, which he always referred to as "a nation of kindness." Amen.

PLEDGE OF ALLEGIANCE

The PRESIDING OFFICER led the Pledge of Allegiance as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 11, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks—and today we will hear from Senator MCCONNELL first—the Senate will resume the motion to proceed to the comprehensive immigra-

tion legislation. The time until 12:30 will be equally divided and controlled between the proponents and opponents of this legislation.

The Senate will recess from 12:30 until 2:15 to allow for the weekly caucus meetings. At 2:15 there will be a cloture vote to proceed to the immigration legislation. If cloture is invoked, the time until 4 p.m. will be equally divided, and at 4 p.m. there will be a vote on the adoption of the motion to proceed so we can begin debate on that legislation.

RECOGNITION OF THE MINORITY LEADER

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

IMMIGRATION REFORM

Mr. MCCONNELL. Mr. President, at any given time in our Nation's history, lawmakers have been faced with many pressing challenges. Some, by their very nature, demand immediate action. Others simply build over time, so forcing action on them usually involves some combination of both foresight and persuasion.

The great challenge of our own day, in my view, is figuring out how to reform government programs that are growing so big so fast that, unless we act, they will eventually consume the entire Federal budget. This is an issue I have devoted a lot of time and energy to over the last few years and that I had hoped the two parties could resolve in a way that would win the support of the public and the markets. As it turned out, the President wasn't as interested in that kind of an agreement as I was, so last year I reluctantly concluded we wouldn't be able to do anything significant about entitlements anytime soon. Without Presidential leadership, something such as that is just simply impossible. Hopefully, the

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



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President will have a change of heart at some point on the most important issue of our time.

None of this means we can't try to do something about any of the other big issues we face, and that includes immigration. There may be some who think our current immigration system is working, but I haven't met them. I haven't met anybody who thinks the current immigration system is working. And as an elected leader in my party, it is my view that at least we need to try to improve the situation that, as far as I can tell, very few people believe is working well either for our own citizens or for those around the world who aspire to become Americans.

Everyone knows the current system is broken. Our borders are not secure. Those who come legally often stay illegally, and we don't know who or where they are. Our immigration laws last changed almost three decades ago, and they failed to take into account the needs of our rapidly changing economy. So what we are doing today is initiating a debate.

We are all grateful for the hard work of the so-called Gang of 8, but today's vote isn't a final judgment on their product as much as it is a recognition of the problem—a national problem—one that needs debate.

The Gang of 8 has done its work. Now it is time for the Gang of 100 to do its work—for the entire Senate to have its say on the issue and see if we can improve the status quo.

At the risk of stating the obvious, the bill has serious flaws. I will vote to debate it and for the opportunity to amend it, but in the days ahead there will need to be major changes to this bill if it is going to become law. These include, but are not limited to, the areas of border security, government benefits, and taxes.

I am going to need more than an assurance from Secretary Napolitano, for instance, that the border is secure to feel comfortable about the situation down on the border. Too often, recently, we have been reminded that as government grows, it becomes less responsible to the American people and fails to perform basic functions either through incompetence—incompetence—or willful disregard of the wishes of Congress. Our continued failure to secure major portions of the border not only makes true immigration reform far more difficult, it presents an urgent threat to our national security.

Some have criticized this bill for its cost to taxpayers, and that is a fair critique. Those who are here illegally shouldn't have their unlawful status rewarded—rewarded—with benefits and tax credits. So the bill has some serious flaws, and we need to be serious about trying to fix them. The goal should be to make the status quo better, not worse, and that is what the next few weeks are about. They are about giving the entire Senate, indeed the entire country, an opportunity to

weigh in on this important debate to make their voices heard and to try to improve our immigration policy. What that means, of course, obviously, is an open amendment process.

Let me be clear. Doing nothing about the problem we all acknowledge isn't a solution. Doing nothing about the problem is not a solution, it is an avoidance strategy. The longer we wait to have this debate, as difficult as it is, the harder it will be to solve the problem.

We tried to do something 6 years ago and didn't succeed. We may not succeed this time either, but attempting to solve tough problems in a serious and deliberate manner is precisely what the Senate at its best should be doing, and that is what we are going to try to do in this debate.

UPHOLDING COMMITMENTS

Mr. MCCONNELL. Mr. President, it has now been 138 days since the Senate reached an agreement on the issue of whether we would violate the rules to change the rules—138 days since we reached an agreement. In that agreement, the Senate adopted two rules changes and two standing orders, and the majority leader made an unequivocal commitment, not contingent on his judgment of what was good behavior, but the matter was settled for this Congress. In fact, 2 years before that, he said it was settled for the next two Congresses.

So let's take a look at exactly what the majority leader's pledge was. This was back in 2011 when the majority leader said:

I agree that the proper way to change Senate rules is through the procedures established in those rules—

In those rules—
and I will oppose any effort in this Congress or the next—

The Congress we are in now—
to change the Senate's rules other than through the regular order.

So the commitment on January 27, 2011, was not just for that Congress but for the next one as well.

Then 2 years later, on January 24 of this year, I said in a colloquy with the majority leader:

I would confirm with the majority leader that the Senate would not consider other resolutions—

We had passed a couple of resolutions, a couple of rules changes, and a couple of standing orders—

relating to any standing order or rules this Congress—

That is the Congress we are in right now—

unless they went through the regular order process?

The majority leader said:

That is correct. Any other resolutions related to Senate procedure would be subject to a regular order process, including consideration by the Rules Committee.

Now, the regular order for changing rules is that the Parliamentarian

would rule that it would take 67 votes to do that. But after these commitments were made both in January of 2011 and in January of this year, the majority leader has consistently repeated: In spite of what I said in January of each of the last 2 years, if Members are not on their best behavior, presumably, I will do this anyway.

So I mentioned to the majority leader publicly—privately for a long time and then publicly over the last few weeks—that I intend to ask him the question every day: Does he intend to keep his word?

That is critical around here. It is important for all Senators to keep their word, but it is particularly important for the majority leader, who has the opportunity to be, shall I say, more important than the rest of us because he gets to set the agenda and he gets to determine what the Senate will debate. He has the right of first recognition and, as he repeatedly reminds me in these colloquies, he will always have the last word. So I think the currency of the realm in the Senate is one's word.

So those are my observations today and will be my observations tomorrow until we get this established because I think the atmosphere in which the Senate operates, with this threat of a nuclear option holding over it, is not conducive to the kind of collegial environment we need in processing nominations and in processing legislation. We expect the majority leader to keep his word.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

IMMIGRATION REFORM

Mr. REID. Mr. President, it is important that everyone keeps their word.

I am pleased the Republican leader acknowledged that the immigration system is broken and needs fixing, and we will have a full and open debate on this over the next 3 weeks. That is very good. I am very glad to hear the Republican leader will vote to help us move forward on this legislation.

For 15 years, James Courtney fought for this country as a Member of the U.S. Army. He did that for a decade and a half.

For most of those 15 years, James' wife Sharon was at home in Las Vegas fighting being deported. She has lived in America since she was a young teenager. She speaks fluent English. She has three sons with her husband James, and he has been her husband for 13 years.

She has supported James through three tours of duty in Iraq where he was wounded significantly, suffered brain injury, and because of his wounds had to retire medically from the military. But because she is in the United States without the proper paperwork, she has lived with the fear that she, on any given day, would be deported back to Mexico and her family would be torn apart.