

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### IMMIGRATION REFORM

Mr. HATCH. Madam President, I rise today to speak once again on the immigration bill before us.

Before there was a Judiciary Committee markup, before there was an immigration bill, and before there was even a Gang of 8, most Senators had three basic beliefs: The immigration system is broken, fixing it will be neither simple nor easy, and it absolutely needs to be done.

I share those beliefs. I also rely on two sets of experience.

I served in this body and on the Judiciary Committee during the 99th Congress when we considered the Immigration Reform and Control Act of 1986, commonly called the Simpson-Mazzoli bill, and during the 110th Congress when we considered the Comprehensive Immigration Reform Act of 2007.

I voted against both of them. I opposed the 1986 legislation because it was self-proclaimed amnesty. I opposed the 2007 legislation because it had been developed outside of the Judiciary Committee.

My participation in the current immigration reform effort has been informed by those beliefs and those experiences. We simply must fix our broken immigration system, but in doing so we must not repeat either the substantive errors from 1986 or the procedural errors from 2007.

As we all know, most of the media and political attention has focused on the border security and legalization parts of this bill. But there is much more to it than that.

I initially focused on two areas. First, working with Senators RUBIO, COONS, and KLOBUCHAR, I focused on increasing opportunities for high-skilled immigrants. The bill we introduced, the I-Squared bill, now has 28 bipartisan cosponsors.

Second, working with Senators RUBIO, FEINSTEIN, and BENNET, I focused on developing the guest worker program that will be so important for the agricultural sector of our economy. Those discussions were led by Senator FEINSTEIN, and there is no question I played a significant role in those. This program is the product of true compromise between farm workers and growers. I had real questions whether that could be done, but it was. I was glad to see it included as part of the Gang of 8 original bill.

Another important provision that was made part of the original bill was my proposal for permanently extending a visa program for religious workers. This provision will provide up to 5,000 visas for foreign nationals to work with religious organizations that help

America's neediest people and underserved communities. I have supported this program for many years and am very grateful that the Gang of 8 offered to include it in the bill at my request.

In addition, I commend the Judiciary Committee chairman, Senator LEAHY, for conducting an open, fair, and thorough markup of S. 744. Thankfully, this bill—unlike the bill in 2007—is being handled through regular order.

During the committee's consideration of S. 744, I filed 24 amendments, 20 of them within Judiciary Committee jurisdiction. I am proud of the fact that 15 of those 20 amendments were made part of the legislation that is before us now. I do not think "proud" is the word; I am pleased rather than proud.

For example, the committee adopted by voice vote my amendment establishing strong penalties for cultivating marijuana on Federal lands. Mexican drug cartels are driving the expansion of this plague, using chemicals and diverting water sources that also harm the environment. My amendment will reduce the illegal drugs that enter the market and protect America's natural resources at the same time.

The committee also adopted my amendment to establish a mandatory biometric exit system at the 10 busiest international airports. Preventing individuals from entering the country illegally is only one side of the coin; the other side, of course, is preventing individuals from overstaying their visas. We know if that works in those airports, we then will be encouraged to expand that in many other ways.

Nearly half of those who are currently here illegally came into the country legally but did not leave when they were supposed to. My amendment tackles part of that equation.

I do want to respond to what some of my colleagues have said about this new biometric system. Some have claimed that my amendment dials back current law.

Let me be clear: I fully support the biometric exit system provided for under current law. Sadly, it has not been properly implemented.

What good is it if legislation simply remains on paper? Do the critics of my amendment prefer the status quo, which has accomplished absolutely nothing?

My amendment will actually deploy a real biometric exit system—something that current law has failed to do. And, by the way, it is fully paid for.

Trust me. This is more than just a figleaf. The Judiciary Committee also adopted—once again by voice vote—my amendment to improve education and training in the fields of science, technology, engineering, and math, or the STEM fields.

While foreign high-skilled workers play an important part in our economy, we need to invest more in developing the American workforce, especially the next generation. I look forward to seeing the STEM account grow

and provide hundreds of millions of dollars directly to the States for this critical education and training. That is in the bill now.

I am particularly pleased that the Judiciary Committee adopted a package of my amendments establishing a coherent and constructive approach to high-skilled immigration. These provisions will ensure that the H-1B and L-1 visa categories actually work for a change. I especially want to thank Senators SCHUMER and DURBIN for their genuine willingness to compromise because these complex issues require a delicate balance of interests.

This is the path I have pursued so far. From the outset of this process, I have made it clear that there are issues with this bill under the jurisdiction of the Finance Committee. As the ranking member of the Finance Committee, I have been working in good faith to ensure that those matters are addressed in a responsible and productive way.

Toward that end, I filed amendments both in committee and on the Senate floor and have been working with my colleagues to get them included.

These are important issues that simply cannot be overlooked. For example, there was the issue of whether immigrants receiving a change in status would be allowed to receive welfare benefits. Under a longstanding provision of Federal law, noncitizens, including legal immigrants, are not eligible for Federal cash welfare benefits for their first 5 years in the country.

While S. 744 preserved that 5-year ban for RPIs, I know the Obama administration believes it has the authority to permit States to spend Federal welfare dollars on cash benefits to previously prohibited individuals. In order to prevent this or future administrations from contravening Federal welfare law, we needed to clarify that the Secretary of Health and Human Services cannot permit Federal welfare dollars from being spent on noncitizens. That is a system I am not willing to support, and I am pleased they accepted my amendment in solving that problem.

Today I am pleased to report that we have successfully negotiated provisions that will prevent the administration from waiving the 5-year ban on welfare benefits as well as prohibiting the Secretary from permitting this type of spending. They have been included as part of the compromise package we will be voting on later this week.

Another problem with the original bill was that it did not adequately address Social Security. Specifically, the bill did not state how periods of unauthorized employment would be treated in the calculation of Social Security benefits.

Once again, I have worked with my colleagues to reach an agreement on a provision that says that periods of unauthorized earnings do not count toward determining Social Security benefits. The provision will, among other things, prevent people who did not

have authorization to work in this country from going back and retroactively claiming unauthorized periods of work in which they used made-up or stolen Social Security numbers.

This is a necessary step that will help to preserve the integrity of our Social Security system. As with the provision on welfare benefits, this provision is part of the Leahy compromise amendment.

According to the Congressional Budget Office and the Joint Committee on Taxation, this provision will result in lower spending for Social Security and Medicare.

While I am pleased that we have been able to reach agreement on these important issues, there are other Finance Committee issues that have not been addressed. There is the issue of when those on the RPI or blue card pathways will be eligible for tax credits and health insurance premium subsidies under the Affordable Care Act. I filed an amendment that would have placed those subsidies in the same category as other Federal means-tested programs, which, of course, includes a 5-year waiting period once an immigrant attains the status of a lawful permanent resident.

There is also the issue of back taxes. I filed an amendment that would have required all RPI applicants to pay their back taxes as a condition of receiving a change in status.

Neither of these two issues is adequately addressed by the current version of the legislation. In my view, these are serious problems that will need to be fixed before the bill is suitable for the President's signature.

On top of that, there is still the issue of border security. While the compromise legislation we will be voting on this week significantly improves upon the original draft of this bill, I believe we can and should do more.

So as you see, Madam President, there is still a number of issues that need to be resolved. However, as I have said all along, this is a process. Reporting the bill out of the Judiciary Committee was one step in that process, and passing the bill on the Senate floor is another step—a first step.

I do not think anyone should be under any illusions that when the Senate completes its work on the legislation this week, the process is finished. The House of Representatives is working on its own bill with an entirely different approach. I have already begun reaching out to my House colleagues to help address these issues that I believe are important, particularly those that fall under the jurisdiction of the Senate Finance Committee.

I hope the House will work to address what I see as significant shortcomings in the Senate bill, and I will work hard to ensure that those issues are resolved should the bill go to conference.

With that in mind, I plan to vote in favor of S. 744 later this week. As I said before, I share the belief of most of my colleagues that the current immigra-

tion system is broken and that reform is absolutely necessary. As I see it, the only way we can reach that goal is to allow the process to move forward.

Once again, I would like to commend my colleagues for their work on this legislation thus far. I hope they will keep an open mind on future changes as well. While the final product is far from perfect, I believe we are on a path to reaching a reasonable solution to the problems that continue to plague our Nation's immigration system.

I look forward to working with my colleagues on both sides of the aisle and on both sides of the Capitol to move this process forward toward a successful conclusion.

Madam President, I yield the floor. In fact, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to 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.

The question is, Will the Senate advise and consent to the nomination of Penny Pritzker, of Illinois, to be Secretary of Commerce?

Mr. REID. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Rhode Island (Mr. WHITEHOUSE) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Utah (Mr. LEE).

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

The result was announced—yeas 97, nays 1, as follows:

[Rollcall Vote No. 161 Ex.]

YEAS—97

Alexander	Donnelly	Levin
Ayotte	Durbin	Manchin
Baldwin	Enzi	McCain
Barrasso	Feinstein	McCaskill
Baucus	Fischer	McConnell
Begich	Flake	Menendez
Bennet	Franken	Merkley
Blumenthal	Gillibrand	Mikulski
Blunt	Graham	Moran
Boozman	Grassley	Murkowski
Boxer	Hagan	Murphy
Brown	Harkin	Murray
Burr	Hatch	Nelson
Cantwell	Heinrich	Paul
Cardin	Heitkamp	Portman
Carper	Heller	Pryor
Casey	Hirono	Reed
Chambliss	Hoeven	Reid
Chiesa	Inhofe	Risch
Coats	Isakson	Roberts
Coburn	Johanns	Rockefeller
Cochran	Johnson (SD)	Rubio
Collins	Johnson (WI)	Schatz
Cooms	Kaine	Schumer
Corker	King	Scott
Cornyn	Kirk	Sessions
Cowan	Klobuchar	Shaheen
Crapo	Landrieu	Shelby
Cruz	Leahy	Stabenow

Tester  
Thune  
Toomey  
Udall (CO)

Udall (NM)  
Vitter  
Warner  
Warren

Wicker  
Wyden

NAYS—1

Sanders

NOT VOTING—2

Lee

Whitehouse

The nomination was confirmed.

The PRESIDING OFFICER (Mr. MANCHIN). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Minnesota.

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

Ms. KLOBUCHAR. It was a clear, good vote for our new Commerce Secretary. We are very excited about that vote, 97 to 1. I am going to speak to that, but before I do, I yield to my colleague from the State of Louisiana, Senator LANDRIEU, for 2 minutes.

Ms. LANDRIEU. Mr. President, I will speak as in morning business for up to 2 or 3 minutes. I just wish to take a point of personal privilege.

As we get to the end of this immigration debate and hopefully have a final vote on this bill sometime this week, it is a very important issue for our country, and there have been any number of Senators who have been involved in trying to negotiate a very complex and tough bill. The Gang of 8 has done a terrific job, in my view, of managing lots of very controversial aspects to this bill. But a group of us, not connected directly to the Gang of 8, have been working on a group of amendments that are not central to the bill or rather potentially—potentially, let me say—noncontroversial. We have been working with Republicans and Democrats parallel to the Gang of 8. I only ask the leadership on both sides, the Republican leadership, the Democratic leadership, to please look at the list that has been submitted for the record not once, not twice, not three times but five times—a list that has been well circulated—and if there are any objections to the specific ideas in the bill—not objections to the amendments but specific objections to the ideas of the amendments, the substance of the amendments—please talk with me and I will be happy to do everything I can to resolve any concerns.

As the Senator from Arizona knows so well—he has been in the middle of this debate for a long time now—there have been hundreds of amendments offered in the Judiciary Committee and voted on and there are over 250 amendments pending on the floor, some of