

support this bill if they feel confident what is in the bill adequately addresses the need to secure our borders. I agree the legislation focused on border security a lot. I think that is important, and I am glad it did.

Reform that takes significant steps to stop illegal crossings is important, and reform that does not take significant steps to stop illegal crossings will fail. That is why I so admire what was done by the Gang of 8 and the Judiciary Committee in regard to that issue. They have done a terrific job on border security.

We should all also acknowledge the progress the Obama administration has already made to secure our borders. Illegal border crossings are down 80 percent. That is no small accomplishment. Yesterday I received a letter from my colleagues, the chairman of the Judiciary Committee PAT LEAHY, and the chairman of the Homeland Security Committee TOM CARPER, detailing the tremendous strides we have made toward a more secure border.

As described by the Wall Street Journal, illegal entries nationwide are at a four-decade low. We have less crossings now than we had at any time during the last 4 years, and the number of illegal entrants who sneak into the country through the southern border and successfully elude law enforcement—so-called “got aways” is what they are called—is down 86 percent. Smarter technology, physical barriers, and double the number of agents on the border have made this achievement possible.

We must ensure those who come to America seeking a better life do so in compliance with our laws. The measure before the Senate builds on the progress we have made by allocating even more resources for border security infrastructure, and that includes patrol bases, unmanned vehicles—yes, drones—helicopters, fixed-wing aircraft, sensors, x-rays, cameras, and more. This legislation also includes additional funding for the prosecution of those who are caught crossing illegally.

The legislation also establishes two strict but attainable statutory border security goals: to prevent 90 percent of illegal entries and to monitor the entire southern border, not just high-risk sectors of the border. Chairman LEAHY and Chairman CARPER agreed in their letter that this legislation will reduce illegal entries by reforming our legal immigration system.

This legislation will make it virtually impossible for undocumented people to work, so they will no longer have an incentive to enter illegally.

This is what my two colleagues said in their letter:

We need to stop focusing our attention on the symptoms and start leading with the underlying root causes of illegal immigration in a way that is tough, practical, and fair.

That says it all. This bill does that.

There is one thing this bill does not do and should not do: It does not and should not make the path to citizen-

ship contingent on attaining border security goals that are impossible to measure. That would leave millions who aspire to become citizens in indefinite limbo. We have to move past this.

Six years ago we tried to do something about it and the situation only got worse. This legislation is critical. If we made those goals impossible, the legislation would be a failure. This would give opponents of citizenship in the Senate an opportunity to prevent our border security goals from being met in order to block the path to citizenship. I am concerned that some who oppose the very idea of reform see these triggers as a backdoor way to undermine the legislation, and we must be very careful in recognizing that people are trying to do that with this legislation now before this body. I believe some Republicans with no intention of voting for the final bill—no intention, regardless of how it is amended—seek to offer amendments with the sole purpose of derailing this vital reform.

I commend Senators—Democrats and Republicans—who sincerely want to make this proposal stronger by enhancing its border security provisions. So I look forward to hearing ideas over the next few days on amendments—ideas to make our country safer and more secure. If that is the intent, we will certainly look at it, and I hope we can move forward as expeditiously as possible.

I am glad colleagues, both Democrats and Republicans, are engaged in this debate and are interested in offering amendments, but I hope those amendments will be constructive in nature. We have come too far and the country needs this legislation too badly to lose sight of our purpose now.

As Martin Luther said, “Everything that is done in the world is done by hope.” There is no better example of that than this legislation because hope is what it is all about. As Martin Luther said, “Everything that is done in the world is done by hope,” and I certainly believe that regarding this legislation.

#### RECOGNITION OF THE MINORITY LEADER

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

#### KENTUCKY BUS ACCIDENT

Mr. MCCONNELL. Mr. President, I wish to send my sympathies to the many families in Kentucky affected by a terrible bus accident that occurred yesterday afternoon. A group of Waggener High School students were returning to Louisville after a visit to Eastern Kentucky University when their bus crashed on Interstate 64. Of the 42 people onboard, 34 were taken to area hospitals. Thankfully, news sources report no loss of life. I am going to continue to closely follow the details of this accident.

The people of Kentucky, always generous of spirit, have already responded to this accident with an outpouring of support for the crash victims. I am grateful for that and I am grateful also that this situation was not much worse.

#### NOMINATIONS

Mr. MCCONNELL. Mr. President, Senate Democrats are not content with the additional powers they have—powers greater than those enjoyed by any previous majority—so they intend to manufacture a crisis over nominations as a pretext for a further power grab. Yet the Senate is treating President Obama's nominees very fairly. For example, let's just look at how the Senate has treated his judicial nominees.

Overall, the Senate has confirmed 193 lower court judges and defeated only 2—defeated only 2. That is a .990 batting average—a .990 batting average. After this week, the Senate will have approved 24 of the President's lifetime appointments compared to just 9—9—for President Bush at a comparable point in his second term.

I will mention my party actually controlled the Senate then, so we could have arguably confirmed a lot more. President Bush got 9 at this point in his second term; President Obama 24.

Last Congress Obama had more district court confirmations than in any of the previous eight Congresses—previous eight Congresses. He also had almost 50 percent more confirmations—171—than President Bush—119—under similar circumstances.

To support an unprecedented power grab, the administration and its allies in the Senate have resorted to truly outlandish claims about how the President's judicial nominees are being treated—sort of making this stuff up.

Washington Post Fact Checker gave the President two Pinocchios for extreme claims about Republican delays of his judicial nominees, noting that in some ways the President's nominees are actually being moved along “better” than Bush's.

The Washington Post cited CRS's conclusion that from nomination to confirmation—one of the most relevant indicators, according to a Brookings scholar—Obama's circuit court nominations are being processed about 100 days quicker—100 days quicker—than President Bush's: 350.6 days for Bush to 256.9 for Obama.

Factcheck.org:

... during Obama's first term, his nominees to federal appeals courts actually were confirmed more quickly on average than Bush's first-term nominees, measured from the day of nomination to the day of the confirmation vote.

Politifact:

... the average wait for George W. Bush's circuit court nominees was actually longer from nomination to confirmation.

So, as you can see, Mr. President, this is a manufactured crisis—one that does not, in fact, exist—in order to try

to justify a power grab to fundamentally change the Senate.

At the beginning of each of last two Congresses, we have had this discussion at length. At the beginning of the previous Congress, here is what the majority leader said back in January of 2011. He said:

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

“I will oppose,” he said. This is January of 2011—

any effort in this Congress or the next to change the Senate’s rules other than through the regular order.

“I will oppose any effort in this Congress or the next”—the one we are in now—to change the rules of the Senate in any other way than through the regular order. The regular order is it takes 67 votes—not even 60 but 67 votes—to change the rules of the Senate.

Not being willing to keep the commitment he made in January of 2011, we went around and around again at the beginning of 2013—this year—and the Senate this year, after considerable discussion, joined by a number of Members of the Senate on both sides of the aisle, passed two new rules and two new standing orders. In the wake of that action, an additional commitment was made, and here was the exchange on the floor on January 24 of this year. I said:

I would confirm with the majority leader that the Senate would not consider other resolutions relating to any standing order or rules this Congress unless they went through the regular order process?

We had just done that. We followed the regular order, and we passed two rules changes and two standing orders.

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, that was not a promise made based on the majority leader’s view of good behavior. But, of course, by any objective standard, there has not been any bad behavior anyway, even if that would justify breaking a commitment that was not contingent.

Now my friend the majority leader has taken to kind of leaving the floor in the hopes that somehow this would go away if only he were not here. What will not go away is the unequivocal commitment made at the beginning of this Congress so we would know what the rules were for the duration of this Congress.

I think colleagues on both sides of the aisle have a right to know whether the commitment made by the leader of this body—the leader of the majority and this body—is going to be kept. That is the only way we can function. Our word is the currency of the realm in the Senate.

As you can see from the facts, this is a manufactured crisis. There is no crisis over the way the Senate has functioned. In fact, except for these periodic threats by the majority leader to

break the rules of the Senate in order to change the rules of the Senate, we have been operating much better this Congress than in recent previous Congresses. Bills have been open for amendment. We have been able to get them to passage. They have been bipartisan in large measure.

The Senate these days is not broken. It does not need to be fixed, particularly if your judgment to fixing the Senate is to not keep a commitment you made at the beginning of the year.

So I would conclude by saying that I am going to bring this up every morning, and the majority leader not being here or not responding does not make it go away. What my colleagues in the minority have on their minds is whether the commitment will be kept, and at some point the majority leader is going to have to answer that question because it is not going away.

I yield the floor.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The Senator from Maryland.

#### ASIAN POLICY

Mr. CARDIN. Mr. President, this past weekend President Obama met with President Xi of China in California for a summit meeting between the two leaders. It was an opportunity for a personal relationship between the leader of China and the leader of the United States in order to improve the trust between the two countries.

China is important to the United States. China, as we know, is a permanent member of the Security Council of the United Nations—a key player in developing international policies that are important to the United States and global security. China is very influential in the policies concerning North Korea and Iran. China is a key trading partner of the United States. We know the amount of products that go back and forth between China and the United States.

President Obama has correctly identified Asia as a region of particular interest. He has rebalanced Asian policy because of the importance of Asia to the United States. We are a Pacific power, and Asia is critically important for regional security as well as for global security.

I have the opportunity of chairing the Subcommittee on East Asian and

Pacific Affairs of the Senate Foreign Relations Committee. In that capacity, 2 weeks ago I visited China, the Republic of Korea, and Japan.

In China, I was able to observe firsthand the progress that is being made in that country and to meet with key leaders of the Chinese Government. I did see much progress. I saw economic change in China as to how they are becoming a more open society from the point of view of entrepreneurship. I saw rights that have been advanced. People do have more freedom than they had several decades ago.

I saw an opportunity where the United States and China could build a stronger relationship between our two countries. It starts with building trust. There is a lot of mistrust out there. That is why I was particularly pleased about the summit meeting this past weekend. We have common interests. China is critically important to the United States on making sure the Korean Peninsula remains a nonnuclear peninsula. China has tremendous impact over North Korea and does not want to see North Korea continue its ambition to become a nuclear weapon power. They can help us in resolving that issue, hopefully in a way that will help us in a peaceful manner.

I could not help but observe when I was in Beijing that China has a huge environmental challenge. The entire time I was there, I never saw the Sun, and that was not because of clouds, it was because of pollution, which is common in Beijing. It is not only a problem that China needs to deal with, it is a political necessity. The people of China know that their air is dirty. Here is an opportunity for the United States, working with China—the two large emitters of greenhouse gases—for them to come together and show international leadership by what we can do in our own countries to encourage progress but also international progress on this issue.

While I was in China, I had a chance to advance areas of concern. I want to talk about that. Our security interests with China go toward their military, yes, but also go toward their economic conditions and their respect for human rights. I raised throughout my visit to China my concern, and I think America’s concern—the international concern—about China recognizing universally accepted human rights. The right to dissent is not there in China.

On June 4 we celebrated another anniversary of Tiananmen Square, where the student protest turned very deadly. It is still dangerous to dissent in China. Civil rights lawyers can lose their right to practice law and can be physically intimidated if they are too aggressive in representing those who disagree with government policies.

China has a policy to this day of detaining people, putting them in prison for their “reeducation.” That could be for up to 4 years without trial and without being questioned as to why they are being detained, solely because