



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, MONDAY, JUNE 24, 2013

No. 91

Senate

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, who in Your infinite wisdom ordained that we might live our lives within the narrow boundaries of time and circumstances, we honor Your Name.

Today, supply our Senators with the strength they need to serve You. Help them to seize the opportunities to strengthen our Nation, bringing deliverance to captives and letting the oppressed go free. Lord, keep them from any temptation that would prevent them from glorifying You. Send Your spirit into their minds, and illuminate their understanding with insight and discernment.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks the Senate will resume consideration of the immigration bill. The filing deadline for second-degree amendments to the Leahy amendment No. 1183, as modified, is 4 p.m. today. At 5:30 p.m. there will be a cloture vote on the Leahy amendment, as modified.

THE FARM BILL

Mr. REID. Mr. President, I have often said that Speaker BOEHNER has a hard job. That was obvious last week when the House Republican caucus revolted to defeat the Speaker's farm bill. Even though the Speaker took the unusual step of announcing his support for the measure ahead of the vote, this bill went down in flames. It was the first time the House of Representatives has defeated a farm bill since the program was created in the 1930s.

I admit I was sorry to hear the House Republican leadership blame the bill's defeat on Democrats, but I was not surprised. They had to blame someone. They could not blame themselves, even though they should. It was no surprise that House Democrats opposed this mean-spirited bill. The legislation would cut \$20 billion from the safety net that keeps millions of Americans, including millions of children, from going hungry every year. That is what it was about. The farm bill eliminated 8 billion meals for hungry American families and children. That is what the House bill did. So it is no surprise that Democrats did not vote for a bill that whacked America's most vulnerable citizens.

We have seen this film before. The Speaker should have known he could not pass legislation that amounts to a partisan love note to the tea party. He will be forced to take up a more bipartisan measure. He should do it now. There is no need to reinvent the wheel. The Senate has already done the work that was necessary to be done. We passed a good bipartisan bill. The Speaker should dispense with the drama and the delay and take up the Senate farm bill now. The bill passed on an overwhelming bipartisan vote in this Chamber. In fact, it did twice. We passed it last year. The Speaker refused to bring up the bill in the House. Passing the Senate farm bill will create jobs, will reduce the deficit by some \$23 billion, and it will make im-

portant reforms to both farm and food stamp programs without balancing the budget on the backs of hungry Americans.

I spoke over the weekend to Tom Vilsack, the Secretary of Agriculture. We agreed that maintaining the status quo is not an option. Doing nothing means no reform, no deficit reduction, and no certainty for America's 16 million farm industry workers.

I want everyone within the sound of my voice as well as my colleagues on the other side of the Capitol to know that the Senate will not pass another temporary farm bill extension. It is time for real reform that protects both rural farm communities and urban families who need help feeding their children.

If the Speaker took up the Senate's bipartisan measure, it would easily pass the House with both Republican and Democratic votes. There is no shame in passing a bill that moderates in both parties support. We have seen time and time again that the tea party's "my way or the highway" approach to legislating does not work. The only way to pass a bill in either the House or the Senate is to do so with votes from both Democrats and Republicans. The Senate farm bill passed with 66 votes in this Chamber. It was a perfect example of a bipartisan bill. The Speaker should allow a vote on this measure in the House now—today.

The immigration bill before the Senate is another example of bipartisan legislation. The immigration bill will pass this Chamber with Democratic and Republican votes. When the immigration bill passes, the Speaker should quickly bring it up for a vote in the House of Representatives.

So I say, Mr. Speaker, rather than twisting the arms of tea party extremists, work with moderates in both parties to pass bipartisan legislation. Mr. Speaker, rather than trying to force legislation designed to please only the

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



Printed on recycled paper.

S4987

right wing, you should take away the obstacles we have and take the easy way out, actually. Do the right thing. Seek votes from Democrats and Republicans. America deserves the common-sense approach. That is what we used to do. We should do it once again.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will call the roll.

Mr. REID. 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. REID. Madam President, what is the pending business?

The PRESIDING OFFICER. We are currently in leader remarks. No bill is currently pending.

Mr. REID. I would ask the Chair to close morning business and move to whatever the business of the day is.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The bill clerk read as follows:

A bill (S. 744) to provide comprehensive immigration reform, and for other purposes.

Pending:

Leahy Modified amendment No. 1183, to strengthen border security and enforcement.

Boxer/Landrieu amendment No. 1240, to require training for National Guard and Coast Guard officers and agents in training programs on border protection, immigration law enforcement, and how to address vulnerable populations, such as children and victims of crime.

Cruz amendment No. 1320, to replace title I of the bill with specific border security requirements, which shall be met before the Secretary of Homeland Security may process applications for registered immigrant status or blue card status and to avoid Department of Homeland Security budget reductions.

Leahy (for Reed) amendment No. 1224, to clarify the physical present requirements for merit-based immigrant visa applicants.

Reid amendment No. 1551 (to modified amendment No. 1183), to change the enactment date.

Reid amendment No. 1552 (to the language proposed to be stricken by the reported committee substitute amendment to the bill), to change the enactment date.

Reid amendment No. 1553 (to amendment No. 1552), of a perfecting nature.

Reid motion to recommit the bill to the Committee on the Judiciary, with instructions, Reid amendment No. 1554, to change the enactment date.

Reid amendment No. 1555 (to the instructions of the motion to recommit), of a perfecting nature.

Reid amendment No. 1556 (to amendment No. 1555), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until 5:30

p.m. will be equally divided between the two managers or their designees.

The majority leader.

CLOTURE MOTION

Mr. REID. Madam President, I have a cloture motion at the desk, and I ask that it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the committee-reported substitute amendment to S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

Harry Reid, Patrick J. Leahy, Michael F. Bennet, Charles E. Schumer, Richard J. Durbin, Robert Menendez, Dianne Feinstein, Sheldon Whitehouse, Patty Murray, Debbie Stabenow, Robert P. Casey, Jr., Mark R. Warner, Thomas R. Carper, Richard Blumenthal, Angus S. King, Jr., Christopher A. Coons, Christopher Murphy.

CLOTURE MOTION

Mr. REID. Madam President, there is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

Harry Reid, Patrick J. Leahy, Michael F. Bennet, Charles E. Schumer, Richard J. Durbin, Robert Menendez, Dianne Feinstein, Sheldon Whitehouse, Patty Murray, Debbie Stabenow, Robert P. Casey, Jr., Mark R. Warner, Thomas R. Carper, Richard Blumenthal, Angus S. King, Jr., Christopher A. Coons, Christopher Murphy.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived for these two cloture motions.

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

Mr. REID. I ask unanimous consent that the time be divided equally.

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

Mr. REID. 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. MURPHY. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MURPHY. Madam President, I rise today to speak on the immigration bill presently before the Senate.

First, I wish to congratulate the leaders who have been able to bring this bipartisan bill to the floor. The

Gang of 8, of course, gets all the attention, but Senator LEAHY, the majority leader, and so many others who have added both merit and momentum to this bill deserve to be praised as well.

I particularly wish to congratulate Senator LEAHY, the majority leader, and the authors of the bill for the transparent process with which we have debated this bill. I don't know the sum total of all the amendments that were considered by the Judiciary Committee, but it was a long markup with virtually every idea and every amendment vetted.

We have been standing on the floor of the Senate for nearly 2 weeks debating this bill. That is right and that is good. This is one of the most important bills the Senate will talk about. This matters to millions of undocumented people all across this country, but it also matters to millions of other individuals, families, and businesses who have been weighed down by an immigration system that doesn't work any longer.

Today we will be debating a new amendment on border security that will, for many of us, be overkill. In order to make sure the perfect doesn't become the enemy of the good, this will bring this very important debate near to a close.

I rise to talk about one additional amendment I am offering that I hope the Senate will consider, amendment No. 1451. It would, very simply, prohibit the Department of Homeland Security from housing children in adult detention facilities.

There is already fairly good law and some good regulation on the books today that protect a lot of immigrant children from being held in difficult detention facilities. Many of these children who are classified as "unaccompanied alien children" are required to be transferred to HHS custody within 72 hours. There is some good law and good regulation built up around this issue already.

The data we have been getting over the last several years does tell that current law doesn't work for every child in the system. As we learned recently, ICE data says as many as 1,336 children were placed in adult facilities between 2008 and 2012. Of these children, apparently 371 of them spent more than 3 months in an adult facility—3 months in an adult facility.

I want you to put yourself in the shoes of a little 12-year-old boy who may just be learning how to speak the English language, who maybe came here with his parents and his family but was picked up by himself, somehow through the system was separated from his family, locked up, and his family may have some reluctance to come and claim him because they, themselves, are undocumented. They worry they will be deported along with the child.

Think about sitting, as a 12-year-old little boy, alone, perhaps uncomfortable about communicating, in an adult facility for 1, 2, or 3 days and then imagine that for 1, 2, and 3 months. It is unacceptable.