

absolutely guarantee the American people—but, more importantly, the head of the Border Patrol—I will have a statement from him early this afternoon, and he will say that if we implement the technology—which they gave us the detailed list of—he is confident we can have 90-percent effective control of our border and 100-percent situational awareness.

I hope my colleagues who are concerned about border security—and legitimately they are—will pay attention to the statement of the head of the Border Patrol who says unequivocally that if we adapt these specific enforcement capabilities and technology, we will be able to have control of our border. That is an important item in this debate and it is incredible detail.

Also in this legislation we need to give them the flexibility where there is the improved technology, et cetera. We do need more people to facilitate movement across our ports of entry, but we have 21,000 Border Patrol. Today, on the Arizona-Mexico border there are people sitting in vehicles in 120-degree heat. In 1986, we had 4,000 Border Patrol. We now have 21,000. What we need is the technology that has been developed in the intervening years.

I would be more than happy to say to my colleagues that if we have a provision that this strategy must be implemented and is providing 90-percent effective border control, that would serve as a trigger.

I hope my colleagues will reject the pending Vitter and Thune amendments and we will move on with the legislative process.

Mr. President, I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:43 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

#### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

The PRESIDING OFFICER. Under the previous order, the time until 3 p.m. will be equally divided and controlled between the two leaders or their designees for debate on the pending amendments.

The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I come to the floor today to ask my colleagues to join us in supporting the historic comprehensive immigration bill that is before us today.

We worked hard on the Judiciary Committee to craft a strong bipartisan bill that bolsters our economy, secures our borders and promotes opportunity for both businesses and families.

I thank all of those involved in the original bill—Senators SCHUMER, MCCAIN, DURBIN, GRAHAM, MENENDEZ,

RUBIO, BENNET and FLAKE. I thank the members of the Judiciary Committee who all had a hand in changes to the bill. And I specifically want to thank Senator HATCH who worked with me on the I-Squared—Immigration Innovation—bill. The bill on the floor today contains many of the provisions from I-Squared that encourage more American innovation.

As you know, we passed this comprehensive immigration bill out of committee on a bipartisan vote of 13 to 5 and I am hopeful we can build that same kind of broad-based support on the Senate floor.

This is not going to be simple. It is not going to be easy. But the most important thing—the reason I am optimistic we can get something done—is the fact that we are all coming at this from the same basic starting point:

Democrats and Republicans, Senators from border States and Senators from inland States, we can all agree on this: Our current immigration system is broken. And changes must be made.

The question now is how those changes should come about, and that is why we are having this debate—to find that common ground and pass a bill that is ultimately stronger because it reflects the needs and priorities of both parties and all regions of the country.

Passing comprehensive immigration reform will be a vital step forward for our country. It will be vital to our immigrant communities, who have been separated their families for too long. It will be vital to our security. And it will be vital to our economy, to strengthening our workforce, addressing our long-term fiscal challenges and promoting innovation.

There are many strong and compelling arguments for immigration reform, but let me begin with the economic impact on our businesses and major industries.

Minnesota is a big agriculture State, just like the State of Wisconsin, Madam President, and I can't tell you how many farmers and agricultural businesses I have heard from who tell me they rely on migrant workers and other immigrants to keep their operations going. I have heard it from high-tech startups, too, as well as big technology companies like 3M, St. Jude and Medtronic. I have heard it from the homebuilders and the construction companies, even hospitals and health care providers.

These businesses represent a vast range of industries and interests. But when it comes to immigration reform, they all agree: It is critical to their operations, and it is a vital engine for growth and innovation.

In fact, history shows that immigrants have helped America lead the world in innovation and entrepreneurship for generations:

More than 30 percent of U.S. Nobel Laureates were born in other countries. Ninety of the Fortune 500 companies were started by immigrants, and 200 were started by immigrants or their

children, including 3M, Medtronic, and Hormel in Minnesota.

Workers, inventors, scientists and researchers from around the world have built America. And in an increasingly global economy, they are a big part of keeping our country competitive today.

If we want to continue to be a country that thinks, invents and exports to the world, then we can not afford to shut out the world's talent. It doesn't make sense to educate tomorrow's inventors and then send them back home, so they can start the next Google in India or France.

That's why I introduced the I-Squared Act with Senator HATCH to make much needed reforms to allow our companies to bring in the engineers and scientists they need to compete on the world stage.

One of the things that bill would do is increase fees on employment-based green cards, so that we can also reinvest in or own homegrown innovation pipeline by funding more science, technology, engineering and math initiatives in our schools.

In my State the unemployment rate is at 5.4 percent. We actually have job openings for engineers, we have job openings for welders, and we want those jobs to be filled from kids who go to the University of Minnesota. We want those jobs filled by kids who get a degree at a tech school in Minnesota. But right now we have openings and we have to do a combination of things. We have to be educating our own kids and making sure if there is a doctor coming from another country who is willing to study at the University of Minnesota or in Rochester, MN, and then wants to do his or her residency right in America in an underserved area in a place such as inner-city Minneapolis or a place such as Deep River Falls, MN, we let them do that residency or internship there instead of sending them packing to their own country.

Much of the legislation that was in the I-Squared bill, as I mentioned, is included right here in the bill we are considering. The health care leaders' provision I mentioned originally, called the Conrad 30 bill, something I worked on with Senator HERTKAMP and Senator MORAN and others—that is also in this bill.

Here's something else that's just good sense: Bringing the roughly 11 million undocumented workers out of the shadows.

Immigrants who are "off the grid" can not demand fair pay or benefits, and there are those who seek to take advantage of that. It's a bad thing for the American workers whose wages are undercut. And it's a bad thing for the American families whose undocumented relatives are being exploited.

In addition to the economic implications, having millions of undocumented people living in our country poses a serious threat to both our national security and public safety.

This bill takes the only rational and feasible approach to bringing these

people out of the shadows, by creating a fair, tough and accountable path to citizenship for those who have entered the country illegally or overstayed their visas.

It's not an easy path. You have to pay fines, stay employed, pass a background check, go to the back of the line, learn English and wait at least 13 years to become a citizen.

And if you have committed a felony or three misdemeanors, you're not eligible. You have to go back to your home country.

Keep in mind, none of these steps towards citizenship would even begin until we had done what is necessary to secure our borders.

This bill immediately appropriates \$4.5 billion towards adding more border patrol agents, more fencing, and more technologies like aerial surveillance to prevent illegal crossings over the southern border. That is money that is being committed today, not a promise for future spending or something dependent on future Congresses. That money will be spent to make our border more secure.

I think it is important to recognize that these new efforts would come on top of all the progress we have already made in recent years. Some estimates show that net illegal migration over the Mexican border is actually negative—meaning more people are going back or being sent back to Mexico than are coming here illegally. We have seen a sea change over the last few years and much of it, of course, is because of enforcement efforts going on, many funded by this Congress.

But preventing illegal immigration isn't just about stopping people at the border. It's also about removing the incentive for people to come here illegally in the first place.

The way we do that is by requiring employers to start using the E-Verify system, so they can check whether or not a person is authorized to work in this country. And to ensure the smoothest possible transition, we do it over a 5-year phase-in period based on the size and type of the company. So smaller companies, farmers—those who find it harder to use the system, they will go later.

I believe our compromise on the workplace enforcement issue is a good one, and it's reflective of the bipartisan, balanced approach that this bill takes overall, on so many other complex issues.

The economic and security arguments for reform are compelling. But we know there is so much more to this.

This is about maintaining America's role as a beacon for hope and justice in the world, particularly for those seeking refuge and asylum.

This is something we know a lot about in Minnesota, where we have always opened our arms to people fleeing violence in their home countries. Minnesota is home to the largest Somali population in North America and the second largest Hmong population in

the United States. We actually have the first Hmong woman legislator, Mee Moua. We are better off because of the incredible diversity and entrepreneurial spirit these people have brought to our state.

We are proud of the work these people have done. We know and we believe we are better off because of the incredible diversity and entrepreneurial spirit these people have brought to our State from other countries.

Just as we have granted asylum to people fleeing violence in other countries, we must also look after those fleeing violence here at home. That is why I feel so strongly about the need to ensure immigrant victims of domestic violence are not forced to suffer in silence.

The bill we are considering includes two amendments I introduced in the Judiciary Committee that would protect immigrants who are victims of domestic violence and elder abuse. No person who is being abused should be forced to live in fear because they are worried they will lose their immigration status if they speak up. Children should not be forced to live in fear either. So we need to change our laws to ensure that families are not being torn apart by a system that is not only inefficient and expensive, but cruel: 64,500 immigrant parents were separated from their citizen children during the first 6 months of 2010 as a result of deportation. So this bill is about protecting families. It is also about building families.

If I can say one thing about the domestic abuse issue, I cannot tell you how many cases we had when I was prosecutor where in fact the case would come into the office and the victim would be an immigrant. The perpetrator, we would have found, was threatening to get her deported or get her mother deported, if she was illegal, or get her sister deported or a family member deported if she reported it to the police. This bill fixes a lot of that by the way it handles the U visa program as well as other amendments I included, and it makes it easier to prosecute these perpetrators.

As I mentioned, this bill is also about building families. Minnesota leads the country in international adoptions, and I've seen the incredible joy an adopted child from another country can bring to a new mom or dad. That's why I have introduced with Senators COATS and LANDRIEU a set of amendments to improve our system for international adoptions, so that more children can find a loving home here in the United States.

This bill is vital to our economy and to our national security, but most importantly it is vital to maintaining America's remarkable heritage as a nation of immigrants.

I am myself here because of Slovenian and Swiss immigrants. My grandpa on my dad's side worked 1,500 feet underground in the iron-ore mines of Ely, MN. His family came to north-

ern Minnesota in search of work, and the iron ore mines and forests of northern Minnesota seemed the closest thing to home in Slovenia. My grandpa never graduated from high school, but he saved money in a coffee can so my dad could go to college.

My dad earned a journalism degree from the University of Minnesota and was a newspaper reporter and longtime columnist for the Star Tribune. My mom was a teacher and she taught second grade until she was 70 years old. Her parents came from Switzerland to Milwaukee where my great grandma ran a cheese shop. The Depression was hard on their family and out of work for several years, my grandpa made and sold miniature Swiss chalets made out of little pieces of wood.

So I stand here today on the shoulders of immigrants, the granddaughter and great-granddaughter of iron ore miners and cheese-makers and craftsmen, the daughter of a teacher and newspaper man . . . and the first woman elected to the Senate from the State of Minnesota.

It could not have been possible in a country that didn't believe in hard work, fair play and the promise of opportunity. It could not have been possible in a country that didn't open its arms to the risk-takers, pilgrims and pioneers of the world.

So this is a very special and enduring part of the American story. And we need to be sure it continues for future generations in a way that is fair, efficient and legal.

Passing this bill is important to our economy. It is important to our global competitiveness. It is important to our national security. And it is important millions of families throughout the U.S. who want to come here and live that dream my grandparents and great grandparents lived.

It's too important for us not to act. To my colleagues, join us in passing this bill. Let's get it done.

I yield the floor.

Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. HIRONO. Madam President, I believe we must fix the immigration bill to make it fairer for women. The bill proposes a new merit-based point system for allocating green cards to future immigrants. Simply put, the point system makes it harder for women than for men to come to this country. The theory behind the merit system is that we should give immigration preferences to people who hold advanced degrees or work in high-skilled jobs. This idea ignores the discrimination women endure in other countries.

Too many women overseas do not have the same educational or career

advancement opportunities available to men in those countries. In practice, the bill's new point system takes that inequitable treatment abroad and cements it into our immigration laws. This bill reduces the opportunities for immigrants to come under the family-based green card system.

Currently, approximately 70 percent of immigrant women come to this country through the family-based system. This legislation increases the amount of employment-based visas. This bill basically moves us away from the family-based system and into economic considerations. There is nothing wrong with that, but we should be fair to women while we are doing it. The immigration avenues favor men over women by nearly a 4-to-1 margin.

Using the past as our guide, it is easy to see how the new merit-based system, with heavy emphasis on factors such as education and experience, will disadvantage women who apply for green card status. We all want a stronger economy, but we should not sacrifice the hard-won victories of the women's equality movement to get it. Ensuring that women have an equal opportunity to come here is not an abstract policy cause to me.

When I was a young girl, my mother brought my brothers and me to this country in order to escape an abusive marriage. My life would be completely different if my mother was not able to take on that courageous journey. I want women similar to her—women who don't have the opportunities to succeed in their own countries—to be able to build a better life for themselves here. These disparities in the immigration bill are fixable.

Later this week a number of my female Senate colleagues and I will introduce a proposal that will address the disparities in the new merit-based system. Let's improve immigration reform to make this bill better for women who deserve a fair shake in our green card system.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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, coming up, we will be voting on some amendments. I just want to share a few thoughts as we gather in advance of that. One of the comments made earlier by one of our good Senators indicated a belief that this immigration bill is going to raise the salaries of American workers. I think that is what was said. I have to point out that is not accurate.

This is a very serious issue we are confronting. This legislation does the opposite of what was said and creates an unprecedented flow of new workers

into America—the likes of which we have not seen before—and it will have a direct result of depressing job opportunities and wages of American citizens. It will affect immigrants who are legally here and also looking for work. It will impact the wages of African Americans, Hispanics, and any other group in America.

Here is the reason why: Under our current law, the legal flow of persons to America would be 1 million a year, and that is the largest of any country in the world. Over 10 years, that will rise to 10 million people. At this point, we now have 11 million immigrants here, plus a backlog of approximately 5 million more immigrants, which will total approximately 15 million people who would be legalized in very short order under this legislation.

Some say, well, they are already working here, so there is not a problem on employment. But many of those workers are in the shadows, underemployed, maybe working part-time in restaurants or other places, and all of a sudden they will be given legal status. At that point, they will be able to apply for any job in America. This will be good for them, but the question is, Is it our duty to give our first responsibility to those who have entered illegally? Don't we have a responsibility to consider how it will impact people who are unemployed today and are out looking for work?

Since 1999, we know wages have dropped as much as 8 percent to 9 percent. Wages are declining, not going up in America today. One of the big reasons, according to Professor Borjas at Harvard, is that the flow of labor from abroad creates an excess of labor and that causes wages to decline. It is just a fact, and that is the way that works.

In addition to that, we have our current law that allows temporary workers and guest workers who come for a period of time, and then they can work. What happens to that flow of workers today? They will double the number of people who will be coming in as temporary workers. Everyone has to understand that many of them come for 3 years with their family after which they can reup for another 3 years. They also compete for a limited number of jobs that legal immigrants would be competing for as well as citizens would be competing for.

So there is this bubble of 15 million that is accepted at once and a doubling of the current flow of nonimmigrants. In addition to that, the annual immigrant flow into our country will increase at least 50 percent. It could be more than that. So that would go from 1 million a year to 1.5 million a year. Over 10 years, that is 15 million.

There are 300 million people in this country, and as elected officials, they are our primary responsibility. If this legislation were to pass—the 8,000 pages in this bill—it would allow 30 million people to be placed on a permanent path to citizenship over this 10-year period, and that is well above

what would normally be 10 million people. In addition to that, the flow of so-called temporary guest workers will be double what the current rate is.

Madam President, how much time is there on this side?

The PRESIDING OFFICER. The Senator has 17 minutes.

Mr. SESSIONS. Madam President, I ask to be notified in 5 minutes.

I believe Senator VITTER's airplane has been delayed. His amendment is projected to come up. I don't know if it will be called up if he is not able to get back.

He has an excellent amendment that deals with a fundamentally flawed part of our immigration system that the bill before us makes worse, not better. It absolutely and indisputably does make it better.

This is the current situation: Six times Congress in the last 10 or 15 years has passed legislation to require an entry-exit visa system. It is required that it be biometric. In other words, it would require fingerprints or something like that. Normally, fingerprints would be utilized.

People are fingerprinted when they come into the country. It goes into the system, but we are not checking when anybody leaves. People legally come on a visa, and they leave. Because we don't use a system when people leave the country, nobody knows whether they left. Forty percent of the people who enter the country illegally are coming through visa overstays. They get a legal visa, and they just don't leave. People don't even know if they left because they are not clocked out.

The 9/11 Commission said this is wrong. We need a biometric entry and exit system at land, sea, and airports.

What does this bill do? It eliminates that language that is already in law, passed by Congress, and inexplicably has never been carried out. The bill merely requires a biographic or electronic exit system. It does not require a fingerprint-type exit system. Not only that, it only requires it at air and seaports, not the land ports. The 9/11 Commission said that would not work because people come in all the time by air and leave by land, so we cannot rely on it. It will not establish the right integrity to know whether somebody overstayed. That makes perfect sense.

Senator VITTER attempts to address that. He suggests that we have an integrated biometric entry-exit system operating and functioning at every land, air, and seaport—not just air and sea—prior to the processing of any application for legal status pursuant to the original biometric exit law, the 2004 Intelligence Reform Act, recommendations. That is what the current law says.

In addition to that, before the implementation of any program granting temporary legal status, the Department of Homeland Security Secretary must submit written certification of the deployment of the system which will then be fast-tracked and approved

through streamlined House and Senate procedures. This amendment is added to the current bill, and it will be effective in accomplishing what we need. In other words, it has a little trigger that says they don't get their legal status until the government does what they have been directed to do by Congress for over 10 years and have failed to do.

We have had a pilot test at the Atlanta airport, for example, where people go to the airport, catch a plane back home to England, Jordan, India or wherever they go, put their fingerprints on a machine, and it reads them as they go through the airport. What they found was that out of 29,744 people in that pilot test, 175 were on the watch list for terrorism or warrants were out for their arrest or other serious charges were against them. They were able to identify them before they fled or left the country, and that is what the whole system was about.

They found it didn't slow down the airport and that it didn't cost nearly what people are saying it will cost. Some have said it would be \$25 billion, and that is totally inaccurate. According to this report, it will not cost anything like that. Police officers have fingerprint reading machines in their automobiles. You can go by there, put your fingers on there to read your print, and if you have a warrant out for arrest for murder or drug dealing or terrorism, you get apprehended.

They recently caught a terrorist—actually from Alabama—and prosecuted him in Alabama. He was trying to get on a plane in Atlanta.

The PRESIDING OFFICER. The Senator has consumed 5 minutes.

Mr. SESSIONS. I thank the Chair, reserve the remainder of my time, and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, let me congratulate the Gang of 8 for their assiduous work on this immigration bill, as well as Senator PAT LEAHY, the chairman of the committee, for doing a lot of good work.

There is much in this bill I support. I support the pathway to citizenship. I support the DREAM Act. I support providing legal status to the foreign workers who are working in agriculture. We have to have strong border security. I support that effort.

Let me tell my colleagues what I do not support. What I do not support is that at a time when nearly 14 percent of Americans do not have a full-time job, at a time when youth unemployment is somewhere around 16 percent and kids from California to Maine are desperately seeking employment, I do not support the huge expansion in the guest worker program that will allow hundreds of thousands of entry-level guest workers to come into this country.

This is important for at least two reasons. We have kids all over America who are wondering how they are going to afford to be able to go to college.

Many of these young people are going out looking for summer jobs, looking for part-time jobs in order to help them pay for college. That is terribly important. We should not pass legislation which makes it harder for young people to get jobs in order to put away a few bucks to help pay for college.

Then there is another group of people, and those are young people whom we don't talk about enough. Not everybody in America is going to college. There are millions of young people who graduate high school and want to go out and start their careers and make some money and move up the ladder. There are others who have dropped out of high school. We cannot turn our backs on those young people. They need jobs as well. If young people—young high school graduates, for example—are unable to find entry-level jobs, how will they ever be able to develop the skills, the experience, and the confidence they need to break into the job market? And if they don't get those skills—if they don't get those jobs and that income—there is a very strong possibility they may end up in anti-social or self-destructive activities.

Right now, on street corners all over this country, there are kids who have nothing to do. And what are they doing when they stand on street corners? What they are doing is getting into drugs, they are getting into crime, they are getting into self-destructive activity. We already have too many young people in this country using drugs. We already have too many young people involved in criminal activity. As a nation, we have more people in jail than any other country on Earth, including China. Let's put our young people into jobs, not into jails.

As I have heard on this floor time and time again, the best antipoverty program is a paycheck. Well, let's give the young people of this country a paycheck. Let's put them to work. Let's give them at least the entry-level jobs they need in order to earn some income today, but even more importantly, let's allow them to gain the job skills they need so they know what an honest day's work is about and can move up the economic ladder and get better jobs in the future.

At a time when poverty in this country remains at an almost 50-year high, and when unemployment among young people is extremely high, I worry deeply that we are creating a permanent underclass—a large number of people who are poorly educated and who have limited or no job skills. This is an issue we must address and must address now. Either we make a serious effort to find jobs for our young people now or we are going to pay later in terms of increased crime and the cost of incarceration.

Now, why is this issue of youth unemployment relevant to the debate we are having on immigration reform? The answer is obvious to anyone who has read the bill. This immigration reform legislation increases youth unemployment by bringing into this country,

through the J-1 program and the H-2B program, hundreds of thousands of low-skilled, entry-level workers who are taking the jobs young Americans need. At a time when youth unemployment in this country is over 16 percent and the teen unemployment rate is over 25 percent, many of the jobs that used to be done by young Americans are now being performed by foreign college students through the J-1 summer work travel program.

Other entry-level foreign workers come into this country through the H-2B guest worker program. We have heard a lot of discussion about high-tech workers and how they can create jobs and all that. That is an issue for another discussion. Right now, what we are talking about is hundreds of thousands of foreign workers coming into this country not to do great scientific work, not as great entrepreneurs to start businesses, not as Ph.D. engineers, but as waiters and waitresses, kitchen help, lifeguards, front desk workers at hotels and resorts, ski instructors, cooks, chefs, chambermaids, landscapers, parking lot attendants, cashiers, security guards, and many other entry-level jobs.

Does it really make sense to anyone when so many of our kids are desperately looking for a way to earn an honest living that we say to those kids: Sorry, you have to get to the back of the line because we are bringing in hundreds of thousands of foreign workers to do the jobs you can do tomorrow?

The J-1 program for foreign college students is supposed to be used as a cultural exchange program—a program to bring young people into this country to learn about our customs and to support international cooperation and understanding. That is why it is administered by the State Department. But instead of doing that, this J-1 program has morphed into a low-wage jobs program to allow corporations such as McDonald's, Dunkin' Donuts, Disney World, Hershey's, and many other major resorts around the country to replace American workers with cheap labor from overseas.

Each and every year companies from all over this country are hiring more than 100,000 foreign college students in low-wage jobs through the J-1 summer work travel program. Unlike other guest worker programs, the J-1 program does not even require businesses to recruit or advertise for American workers. What they can do is pay minimum wage. They don't have to advertise for American workers. And guess what. For the foreign worker, they do not have to pay Social Security tax, they don't have to pay Medicare tax, and they don't have to pay unemployment tax. So, essentially, we are creating a situation where it is absolutely advantageous for an employer to hire a foreign worker rather than an American worker.

So what I have done is introduced two pieces of legislation to address this

issue. No. 1 basically says while I strongly support cultural programs—bringing young people here from abroad is a great idea—at this moment, with high unemployment, we cannot have those people competing with young Americans for a scarce number of jobs. So we eliminate the employment element of the J-1 program.

The second bill says if we can't do that—and I hope we can—at the very least we need a jobs program for American kids, not just a summer jobs program but a yearlong jobs program. Let's not turn our backs on kids who want to get into the labor market, who want to develop a career. They need something in the summertime, they need something year round, and we have introduced legislation to do just that.

My time has expired. I yield my time, if he wants it, to Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 1197

Mr. GRASSLEY. Madam President, we will soon be voting on the Thune amendment, and I rise to speak in support of the Thune amendment.

The Thune amendment would strengthen the bill and beef up the triggers that precede the legalization program.

The Thune amendment would ensure that current law regarding double-layer fencing is implemented.

Over the years, administration after administration—and not just Democrat or just Republican but both—has failed to enforce the laws on the books. The American people don't want more laws that will simply be ignored, they want the laws on the books to be enforced. This amendment offered by Senator THUNE would ensure that the border is more secure before any legalization program is carried out.

In a new CNN poll released just today, 36 percent of those polled said they favored a path to citizenship for people who have come to this country undocumented. But 62 percent of those polled said it is more important to increase border security to reduce or eliminate the number of immigrants coming into the country without permission from our government. So if we stand with the American people, and if we want the border secured, we will vote for the Thune amendment.

It is this simple: When issues come up in my town meetings in my State of Iowa and people are asking what is going on with immigration, and we sit down and try to explain to the people how this bill is moving along or what it might include, invariably there are a lot of people in the audience who say we don't need more legislation, we need to have the laws on the books enforced. I think this is backed up by this poll we have heard about from CNN today.

In addition to that, I think it very much clarifies that people want the laws on the books enforced. But, more importantly, they expect people who take an oath to uphold the Constitu-

tion and the laws would actually carry out the laws they are elected to carry out. So I hope my colleagues will vote for the Thune amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Under the previous order, the question is on agreeing to amendment No. 1197, offered by the Senator from South Dakota, Mr. THUNE.

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Iowa (Mr. HARKIN), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SHELBY), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER (Mr. MANCHIN). Are there any other Senators in the chamber desiring to vote?

The result was announced—yeas 39, nays 54, as follows:

[Rollcall Vote No. 151 Leg.]

YEAS—39

Alexander	Crapo	Manchin
Ayotte	Cruz	McConnell
Barrasso	Enzi	Moran
Blunt	Fischer	Paul
Boozman	Grassley	Portman
Burr	Hatch	Pryor
Chambliss	Heller	Risch
Chiesa	Hoeven	Roberts
Coats	Isakson	Scott
Coburn	Johanns	Sessions
Collins	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter

NAYS—54

Baldwin	Graham	Murray
Baucus	Hagan	Nelson
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Rubio
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Tester
Cowan	McCain	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Flake	Merkley	Warren
Franken	Murkowski	Whitehouse
Gillibrand	Murphy	Wyden

NOT VOTING—7

Cochran	Inhofe	Wicker
Feinstein	Mikulski	
Harkin	Shelby	

The PRESIDING OFFICER. Under the previous order requiring 60 votes

for the adoption of this amendment, the amendment is rejected.

The Senator from Vermont.

Mr. LEAHY. I yield to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 1222

Ms. LANDRIEU. Mr. President, I offer this amendment. It is a technical amendment, three technical but important changes to the Child Citizenship Act of 2000. Senator COATS, Senator BLUNT, and Senator KLOBUCHAR have helped lead this effort. I have explained it numerous times on the floor. I think the leaders have agreed on a voice vote.

Mr. LEAHY. Mr. President, I have spoken with the distinguished ranking member, Mr. GRASSLEY. I understand we are able to agree to the Landrieu amendment by voice vote.

I ask unanimous consent that the 60-vote threshold with respect to the Landrieu amendment be waived.

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

Mr. LEAHY. Mr. President, I urge the question.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1222) was agreed to.

AMENDMENT NO. 1228

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 1228 offered by the Senator from Louisiana, Mr. VITTER.

The Senator from Vermont.

Mr. LEAHY. Before we do that, I wish to remind everybody the next vote will be a 10-minute vote.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, this amendment is very simple but it is important. It would finally demand and require execution and enforcement of the so-called US-VISIT system, an entry-exit system to catch visa overstays. This system was first mandated by Congress in 1996. We have had six additional votes by Congress demanding it then. The 9/11 terrorists were visa overstays. As a result, this system was strongly recommended, one of the top recommendations of the 9/11 Commission. We must put this in place as we act on immigration. This amendment would get that done.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. I agree that we need to better track visa overstays. But a fully biometric entry-exit system at all air, sea, and land ports of entry is the kind of unrealistic trigger we can't adopt. Implementation of this amendment would be prohibitively expensive and cause all kinds of delays.

In the Judiciary Committee we adopted an amendment offered by Senator HATCH which presents a more reasonable approach.

I would urge a “no” vote on this amendment.

I ask for the yeas and nays.

Mr. VITTER. Mr. President, may I inquire how much time is remaining?

The PRESIDING OFFICER. The Senator has 9 seconds remaining.

Mr. VITTER. Mr. President, we have talked about this since 1996 and 9/11 happened. When are we going to do it if not now?

I urge support of the amendment.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SHELBY), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 36, nays 58, as follows:

[Rollcall Vote No. 152 Leg.]

#### YEAS—36

Alexander	Cruz	McConnell
Barrasso	Enzi	Moran
Blunt	Fischer	Paul
Boozman	Grassley	Portman
Burr	Hatch	Pryor
Chambliss	Heller	Risch
Chiesa	Hoeben	Roberts
Coats	Isakson	Scott
Coburn	Johanns	Sessions
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter

#### NAYS—58

Ayotte	Gillibrand	Murray
Baldwin	Graham	Nelson
Baucus	Hagan	Reed
Begich	Heinrich	Reid
Bennet	Heitkamp	Rockefeller
Blumenthal	Hirono	Rubio
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Cowan	McCain	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Flake	Murkowski	
Franken	Murphy	

#### NOT VOTING—6

Cochran	Inhofe	Shelby
Harkin	Mikulski	Wicker

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LEAHY. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 1198

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote on amendment No. 1198, offered by the Senator from Montana.

Mr. TESTER. Mr. President, this amendment will include the tribal representatives on the DHS Border Task Force.

In this country within 100 miles of the border we have 13 Indian reservations, some of them right on the border. If we are going to make sure the borders are secure in the north and the south, Indians need to be a part of the conversation, our Native American friends. They have a unique government-to-government status. As I said before, their input is critically important.

This amendment would not be costing anything, has bipartisan support, and it will add tribal representatives—two on the north and two on the southern region—to the Department of Homeland Security Border Task Force. I encourage a “yea” vote on this amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I have no problems with this amendment. It ensures that tribal communities are represented.

The bill's task force is a new and independent entity designed to provide recommendations about immigration and border security. Mr. TESTER is adding four additional members to the task force to ensure that the tribes are represented; however, this amendment does not fundamentally change the bill.

There is no opposition to making sure that the tribes have a voice in policy. Of course, this task force doesn't have any real power, it only makes recommendations. The Secretary isn't required to address their concerns or enact their recommendations. Too often, the Secretary does not take into consideration our recommendations. Even now she has a hard time implementing laws.

So, again, while the amendment is noncontroversial, Members should know this task force is a figleaf for actual border security.

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the

Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SHELBY), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 153 Leg.]

#### YEAS—94

Alexander	Fischer	Murkowski
Ayotte	Flake	Murphy
Baldwin	Franken	Murray
Barrasso	Gillibrand	Nelson
Baucus	Graham	Paul
Begich	Grassley	Portman
Bennet	Hagan	Pryor
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Boozman	Heitkamp	Risch
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Hoeben	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (WI)	Schumer
Casey	Johnson (SD)	Scott
Chambliss	Kaine	Sessions
Chiesa	King	Shaheen
Coats	Kirk	Stabenow
Coburn	Klobuchar	Tester
Collins	Landrieu	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Cowan	Manchin	Vitter
Crapo	McCain	Warner
Cruz	McCaskill	Warren
Donnelly	McConnell	Whitehouse
Durbin	Menendez	Wyden
Enzi	Merkley	
Feinstein	Moran	

#### NOT VOTING—6

Cochran	Inhofe	Shelby
Harkin	Mikulski	Wicker

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

Mr. LEAHY. I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. I am here to speak to what is a historic debate here on the floor of the Senate; that is, the debate we are having with regard to comprehensive immigration reform. We have a major opportunity here in the Congress to finally pass meaningful, strong, bipartisan legislation. Immigration reform is something Congress has grappled with in fits and starts for over a decade. In fact, I remember the summer 7 or 8 years ago when this Senate came very close to passing comprehensive immigration reform and fell just short of that goal.

Today the need to act has become imperative. We cannot ignore it. There are constituents in Colorado from across the spectrum who are hard-working. They are small business owners, religious leaders, farmers, and citizens. They believe that now is the time.

If we look at our economy, it is beginning to gain strength. Our economy is beginning to get its legs under it.



Our economy also needs the labor market certainty that would come from immigration reform. So let's seize this opportunity to pass commonsense legislation that our constituents expect.

I am looking right over the dais. Above the dais, I see "e pluribus unum," which translates to "out of many, one." That is a simple motto which is engraved in this great Senate Chamber, and it is one of the daily reminders that we are a nation of immigrants. Throughout our history, millions of immigrants—including my ancestors and the Presiding Officer's—braved hardship and great risks to come here. Why was that? They sought freedom, opportunity, and a better life for their families. Today's immigrants, in that same spirit, continue to brave great risks and hardships to obtain the American dream.

We have heard from fellow Americans who are opposed to fixing our broken system. There are those among us who unfortunately see immigrants as a burden on our country or want to enact overly punitive measures to punish undocumented immigrants. I ask that they remember that our country was built and forged by immigrants whose blood and sweat built the America we know today.

To oppose this legislation, with all due respect, is to deny the promise our ancestors and even the Framers expected us to extend to those outside our borders. Yes, we are a nation of laws, and we don't take lightly the violation of our laws, but we are also a nation that welcomes foreigners who want to build the American dream.

I would like to challenge my colleagues to remember that we are a better, stronger country because of our immigrants whose first glimpse of America was the Statue of Liberty emblazoned with the words of poet Emma Lazarus:

Give me your tired, your poor, your huddled masses yearning to breathe free.

Our country and our economy were built from the ground up by the hard work and ingenuity of immigrants and their families. In recent years, one in four of America's new small business owners has been an immigrant. One in four high-tech startups in America was founded by immigrants. And 40 percent of Fortune 500 companies—when they started—were created by first- or second-generation immigrants. If we look at our system today, unfortunately, because it is broken, it has made it harder for would-be business owners as I just described to create jobs and help spur our Nation's economic development.

Let me give another example. Right now our system invites the best and brightest from all over the world to come and study at our top universities. Once they have the training they need to create a new invention or build a new business—listen to this—our system tells them to go back home. That is not right.

I am pleased, honored, humbled, and a little bit proud that I have worked

for years with Coloradans at my side to solve this problem and to make the United States a place where entrepreneurs are encouraged to stay, build businesses, and grow our economy. In that vein, I want to thank the Gang of 8 for their hard work in crafting a bill that is built upon those principles. Entrepreneurs embody the American dream.

Fixing our broken system is about more than businesses and startups; it is principally about families. To say that our current broken immigration system is bad for our families would be an understatement. Thousands of fathers—myself included—gathered with their families this past weekend to celebrate Father's Day. I couldn't help but think of the thousands of fathers our immigration system has separated from their loved ones or the countless fathers living today in Colorado who struggle with the fear every day that they could be separated from their families.

There are fathers like Jorge, who has been living in the United States for 23 years. He is the proud father of four U.S. citizen children, including a U.S. Army corporal. He has been contributing to our economy in Colorado and therefore to the American economy and his community for many years. With immigration reform, Jorge will be able to come out of the shadows, where he will finally be able to realize the American dream without the constant fear of being deported and separated from his children. As I have suggested, unfortunately Jorge's situation is not unique. The fact that our current system has brought us to the place where at any moment thousands of families can be ripped apart is just not right.

This bill would give Jorge and millions of others like him a tough but fair shot at earning legal status and eventually citizenship. Make no mistake. This process will not be without significant cost, and it will not be easy.

Let me explain how I draw that conclusion. In order to get earned legalization, Jorge will have to pass a background check, pay back taxes, penalties, and fees, demonstrate work history, learn English, and go to the back of the line behind others who have also gone through the process. This is a tough but fair road ahead. It is a path negotiated by Senators of both parties and supported by the American people.

Today there are an estimated 11 million undocumented immigrants in the United States. Some cross the border illegally, others have overstayed their visas. Regardless of how they came, the overwhelming majority of these folks, just like Jorge, are trying to earn a living and provide for their families.

There are thousands of immigrants in Colorado who are working in the shadows, where they are vulnerable to exploitive employers paying them less than minimum wage, making them work without overtime, and denying them any of the benefits given to their

other employees. That pushes down standards for all workers. What I am saying is that our current immigration system has fostered an underground economy that exploits a cheap source of labor while depressing wages for everyone else.

My conclusion is that this bill will ensure that businesses are all playing by the same set of rules, and it includes tough penalties for businesses that do not. The underlying bill implements an effective employment verification system that will prevent identity theft, the hiring of unauthorized workers, and send a clear message that will help prevent future waves of illegal immigration. It is a commonsense solution. It is the kind of solution I have heard Coloradans ask for.

I will now turn my attention to the border. This legislation contains historic resources and measures to better secure our borders. Last week I heard time and time again: Borders first, borders first. To the Coloradans who expect border security, as I do, I say the best thing we can do for border security is pass a comprehensive immigration reform bill.

We have made significant progress over the past several years. We have put \$17 billion in resources into protecting our borders. As a result, illegal border crossings are at their lowest levels in decades. Let's be clear. There is still room for significant improvement, and the strong border security provisions in this bill help us get there. In fact, the underlying bill would be the single biggest commitment to border security in our Nation's history. Why? It would put another \$6.5 billion on top of what we are already spending toward stronger, smarter, more innovative security along our borders. It would also direct the Secretary of Homeland Security to submit to Congress a comprehensive border security plan and a southern border fencing strategy. Moreover, the legislation would delay the process of granting legal status to immigrants until the plan and strategy have been deployed, a mandatory employment verification system has been implemented, and an electronic biographic entry-exit system is in place at major airports and seaports.

Finally, this legislation would hold employers more accountable if they knowingly hire undocumented workers. We are saying that no longer will we tolerate an underground market of workers who are illegally employed and many times exploited.

As I begin to close, I would like to turn to a special group of Coloradans who would be helped. This is a group about whom we all should care and about whom I deeply care, and that is our students. I am very pleased and excited that the provisions for the DREAM Act are included in the comprehensive immigration reform bill we are considering.

I have stood alongside a steadfast group of my colleagues as we fought for

passage of the DREAM Act for many years. Along the way I have talked to and more importantly listened to countless Colorado students who have looked me in the eyes and asked for their government to help give them status, opportunity, and potential so they can go on to be the next generation of American leaders without the daily fear of deportation. We are talking about thousands of Colorado students who were brought to the United States at a very young age. It wasn't their decision to be brought here, but they came here with their parents. That cohort—literally thousands of these wonderful, enthusiastic, energetic Coloradans—is poised to graduate college or join the military and in the process strengthen our country and grow our economy. Let's do the right thing by the DREAMers.

I say and implore my colleagues, let's not stand in the way of what Americans want and what our economy needs. Our Nation will be stronger when our borders are secure, when employers are held accountable for the workers they have hired, when jobs are filled with qualified and documented workers who contribute to the economy and undocumented workers who are currently here are held accountable and given an opportunity to earn their legal status and then citizenship.

So for my colleagues who are here today and are serious about fixing our broken immigration system, let's actually have a serious debate to improve this legislation. Let's vote on amendments with a sincere intent to really improve this bill. Let's work productively to find a bipartisan solution to this huge national issue in the same way the Gang of 8 has worked for the past many months.

As I said in my opening remarks, we have a historic opportunity to finally pass comprehensive immigration reform. We have an extraordinary opportunity to show the Senate at its best. Having the opportunity to openly and honestly debate this legislation is one of the many reasons we ran to serve in the Senate in the first place. The public has placed their trust in us to get this right, and we can.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise to present and discuss the next amendment I personally offered which I am going to be bringing to the Senate floor; that is, amendment No. 1330, to prohibit anyone who has been convicted of offenses under the violence against women and children act from gaining legal status under the bill.

I think if we ask the American people if they support the outline that has been presented as the guiding outline for the Gang of 8, the vast majority would say we absolutely support those principles. I would say I support those principles as they were enumerated. The trouble is, in my opinion, when we actually read the bill—and let's re-

member, particularly as we are in the middle of the debacle of executing ObamaCare, it is important to read the bill, it is important to know what is in the bill—in my opinion, the trouble is when we actually read the bill, it doesn't stand up to those principles. It doesn't match.

One example is the absolute commitment made by the Gang of 8 early on in this process that individuals with a serious or significant criminal background would not get legal status and would be deported. They were very specific about that. In their bipartisan framework for comprehensive immigration reform, which the authors of this bill—the so-called Gang of 8—released in January of this year—they said very specifically:

Individuals with a serious criminal background or others who pose a threat to our national security will be ineligible for legal status and subject to deportation.

It is very clear.

But then, again, when we actually read the bill, I believe it comes up far short of that. It does not include significant crimes, serious crimes which it should include as a disqualification.

One of the areas I think is the clearest example of that is offenses under the Violence Against Women Act, offenses that have to do with domestic violence, with child abuse. Those are serious violent offenses that every American citizen—particularly women—would certainly consider very consequential, very significant, very serious, undermining their fundamental security.

This Vitter amendment No. 1330, which I will be presenting and getting a vote on later in this debate, is simple. It simply says those criminal offenses, a conviction of any of those criminal offenses under the Violence Against Women Act—we are talking about domestic violence, we are talking about child abuse—are disqualifiers. Nobody can gain legal status if they are convicted of any of those offenses. That is a disqualifier and it is grounds for deportation.

Again, it is very important to read the bill. It is very important that if anything passes here, it actually matches the promises made to the American people, the rhetoric the American people have heard for weeks and months. This is an important area where we need to get it right.

So I hope all of my colleagues, Democrats and Republicans, agree that these are serious offenses. Certainly, everybody seemed to agree in the important discussion about the Violence Against Women Act. Certainly, everybody seemed to agree then that those offenses that are all about domestic violence and child abuse are very serious, very significant, involve or threaten violence, and certainly they should be disqualifiers for a person becoming legalized under this bill and they should be grounds for immediate deportation. I hope this is beyond debate. I hope this amendment, as it should, gets widespread bipartisan support.

I very much look forward to continuing this discussion about amendment No. 1330. I very much look forward to getting the vote it will get because it deserves to get it—and I will demand it—and I very much hope for and look forward to a strong bipartisan vote in support of stopping violence against women, in support of furthering the protections of the Violence Against Women Act.

Thank you. I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Texas.

Mr. CORNYN. Madam President, I know the parties are working on a unanimous consent agreement for the next tranche of amendments to come forward. I expect and hope mine will be one of them, but it is not quite completed yet. So rather than ask for unanimous consent to call up my amendment now, what I would like to do is just talk about it a little bit and explain to my colleagues what is in it.

We call my amendment the RESULTS amendment because it is necessary, because in the current form of the so-called Gang of 8 bill, it does not include any genuine guarantee of border security. My colleagues don't have to take my word for it. All they have to do is take a look at the chart behind me. Senator DURBIN, one of the four Democrats and four Republicans who were responsible for coming up with the so-called Gang of 8 bill, said in January that in that bill, a pathway to citizenship “would be contingent upon securing the border.” He said that in January. I think a lot of people took him and others at their word, only to find out otherwise in June, 6 months later—June 2013—when he was quoted as saying that the gang has “delinked the pathway to citizenship and border enforcement.”

What that means is the underlying bill gives a promise—another hollow, unenforceable promise—and, based upon our experience, I think the American people would be justified in saying they are asking us to trust them at a time when there is a genuine trust deficit with regard to the Federal Government. We have heard too many promises. We want guarantees that these promises will be delivered on, and that is what my amendment is all about.

In the underlying bill, all we have is—first of all, we have a 100-percent situational awareness requirement and a 90-percent apprehension requirement of people who are crossing the border illegally. But all that is required in the underlying bill is the submission of a plan and substantial completion of that plan for which nobody has seen the contents. That is 10 years from now. I don't think anyone would be out of bounds in saying there may be good intentions—people may actually believe what they say, but how can we possibly know that some unwritten plan that is going to be in place 10 years from now will actually be successful in accomplishing the very goals that were set out in the bill?



My amendment is slightly different because it embraces those same standards, including 100 percent situational awareness and 90 percent cross-border apprehensions, and it says a person can't transition from probationary status to legal permanent residency until it is certified that they have accomplished those goals. What that does, simply stated, is—it doesn't punish anything, but it lines up all of the incentives for those of us who want to secure the border and have a border immigration system that actually works and incentives for those for whom a pathway to citizenship is the holy grail; that is what they want more than anything else. So it realigns incentives on the right and the left and gets us in a position where we can actually look the American people in the face and say we have as close as humanly possible a guarantee that these promises will ultimately be kept.

My amendment requires the Secretary of the Department of Homeland Security and the Commissioner of Customs and Border Protection and the Department of Homeland Security inspector general, in consultation with the Government Accountability Office and the Comptroller General, to jointly certify that the following triggers are met before registered provisional immigrants can adjust to lawful permanent residency or green card status. First, as I said, the Department of Homeland Security has to have achieved and maintained full situational awareness of the entire southern border for not less than 1 year. That means the Department of Homeland Security has the capability to conduct continuous and integrated monitoring, sensing or surveillance of each and every 1-mile segment of the southern border or its immediate vicinity.

Some may say: Full border situational awareness? How are we going to do that? Are we going to link Border Patrol agents arm to arm across a 2,000-mile border? Are we going to just build a fence, as some have advocated, along the 2,000-mile border? The fact is we are going to use the best technology and the best strategy to make sure the resources our U.S. military has deployed in Afghanistan and Iraq and which have been tested along the southern border are available for border control, so that by virtue of radar, eyes in the sky, dirigibles, and unmanned aerial vehicles, a combination of these connected to the sensors on the ground will make sure the Border Patrol knows what is happening along the border when people try to cross and enter illegally. Then it is up to them to hit the 90-percent operational control requirement in both the underlying bill and in my amendment.

The Department of Homeland Security is required to achieve that operational control for not less than 1 year, meaning it has an effectiveness apprehension rate of not less than 90 percent in each and every sector of the southern border.

I saw this morning that Senator MCCAIN said he expects to have a letter from the head of the Border Patrol which states that standard is imminently doable, given the proper resources. So if it is imminently doable, then I would like to suggest, contrary to what the majority leader said a few days ago, that this amendment is not a poison pill. This amendment would give the American people the confidence that we are actually going to do what is technologically feasible and which I believe they have a right to expect if we are going to be generous in the way we treat the 11 million people who are here and provide them not only an opportunity to apply for probation and to work, if they qualify and if they maintain the terms of that probation, but if they are successful, to ultimately apply 10 years hence for legal permanent residency for those who want that and who have played by the rules.

The third trigger in my amendment is one that maintains the underlying provision requiring the Department of Homeland Security to implement an E-Verify system nationwide. The current situation is such that individuals who want to work may have fake documents claiming to be somebody they are not—maybe it is somebody else's Social Security number—in order to get hired. But the employer is not expected to be the police; they are not expected to be able to look behind these documents. We know that massive identity theft and document fraud occur in such a way as to circumvent the efforts to enforce our system and to restore legality into the system when it comes to people who come to this country and want to work here. So that is the third one.

The fourth one, in order to fill a gaping hole in the bill with respect to interior enforcement, the RESULTS amendment requires the Department of Homeland Security to initiate removal proceedings for at least 90 percent of visa overstays who collectively currently account for 40 percent of illegal immigration. I think it surprises a lot of people to learn it is not just our porous borders, it is people who enter the country legally who simply overstay their visa and melt into the great American landscape, unless they happen to get caught for committing a crime of some kind, and they typically are not identified or detained. This is simply unacceptable, and my amendment is designed to guarantee that the Department of Homeland Security will implement a procedure which has been required for 17 years now. President Clinton signed a provision into law requiring a biometric entry and exit system.

When a person enters the country on a foreign visa, they are required to give fingerprints—that is their biometric identifier—but there is no way and no means by which to check whether a person has left the country when their visa has expired. This is designed to

deal with that 40-percent source of illegal immigration.

My amendment authorizes the creation of a southern border security commission similar to the one in the underlying bill, but does so in a way that respects the Constitution and federalism.

My amendment removes Washington, DC, appointees from the commission and allows State Governors to immediately begin advising the Department on gaining operational control of the southern border. I think this is very important because while I have heard colleagues here in the Senate who have good intentions—but I think sometimes their only consciousness of what the border may look like is derived from movies they have seen or novels they have read—this requires consultation with the people who know the border communities best, and that is the people who live there and the State Governors who govern States on our U.S.-Mexico border.

My amendment also requires the Secretary of Homeland Security to issue a comprehensive southern border security strategy within 120 days of enactment. People who are listening may say: I thought the Department of Homeland Security already had a southern border security strategy. And if it does not, why in the heck not?

Well, this would compel the Secretary—who, amazingly to most people in my State, when she declared the border is secure, nearly provoked laughter, as much as anything else, because it is patently and demonstrably not true—but this amendment would require such a strategy within 120 days of enactment of the bill and chart a course for achieving and maintaining full situational awareness and operational control of the southern border.

The Secretary would also be required to submit semiannual reports on implementation. This amendment would also streamline and improve the strategy required under the underlying bill. For example, it combines the southern border security strategy and the southern border fencing strategy for administrative clarity and economies of scale.

It also addresses an oversight in the underlying bill by requiring the Department of Homeland Security to develop a strategy to reduce land port of entry wait times by 50 percent in order to facilitate legitimate commerce and encourage lawful cross-border trade.

This is something that is not sufficiently appreciated. Mexico is our third largest trading partner. Six million jobs in America depend on cross-border trade with Mexico. Why in the world would we want to do anything that would make cross-border lawful trade worse? Right now, by failing to update our infrastructure at the ports of entry—and to make sure we have adequate staffing here—there are huge wait lines which prove very useful to the people who want to smuggle drugs and people across the border. So this would have a way of separating the legitimate trade and traffic from the

people who are up to no good: the drug dealers, the human traffickers, and the like.

There is a question that has arisen, as you might expect, about how we are going to pay for all this. That is a good question, and it is an important question. My amendment creates a comprehensive immigration reform trust fund similar to that in the underlying bill. Ultimately, the goal is for fees and fines to fund this entire piece of legislation. But my amendment combines all border security funding streams and makes \$6.5 billion of these funds available immediately for implementing the southern border security strategy.

The RESULTS amendment increases the number of Border Patrol agents and Customs and Border Protection officers by 5,000 each. Some people have mistakenly said I want to add 10,000 Border Patrol agents to the border on top of the 20,000 who are already there. Well, that is not entirely accurate. We want 5,000 more because if you have this great technology—which is going to give you eyes in the sky; 100-percent situational awareness—when this technology identifies people trying to cross the border, you have to have somebody to go get them and to detain them. That is why Border Patrol agents are important. In some parts of our 1,200-mile border in Texas alone, there are huge stretches of land that are vulnerable to cross-border traffic. That is why the Rio Grande sector in South Texas is now the single most crossed sector.

The other day, when I was in Brooks County—Falfurrias, TX—the head of the Border Patrol sector in that area told me that in 1 day they had 700 people coming across the border whom they detained. We do not know how many got away, but they did detain 700 people. Madam President, 400 of them came from countries other than Mexico. In other words, Mexico's economy is doing much better, and it is less and less incentive for people to cross into the United States to work if they have a job where they live. But in Central America things are pretty bad right now. So 400 out of the 700 in 1 day came from Central America. Literally people could come from anywhere around the world if they have the money and the determination to penetrate our southern border. So it is important we have increased numbers of Border Patrol agents as well as Customs and Border Protection officers to help facilitate legitimate commerce and to detain people trying to cross illegally.

By the way, the underlying bill already has a provision for additional CBP officers—Customs and Border Protection officers—and my amendment would increase that number by 3,500, and add 5,000 Border Patrol agents to it.

The RESULTS amendment also improves emergency border security resource appropriations by ensuring that deployment decisions are consistent with the comprehensive strategy and

not done in a piecemeal, disconnected sort of way. It is important that we have a combination of not only boots on the ground, infrastructure, but also that technology I think we would all agree upon, much of which the American taxpayer has already paid for because it is being deployed by the U.S. military in places such as Afghanistan and Iraq. What we need to do is transfer some of that to the Homeland Security Department—another part of the Federal Government—and to implement it to help provide that situational awareness and enforcement.

My amendment also authorizes \$1 billion a year for 6 years—it does not appropriate it; it authorizes it—in emergency port of entry personnel and infrastructure improvements. I already touched on that a moment ago. But the whole idea of the underlying bill is to provide a guest worker program, a legal means to come and work in the United States. The idea is that will allow law enforcement to focus on the bad actors. This has the similar rationale.

The RESULTS amendment further improves the land ports of entry by allowing the General Services Administration to enter into public-private partnerships to improve infrastructure and operations.

This amendment also repurposes the Tucson sector earmark in the underlying bill to the full southern border to help ensure that effective border security prosecutions are increased in every sector, not just in one, in Tucson.

By making improvements to the State Criminal Alien Assistance Program—the so-called SCAAP bill—my amendment would help ensure that State and local governments are swiftly and fully compensated for their assistance in detaining criminal aliens who have been convicted of offenses and who are awaiting trial.

One of the great frustrations in my State—given our common border with Mexico and the failure of the Federal Government to live up to its responsibilities when it comes to border security—is that much of the cost of that is borne by local governments and local taxpayers in counties along the U.S.-Mexico border, particularly when it comes to education, health care, and law enforcement.

This SCAAP provision in my amendment would help make sure that in the law enforcement area State and local law enforcement officials are indemnified and, indeed, encouraged to help cooperate in detaining criminal aliens who have been convicted of offenses and are awaiting trial.

My amendment would also create the southern border security assistance grant program to help border law enforcement officials target drug traffickers, human traffickers, human smugglers, and violent crime. Again, the Federal law enforcement agencies cannot do it by themselves, and local and State law enforcement in Texas do

not expect them to, but they do expect a little bit of help, financial help, particularly, when it comes to overtime, when it comes to equipment that is necessary to supplement the Federal effort or to fill the gap when the Federal Government leaves a gap in law enforcement efforts.

My amendment would also remove a controversial provision in the underlying bill that would prevent the emergency deportation of serious criminals.

My amendment would remove a controversial disclosure bar that would prevent law enforcement and national security officials from obtaining critical information contained in legalization applications filed under this bill. My amendment would allow these officials to request and obtain information in connection with an independent criminal, national security, or civil investigation.

This is directed at one of the biggest problems in the 1986 amnesty Ronald Reagan signed, because he signed an amnesty for 3 million people premised on the idea that we were actually going to enforce the law and we would never need to do that again. But so much of that amnesty was riddled with fraud and criminal activity because of the confidentiality provisions which prohibited law enforcement from investigating and detecting fraud and criminality. If we want to maintain the integrity of the provisions of this bill, we need to make sure our law enforcement officials are not blinded, but that they actually have the ability to investigate these matters for a criminal, national security, or civil investigation.

My amendment would allow Citizenship and Immigration Services to turn over evidence of criminal activity or terrorism contained in legalization applications filed under the bill to other law enforcement agencies after the application has been denied and all administrative appeals have been exhausted.

This would greatly work to reduce the potential for mass fraud that occurred in the 1986 amnesty bill, and it would allow the application process to maintain its basic integrity and ensure that national security is protected.

My amendment would also give American diplomatic officials more flexibility to share foreigners' visa records with our allies by clarifying that the State Department may share visa records with a foreign government on a case-by-case basis for the purpose of determining removability or eligibility for a visa, admission, or other immigration benefits—not just for crime prevention, investigation, and punishment—or when the sharing is in the national interest of the United States.

My amendment would further improve the public safety by denying probationary status—something called RPI, or registered provisional immigrant status—to any person who has been convicted of a crime involving domestic violence, child abuse, assault

with bodily injury, violation of a protective order under the Violence Against Women Act, or drunk driving. These are serious offenses, and the consequences are often tragic. The underlying bill would allow the vast majority of illegal immigrants who have committed these crimes to automatically become registered provisional immigrants and, ultimately, hold open to them the possibility they could become American citizens. I think we need to draw a very bright line between those whose only offense is to try to come here for a better life and those who have shown such contempt for our laws and American law and order that they commit crimes. We should not reward them with a registered provisional immigrant or probationary status.

My amendment also removes an unjustified provision in the underlying bill that would allow repeat criminals with multiple convictions to automatically obtain legal status, so long as they were convicted of the multiple offenses on the same day. I know that sounds very strange, but in the underlying bill, if you commit multiple offenses on one day, they do not count as separate offenses for purposes of the bar—if you commit three misdemeanors or a felony. So my amendment would fix that.

My amendment would also remove a dangerous provision in the underlying bill that would allow the Secretary of the Department of Homeland Security unfettered discretion to waive this criminal activity prohibition and to allow people to gain legal status, even if they are repeat criminals who have been convicted of three or more offenses.

My amendment would strike a controversial provision allowing deportees and persons currently located outside the United States to qualify for probationary status. I do not know how many people have actually focused on this provision. I think most people thought this was for people who were in the shadows in the United States whose only offense was simply a violation of our immigration laws to come here and work. But this underlying bill would allow people who have already been deported and who have committed crimes already to reenter the country and to qualify for probationary status. My amendment would change that and fix that.

My amendment would require the Secretary of Homeland Security, through her designees, to conduct interviews of applicants for RPI status who have been convicted of a criminal offense in order to determine whether the applicant is a danger to the public safety.

Now, I can imagine that somebody might have committed some misdemeanor offense, but upon further inquiry and examination they may not be deemed a threat to the public safety. That is what the purpose of that interview requirement would be. We also close a judicial review loophole

that would allow dangerous individuals to remain in the United States after their RPI application has been denied by the Department of Homeland Security.

Finally, my amendment would take a hard line against human smuggling and the transnational criminal organizations that are the primary movers of people and drugs across the southern borders. I do not know how many of our colleagues really understand this now, but this is a major business that is primarily occupied by organized crime. It is the drug cartels. It is what we sometimes call transnational criminal organizations and the people who work for them.

They are the primary agency moving people, drugs, and contraband across the border. That is what my amendment is designed to attack—increased penalties for human smuggling and the transnational criminal organizations that facilitate them. My amendment adds aggravated penalties for human smuggling that is committed by repeat offenders which result in death, result in human trafficking, or include involuntary sexual conduct.

I had the humbling experience the other day when I was in south Texas in meeting a young lady who is from Central America. Her parents paid \$6,000 for her to be smuggled into the United States and to be reunited with relatives in New Jersey, only to find out that did not work out too well, and she had to rejoin the person who brought her across the border, the human smuggler, who promptly prostituted her and put her into involuntary servitude where she was afraid to escape lest she be deported and have to leave the country.

There are innumerable human tragedies which occur day in and day out under the status quo, which is one reason why I believe we need to fix our broken immigration system, and particularly our porous border, that allows these predators to prey on innocent young women like this young woman I met from Guatemala, and to basically commit them to human slavery in the United States in places like Houston, where she worked in a bar and was prostituted out numerous times a day. Because she felt so vulnerable, she believed the only way she could actually stay here was to submit to the demands of this sexual predator.

My amendment respects the victims of abuse of human smuggling by requiring the Department of Justice to ensure that information about missing and unidentified migrant remains found on lands near the southern border is uploaded into the National Missing and Unidentified Persons System. We provide state and local officials with resources to identify the victims.

This is another experience I had when I was in Brooks County recently in south Texas, where just last year alone they found 129 dead bodies—human remains—that they were unable to identify because these were people

simply left behind by the human smugglers who basically did not care anything about them—only for the money they would provide, which once provided, they could care less about whether these people actually made their way into the United States, particularly if they were slowing down the rest of the group.

My RESULTS amendment disqualifies persons who have used a commercial motor vehicle to commit a human smuggling offense from operating a commercial vehicle for a year. We ban repeat human smugglers from operating commercial motor vehicles for life. This is a penalty that will have teeth in it and deter this heinous crime. My amendment creates special penalties for illegal immigrants convicted of drug trafficking or crimes of violence.

Now, we understand that, again, some people have come across our borders without observing our immigration laws who want nothing but a chance to work. But if people have come across the border and engaged in drug trafficking or criminal violence, they deserve the special penalties provided for in my amendment. My amendment would create a new crime for illegal border crossing with the intent to aid, abet, or engage in a crime of terrorism. Again, this is something I wonder whether my colleagues really understand because they do not live along the southwestern border.

We have had people from 100 different countries, including countries of special interest as state sponsors of terrorism, come across our southwestern border. When I was in Falfurrias the other day, the Border Patrol showed me rescue beacons which, if you get sick enough and dehydrated enough and exposed enough to the elements and just want to give up, you can hit the beacon and the Border Patrol will come and rescue you.

They are listed in three languages: English, Spanish, and Chinese. I asked the Border Patrol: Well, Chinese, that seems a little bit out of place in south Texas. They said: Well, for \$30,000, if you are from China, you can hire someone to smuggle you into the United States. So, as we have heard from both the Director of National Intelligence and the head of the Defense Intelligence Agency, this vulnerability along our southwestern border is literally a national security vulnerability, and one reason we need to adopt my amendment.

My amendment closes loopholes in current laws that allow drug cartel mules to transport bulk cash and launder money with near impunity. So what happens is, the drugs come from the south of the border to the north of the border. Then the transaction is made by somebody buying those drugs. The cash has to make its way back. We have developed pretty sophisticated means through a wire transfer process to identify when large amounts of cash are transferred by wire. But there is also a huge trade in bulk cash, where

literally cash is transferred in bulk across the border south in order to launder it with near impunity. My amendment would address that problem.

My amendment targets money-laundering efforts through stored value cards and blank checks. So why do it on the wire? Why do it in bulk cash if you can just do it through a gift card you can buy at a local grocery store or blank checks? These are tactics that are frequently used by cartels to transport criminal proceeds across the southern border and launder money.

In sum, my amendment goes beyond promises and platitudes. It demands results. Again, it realigns the incentives for everybody to make sure the Department of Homeland Security hits the standards in this bill of 100 percent situational awareness, 90 percent operational control.

These are not my standards alone. These were standards that the Gang of 8 wrote initially into their bill. Their bill offers promises but no real enforcement means to make sure it actually happens.

Under my amendment, people who applied for registered provisional status are not eligible for legal permanent residency until the American people have the assurances that the border security measures, the E-Verify provision, the biometric entry-exit system, all those things have been done.

That seems like a small price to pay with a generous gift that the American people are being asked to confer upon people who have entered the country illegally or who came in legally and overstayed their visa in violation of our laws. Now, this is what a real border security trigger looks like. Unfortunately, some of our colleagues do not want a trigger at all. Above all, they want a pathway to citizenship regardless of whether we have secured our borders.

We have tried that before—in 1986. We have also promised people since 1996 that we would implement a biometric entry-exit system and have never delivered that. The 9/11 Commission identified the need for a biometric entry-exit system as a national security imperative in the 9/11 Commission report. We still have not done it. So why in the world would the American people, at a time when their trust in the Federal Government is at an all-time low, why in the world would we simply say trust us once more. We are going to promise you the Sun and the Moon and the aurora borealis, but we are not going to have any means necessary in the bill to actually require the implementation of those promises. By the time the empty promises are realized, we know there will be 11 million people on registered provisional immigrant status and potentially on the way to legal permanent residency and citizenship.

CNN reported a poll today that said 6 out of 10 Americans in their poll were OK with providing people humane and compassionate treatment, including an

opportunity to earn legal status in this country if they could just be assured that the borders would be secured and our laws would be enforced. My amendment accomplishes exactly that.

As I have repeatedly emphasized, my amendment uses the same border security standards as the Gang of 8 bill. Again, the difference is that in my amendment it has a real trigger that is based on demonstrable results, while their so-called trigger can be activated whether or not our borders are ever secured.

To put it another way, their trigger demands border security inputs. My trigger demands border security results or outputs. We have now had 27 years of inputs since the 1986 amnesty, and we still do not have secure borders. It is long past time to demand results, or outputs, and not just more hollow promises.

One final point about immigration reform. Whatever legislation we pass in this Chamber will head over to the House of Representatives. If we want the Senate bill to have any chance to become law, then we have to include real border security provisions and a real border security trigger. Our House colleagues have made that abundantly clear.

In other words, my amendment is not a poison pill. It is an antidote because it is the only way we are ever going to truly get bipartisan immigration reform, something which I hope and pray we will because the status quo is simply unacceptable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Madam President, I understand I am not supposed to call up my amendment. But I would like to discuss amendment No. 1298. If it were appropriate, I would ask to make it pending. But, again, I understand we are not quite ready for that.

I am offering this amendment, when the time is right, because I think it is crucial that we have the strongest possible border protection system in place if this bill, in fact, does someday go into law. To that end, I would like to ensure that we have the best trained personnel securing our borders and overseeing the activity that contributes to the safety of our Nation every day.

Therefore, I am proposing an amendment to require the Department of Homeland Security to set up a program to recruit highly qualified veterans of the Armed Forces as well as members of the Reserves to fill crucial positions within Customs and Border Protection and Immigration and Customs Enforcement.

The security provided by these agents depends on the line watch agents who identify and apprehend undocumented aliens, smugglers, and terrorists. It depends on the agriculture and trade specialists, aircraft pilots, and mission support staff. It also depends on the intelligence research spe-

cialists, report officers, and systems engineers. Although the role and responsibilities within ICE and CBP are varied, each plays a critical role in protecting the border. The ability of these agencies to protect the border depends on the skills, training, and judgment of its employees.

The men and women who have served our Nation in the Armed Forces, as well as those who have served in the Reserves, have a broad range of capabilities that make them well suited to work in these important agencies. These men and women embody endurance and adaptability. Many of them have the human intelligence skills that ICE and CBP agents and officers need to detect illegal border crossers and respond to other nefarious activities. They are familiar with the security equipment and technologies that these agencies rely upon.

They have experience responding to leads provided by electronic sensor systems and aircraft sightings, as well as interpreting and following tracks and other physical evidence. They are trained in target assessment and have experience in disseminating the intelligence needed to make informed operational strategies.

These men and women, in short, have the physical skills, operational experience, and decisionmaking abilities needed by ICE and CBP to ensure that our borders are stronger than ever.

Let me say this is one of these amendments that is a no-brainer. This makes sense, and it helps our veterans in a couple of different ways. It helps with the unemployment rate, but it also helps them continue to serve our country. The bottom line is it helps our country to have the best, the brightest, most capable, and most experienced personnel we can possibly have on the border.

This is a bipartisan amendment. Senator JOHANNIS is my partner, and I am honored to be joined by him. Certainly, I would like to have broad-based bipartisan support as we proceed when the time is right.

I hope to have this amendment included in the bill. Again, when the time is right, I would ask that my colleagues consider supporting this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. My colleagues have heard me mention so many times that we tend to delegate more and we ought to be legislating. This bill is another example of delegating too much and giving too much authority to Cabinet-level people, in this case the Secretary of Homeland Security, and not making enough hard decisions on the floor of the Senate.

It is reminiscent of the 1,693 delegations of authority we gave to Cabinet people in the health care reform bill to a point where you can read that 2,700 pages and understand it, but we truly don't know what the health care system in the United States is going to be

until those 1,693 regulations are put in place. That is going to be a long way down the road.

I wish to point out to my colleagues, I think we are making the same mistake in this immigration bill that is before the Senate. I wish to take some time to talk about how important it is to emphasize the need for Congress to legislate, not delegate, especially with this immigration bill before us.

When an immigration bill is nearly 1,200 pages long, the American people should expect that it is their elected representatives writing the legislation and making most of the decisions. They should expect the executive branch and the Secretary of Homeland Security, in particular, to carry out those policies.

There are individual circumstances that Congress cannot fully anticipate, so it is understandable, then, delegating some authority. With direction from Congress, the Secretary should be able to issue regulations to enforce legislative policies in those situations. Those regulations and any discretion the Secretary exercises, such as other delegations of power from Congress, should be subject to judicial review to ensure that the policies Congress established are being carried out according to congressional intent.

But this immigration bill takes a different and wrong-headed approach. It provides highly general discretion to the Secretary. It gives the Secretary tremendous, often unilateral, discretion to implement the bill. In many instances, that discretion is not even subject to judicial review.

This, obviously, is not the way power is supposed to work in our representative system of government. Uncontrolled unilateral discretion is not what the Framers of the Constitution envisioned for a government with separation of powers, checks, and balances. We have seen, for instance, and recently with the IRS, what can happen when the executive branch exercises authority with too much discretion and not enough oversight.

By some accounts, there are 222 provisions in the bill that give the Secretary of Homeland Security discretion or even allow her to waive otherwise governing parts of the bill. Other people have counted even more than the 222 provisions I have just referred to. Whether it is more or less, it is still a lot. In some cases, it is not just the delegation, it is how it is delegated.

The Secretary's unbridled waiver authority makes a bill that is already weak on immigration enforcement then even weaker.

Ironically, when the Judiciary Committee marked up the immigration bill, it rejected amendments that I and others offered to limit judicial review of immigration enforcement proceedings against people who are in this country illegally. The majority argued against them by claiming that judicial review, which historically has been limited to these enforcement actions,

should be expanded to cover these decisions and that is an expansion of judicial review.

Let me speak of the inconsistency of when they didn't think judicial review should be there. The majority wants unlimited judicial review when the Secretary would take enforcement action against people in the country illegally.

At the same time, the bill provides more judicially unreviewable discretion for the Secretary when she decides not to enforce the law against undocumented immigrants.

The people of this country should be aware of the one-way ratchet for discretion that the bill contains. Then it adds judicial review when the Secretary would enforce the law and does not provide judicial review when the Secretary decides to withhold enforcement of border security and other measures designed to reduce illegal immigration.

I believe it is worth noting some of the specific provisions of the bill that give the Secretary discretion in enforcement, sometimes without judicial review. Some of the specific language that allows her to waive provisions that supporters of the bill claim make this bill even tough on illegal immigration and border security should also be discussed.

When they are contrasted, the legislation's goal is very clear: enact very general border security measures that are said to be tough, while giving the Secretary often unilateral discretion and waiver authority to water down those measures.

For instance, the Secretary can commence processing petitions for registered provisional immigrant status—RPI status we call it—based on her determination of border security plans and how she views the status of their implementation. The fencing that the bill seems to demand can be stopped by the Secretary when she believes it is sufficient.

The Secretary has the ability to decide whether certain criminal offenses should bar someone from the legalization program. She can waive, with few exceptions, the grounds of inadmissibility prescribed in law. She is given discretion whether to bring deportation proceedings against those who do not qualify for RPI status. If they are denied, shouldn't they be deported?

The Secretary is also allowed to waive various requirements when a person adjusts from RPI status to legal permanent resident status, including what counts as passing a background check.

The Secretary has broad authority on how to use the \$8.3 billion in upfront funds transferred from the Treasury. On top of that, she has wide discretion on how to use the additional \$3 billion in startup costs that don't have to be entirely repaid to the Treasury.

Notwithstanding the constitutional powers of Congress over the purse, she is given authority to establish a grant program for nonprofit organizations.

With respect to the point system, the Secretary is given discretion to recalculate the points for particular petitioners and to decide not to deport inadmissible persons.

She also has the discretion to waive requirements for citizenship that otherwise apply under the bill.

The Secretary is also given a great deal of discretion in the operation of the electronic employment verification system; for instance, which businesses will be exempt from the requirement; which documents can individuals present to prove identity or work authorization. She also has the authority to determine when an employer who has repeatedly violated the law is required to use the system. Those decisions will be vital in determining whether the employment verification system will be effective.

Members of this body can opine all day about what this bill does, but we may not know for years, as in the case of ObamaCare, until these regulations are written or these waivers are used, the extent to which this bill is carried out with the intent that we believe it is carried out.

We don't know that for years. I use the example of the health care law because we are learning, after 4 years that the bill has been passed, there are a lot of unknowns in it. We also learned there is not a lot of certainty. That is the fallout from delegating so much power in one Secretary. We shouldn't repeat that mistake when we pass this bill next week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I wish to say thank you to Senator MANCHIN, former Governor Manchin, for his willingness to let me slip ahead of him for a few minutes. He is going to talk about the birthday of the State in which both of us were born, West Virginia. I am happy to be here to cheer him on and to applaud all the good work that goes on in my native State and the great work he is doing.

The Presiding Officer has a baseball team up there in Massachusetts, those Red Sox, and every now and then there is a pitcher who telegraphs a pitch. I wish to telegraph a pitch this afternoon.

I was surprised to find out last month from the chair of the Senate Committee on Homeland Security, when I was down at the Mexican border of South Texas, that three out of every five people who come into our country illegally in Texas come not from Mexico, but they come from Central American countries. They come from Guatemala, they come from Honduras, and they come from El Salvador—3 out of 5, 6 out of 10.

For the most part, they don't realize what they are getting into. They don't realize the risks they face on their way to the north to go to the border of Mexico and even when they get across the border into the United States. The dangers they face are of getting robbed,

raped, beaten, drown in the river, and die of starvation and dehydration in the desert. Finally, they get to this country at a time when employers are tightening up in terms of whom they actually hire. They are not hiring those who are here and undocumented.

There is the prospect of detention, not a very pleasant experience, followed shortly thereafter by literally being transported back to their native countries. Most of the people who are trying to get here from those three countries, Honduras, Guatemala, El Salvador, don't know what they are getting into.

They need to know what they are getting into. When I was Governor, as part of the 50-State deal negotiated by the States' attorneys general, you may recall, with the tobacco industry, we created a foundation out of that and called it the American Legacy Foundation. We ran something called a truth campaign. The idea was to convince people, such as these pages, not to start smoking and, if they were smoking, to stop. It was hugely successful.

What we need is something similar to that, particularly in those Central American countries, where the majority of people are now coming from in order to get into Texas and to the United States.

The other thing I would have us keep in mind, we have spent a fair amount of resources in this country trying to help the Mexicans go after the drug lords and to quash the drug trade. What is happening is it is akin to squeezing a balloon. The bad guys in Mexico have worked their way down to El Salvador, Guatemala, Honduras and created mischief there, setting up a drug trade, creating a lot of violence, and making life very unpleasant.

What you have in those countries is not a good situation. One can understand why people want to get out of it: for jobs, hope, and for personal safety. One of the things we have done to help in Mexico—and we are part of the problem. Our country's consumption of illegal drugs has created this problem for Mexico. This deal where drugs come north and guns go south—we are part of that problem, and we need to acknowledge that. But we want to be part of the solution in Mexico, and I think we are playing a constructive role.

We need to be part of the solution in Honduras, El Salvador, and Guatemala and do a similar kind of thing we are doing in Mexico. Part of that is to help a little on their own public safety, the law enforcement efforts in those three countries. Part of it is helping on economic development, job creation, so people don't feel the need to leave those countries and try to flee to our country. The last piece is to actually work with Mexico so they can do a better job of controlling their own borders, to make sure folks don't get, from south of them, into Mexico and eventually work their way into Texas and into the United States.

I will be offering an amendment—not tonight but I suspect tomorrow—that

tries to say: Let's put together a truth campaign, convey what is really facing the people, particularly from those three Central American countries, who are trying to get to the United States and to also see, while we are doing that, if we can't help a little on the economic development and job creation side in those countries and in terms of helping them face lawlessness and crime. We can do a little to help there as well. I call this going after the underlying causes—not just treating the symptoms of the problem but going after the underlying cause—and I think we should do this. So I will offer this tomorrow, and I hope my colleagues will agree.

I want to say again to my fellow native West Virginian, thank you for the chance to go ahead. Thank you most of all for the great job you are doing here and for being here to tell us a little bit of the good coming out of the Mountain State.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

#### WEST VIRGINIA'S 150TH BIRTHDAY

Mr. MANCHIN. Madam President, this week the State of West Virginia will celebrate the sesquicentennial of its birth—a brave and daring declaration of statehood that is unprecedented in American history.

West Virginia was born out of the fiery turmoil of the Civil War 150 years ago. It was founded by true patriots who were willing to risk their lives and fortunes in a united pursuit of justice and freedom for all.

To West Virginians, the names of Pierpont, Willey, and Boreman are nearly as familiar as Washington, Jefferson, and Franklin. Each of these men was a pivotal figure in our States's improbable journey to independence from Virginia and to our very own place in the Union.

But, of course, our forefathers could not have brought forth a new State conceived of liberty without the hand of Abraham Lincoln. It was Lincoln who issued the proclamation creating West Virginia and establishing our State's birthday as June 20, 1863. And characteristically with few words, the 16th President dismissed the arguments of the day that his proclamation was illegal. Lincoln wrote:

It is said that the admission of West Virginia is secession, and tolerated only because it is our secession. Well, if we call it by that name, there is a difference between secession against the Constitution, and secession in favor of the Constitution.

Indeed, the people of West Virginia had a choice of two different flags to follow during the Civil War. There was, as Francis Pierpont pointed out, “no neutral ground.” The choice, he said, was “to stand by and live under the Constitution” or support “the military despotism” of the Confederacy. We chose wisely. We chose the Stars and Stripes. We chose allegiance to the country for which it stands. We chose to live under a constitution that prom-

ised the constant pursuit of “a more perfect union” of States. And ever since that historic beginning, we the people of West Virginia have never failed to answer our country's call. No demand has been too great, no danger too daunting, and no trial too threatening.

The abundant natural resources of our State and the hard work and sacrifice of our people have made America stronger and safer. We mined the coal that fueled the Industrial Revolution. We powered the railroads across the North American continent and still today produce electricity for cities all across this country. We stoked the steel factories that armed our soldiers for battles all across the globe and built the warships that plowed the oceans of the world. And we have filled the ranks of our military forces in numbers far greater than should ever be expected of our little State.

Consider this: According to U.S. census data, West Virginia ranked first, second, or third in military casualty rates in every U.S. war of the 20th century—twice that of New York's and Connecticut's in Vietnam and more than 2½ times the rates of those two States in Korea. Today 13.8 percent of West Virginia's population is made up of veterans—the seventh highest percentage among all States. That is higher than the national average of 12.1 percent. That is higher than States with much larger populations, States such as Florida, New York, Texas, Pennsylvania, Ohio, Michigan, or Massachusetts. It is like I always say: West Virginia is one of the most patriotic States in the country.

The best steel comes from the hottest fires. We have all been told that. Well, the fires of the Civil War transformed West Virginia from a fragile hope to a well-tempered, steely reality, dedicated to the ideals of the Declaration of Independence and guarantees of the U.S. Constitution. But West Virginia is great because our people are great—mountaineers who will always be free. We are tough, independent, inventive, and honest. Our character is shaped by the wilderness of our State, its rushing streams, its boundless blue skies, its divine forests, and its majestic mountains.

Our home is, in the words of the best-selling novelist James Alexander Thom, “a place for health and high spirits, where one's first look out the cabin door every morning [makes] the heart swell up.” Thom wrote of our magnetic land as it existed long before it achieved statehood, but his words ring just as true of today's West Virginia. They pay homage to a State of natural beauty, world-class outdoor recreation, year-round festivals, ancient crafts, rich culture, strong tradition, industry, and trade. It is a place of coal mines and card tables, racing horses and soaring eagles, Rocket Boys and right stuff test pilots, sparkling lakes and magical mountains, breathtaking backcountry and barbecue



joints, golf and the Greenbrier, battlefields and big-time college football, college towns and small towns that are pure Americana. It is a place of power, pulse, and passion. It is the special place we call West Virginia, the special place we call home.

I admit we have had our ups and downs and setbacks and triumphs. We have had some pretty famous family feuds—a few you might have heard of—and life can be tough sometimes. But the spirit of West Virginia has never been broken, and it never will. I learned that a long time ago growing up in a small coal-mining town of hard-working men and women called Farmington, WV. When things got tough, they got tougher.

It is as if we still hear the words of Francis Pierpont to the delegates to the Second Wheeling Convention in 1861 as they debated whether to secede from Virginia. Pierpont said:

We are passing through a period of gloom and darkness . . . but we must not despair. There is a just God who rides upon the whirlwind and directs the storm.

It is as if we still hear the words of President John F. Kennedy from the rain-soaked steps of the State capitol in Charleston during our State's centennial celebration. President Kennedy said:

The sun does not always shine in West Virginia, but the people always do.

We are West Virginians. Even in the darkness and the gloom, we look to a just God who directs the storm. We are West Virginians. We are the 35th State of these United States. We are West Virginians, and like the brave, loyal patriots who made West Virginia the 35th star on Old Glory, our love of God and country and family and State is unshakable, and that is well worth celebrating every year.

I thank the Chair, and I yield the floor.

Mr. CARPER. Madam President, if the Senator will yield, that was wonderful. I am sorry more of us weren't hear to hear those words.

The Senator holds the seat once held for many, many year by Robert Byrd, who until maybe this month was the longest serving person in the history of our country to serve in Congress. I think the record was just eclipsed by JOHN DINGELL from Michigan—a most worthy successor.

The Senator from West Virginia knows there is another notable West Virginian who is rising now to national prominence to serve our country as the new Director of the Office of Management and Budget. She grew up in Hinton, WV, graduated from Hinton High School, played on the girls basketball team, and her name is Sylvia Mathews Burwell.

So West Virginia is a State that has produced certainly a lot of coal, a lot of natural resources, but also a lot of good people and a lot of good leaders. And this Senator came to us from West Virginia having been a two-term Governor and chairman of the National

Governors Association, and I know he is marked maybe for greatness—maybe for greatness. And I think his wife has a birthday tomorrow; West Virginia has a birthday the day after tomorrow.

Mr. MANCHIN. Hers is the 20th also.

Mr. CARPER. The fact is that West Virginia sort of separated itself from Virginia, and about 237 years ago this past Saturday, the State of Delaware gave Pennsylvania its independence. It is quite common to talk about what is Delaware and what is not Delaware—Pennsylvania and Delaware were joined at the hip—but as I said, on June 15, 1776, Delaware gave Pennsylvania its independence and also declared our independence from the tyranny of the British throne. But here we are 5 days later celebrating West Virginia giving Virginia its independence, and now they are on their own and making us all proud.

Mr. MANCHIN. I know the Senator from Delaware was also, like myself, born in West Virginia. And when we think about all the famous people who have come from West Virginia, we think about the men with the right stuff—Charles Yeager, General Yeager, who broke the sound barrier in 1947; we think about the Rocket Boys and the movie “October Sky.” We think about the Hatfield and McCoy feud—a couple of feuds we have had and some might say are still going on; and we think about the logo for the National Basketball Association. Jerry West is the person dribbling the basketball. That is his picture. That is the logo. So we think about so many contributions, but most important of all the people in West Virginia and all over this great country have contributed to who we are today, and I am a proud West Virginian through and through.

Mr. CARPER. If I could add, Madam President, every Sunday night I turn on the radio to WNCN to hear simulcast across the country West Virginia Mountain State—it is great music, eclectic music that is wonderful and reminds me of home.

I thank the Senator for enabling us to help him celebrate West Virginia's birthday as well.

Mr. MANCHIN. I thank the Chair, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. 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. SCHUMER. Madam President, I rise to discuss the report by the Congressional Budget Office that was just released. This is a long-awaited report, and we have all been waiting with bated breath to see what they would say. The report assesses the economic and fiscal impact of S. 744, the bipartisan immigration bill being debated here in the Senate. We are still digesting the report, but at first glance it

contains some very positive news for comprehensive immigration reform on a number of fronts.

At the beginning of our bipartisan negotiations on this bill, we made an important promise: Our bill will not add to the deficit. CBO found that we kept our promise—and then some. Let me review some of the top-line findings of the CBO report.

CBO found our bill decreases Federal budget deficits by \$197 billion over the 2014–2023 period. CBO finds we achieve about \$700 billion in deficit reduction in the second decade of implementation, from 2024 to 2033. So the first 10 years, our bill, according to CBO, decreases the deficit by \$175 billion and in the second 10 years by \$700 billion.

The CBO also released an economic analysis that found the bill will increase GDP by 3.3 percent in 2023, and between 5.1 percent and 5.7 percent in 2033.

The second-decade figure on deficit reduction is quite relevant and remarkable. Many of the bill's opponents were specifically urging the CBO to look at the second decade in hopes it would show major costs, but CBO found just the opposite.

I cannot overstate the significance of these findings. Simply put, this report is a huge momentum boost for immigration reform. It debunks the idea that immigration reform is anything other than a boon to our economy, and robs the bill's opponents of one of their last remaining arguments.

The report proves once and for all that immigration reform is not only right to do to stay true to our Nation's principles, it will also boost our economy, reduce the deficit, and create jobs. Immigration reform should be a priority of progressives and conservatives alike.

Madam President, 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. CORNYN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

ROSOBORONEXPORT

Mr. CORNYN. Madam President, I come to the floor to say a few words about Rosoboronexport, the Russian State arms dealer which has been supplying the Syrian Government with deadly weapons and thereby facilitating mass murder. Last November I sponsored an amendment to prohibit the use of taxpayer dollars in America to enter into contracts or agreements with Rosoboronexport. My amendment had strong bipartisan support, and it passed unanimously. Yet just yesterday, as President Obama met with Russian leader Vladimir Putin at the G8 Summit in Northern Ireland, we learned the Pentagon signed a brandnew \$572 million contract with Rosoboronexport to buy MI-17 helicopters for the Afghan Army.

How did the Obama administration get around the prohibition in my amendment? They argued that the Rosoboronexport contract was in our national security interests. In other words, they want us to believe we are promoting U.S. security by doing business with a Russian arms dealer who is helping an anti-American, terror-sponsoring dictatorship commit mass atrocities. Unbelievable.

Last year the Pentagon agreed to audit the contract with Rosoboronexport and make good-faith efforts to find other procurement sources for the Afghan military. Now they are refusing to complete that audit on the grounds that Rosoboronexport simply has refused to cooperate.

Meanwhile, my office has learned that Army officials within the Non-Standard Rotary Wing Aviation Division, whose primary focus is the Mi-17 program, are the subjects of an ongoing criminal investigation. This, obviously, raises troubling questions about whether the terms of the new Mi-17 procurement contract resulted from criminal misconduct.

I want to take this opportunity to say once again that American taxpayers should not be indirectly subsidizing the murder of Syrian civilians, especially when there are perfectly good alternatives to dealing with Rosoboronexport. If the Pentagon continues this relationship, it will undermine American efforts to stand by the Syrian people.

I yield the floor.

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. WHITEHOUSE. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for perhaps up to 20 minutes as in morning business.

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

#### GLOBAL CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, I am here again—I think it is the 36th time—to speak as I do every week on global climate change, to remind us that it is time for us to wake up and to take action to protect our communities. The risks that we ignore will not go away on their own. The longer we remain asleep, the greater the challenges we leave for our children and grandchildren. The changes we are already seeing—rising sea levels, floods, and erosion, more powerful storms—are taking their toll in particular on our aging infrastructure which I would like to talk about today—our roads, our bridges, our sewers and water pipes. This kind of infrastructure is designed to operate for 50 to 100 years and to withstand expected environmental con-

ditions. So what happens if expected weather and climate patterns change? Well, they are.

According to the Draft National Climate Assessment:

U.S. average temperature has increased by about 1.5 degrees Fahrenheit since 1895; more than 80% of this increase has occurred since 1980. The most recent decade was the nation's hottest on record.

We are also getting more precipitation with more and more of our rain coming in big, heavy downpours. Between 1958 and 2011, the amount of rain that fell during individual rainstorms increased in every region of the country—up to 45 percent in the Midwest and 74 percent in our northeast.

Last month the Government Accountability Office issued a report revealing the risks posed to U.S. infrastructure by climate change. The report—which I requested, along with finance chairman MAX BAUCUS—shows we can no longer use historical climate patterns to plan our infrastructure projects.

First, limited resources often must be focused on short-term priorities. Fixing an unexpected water main break, for example, won't usually allow for upgrades to account for climate change. And long-term projects that do include climate change safeguards usually require more money upfront. That is GAO's warning.

GAO also found that local decision-makers—folks in our home communities—need more and better climate information. The faster someone drives, the better their headlights need to be, and carbon pollution is accelerating changes to our climate and weather. Our communities need the information—the headlights—to see these oncoming changes, and it needs to be local.

When a bridge is constructed in Cape Hatteras, it is more helpful to know how climate change will affect North Carolina than North America. Thankfully, leaders across the country are waking up to the reality of climate change and are making evidence-based, not ideological, decisions about how to best serve their communities.

This is the Interstate 10 twin span bridge that crosses Lake Pontchartrain near New Orleans. During Hurricane Katrina, the storm surge rocked the bridge's 255-ton concrete bridge spans off of their piers, twisting many, and toppling others into the lake. Hurricane Katrina brought the largest storm surge on record for Lake Pontchartrain. Scientists tell us that climate change loads the dice for these stronger and more frequent storms. So the recovery design team decided to strengthen and raise this bridge. They made a larger initial investment in order to reduce maintenance costs in the future. That is smart planning.

In 2012, Hurricane Isaac was the first major test for the new bridge, and it passed. The damage was limited to road signs and electrical components. This is the new higher bridge over here

and that is the old bridge down on the left there.

To the south, Louisiana State Highway 1 is the only access road to Port Fourchon. Senator VITTER, who is from Louisiana and our ranking member on the Environment and Public Works Committee, has told us that 18 percent of the Nation's oil supply passes through Port Fourchon. It is a pretty important port, and Highway 1—the only access road to it—is closed on average 3½ days a year due to flooding, according to GAO. NOAA scientists project that within 15 years portions of Louisiana Highway 1 will flood an average of 30 times each year. State and local officials raised 11 miles of Highway 1 by more than 22 feet. So when Hurricane Isaac brought a 6½ foot storm surge up the gulf, those raised portions were unaffected.

Up north in Milwaukee, WI, the metropolitan sewerage district spent \$3 billion in 1993 to increase the capacity of its sewer system based on historical rainfall records dating back to the 1960s. But extreme rainstorms in the Midwest have changed drastically. Milwaukee experienced a 100-year storm 3 years in a row. Milwaukee experienced 100-year storms in 2008, again in 2009, and again in 2010. The University of Wisconsin projects these storms will be even more common in the future, so Milwaukee took steps to improve the ability of nearby natural areas like wetlands to absorb the extra runoff from rainstorms. This eased the pressure on the city's wastewater system.

The GAO infrastructure report also found that areas recently hit by a natural disaster tend to get proactive about adaptation. I think it is easy to see how getting clobbered by a hurricane will help people to rethink their emergency preparedness. But waiting for disaster is not risk management, and we can and must do better.

In my home State of Rhode Island, local leaders are wide awake to climate change. For instance, North Kingstown is a municipality with planners who have taken the best elevation data available and modeled expected sea-level rise as well as sea-level rise plus 3 feet of storm surge. By combining these with the models and maps that show the roads, emergency routes, water treatment plants, and estuaries, the town can better plan its transportation, conservation, and relocation projects.

Last week, North Kingstown's efforts were recognized by a grant from the EPA and will be a model for communities throughout the country.

Other coastal States face many of the same risks we are facing in Rhode Island—none more than Florida. A study of sea-level rise on U.S. coasts found that in Florida more than 1.5 million residents and almost 900,000 homes would be affected by 3 feet of sea-level rise. Both numbers, 1.5 million residents and almost 900,000 homes, are almost double any other State in the Nation.

These maps show what 3 feet of sea-level rise means for Miami-Dade County in southeastern Florida. The map on the left shows the current elevation in southern Miami-Dade compared to 3 feet of sea-level rise shown here on the right. The blue regions, which are green here, are the regions that have gone underwater with 3 feet of sea-level rise. They would lose acres and acres of land. This nuclear power station and this wastewater treatment plant are virtually cut off from dry land.

And the flooding won't just be along the coast; low-lying inland areas are also at risk. That is because in Florida, particularly in the Miami metropolitan area, the buildings are built on limestone. Florida stands on a limestone geological base, and limestone is porous. Up in New England, we can build levees and other structures to hold the water back. In Miami, they would be building those structures on a geological sponge. The water will seep under and through the porous limestone.

Rising seas don't just threaten southern Florida. According to the American Security Project, Eglin Air Force Base on the Florida panhandle coast, which is the largest Air Force base in the world, is one of the five most vulnerable U.S. military installations because of its vulnerability to storm surges, sea-level rise, and saltwater intrusion.

Responsible Floridians looking at these projections have decided to take action. Four counties in Florida—Miami-Dade, Palm Beach, Broward, and Monroe—have formed the Southeast Florida Regional Climate Change Compact. Using the best available science, they have assessed the vulnerability of south Florida's communities to sea-level rise. In their four counties in Florida alone, a 1-foot rise in sea level would endanger approximately \$4 billion in property—just in those four counties. A 3-foot sea-level rise would endanger approximately \$31 billion in property.

In Monroe County, 3 of the 4 hospitals, two-thirds of the schools, and 71 percent of emergency shelters are in danger by a 1-foot rise. That is a lot of infrastructure at risk.

Together, these Florida counties, which are led both by Republicans and Democrats—this is a bipartisan county effort in Florida—have adopted a plan to mitigate property loss, make infrastructure more resilient, and protect those essential community structures such as hospitals, schools, and emergency shelters.

This past October, those member counties signed a 5-year plan with 110 different action items, including efforts to make infrastructure more resilient, reduce the threats to vital ecosystems, help farmers adapt, increase renewable energy capacity, and educate their public about the threat of climate to Florida. Looking at all of those risks to Florida and looking at the bipartisan action taken by those county leaders in Florida, I have to

ask: If you are a Member of Congress from Florida, how can you credibly deny climate change?

Studies show about 95 percent of climate scientists think climate change is really happening and humans really are contributing to it. About 5 percent disagree or aren't so sure. Can Floridians here in Congress really take the 5-percent bet? Does that seem smart, cautious, prudent, and responsible? This is the only Florida we have, and the Sunshine State is ground zero for sea-level rise. It is long past time for us to act on climate change, but it is not too late to be ready and it is not too late to be smart in Florida and elsewhere. In Florida, and in other States, infrastructure has to be designed for and adapted to the climate changes we can foresee.

I thank the Government Accountability Office for this report. Nature could not be giving us clearer warnings. Whatever higher power gave us our advanced human capacity for perception, calculation, analysis, deduction, and foresight has laid out before us more than enough information for us to make the right decisions. Fortunately, these human capacities provide us everything we need to act responsibly on this information if only we will awaken.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maine.

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

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

#### AMENDMENT NO. 1255

Ms. COLLINS. Madam President, I rise this evening to discuss an amendment I have filed to the immigration bill. It is Senate amendment No. 1255. It would ensure that the funding for an important border security program known as Operation Stonegarden continues to be allocated by the Department of Homeland Security based on risk. Without my amendment, 90 percent of the \$50 million in funding for this program awarded annually would be earmarked for the southwest border. What I am proposing is that we not put a percentage in the bill but, rather, allow for a risk-based assessment of where Operation Stonegarden monies would best be spent. This program has been extraordinarily successful in my State of Maine. It has helped Federal, county, State, and local law enforcement to pool their resources and work together to help secure our border.

While the southwest border is much more likely to make the evening news, we must not forget about our northern border. As the Department of Homeland Security pointed out when it released its first northern border strategy in June 2012: "The U.S.-Canadian

border is the longest common border in the world" and it presents "unique security challenges based on geography, weather, and the immense volume of trade and travel."

According to a report released by the GAO in 2010, the Border Patrol had situational awareness of only 25 percent of the 4,000-mile northern border and operational control of only 32 miles—less than 1 percent. We will hear those terms discussed a lot during the debate on immigration with respect to the southwest border. I think it is important that we not forget we also have a 4,000-mile northern border.

This lack of situational awareness and operational control is especially troubling because as GAO has observed: "DHS reports that the terrorist threat on the northern border is actually higher [than the southern border], given the large expansive area with very limited law enforcement coverage."

In the same report, GAO noted that the maritime border on the Great Lakes and rivers is vulnerable to use by small vessels as a conduit for the potential smuggling and exploitation by terrorists, alien smuggling, trafficking of illicit drugs, and other contraband and criminal activity. Also, the northern border's waterways frequently freeze during the winter and can be easily crossed by foot, vehicle, or snowmobile. The northern air border is also vulnerable to low-flying aircraft that, for example, smuggle drugs by entering U.S. airspace from Canada.

Additionally, Customs and Border Protection reports that further threats result from the fact that the northern border is exploited by well-organized smuggling operations which can potentially also support the movement of terrorists and their weapons.

There is also, regrettably, significant criminal activity on the northern border. In the same report, GAO noted that in fiscal year 2010 DHS has reported spending nearly \$3 billion in its efforts to interdict and investigate illegal northern border activity, annually making approximately 6,000 arrests and interdicting approximately 40,000 pounds of illegal drugs at and between the northern border ports of entry.

The Operation Stonegarden grant program is an effective resource for addressing security concerns on our northern, southern, western, and coastal borders. Over the past 4 years, approximately \$247 million in Operation Stonegarden funds has been allocated to 19 border States using a risk-based analysis for determining the allocations rather than the formula-based analysis that is included in this immigration bill.

Earmarking 90 percent of funding from Operation Stonegarden to the southwest border is ill-advised. Operation Stonegarden grants should be used to help secure our northern, southern, and coastal borders by funding joint operations between the Border Patrol and State, county, and local

law enforcement. These joint operations can act as a force multiplier in areas that would otherwise be unguarded altogether.

My amendment would ensure that DHS continues to have the flexibility it needs to make risk-informed decisions about where Operation Stonegarden funds will best serve the security of our Nation's borders.

I urge my colleagues to support my amendment, and I hope it will be brought up at some point tomorrow.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, I ask unanimous consent that the following amendments be in order to be called up and that they not be subject to modification or division, with the exception of the technical modifications to the Merkley and Paul amendments contained in this agreement: Manchin No. 1268; Pryor No. 1298; Merkley No. 1237, as modified with the changes at the desk; Boxer No. 1240; Reed No. 1224; Cornyn No. 1251; Lee No. 1208; Paul No. 1200, as modified with the changes at the desk; Heller No. 1227; and Cruz No. 1320; finally, that no second-degree amendments be in order to any of these amendments prior to votes in relation to the amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, we now have these amendments in order and we will work with all the parties to see if we can have some way of proceeding to set up votes. I would hope we can work something out so we do not have to do procedural things to try to get rid of them. We are going to do our utmost. I appreciate everyone's cooperation getting this long list of amendments so we can start voting on them.

I think it would be a pretty fair assumption that we are not going to have any votes tonight on these amendments. We will work something out tomorrow. It is about 7 o'clock and we still have a little more work to do on other issues.

The PRESIDING OFFICER. The Senator from Pennsylvania.

LUIS RESTREPO CONFIRMATION

Mr. CASEY. Madam President, I rise this evening to make some brief comments regarding a judicial nominee we voted on yesterday—one of two—Judge Luis Restrepo from Philadelphia, from the southeastern corner of Pennsylvania.

I rise tonight because my train was late last night so I was not able to make some comments about his nomination, his qualifications, prior to the vote. But I was honored that he received the vote of the Senate last night.

I also rise because it is timely in another way because we are considering immigration reform. I was on the floor last week talking about yet another judicial nominee from Pennsylvania—

now a judge, as of last week. Judge Nitza Quinones, who is a native of Puerto Rico, came to this country after her education and became a lawyer and an advocate, and then, ultimately, a judge for more than two decades now, and now will serve on the Federal District Court for the Eastern District of Pennsylvania.

So it is true of now Judge Restrepo. A native of Colombia, Judge Restrepo became a U.S. citizen in 1993. He earned a bachelor of arts degree from the University of Pennsylvania in 1981 and a juris doctor degree from Tulane University's School of Law in 1986.

He is highly regarded by lawyers and members of the bench. He exhibits an extraordinary command of the law and legal principles, as well as a sense of fairness, sound judgment, and integrity.

Judge Restrepo has served as a magistrate judge for the U.S. District Court for the Eastern District of Pennsylvania since June of 2006.

Prior to his judicial appointment, he was a highly regarded lawyer and a founding member of the Kreasner & Restrepo firm in Philadelphia, concentrating on both civil rights litigation as well as criminal defense work.

He served as an assistant Federal defender with the Community Federal Defender for the Eastern District of Pennsylvania from 1990 to 1993, and as an assistant defender at the Defender Association of Philadelphia from 1987 to 1990.

An adjunct professor at Temple University's James E. Bensley School of Law, he was also an adjunct professor at the University of Pennsylvania School of Law from 1997 to 2009 and has taught with the National Institute for Trial Advocacy in regional and national programs since 1992.

I know the Presiding Officer knows something about being a law professor and the demands of that job and the demands of being an advocate.

I think anyone who looks at Judge Restrepo's biography and background would agree he is more than prepared to be a Federal district judge, and I am grateful that the Senate confirmed him.

Finally, Judge Restrepo has also served on the board of governors of the Philadelphia Bar Association and is a past president of the Hispanic Bar Association of Pennsylvania.

So for all those reasons and more, I believe he is not only ready to be a Federal judge, but I am also here to express gratitude for his confirmation and for the vote in the Senate.

As we consider immigration reform, we should be ever inspired by the stories we hear from not only judges who are nominated and confirmed here, but others as well who come to this country, who work hard, who learn a lot, and want to give back to their country by way of public service. Judge Restrepo, this week, and Judge Quinones, last week, are two fine examples of that.

With that, Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative 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, the prime sponsor, I suppose, of the immigration bill before us—this 1,000-page document—Senator SCHUMER, announced earlier today, based on the Congressional Budget Office report, that lower deficits were promised, and that the bill, indeed, produces lower deficits. I do not believe that is an accurate statement, and I will share with you some of my concerns about that.

We have been through this before, where the budget numbers, in reality, have been utilized in a way that is not healthy, and it creates a false impression of what is occurring here.

Secondly, I do not know that he talked about this—I doubt he did—the CBO report is explicit. Under this legislation, if it were to pass, the wages of American workers will fall for the next 12 years. They will be lower than the inflation rate. They will decline from the present unacceptably low rate, and continue to decline for 12 years, according to this report. That alone should cause us to defeat this bill.

We have been told it is going to create prosperity and growth, but what it is going to produce is more unemployment, as this report explicitly states. It is going to produce lower wages for Americans, as this report explicitly states. And it is going to increase the deficit.

So I think we need to have an understanding here that something very serious is afoot: to suggest that you can bring in millions of new workers to take jobs in the United States at a time of record unemployment and that will not impact wages, that will not make unemployment go up, goes beyond all common sense.

Dr. Borjas at Harvard has absolutely proven through peer-reviewed research that that is exactly what is going to happen. Wages go down, as they have been going down, and unemployment will go up. So this report confirms that.

I will read some of the things that are in it.

I am on page 7 of "The Economic Impact of S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act."

S. 744 would allow significantly more workers with low skills and with high skills to enter the United States— . . .

No doubt about that. They say it is a move to merit-based immigration. But it is not a move to merit-based immigration. It increases low-skill workers substantially, as well as increasing other workers.

Taking into account all of those flows of new immigrants, CBO and JCT [Joint Tax] expect that a greater number of immigrants with lower skills than with higher skills would be added to the workforce. . . .

In other words, another group coming in, more lower skilled than higher skilled, just as I indicated and other commentators have indicated previously.

The report said this:

Slightly pushing down the average wage of the labor force as a whole.

Pushing down the wage of the labor force as a whole. But they go on to say this. Get this. The next sentence:

However, CBO and Joint Tax expect that currently unauthorized workers—

Illegal workers, in other words—

who attain legal status under 744 will see an increase in their wages.

So I think this underestimates, if you read the report carefully, the adverse impact that the flow of workers will have on the wages of American workers and lawful immigrants who are here today. But at any rate, it is clear that is so.

It goes on to say this, dramatically, I suggest:

The average wage would be lower than under current law over the first dozen years. CBO estimates that it would increase unemployment for at least 7 years.

So this is supposed to be good for the people we represent? Of course, I would like to ask our colleagues to think carefully about our duty. Who is it we represent in this body? What kind of responsibilities do we have to decent, hard-working Americans who experts have told us have seen their wages decline every year, virtually, since 1999.

Wages have declined by as much as 8 percent since 2009 for a number of reasons. One of the reasons, according to Professor Borjas, is that immigration is already pulling down wages by as much as 40 percent. So this will add to the problem.

This report said, quite clearly, unequivocally, it is going to increase unemployment, and it is going to pull down wages. That is exactly the wrong thing that ought to be happening at this time. How in the world can we justify passing a bill that hammers the American working man and woman who is out trying to feed a family, get a job, that has a little retirement, a little health care, some money to be able to take care of the family, and hammer them with additional adverse economic impacts?

I suggest to you this is not a report that in any way justifies advancing this legislation. Let me just take a moment. I wrestle with these numbers. I see the Presiding Officer who is on the Budget Committee understands these numbers. They say it pays down the deficit. Let me show you what it really says. This is the way they double counted the money to justify ObamaCare.

Basically, they created, through cuts in Medicare, savings and they lengthened the life of Medicare, but they claim they used that same money to fund ObamaCare. At one point, Mr. El-

mendorf, the Director of the Office of Management and Budget, who wrote this said it was double counting the money. You cannot use the same money to fund ObamaCare and use that same money to strengthen Medicare. How simple is that?

We are talking about hundreds of billions of dollars in double counting of the money. That is what is happening in here. Look at this report. Impact on the deficit over the 10-year period, 2014 to 2023, the budget deficit would increase by \$14.2 billion. The debt would increase by \$14.2 billion. But then they say the off-budget money would decrease the deficit by \$211 billion.

My colleague, Senator SCHUMER, said this is all great. We have a big surplus now. We have \$200 billion in the off-budget account. But what is that money?

What is that money? That is the payroll taxes. That is your Social Security payment and your Medicare payment. When more of the illegal aliens come in and get a Social Security number and pay Social Security and Medicare, the money comes into the government. All right? But is it free to be spent on bridges and roads and aircraft and salaries for Congressmen and Senators? No.

This is money that is dedicated to Social Security and Medicare. This is the trust fund money that goes to Social Security and Medicare. Yes, when people are legalized, they will pay more Social Security and Medicare taxes on their payroll, but it is going to that fund to pay for their retirement and their health care when they retire. You cannot use that money. You cannot spend the money today and pretend it is going to be there to pay for their retirement when they retire.

They are going to pay into Medicare. They are going to pay into Social Security. They are going to draw out Social Security and Medicare when they reach the right age. What we know is, as Mr. Elmendorf indicates, as I have said repeatedly, most of these individuals are lower income, lower skilled workers. Therefore, what we know is in that regard, the lower skilled workers who pay into Social Security and Medicare take out more than they pay in. So this is not going to be positive, it seems to me, particularly when you account for the fact that a lot of people have scored this, but they have not scored it from the fact that most of the workers who will be paying Medicare and Social Security are lower income workers and they will be paying the lower rates. Not a huge difference, but it is a difference.

So I would contend, I think, without fear of serious contradiction, although I expect political contradiction, that the off-budget money is your Medicare and Social Security money. See, you paid into that. The government, if it takes and spends it, does not have anything now to pay your Social Security and your Medicare benefits when you get old. We know it is already actuarially unsound. Those programs are in danger of defaulting a lot sooner than

a lot of people think. We need to be saving these programs, not weakening them.

So in the short run you get this bubble effect. You get an extra group of money. Since a lot of the workers are younger, it will look good on the budget for 10 years. It looks good on the budget for 10 years, but this is not money to be spent by the government. This is money that is dedicated to their retirement and will be drawn out by these individuals when they go into retirement.

So I would suggest that this 10-year score, 2014 through 2023, shows that the real impact is a \$14.2 billion dollar reduction—*increase* in the deficit of the United States over 10 years in the general fund account. The off-budget section says it reduces the deficit by \$200 billion. But that money is utilized—it has to be in the trust fund to be utilized for future payments to these individuals when they retire. It is not money we can account for.

The mixing of these two matters is one of the most dramatic ways this country has gotten itself into an unsound financial course. We have double counted this money repeatedly. We have money coming in to Social Security and Medicare and we spend it immediately. We pretend it is still there to pay for someone's retirement. This is going to be the same except it is guaranteed to be a financial loser over the long run.

Again, I know Senator SANDERS has talked about this, my colleague from Vermont. In a free market world, when you bring in more labor, the wages go down. I think CBO is probably underestimating this, frankly. Professor Borjas at Harvard, his numbers look more grim than these. But this is what they came up with. They have been trying to do guesswork and tell the truth the best they can, but they are getting a lot of pressure from the other side.

A lot of Members here seem to think we can just bring in millions of people and those millions of people will somehow create more revenue. We are going to be like Jack Kemp. You know, everything is wonderful. It is just going to grow. But we have to be prudent. We have to be responsible. What we know is that since at least 1999, the wages of average American people have not kept up with inflation. That means those wages are on a net serious decline.

Professor Borjas says it declined by 8 percent. That is very real. My Democratic colleagues used to be very critical when it was President Bush because it was all his fault that wages were not keeping up with inflation, people were being hurt. So now they do not talk about that anymore. If they do, they blame it on President Bush even though he has been gone 5 or 6 years.

The reality is, I came to believe there is truth to this. It is not just a temporary cyclical thing that workers'

wages have not been keeping up. I think it is something deeper than that. I think it is several things. Businesses are getting very intent on reducing the number of employees they have to produce certain products and widgets. They are getting far more efficient. So we are making more widgets with less people.

If you go into plants like I do, you see these incredible robotics where you get dramatic improvements of productivity for widgets with less people. This creates, in some ways, unemployment.

Last month we had a moderate increase in jobs in May, but there was an 8,000-job reduction in manufacturing. The increase was in service industries like restaurants and bars and that kind of thing. The increase was also temporary. So this is not healthy. You have this unhealthy trend out there when you bring in large amounts of labor, a majority of which the CBO says is low skilled, and you are hammering the American worker.

Further, Peter Kirsanow, one of the outstanding members of the U.S. Commission on Civil Rights, along with Abigail Thernstrom, a brilliant lady who has written on these matters over the years, they wrote a letter recently that warned that passage of this bill will harm poor people in America, particularly African Americans.

They said they had hearings on this matter. They have had the best economists come and testify. They studied those reports. They say not a single one of the economists they dealt with denied that the wages would be pulled down or unemployment would go up.

That is what CBO told us today: Unemployment will go up, wages will go down. We have good Republican colleagues and they cannot conceive that we are in such a circumstance. They just believe growth is always good, and if you bring in more people you will have more growth. That is correct.

Let me tell you the brutal truth based on the in-depth analysis by Professor Borjas at Harvard. He says the prosperity, the growth enures to the benefit of the manufacturers, of the employers who use a lot of low-skilled labor. Their income will go up, but the average wage of the average working person will go down. That is what large flows of immigration will do when there is high unemployment.

Peter Kirsanow, a member of the Civil Rights Commission, in his letter, said that it is absolutely false that we have a shortage of low-skilled labor. He says we have a glut of low-skilled labor. The facts show that.

The number of people employed in the workforce today has reached the level of the 1970s. That was before women were going into the workplace. As a percentage of the American population, the percentage of people who actually have a job today has been falling steadily, and it has now hit the level of the 1970s. Now they are going to bring in all these masters of the universe, these geniuses who have this

plan that somehow is going to fix everything. We will just bring in more people.

We had a Senator today say that it is going to increase wages. How can that be? What economic study shows that? Not any, to my knowledge. CBO says—wages are going to fall. Unemployment is going to go up, and it is not going to fix our deficit either.

I feel very strongly that we have to put on a realistic hat. We are going to have to ask ourselves: Whom do we represent? Are we representing a political idea that is going to bring in more votes? Are we representing people who entered the country illegally? Are those our first priority? Do we have any obligation to the people who fight our wars, raise our next generation of children, try to do the right thing, pay their taxes, want to be able to have a decent job, a decent retirement plan, have a vacation every now and then, and have a health care plan they can afford? Don't we owe them that? Shouldn't that be our primary responsibility right now? I think it is. I think that is our primary responsibility.

One says: Well, don't you care about people who are here illegally?

I say: Yes, I care about them. I care about them deeply.

I think we can work on this situation to not be in a position to say we are going to deport all of those who are here illegally. We can treat people compassionately. We are going to do the right thing about that.

In the future, should we have a work flow every year in that doubles the amount of guest workers who come in for the sole purpose of working and not becoming an immigrant, and should we increase the annual legal flow of immigrants from 1 million a year to 1.5 million a year, increasing it 50 percent? Is that what good legislation would do? I mean, how did this happen?

Thomas Sowell, a Hoover Institution scholar and economist at Stanford University, says there are three interests out here. One is the immigrants. They win. This report says their salaries go up. The other one is the politicians. They have it all figured out. They have written a bill that they think serves their political interests. The question is, Who is representing the national interests? Who is representing the American people's interests? Were they in these rooms when the chamber of commerce was there, La Raza was there, the business groups, agricultural groups, the labor unions and Mr. Trumka were there dividing up the pie, making sure their interests were protected? Who was defending the interests of the dutiful worker who is out trying to find a job today?

There was a report in the New York Times last week about an event in Queens. Apparently, there was a group of jobs that were going to be offered as elevator repair personnel in New York. The line started forming 5 days in advance. People brought their tents, they brought their food, they brought their

sleeping bags, and they waited in line for days to be able to get a job as an elevator repair person. We have people saying these are jobs Americans won't do. That Americans won't work, and that's why we need more labor.

Well, I always cut my own grass when I am home, but I am up here a lot, so there is a group that comes and cuts my grass in Mobile. These were two African-American gentlemen in their 40's. They came out, did a great job in the heat in Alabama, and took care of my yard.

What is this—jobs Americans won't do? They want a job that has a retirement plan. They want a job that has some permanency to it. They want a job that has a decent wage. Americans will work, and all hard work should be honored.

I will acknowledge that in seasonal work, temporary work, certain circumstances, we could develop a good migrant guest worker program that could serve this. Maybe in different times, if unemployment is low, we could justify bringing in even more workers than you would expect. But at a time of high unemployment, we have low participation in the workforce, and we ought to be careful about bringing in large amounts of labor that pleases rich businesses and manufacturing and agribusiness groups but doesn't necessarily protect the honest, decent, legitimate interests of American workers. I think they are being forgotten too often in this process.

I wanted to push back to that. This report might look like it's saying that we are creating a service and we are reducing the debt. In one sense, on the on-budget analysis, the way we do our accounting around here, that impression is certainly created. It is a false impression, and it is that false understanding of the reality of the on-budget and off-budget accounting of revenue to America that has gotten us fundamentally in the problem we are now facing.

Again, I repeat, the on-budget deficit, according to the CBO report, goes up over 10 years by \$14 billion. It claims, though, that the deficit drops on the off-budget. Remember, that money is obligated. That is your withholding. That is your FICA. That is your Social Security, Medicare—withholdings on your paycheck. It goes up there, and it has been set aside for you, for your retirement, for your medical care when you are elderly. It is not available for us to spend today willy-nilly.

And we think we have now created a circumstance where billions of dollars are being double-counted. Can you imagine that? That is what we are doing in this country. We are counting trillions of dollars—really double-counting it. Money that comes in we count in a unified budget as income to the budget, but it is dedicated income. We owe the people who paid it into their Social Security check, their Medicare coverage. It is owed to them.

What we know is that when you have particularly lower—well, the whole



program is unsustainable, but particularly the lower income workers pay in less than they will eventually take out over a lifetime. Adding all of these workers into the Social Security and Medicare system, where they pay in, will not place us on a sound path.

Again, we need to be honest about where we are. The numbers do not look good. This Congress needs to wrestle with how to deal compassionately with the people who have been here a long time. We need to do it in a right way, but we have a responsibility, a financial duty to the people who sent us here to manage their money wisely and not make our financial situation worse than it is today. We have an obligation to try to figure out a way to reverse the steady, long-term trend of wage decline for millions of American workers. It needs to be getting better. What this report says is that if this bill is passed, this immigration bill is passed, it will make the long-term wage situation of Americans worse. How wrong a direction could that be?

Look, if we let the labor market get a little tighter, we are going to find businesses that are willing to pay more to get a good worker. That is the free market. These business guys don't mind trying—Walmart seeks the very lowest priced product it can get, whether it is China or the United States. They are ruthless about it. It is free market, we say. We value it. OK, we support free market. But if there is a labor shortage, why shouldn't the laboring man be able to get a little higher wage for a change around here? This large flow of immigration will impact, adversely, their ability to find a job—unemployment will go up, according to the report—and we'll get a decrease in wages.

I yield the floor.

• Mr. INHOFE. Madam President, today I would like to indicate support for two amendments I cosponsored and were introduced by Senator THUNE and Senator VITTER.

The first is amendment No. 1197 introduced by Senator THUNE. Border security should be the number one priority in any immigration discussion, and building this fence which is already required by law will help in that endeavor.

The second is Amendment No. 1228 introduced by Senator VITTER. This requires that the biometric border check-in and check-out system be fully implemented prior to any legal status being granted to an illegal alien. Our national and economic security depends on us knowing who is in our country, and this amendment will help achieve that goal.

While I strongly disagree with granting amnesty to those who broke the law, on the chance that this bill passes I want to make sure that amendments like the two of these are included in the final legislation.●

#### MORNING BUSINESS

Mr. KAINE. 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 (Ms. HEITKAMP). Without objection, it is so ordered.

#### TRIBUTE TO ARNOLD LEE WATSON

Mr. MCCONNELL. Madam President, I rise today to honor and pay tribute to a selfless Kentuckian, Mr. Arnold Lee Watson of Letcher County, KY. Watson voluntarily devotes his time and skills to raise money for the Veterans Program Trust Fund.

Mr. Watson is the father-in-law of Letcher County Clerk Winston Meade. Together they have created a service that is becoming popular among many Kentucky counties. As license plates are dropped off in the Letcher County office, Watson turns the old plates into pieces of art. Meade and Watson build and sell license plate birdhouses statewide in an effort to raise money for veterans' homes in eastern, central, and western Kentucky.

Meade first saw these birdhouses after he purchased two at a meeting with the Kentucky County Clerks Association. Mr. Watson is retired and saw that he could spend time making birdhouses to raise money for H.A.V.E., or Help A Veteran Everyday. His interest in helping veterans is inspired by his brothers, all who have served our country.

Help a Veteran Everyday, or H.A.V.E., is a program that was adopted in 2005 by the County Clerks of Kentucky. Across the Commonwealth, counties are taking actions to collect donations for the organization which helps ensure that Kentucky's 339,000 veterans are provided for.

I ask unanimous consent that an article from a local publication extolling the work of Mr. Watson be printed in the RECORD. Since this article was published, Watson has built more than 7,000 birdhouses and raised \$140,000 in proceeds for Kentucky veterans. In addition, he placed third in an arts-and-crafts competition at the Kentucky State Fair in 2010.

Mr. Arnold Lee Watson's dedication and hard work not only helped Letcher County raise the most funds across the State, but also provided Kentucky veterans with the support and benefits they deserve.

"He loves working on them," Meade said of Watson in regard to building the license plate birdhouses.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Mountain Eagle, Jan. 21, 2009]

#### TURNING OLD PLATES INTO \$\$\$

(By Sally Barto)

If old newspapers can be used to line birdcages, then old license plates can be used to build birdhouses—about five a day, in the case of one Letcher County man.

Arnold Lee Watson has been building birdhouses using old license plates as a roof, then selling them to raise money for the Veterans Program Trust Fund on behalf of the Letcher County Clerk's Office.

Watson, of McRoberts, is the father-in-law of Letcher County Clerk Winston Meade. He decided to begin building the unique and colorful birdhouses after Meade attended a meeting of the Kentucky County Clerks Association and brought home two similar birdhouses that were made elsewhere.

Watson has made about 50 birdhouses so far and the clerk's office has sold 19, with proceeds going to the Help a Veteran Everyday, or H.A.V.E. program.

Meade said Watson, who has three brothers who are veterans, donates the materials and time used to make the birdhouses.

"He wanted to do something to help veterans and this is his way to help," said Meade.

The birdhouses, which are being sold for \$20 each, are made to resemble a mailbox and have a painted wooden base with an old license plate draped over the top.

Depending on the specialty license plates obtained by Meade, the roofs of the birdhouses have different themes including nature, colleges, and volunteer fire fighting. Meade said the most popular style of birdhouse is made using an old University of Kentucky license plate.

Meade has traveled to several counties looking for unique plates to use for making more birdhouses. People can donate old plates to the clerk's office for the birdhouse project.

Selling license plate birdhouses is the latest effort by Meade's office to raise money for the H.A.V.E. program. All money raised through H.A.V.E., created by the Kentucky County Clerk's Association, goes to the Kentucky Veterans Program Trust Fund. The trust fund, established by the Kentucky General Assembly in 1988, helps support projects and programs for Kentucky veterans.

The Homeless Veterans Transitional Treatment program in Lexington was established with funds from the trust. Money from the fund was also used to purchase 10 vans for the Disabled American Veterans organization, to purchase land for a state veterans cemetery, and to enhance state veterans' nursing homes.

"Every penny is spent on the veterans," said Meade. "None of it is spent on salaries or anything like that."

Meade was named 2008 clerk of the year for the H.A.V.E. program for his efforts of raising money for the program.

"This county has raised more money for the H.A.V.E. fund than any other county in the state," said Meade. "I was real honored to receive this. I give the girls in the office the credit for the funds they have raised for H.A.V.E."

The clerk's office hosted a golf scramble at Raven Rock Golf Course in September in which funds raised from the scramble were used to finance a Christmas party for the East Kentucky Veterans' Center in Hazard. During that time, the center served seven residents from Letcher County.

When people purchase the veterans' specialty license plate, \$5 of the cost of the plate goes into the H.A.V.E. fund. The clerk's office also welcomes cash donations to H.A.V.E.

"This is one way to give back and to thank (veterans) for what they have done for us," said Meade.

#### TRIBUTE TO MARK AND MICHELE PANOZZO

Mr. DURBIN. Madam President, Eunice Kennedy Shriver, founder of the