

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	Udall (NM)	Wicker
Thune	Vitter	Wyden
Toomey	Warner	
Udall (CO)	Warren	

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

which are extremely controversial. The Republicans would like to vote on some of those, there are others the Democrats want to vote on, and I am fine to vote on all of them or none of them. I will stay here all night and vote on them. I don't have a dog in that hunt. What I have is a relatively small group of amendments that Republicans and Democrats who are not in the Gang of 8 have voted on or have been talking about and working on that, to our knowledge—and our knowledge may not be complete—have no voiced opposition against them, and we are hoping that whatever agreement is reached, this list of noncontroversial amendments would at least be given a chance for a voice vote in global. We don't need individual votes. We don't need a record vote. We just would like to have our voices heard.

I see the Senator from Arizona, and I don't know if he wants to respond to this, but I am happy if he wants to ask me a question or two.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Again, I can't speak for Senator GRASSLEY, who is managing the bill in an outstanding fashion, but I would like to point out, in conversations I have had with Senator GRASSLEY, these amendments are in process, and as the Senator mentioned, there are a number of them being cleared. In other words, rather than just being judged noncontroversial, which I certainly accept the word of the Senator from Louisiana, we need to clear them with everybody. I hope she understands, and I hope we can move forward rather rapidly with that process.

I don't dispute that they are "noncontroversial," but every Senator obviously wants to have these amendments cleared with them, and they have already started that process. I appreciate the advocacy and the involvement of the Senator from Louisiana. She has been extraordinarily involved in this issue by helping us make the package much better, and I hope she will show some more—I emphasize more—patience as we try to get this package agreed to by both sides.

Ms. LANDRIEU. I thank the Senator from Arizona, and I will show more patience. Everyone on the floor is showing a lot of patience with this very complicated bill, but I have asked privately and I will ask publicly for the process of clearing—clearing—noncontroversial amendments to begin.

There is also a process going on to clear votes on controversial amendments. I am aware of that—to clear votes—and a time agreement on controversial amendments. I am not asking for that. I am asking for clearances to begin for no votes, voice vote only, on noncontroversial amendments, and I am glad I have the Senator's support to look at that and, hopefully, we can work something out.

Mr. SCHUMER. Mr. President, will the Senator from Louisiana yield for a question?

Ms. LANDRIEU. I will yield to the Senator.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I thank the Senator from Louisiana, as Senator MCCAIN said, for her continued patience. I think what she proposes makes a great deal of sense. There are a whole lot of amendments—and we did this in committee under Senator LEAHY's leadership—that are not controversial and we could vote for. My only question is, I take it the Senator assumes, once they are cleared, they would be voted en bloc.

Ms. LANDRIEU. Correct, by voice.

Mr. SCHUMER. OK. I think this makes sense. We are working on the ones that require votes. We should be working simultaneously on the ones that are noncontroversial, and let us hope we can come to some agreement so we can all vote on this bill and move on to other business.

I yield the floor.

Ms. LANDRIEU. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I first wish to thank the Gang of 8 and our Judiciary Committee for their work. As was discussed in the last few minutes, there has been an incredible amount of patience and hard work that has gone into this bill, and I am very hopeful we will be able to work out the remaining issues and amendments. I think the strong vote yesterday showed an incredible sense of momentum and bipartisan compromise.

PRITZKER NOMINATION

Ms. KLOBUCHAR. Speaking of bipartisanship, I wish to address the recent vote, the 97-to-1 vote, for Ms. Penny Pritzker. This is a very positive development at a time when we are seeing a lot of nominations that have been stalled out. As a member of the Commerce Committee, I wish to spend a few minutes talking about her nomination.

I think we all know she is extremely well qualified. Over the course of her career, she has started and led a number of business ventures in a wide range of industries, such as finance, real estate, hospitality, and transportation. She has been an advocate for business and assisted companies in expanding into new markets. She is also a member of the President's Economic Recovery Advisory Board and is chairman of Skills for America's Future, helping to prepare workers for the 21st century.

When I met with Ms. Pritzker, I was impressed not only by her experienced command of what is going on right now with our economy, obviously, but also her understanding of the Department. As we know, the Department oversees the International Trade Administration, the Patent Office, the Economic Development Administration, the National Oceanic and Atmospheric Administration, and many others. But beyond that, we talked about the fact the

Commerce Secretary can actually be an advocate for business today and for jobs today.

I think one thing long overdue is looking at our top exporting industries in America—whether it is farm machinery, agriculture, movies, all of our top exporting industries, medical devices—and seeing what we can do to help them expand in our country, not in other countries, so they are exporting to the world.

My State has been built on exports over the last few years. We have an unemployment rate of 5.3 percent. Certainly, the growth is due in part to the fact we have recovered now 93 percent of the jobs lost in the downturn in our State, but it is a lot about exports and it is also a lot about tourism, something with which Ms. Pritzker is well acquainted. I think this is literally the low-hanging fruit when it comes to exports. We lost 16 percent in international tourism since 9/11, and every point we add back is 161,000 jobs—161,000 jobs—right in this country.

We are starting to do that now. We are starting to do that now because we are finally advertising our country under Brand USA, something the Department of Commerce is greatly involved in overseas, but also because we are speeding up the wait time for visas, something the State Department and the Commerce Department have worked jointly on.

Every visa we get down to 2 to 3 days for a tourist visa means someone will choose to visit the Mall of America in Bloomington or choose to visit Las Vegas or choose to visit South Carolina instead of going to another country, instead of going to London or instead of going to Singapore. We want them to come to the United States of America.

I think this is a big part of the job the Commerce Secretary will need to do to continue the improvements we have seen with tourism, to make sure everyone knows they can have a great vacation in West Virginia and to keep that message going.

Another part of why I am excited about Ms. Pritzker in this job is because we are seeing more and more women in the workplace, as we know. We just did a report on that with the Joint Economic Committee. We need to see even more women in areas they haven't been involved in as much, such as manufacturing. The share of women workers in the manufacturing industry has been declining since 1990 and is now at 27 percent, the lowest level since 1971. At the same time, we have job openings in manufacturing, and we need people to be trained in the new skills for today's manufacturing. This is no longer your grandpa's factory floor. There are new skills needed in robotics, advanced degrees, and others to run the equipment, to make the equipment, and to repair the equipment.

On a more general matter with women—and this is something we discussed at our commerce hearing with

Ms. Pritzker—we just have 17 percent of board seats across manufacturing, 12 percent of executives, and 6 percent of CEOs. So there is a lot of work that can be done there.

I am very excited about this nomination and the work that is ahead for Ms. Pritzker, and I am glad to see such strong bipartisan support in the Senate.

NLRB NOMINATIONS

As we continue to negotiate the immigration bill, I would like to talk about one more issue that is vitally important to our country's middle class. I just focused on some of the business issues—whether it is reducing redtape for our businesses, making sure we bring our debt down in a reasonable way or simply looking industry by industry at what we can do to make sure our market share increases—our global market share in America—but we also have the issue of America's workers.

While I am here, I wish to talk about something vitally important to our country's middle class; that is, moving forward with the President's nominations for the National Labor Relations Board so it can get back to work protecting the rights of working Americans and employers.

Over the course of the last few months, the President has nominated a full slate of five very qualified people to serve on the NLRB—three Democrats and two Republicans—all of whom have sterling credentials and a track record of focusing on results and working across the aisle.

The first two nominees were named in February—February—the month we celebrate Valentine's Day, and we are now headed to the Fourth of July. The remaining three were nominated at the beginning of April. Yet we still haven't had a vote. In May, the Health, Education, Labor and Pensions Committee held a hearing on the five nominees to the NLRB. This was an important first step, and I commend Chairman HARKIN for moving forward on these nominations. However, until these nominees are confirmed and the NLRB is up and running, workers and businesses will continue to face uncertainty.

The NLRB rules impact people's daily lives and reflect our values as a country: child labor laws that prevent young kids from being exploited and forced to work instead of going to school, fair pay laws which ensure women get equal compensation for equal work, laws that mandate decent working conditions to protect people from being hurt or injured on the job, and laws that uphold the fundamental rights of workers to organize. The impact of the NLRB is critical to workers.

The Board is the only option available to employers and companies that become the victim of unfair labor actions or run into barriers during negotiations with labor unions. This is for both sides. It is there for employers and for workers. We have a responsibility to show some leadership and

begin the process of vetting these nominees in the Senate so the NLRB can get back to work.

This is about providing stability and consistency to workers and businesses, but it is also about doing what is right for American families. My mom was a teacher. She taught public school until she was 70 years old, so I have seen firsthand how important it is for workers to have that right to organize, to have that right to make their case. This is why I have always believed we need a good NLRB, a fair NLRB.

We have a President who has put up five nominees, three Democrats, two Republicans. The last time I checked, this President won the election and he has the right to nominate people for this job.

America was built on a strong middle class, and the NLRB is a critical agency for keeping America moving forward, for ensuring every person can work a steady job, with good wages, provide for their families, and save a little for the future. So there is much at stake, and I urge my colleagues to put politics aside and allow the Senate to move forward with consideration of the full package of five nominees to the National Labor Relations Board.

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.

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

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

Ms. KLOBUCHAR. Mr. President, we are debating this historic comprehensive immigration reform, something that as a member of the Judiciary Committee I have worked long and hard on, and actually worked back in 2007 when I first got to the Senate. I can't tell you the difference it is doing this 5 years later than it was back in 2007. This time we have a coalition that is incredibly strong, that has withstood a lot of different questions and issues about this bill, that has been able to accommodate concerns raised within the Gang of 8 and then on the Judiciary Committee level, and now after last night's vote adding other requests and other things Members have. But I want to emphasize why this bill is so important from an economic standpoint.

When we were in the Judiciary Committee, we had hearings and we had a number of people testify about the bill and what this bill would do in terms of the debt—something I know the Presiding Officer cares about very much. We had a number of Republican economists come forward and talk about how this bill reduces the debt. There were some early figures out there. Then I held a hearing on the Joint Economic Committee and called Grover Norquist as a witness. I was the first Democratic Senator I know of to call Grover Norquist as my witness. But he came forward and talked about the effects

this bill would have in terms of reducing the debt. Lo and behold, last week we got the true numbers from the non-partisan Congressional Budget Office which showed that in fact this bill reduces the debt by \$197 billion in 10 years. Then in response to a request from Senator SESSIONS, they also looked at the 20-year figure, and it showed it reduces the debt by \$700 billion in 20 years. This is one example of what you are seeing with this bill.

We are going to see immigrant workers who have been in the shadows come out to get on a path to citizenship that will take 13 years, who will have to pay taxes, will have to pay fines, will have to learn English if they don't know English. They will be paying their records and make sure they don't have any significant criminal records in order to gain citizenship. But it also means they will be paying taxes that will contribute to the well-being of this country, and they will be paying into systems they haven't been paying into before that help other Americans.

The other point economically is the fact we are going to see a better legal immigration system. That is what our country was built on. Everyone came from another country, when you look at the history of our country. For me, it was Slovenian and Swiss immigrants. My grandfather worked 1,500 feet underground in mines and never even graduated from high school. He saved money in a coffee can to send my dad to college. My mom's side of the family came from Switzerland. My grandmother ran a cheese shop. So I am here standing on the floor of the Senate on the shoulders of immigrants, a grandfather who worked in the mines and another grandparent who worked in a cheese factory. Those are my immigrant roots. We all have them. We have to remember what this bill is about, and we have to remember that 90 of our Fortune 500 companies were actually formed by immigrants—200 formed by children of immigrants—and 30 percent of our U.S. Nobel laureates born in other countries.

So when we look at this, yes, we have to look at the enforcement side and enforcement of the border. That is incredibly important. But we also have to look at the economic engine of America that brought us to where we are and where we want to head and how we are going to compete internationally. We do that by welcoming in America's talent, which will be our talent—most of which is homegrown but some of which comes from other countries.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I wish to thank the Senator from Minnesota for her remarks and say how much I appreciate her work on this legislation, on the Judiciary Committee and beyond.

The chairman is here today. I wish to thank him for his leadership both on the committee and on the floor.

One way or another, something important is going to happen here this

week—which should happen more regularly than it does, but it does not, in the 4 years I have been here; that is, a bill that actually is the result of thoughtful bipartisan—in some cases I even describe it as nonpartisan—work that has been done first by the so-called Gang of 8 that I was pleased to be part of, then in the Judiciary Committee itself, and now on the floor of the Senate.

Before I talk about immigration, I want to mention we are still struggling out in Colorado this summer with these terrible wildfires. We have appreciated the Federal cooperation we have received. It is a reminder to me, when I stand on this floor, how important it is for us to get past this partisan gridlock we have and into a position where we are actually making shared decisions that will allow us, among other things, to do the investments we need to do to make sure our forests have the fire mitigation that will prevent them from catching and burning the way they are this summer in Colorado.

Today we have the opportunity to try to work together on immigration. Opponents have come out and said this bill is going to cost us money, this bill is going to make the deficit worse. It is exactly the opposite. The Congressional Budget Office has said if we pass this bill, we will see nearly \$1 trillion of deficit reduction over 20 years. This Congressional Budget Office tells us it will increase our gross domestic product by 5.4 percent over that same period of time. So this bill is a deficit reduction bill. People around here who talk about deficit reduction—and I am one of them—finally have a chance to do it in a thoughtful and measured way, in a useful and constructive way, rather than through a series of mindless across-the-board cuts which we have seen as a consequence of the sequester. Even in Washington, DC, \$1 trillion is real money. That is one reason we ought to pass this bill.

Another reason we ought to pass this bill is it creates a visa system that is actually aligned to the economic needs of the United States of America. Forty percent of Fortune 500 companies have been founded by immigrants. Nearly 1 in 10 business owners in Colorado are immigrants and generate \$1.2 billion for our State's economy. Agriculture is a \$40 billion industry in Colorado, and tourism is Colorado's second largest industry.

We have a growing high-tech sector in Colorado, and 23.6 percent of STEM graduates from our State research universities are immigrants. We want them to earn those degrees if they are doing it in the United States and then stay here in the United States, build businesses in this country, invest in our future with us in this country. Today, because we have a broken immigration system, we are saying to those graduates, Go back to China and compete with us; go back to India and compete with us; we have no use for your talents here in this country.

This bill fixes that. This bill has very important border security measures and measures to prevent future illegal immigration. I thank the Senator from Tennessee, who is on the floor, for his remarkable work with Senator HOEVEN to get us to this point. The agreement on border security, which maintains a real and attainable pathway to citizenship which was a bottom line for the Gang of 8 Senators who were working on this bill, was the result of several Senators who were willing and determined to find a way to get this done. So I thank Senator CORKER, I thank Senator HOEVEN, and I thank Senator MCCAIN and the other Republican Members of the Gang of 8 for getting us here. This is how the Senate should work—a process that leads to principled compromise.

On the border security amendment, some opponents of fixing our broken immigration system continue to say our bill doesn't do enough to secure the border. No reasonable person could look at this legislation and arrive at that conclusion: nearly \$50 billion in additional spending at the border, 700 miles of fencing at the border; we double the number of border agents on the southern border of the United States; we go from roughly 22,000 to 44,000 border agents. Those numbers are directionally right. We double them. More money and Federal resources are devoted to securing our border than on all other law enforcement that the Federal Government undertakes, and now we are doubling it.

You might be critical and say, Well, you shouldn't spend that money, although, as I mentioned earlier, this bill results in deficit reduction of almost \$1 trillion over 20 years. I could see how somebody might stand up and be critical about that. I can't see how somebody could seriously maintain this bill does not secure our border.

We call for an array of new technologies and resources at our border sectors to ensure 100-percent surveillance and rapid interdiction of threats and potential illegal crossings.

E-Verify is required to be used by every employer in the United States, so we don't end up the way we did the last time—with a broken system, where small businesses either became the INS or were given fake documents and people came here where there were jobs—illegally, not legally. This internal enforcement mechanism will allow us to make sure small businesses know who they are hiring, and we are turning away people who are here unlawfully and shouldn't work here in the United States of America.

This is the greatest country in the world. But 40 percent of the people who are here who are undocumented came lawfully to the United States, overstayed their visas, and it is the consequence of our having a system to check people on the way in but never checks them on the way out or whether they left at all. This bill fixes that problem with a complete entry-exit

system, with improved biographic and biometric tracking of those who come into and leave our borders. It is about time for us to begin to apply 21st century technology to this broken immigration system we have.

There are many economic reasons why we should support this bipartisan legislation. We know it will help businesses, we know it will boost our economy, we know we are securing our borders. If people don't believe me on this, I hope they will listen to Senator JOHN MCCAIN and Senator JEFF FLAKE, who are the two Republican border Senators—Senators from a border State—who took me and others down there to see what the border actually looked like, who support this legislation, who have to go home to Arizona and be able to defend this legislation by saying it secures the borders of the United States of America. They know what they are talking about.

We also can't lose sight of what this bill means for families who are suffering under the current system. Here is one story from a bright young woman in Boulder, CO, who I had the fortunate pleasure to meet, Ana Karina Casas Ibarra. I first met Ana at a bagel shop in Boulder where my staff and I stopped in for a bite to eat. She waited on us and recognized me. When my staff overheard her explaining the dynamics of the 112th Congress, they suggested she apply for an internship in my office. She was an awesome intern. We had the opportunity to learn more about her story.

Fourteen years ago, her mother brought her and her two younger brothers to the United States to escape an abusive marriage. Her mom had consistently juggled two or three jobs to support them. Although Ana was a good student, an old Colorado law denied her in-State tuition. She had to work to pay for community college a few semesters at a time. Her brothers, who saw her opportunity denied, lost their motivation. One brother who speaks better English than Spanish was deported, and the other brother who has an American citizen wife and a baby is facing possible deportation right now. She just published her story in the Denver Post. She wrote:

Too many families share similar horror stories of separation. There are 11 million people who have entered this country illegally, and the time is now to provide them with a path to citizenship.

It is time for immigration reform.

I ask unanimous consent to have printed in the RECORD a copy of the Denver Post op-ed.

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

[From the Denver Post, June 23, 2013]

MY FAMILY NEEDS IMMIGRATION REFORM,
SEN. BENNET

(By Ana Karina Casas Ibarra)

In 2012, I was working at a bagel shop in Boulder when Sen. Michael Bennet walked in. I immediately recognized him, handed him his bagel, and said, "Here's your bagel,

senator." I didn't know then that this small interaction would change my life.

After the senator left the shop, I approached my co-workers, confused that they hadn't recognized him. Some knew that Jared Polis was our district's representative, but they didn't know Bennet. I explained to them the difference between the House and the Senate, and that Bennet was our representative, too.

Members of his staff overheard this conversation, and encouraged me to apply for an internship in the senator's office.

That fall, I interned for Sen. Bennet in Denver. I got the chance to talk with the senator, meet his constituents and witness how his staff solves problems for Coloradans. The experience was eye-opening and educational, deepening my interest in government and my belief in American democracy.

That belief has shaped my life. Fourteen years ago, when I was only 12, my mother brought my little brothers and me to the United States, crossing the border from Mexico to escape her abusive husband. Through the years, my mom has consistently juggled two or three jobs to support us.

I worked hard in school, earning good grades so I could get into a top college. But several anti-immigrant laws were passed in Colorado in 2006, including one that cut off in-state college tuition for undocumented students. Despite my good grades, I ended up applying to the Community College of Denver, the only school I could afford to attend. I alternated between going to college and taking semesters off to work and slowly save up for more classes.

My brothers' lives have been dramatically different from mine. They saw me work hard in high school only to be cut off from the opportunities I had earned. They watched me do other people's laundry, clean bathrooms and make sandwiches just to put myself through community college. They saw that same future for themselves and they lost the motivation to finish high school.

Luis, my middle brother, became depressed, refusing to eat, talk to anyone or go to school. I lived in fear that he might take his own life. Instead, in 2009, he was arrested and deported. I watched, powerless, as my family was torn apart. Luis, who lived the majority of his life in the U.S., who speaks better English than Spanish and whose family and friends all live here, is now alone in Mexico, the country our mother fled when he was just a boy.

Luis' deportation was a nightmare for my family. The feelings of pain, frustration and helplessness left permanent scars. Now my family's nightmare is happening again. My youngest brother was arrested last August when he was sitting in a parked car without a drivers' license. Our family—including my brother's wife, a U.S. citizen, and their baby girl—now waits in fear for his upcoming deportation hearing, terrified that our family will be torn apart once again.

The diverging paths of my life and my brothers' illustrate the precarious balance we have experienced. As difficult as it has been for me to work my way through high school and college, it is far too easy to get caught up in deportation proceedings as my brothers have. Too many families share similar horror stories of separation. There are 11 million people who have entered this country illegally, and the time is now to provide them with a path to citizenship.

It's time for immigration reform. I hope Sen. Bennet remembers me and my family's story when he works with the "Gang of 8" in Congress to draft a comprehensive immigration bill. As a former intern, a constituent and the sister of immigrants caught in our broken immigration system, I urge Sen. Bennet and his colleagues to create a path to citizenship for people like me.

My life was changed forever when my senator walked into that bagel shop. Now Sen. Bennet has the power to change the lives of families across the United States by championing fair, humane immigration reform that keeps families together and creates opportunities for all those immigrants seeking the American dream.

Mr. BENNET. I just wish to say, again, how proud I am of the work Senator CORKER and Senator HOEVEN have done to get us to this point. I hope we will come to an agreement on some amendments between now and the end or that we will just take up this bill.

It is time for us to pass it. It is time for us to fix this problem for our economy and for the families all across this country. I believe we can do it, and I think it is an opportunity for this Senate to show it can work in a bipartisan way that produces a meaningful piece of legislation that is very important to the American people.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I don't want to interrupt the flow of the proceedings, but I ask that my statement be made as if in morning business.

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

STUDENT LOAN RATES

Mr. PRYOR. Mr. President, in the next few short days, on July 1, the interest rate for subsidized Stafford loans are set to double. The problem is that with the subsidized Stafford loans, we are talking about students who tend to be lower income. Many of these students are first-generation college students, and they tend to be people who work the hardest to get what they have. They tend to not have very much money or resources and not very many connections. They don't have a lot of advantages.

We have had several people from around the State of Arkansas e-mail or write my office. One of those who wrote to me is Donovan. He is a father who works construction to support his kids. He has two kids in college, one in the Marines, and one about to graduate from high school. He cannot afford to pay his living expenses for himself and his family and their education without the help of student loans.

Kim is another. She is a first-generation college graduate who is working to pay off \$85,000 in student loan debts. As she is paying that down, she doesn't have the money to save for her own children's education.

Brandon is another story. Brandon goes to Southern Arkansas University. He is working hard to afford his education and pay for it, but he is struggling with the high cost of tuition, room and board, and books. He is worried he is not going to be able to afford college if the interest rate goes up.

Last year the Senate and the Congress generally passed a provision to keep the interest rate of the subsidized Stafford loan at 3.4 percent. I think that is the right policy. I think we

want Americans to further their education. I think it obviously helps their personal enrichment, it helps their family, their community, and helps our country to keep us competitive in this global economy.

Again, we are about to see a jump to 6.8 percent. The reason I am so concerned about it is that in my small State of Arkansas, there are 68,000 low-income and middle-income Arkansas students who rely on these loans.

Unfortunately, what has happened in the Congress and in the Senate is that we had two votes a couple weeks ago, both of which failed. What we see now is a lot of finger-pointing, a lot of press releases and press conferences. But this is an area where we should find a bipartisan solution. This is a classic case that if we work together, we can work it out. In the last few weeks, I have seen Senators come together and work out difficult problems. Surely we can work through this and work it out.

The House says it has a permanent fix. I disagree with that being a permanent fix. If we look at it, it doesn't compare well to the plan we voted down in the Senate a couple weeks ago. The Democratic plan in the Senate has a 3.4-percent flat interest rate. Their interest rate is market based, and it rides the 10-year Treasury. We have to go through the calculation on how they do it, but basically we all know that interest rates are not going down. Interest rates are not staying the same. Interest rates are going up, and everybody knows that.

When we start tying these things to interest rates—did we not learn anything in the housing crisis? If we get people on the adjustable rate mortgages, what happens? It sounds good on the front end, but then they can't pay. The same thing will happen with student loans. They would get them on the lower rate on the front end, and that will go up over time.

The House Republican plan actually lets a borrower change that rate on that loan every year. So they don't lock in once for 10 or 20 years, they would lock in one year at a time and then ride that interest rate annually. It is very problematic.

By the way, I disagree with President Obama. I think he happens to be wrong, and I think we need to find a bipartisan solution.

I have a couple of charts where we talk about this. This is the House Republican plan and these are the costs. The House Republican plan goes up. Basically, the interest rate payments will be almost \$8,500. If we extend the current rate, it is \$3,500-ish. If they don't do anything and double the current rate, it is \$7,400, and that is real money. The difference here is that this is real money for folks who tend to start out with a lower income and don't have a lot of opportunity.

We can see what the so-called permanent fix does. It basically fixes it for higher payments over time, which means we are going to have fewer people who can plan to go to college as

well as fewer people who are able to go to college. We are going to have a higher default rate, which means more people don't pay back, which just creates more problems as we go. It will also hurt their spending power and again our competitiveness.

I supported the Democratic plan, but again I think there is merit in some of what the Republicans offered. I just hope this is a time when we can find a long-term solution, where we can come together and work it out. Students shouldn't be punished because of Congress's inability to work together.

Now is the time to come together. We need to come together for Donovan, Kim, Brandon—the three Arkansans I talked about—and for millions of students across the country. I know we can fix this.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I wish to thank the Senator from Arkansas for his comments. I wish to speak to the amendment and the overall bill that is before us.

I thank the eight Senators who have brought us to this point where we are looking at landmark legislation. I thank all who were involved last night who went through the hurdle of putting in place the strongest border security plan anyone could have imagined.

I don't think anybody can now look at this immigration bill and say we are not doing what the majority of Americans want to see happen; that is, to secure the borders. I thank all involved in making that happen. I know over the last several days that has consumed our discussion—talking about the border being secure. Border security is something I know people in Tennessee and folks all across this country care about.

Again, I appreciate all the contributions that have been made. I thank those who were involved last night in a very strong bipartisan cloture vote. Hopefully, we will have the vote on the amendment soon. I understand there are negotiations underway to add as many as 20 or 30 more amendment opportunities for folks. I hope people will try to narrow down their list.

I cannot imagine how more amendments which can improve the bill is not something we all want to do. I wish to thank those working toward that end. We have plenty of time left this week to deal with a number of important amendments. Candidly, many of them, in my opinion, would make the bill stronger.

Today I wish to speak to two things. No. 1, we talked about security. I, as a Senator, in the 6½ years I have been here, have never had the opportunity to be a part of a piece of legislation that—if passed in both Houses and the President signs it, it becomes law—will immediately affect in a positive way 11 million citizens who are in the shadows today. In many ways, they are already part of our society and will now be able

to come out and be even more productive for the United States of America. I am thrilled to have that opportunity.

It now appears this amendment is going to pass, and we will have the opportunity to have a balanced immigration bill. I think the American people are compassionate. I think if they understand that we have done what we can to keep this problem from occurring again in the future and if the people who came here in the way that they came are at the back of the line and have to do those things that are necessary to overcome that before they get their green card and then become citizens, I believe this is a bill that overwhelmingly will be supported by the American people. It gives every single one of us an opportunity to be a part of landmark legislation that immediately is going to affect 11 million people who now are in our country and many more people who come thereafter.

To move away from the human side—and I know we are going to have some budget points of order later—I wish to speak to the economic side, which is a side we have not talked about much.

Another first for me in the Senate is to vote for a bill that, if it passes, is going to bring \$157 billion into the Treasury without raising anybody's taxes. Never have I had that opportunity. That is what we will be doing if we pass this legislation with the border security amendment that is now in place.

Over the next 10 years, CBO scores show that we are going to have \$157 billion come into the Treasury without raising anybody's taxes because of the fact we are going to have people coming in out of the shadows. Over the next decade, CBO projects we are going to have over \$700 billion coming into the Treasury.

I know the Presiding Officer has worked on deficit reduction. This will be the first opportunity we have had to do something such as this that in no way affects people negatively but causes us to have much more in the way of resources. We will have resources coming into the Treasury, lowering deficits, and, candidly, helping seniors who are concerned about whether we are going to be able to maintain momentum with many of the entitlement programs we have today.

CBO has actually scored something else. If this bill passes, real GDP growth is going to be at 3.3 percent over the first decade and 5.4 percent at the end of the second decade. Again, this bill is something that generates economic growth. While both sides of the aisle talked greatly about economic growth, I have to say that my side of the aisle tends to focus more time on that issue, and I applaud that. I think it is very important. I think it is a situation where a rising tide raises all boats, households do even better, and the standard of living increases. What this bill, if passed, is going to do is cause our GDP growth to be even higher over the next two decades.

I know people have talked a little bit about wages. In fairness, there is a study that does say that over the next decade there might be one-tenth of 1 percent effect on wages. What it says is that by the end of the second decade, wage increases are going to grow even more dramatically than they would without this bill.

Productivity is going to increase. CBO has recently scored that productivity is going to be much higher if we pass this piece of legislation. If people come out of the shadows, become more productive citizens, it actually causes us to produce even more goods and services in this Nation.

I think everyone understands that because the people who will be affected by this—the 11 million undocumented workers and people who are in this country—will be paying into the system for 10 years, at a minimum, and will not be allowed to participate in Social Security and Medicare. What they are doing is actually giving additional life to both of those programs—programs that seniors around this country depend on tremendously.

To digress, I know yesterday CBO said that if this amendment we are debating passes, it will have a tremendous impact on lessening the amount of illegal immigration we have in our country, which is something I know almost every American wants to see.

I know there will be some budget points of order. In my life as a Senator, I spent a lot of time on deficit reduction. As a matter of fact, I would put the efforts we have made in my office against almost anybody here. Over the last 6½ years, we have been focused on deficit reduction.

As I said, I have never in my life had an opportunity such as this as a Senator. If we pass this piece of legislation, by sheer force of what is going to happen out in the marketplace and what is going to happen by bringing people in out of the shadows so they can participate in a different way and without raising anybody's taxes—as a matter of fact, maybe it gives them an opportunity to lower people's taxes down the road—we are going to lower our deficit.

I know there will be budget points of order. I plan to vote to override those because I don't think the off-budget items are being counted in the way they should. I think all of us understand that Medicare and Social Security are in distress. Those programs are not being counted in what is going to be discussed later today with these points of order.

I encourage everyone to override these points of order, taking into account the benefits this is going to have on the off-budget items. By the way, typically when we are dealing with these "off-budget items," we are actually dealing with them in the reverse, and that is that people are not taking into account the negativity that is going to impact them. In this case, there is actually a positive result.

So from a human standpoint, this is the right thing to do. From a border security standpoint, this is the right thing to do. From a deficit-reducing standpoint, this is the right thing to do. And for raising the standard of living for all Americans through economic growth, this is the right thing to do.

I thank the Chair for the time, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. 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. Mr. President, I think we should get a little perspective, at least as I see it, on the Corker-Hoeven-Schumer substitute that was voted on earlier, and we will vote on again. I think this is what happened.

It became clear last week that the Gang of 8 bill was nowhere close to doing what it promised to do on enforcement. The flaws were too dramatic to hide and the CBO found it would only reduce illegal immigration by 25 percent after they had promised dramatic changes in it. And I pointed out that it had holes all through it, like Swiss cheese, and the CBO essentially confirmed that.

The bill was in trouble. Support for the gang's proposal began to fall, and the mood changed from over confidence among the supporters to even panic. The gang knew action had to be taken or things could be lost, so they got—they went to Senators CORKER and HOEVEN with this idea that they would just add 20,000 Border Patrol agents to our current agents on the border and 700 miles of fencing. Both of those projects they had steadfastly rejected, even rejecting the Cornyn amendment to add 5,000 agents. One of the Members of the Senate said it was dumb to do any fencing, and they opposed the fence.

Well, these provisions of new enforcement were contrary to what the supporters had been saying for weeks. They promised America their bill was the toughest ever, driving those messages into homes all over America with TV advertisements; with Senator RUBIO; big business; Mr. Zucherberg pretending he is a conservative advocate; running ads telling us all what we ought to know and do about this bill. The goal, I have to say, was to provide some sort of cover to get wavering Democrats and Republicans to sign on to this new bill that is going to add 20,000 agents.

Well, why would they be willing to make such a dramatic, unceremonious retreat on a position they had taken for months? First, they were desperate. Something needed to be done. Secondly, they know that the promises

made in this substitute bill to build fences and to add 20,000 agents will never occur. It is not going to happen. So they are really not worried about that. It is a kabuki dance, a bob-and-weave, a rope-a-dope. Everybody in the Senate knows how this process is working. The staff know it, and I think probably most of the media understand it.

These promised actions are not going to happen in the future. The interests who push this bill have never wanted to end the illegality. I have been fighting on this for years. Every time we get close to fixing E-Verify, every time we get—in fact, we had debates, and I had to hold up bills to keep E-Verify from expiring. Forces were out there trying to kill E-Verify for years, and I held up legislation to insist that at least we keep it alive. We weren't able to strengthen it, which it needed desperately. That is the workplace situation, E-Verify is, where when a person applies for a job they run a quick computer check on a person's Social Security number to determine whether they have a lawful Social Security number. It identifies a lot of people who are illegally here and should not be taking jobs. So those forces have never wanted a lawful system, and they objected to things that occurred.

So their interests and the interests of those who met in secret to cobble this bill together have always favored more immigration, legal immigration, and it seems to me quite a bit of indifference to illegal. These are the forces that have voiced support for but blocked the creation of real border security fencing over the years.

They have voiced support for E-Verify with a blocked extension of it and strengthening of it. They have voiced support for an entry-exit visa system that works in all land, sea, and airports; indeed, we have passed bills to do that—biometric land, sea, and airports. This bill reduces that requirement through just entry-exit visa systems at air and seaports and not on land, and it is not biometric. That is a critical difference because now 40 percent of the people here illegally come on visas and overstay, and we have no idea who is leaving the country. We clock them in on entry, but we don't clock them out when they leave. So we don't know if anybody has overstayed.

That is the situation we are in. I see my friend, Senator VITTER, and I want him to have time to talk. I know he is due to be talking now. I would say one more thing as he prepares to deliver his remarks.

We were promised, when the bill passed, that the economy would be better, wages would improve, and GDP would be up, and unemployment wouldn't be adversely affected. The CBO report said unemployment will go up, and I have a chart they put out in their own report showing that. They say wages will go down over the next decade, and they say unemployment will go up. They say gross domestic

product will increase some as a result of the situation of more people, but per capita, per person, GDP declines for 21 years.

So we need to know—at this time of high unemployment, slow growth, low-wage growth, we need to be very cautious about allowing millions of new workers to enter this economy at this time. We want to have immigration, but we want to have it at a rate that serves the national interests and increasing it dramatically is not appropriate.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent that at 11:30 a.m. Wednesday, June 26, all postcloture time on the Leahy amendment No. 1183, as modified, be considered expired; that the pending amendment No. 1551 be withdrawn; that if a budget point of order is raised against the Leahy amendment No. 1183, as modified, during its consideration, and the applicable motion to waive is made, that at 11:30 a.m., the Senate then proceed to vote on the motion to waive the budget point of order; that if the point of order is waived, the Senate proceed to vote on the Leahy amendment No. 1183, as modified; that upon the disposition of the Leahy amendment, the Senate proceed to the vote on the motion to invoke cloture on the committee-reported substitute, as amended; that if cloture is invoked, it be considered as if cloture had been invoked at 1 a.m., Wednesday, June 26; and, finally, that the majority leader be recognized following the cloture vote, if cloture is invoked.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

Mr. VITTER. Mr. President, related to that unanimous consent agreement, I wish to make a budget point of order, which I will do in just a second. But I also ask unanimous consent that after I make the point of order and after the Senator from Vermont moves to waive it, I be recognized for up to 12 minutes to explain my budget point of order.

Mr. LEAHY. I have no objection.

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

Mr. VITTER. Mr. President, the pending measure, S. 744, as reported by the Judiciary Committee, would violate the Senate pay-go rule and increase the deficit.

Therefore, I raise a point of order against that measure pursuant to section 201(a) of S. Con. Res. 21, the concurrent resolution on the budget for fiscal year 2008.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolutions, and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, I move to

waive all applicable sections of those acts and applicable budget resolutions for purposes of the pending bill and amendments, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The Senator from Louisiana.

Mr. VITTER. Mr. President, let me now talk briefly about my budget point of order. I made one specific budget point of order, perhaps the most serious, which is that this bill, as it came out of committee, increases the deficit, pure and simple—the thing we constantly rail against, the thing we constantly promise we will not do any more of. It increases the deficit.

However, that is not the only budget point of order. There are at least 11 budget points of order against this bill—the Senate pay-go point of order, which I just explained.

In addition, there is new direct spending authorized by the bill that would exceed the Judiciary Committee's authorization levels for a 5-year period. In addition, there is new direct spending exceeding those authorization levels for the 10-year period.

There are four points of order pursuant to section 403(e)(1) that lie against the emergency designations in the bill.

We say we are for budget discipline. The problem is that whenever we want to bust the caps, bust the numbers, we just call certain spending an emergency. This is clearly not emergency spending. This is an important problem, but it is not an unexpected emergency, such as a natural disaster or an attack by a foreign government. There are also four similar emergency designations made under section 4(g)(3) of the Statutory PAYGO Act of 2010.

So, again, there are at least 11 separate, distinct budget points of order that lie against the bill. That is a big deal, particularly when we are running record deficits and have record debt, particularly when all of us from both sides of the aisle have come to the floor regularly and said: This is a huge challenge, and we are doing something about it.

We are going to pass a bill that breaks those rules, that busts those caps, 11 different ways.

Technically, my budget points of order that I just enumerated are about the underlying bill, but most of these also apply to the Corker-Hoeven substitute—the Leahy substitute incorporating the Corker-Hoeven language. So they have the same budget problems, the same fundamental problems under that version.

This is very simple. It is about, are we serious in reining in deficits and debt or not? Are we serious or not?

There is a bit of good news. In the last several months, say, since September of last year, this body has raised this same sort of budget point of order seven different times—seven dif-

ferent times—saying that important bills bust the caps, increase the deficit, claim spending is an emergency when it is not. And seven different times since last September, we sustained those budget points of order. We as a body said: You are right. We should not do that. We should get serious about spending.

Seven times, by the way, on my side of the aisle virtually everyone supported that budget point of order, and we did that in many cases where it was difficult politically to do it—when veterans' benefits were at issue, when other important matters, such as Hurricane Sandy relief, were at issue. So we have shown some amount of discipline through these budget points of order seven out of seven times since September. The question now is, Are we going to do it again or are we going to cave?

Now, this pay-go point of order is perhaps the most serious because it is about increasing the deficit. That is what the point of order is about—actually increasing the deficit over the next 10 years.

We have to stop violating this rule if we are serious about deficit and debt. Pay-go originally banned counting Social Security revenues to mask the deficit. Spending in this bill is offset by \$211 billion in Social Security revenue. So once again we are going to rob Social Security to claim we are moving toward balancing the budget.

We need to get serious on all of these budget issues. We need to maintain the record we have had here in the Senate since September. We need to sustain this important budget point of order when we vote tomorrow.

With that, 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. SESSIONS. Mr. 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. Mr. President, I support Senator VITTER's motion. There are multiple points of order that could be raised against this legislation. They have declared a number of the spending programs emergencies; if you designate an appropriation as an emergency, it does not count against the budget, but it is real spending all the same.

Normally, we would expect that border enforcement and hiring of officers would not be an emergency; neither would other aspects of what we are doing here be considered an emergency.

We were told by the sponsors of the legislation repeatedly that this bill will be paid for and it will be paid for by fees and fines contributed by those who are here illegally as part of their payment to get citizenship and legal status. Well, that comes nowhere close to funding the legislation.

This chart I have in the Chamber gives us some—I will get to it in a sec-

ond. But this chart gives an indication of where we stand with regard to budget implications of the legislation.

So the fines and penalties and fees that are a part of this maybe bring in \$6 or \$7 billion. They said there was enough to pay for the bill. The bill originally started out at \$6 billion, then it went to \$8 billion, and then, with the Corker-Hoeven amendment, it jumped to \$46 billion. There are no additional fees on the illegal aliens.

When they met with the support group, the Gang of 8 met with the real group who has been driving the bill—this coalition of special interests.

They went to them and said: We need to raise some more money.

And they said: Well, you cannot put any more fines on the people here illegally.

So they said: Yes, ma'am. We will not put any more fines on them. We will put more fees on legal immigrants in the future.

So they raised fees on legal immigrants but did not raise fees on the people who are here illegally who originally they said were going to pay for the entire bill. So that is important for us to fully understand. The money is simply not there.

I will note parenthetically that the 2007 immigration bill—that was on the floor and we debated and eventually failed—that bill would have raised as much as \$8,000 per illegal individual. This bill only raises \$2,000, and it is to be paid over 10 years. This is not a burdensome payment if you are going to say they pay a fine—as the sponsors of the legislation did—to become permanent residents and put them on a path to citizenship. So it is about \$17 a month. I calculated it out roughly. That is not a big fine. You are allowed to work. You get a Social Security card, an ability to apply for any job in America on an equal status with anybody else who has been unemployed and looking for work, their children looking for work and need a job. Somebody who was just a few days before illegally here now has full power under this legislation, if it were passed, to take that job. So the idea that \$17 a month is somehow going to be breaking the bank is not accurate.

The problem fundamentally with this situation is that it double counts billions of dollars. We need to understand how this process works, this double counting. It was part of the 2,000-plus page ObamaCare health care legislation. This thing is over a thousand pages—1,200 pages—and things get lost in it. What is lost fundamentally in it—and the supporters of it ought to be more candid about this—is that to make their argument that the bill is going to bring in more money than goes out, they have to double count Social Security and Medicare money. They just do. Senator CORKER has made that argument. Basically, we have this money coming in.

In one of the conventions of accounting that our budget team uses—the

Congressional Budget Office—it calculates all the money coming into the government, all the money going out of the government, regardless of whether or not there is a trust fund.

Another form of accounting accounts for the trust funds and accounts for general revenue. General revenue is on-budget. Off-budget is the Social Security trust fund and some other funds.

So look at this chart. I think it gives a picture of where we are. This is the true cost of this immigration bill. I am the ranking Republican on the Budget Committee. We wrestle with these numbers all the time. Under this, they claim they have a unified budget surplus of \$197 billion. That is the accounting method where all the money coming in is counted against all the money going out. But if you remove the Social Security surplus, that is \$211 billion. If you remove the Medicare surplus, that is \$56 billion, showing, instead of having a surplus, we have a \$70 billion deficit.

You say: Well, CBO said different.

No, CBO did not. CBO, in its report, explicitly shows that the on-budget accounting is negative, that it adds to the debt. It counts a surplus in Medicare and Social Security. Now, how could they do that? Well, these individuals—many of them do not have a Social Security Number and are not paying Social Security and Medicare taxes—the withholding of FICA on our paychecks. They are not paying that. Once legalized, they will pay that. There will be new money coming into the Treasury.

These sponsors of the bill, so desperate to promote their bill and say it is paid for, say that Social Security payment, that FICA payment, is now available for them to spend over here on all the things they want to spend the money on; therefore, it has created a surplus. But it ignores something very important: that each one of those individuals who have paid into Medicare, paid into Social Security, are going to draw out Medicare and Social Security. It is their money. It is their retirement money. You cannot put the money up for their retirement and spend it the same day and expect it to be there.

This is how this country is going broke. This is how they handled President Obama's ObamaCare. They double counted the money. Well, you say that is not accurate. Let me read the letter I got from the Congressional Budget Office Director the night before we voted, December 23. I voted against it. The ObamaCare legislation passed on Christmas Eve. They finally got the 60th vote before Senator Brown from Massachusetts could be installed. This is what the CBO said at the time:

[T]he savings to the [Medicare] trust fund under PPACA—

That is the ObamaCare—

would be received by the government only once, so they cannot be set aside to pay for future Medicare spending and, at the same time, pay for current spending on other parts

of the legislation. . . . To describe the full amount of [Medicare] trust fund savings as both improving the government's ability to pay future Medicare benefits and financing new spending outside of Medicare would essentially double-count a large share of those savings and thus overstate the improvement in the government's fiscal position.

If that were a private business that sent out a solicitation to buy its stock and they said, we are on a good basis, we are making so much profit—and they are counting as their profit the money going into their employees' pension plan—I think they would be in big trouble, do you not? Because it is not their money, it is money committed to the employees' pension. You cannot claim it as profit and say, invest in my company, I am making a big profit, counting the money that is in the employees' retirement money.

Well, this is what we have been doing. The Senator from South Carolina used to say: We have been raiding trust funds. If we were in private business, we would be in jail. I think there is too much truth to that, frankly. So this is undisputedly real.

But because there is a score, a unified budget score, the method that says all money comes in and all money goes out, you have a surplus, you can count this as a surplus. Why is that? Well, because most of the people who will be legalized under this bill, those individuals are in a situation where they are younger, maybe 35. So they will pay into Medicare for a number of years, and Medicare for a number of years will see a surplus in their account.

But after they reach retirement age and start retiring, the money is going to be drawn out. In fact, right now the amount of money paid into Social Security and Medicare by American workers is not enough to cover the cost of their retirement. That is why both of those accounts are in serious trouble. We have got to do something about it. We need to be making it stronger, not weaker. This makes it weaker. You are taking the money that should have been going to fund the retirement accounts of the people who were previously illegal who are now legal and spending it on something else.

Senator VITTER is exactly right, there are multiple bases for making a budget point of order against this bill. I believe the motion to waive the budget point of order was a motion to waive all of them, so this will be the only one we will get to vote on. So there are others who could have been raised also.

So what about this argument that wages are supposed to be improved by the bill? We were told that and told that repeatedly. This is what the CBO report says, "CBO estimates that S. 744 would cause the unemployment rate to increase slightly between 2014 and 2020." So this is a fact. So at a time of high unemployment, lower wages, we are passing legislation that will increase unemployment, make more people unable to find work.

This is a chart that was in the CBO report, not my chart. I did not make

this chart; it is in their report. It points out the average wage would be lower than under current law over the first dozen years. So we are asked to vote for a bill that CBO says would make the average wage of American working people lower for a dozen years.

I do not see how that is rational, frankly. We have seen since 1999 the wages of American workers have been decreasing as compared to the inflation index. The amount of money they are making is falling compared to inflation. That is a tragic thing. It has been continuous. I thought it might be temporary, but it has been continuing steadily.

One expert, Professor Borjas at Harvard, attributed 40 percent of that to immigration already. This bill will dramatically increase the flow of immigration. So I am worried. This is a chart that has down here 2021, 2023, before it hits the line back where it was. Then you say, well, then it is improving. Not so. Not so. If the bill had not been passed, we would have had some increase all along. The lines would have been much higher. I do not know how many years it would take for this ever to get back to where it would have been if the bill did not pass.

That is what the CBO says. It is not that inconsistent with common sense, that at a time of high unemployment and you bring in millions of workers, it is going to pull down wages. If you bring more coal into America, you bring more iron into America, more cotton into America, the price of those products falls. It is supply and demand. You bring more labor in, you are going to have a lower wage rate, which David Frum has written is what the bill was designed for to begin with, pull down wages.

We need to think about this. I dispute this idea that there is no impact on wages by this immigration law. This is what will happen in the next 10 years: We are going to legalize 11 million people. About half of those are not working effectively in the real job force; maybe they are doing part-time work; maybe their family is taking care of them; maybe they are working in a restaurant or lawn care companies off the books. All of a sudden they are going to be given legal status. They will be able to apply for any job: truck drivers, forklift operators, coal miners, steelworkers, work for the county commission, city council, State of Alabama. They can apply for all of those jobs. So you are going to see a large increase in the supply of labor available for jobs for which they were not eligible previously.

Second, what about the normal legal flow? We now admit about 1 million people a year into America. That is the most generous admission rate of any Nation in the world. It is pretty significant, very significant. We have been absorbing that. I think we can continue at that rate. However, this bill, in addition to the 1 million I just mentioned, will increase by at least 50 percent the number of immigrants who

come into the country every year hereafter, which is pretty significant.

In addition, there is another 4.5 million who are waiting to come into America. They have been tentatively approved, but there are limits on how many can come each year. So they are waiting their time. They call it a "backlog." They are just waiting their time. That is 4.5 million. They have been accelerated.

Let's think this through. Under the current law, we were on track to admit 10 million people as immigrants into America. By immigrants, I mean people who want to stay here, get legal permanent residence and become citizens. We are on track for 10 million if you follow current law.

Under this bill, we will admit, over the next 10 years to lawful status in America, the 15 million I mentioned, the 11 million plus the 4.5. Then we are going to increase by 50 percent the annual admission rate from 1 million to 1.5, meaning 15 million over 10, which means 30 million. So the number of people who will be given permanent legal status in America over the next 10 years will be 30 million, not 10 if the law had been properly applied.

There is another category. Those are people we refer to generally as guest workers. Guest workers come not to become immigrants, not to stay in the country permanently, but come to work in an area where they can find a job. It is supposed to be in an area where there are not workers to do the work. That is the theory, at least. How will that be impacted by this new legislation? It is going to be double. So the number of guest workers, which is very large now, is going to double under this legislation.

I would say, first of all, it is common sense that the average wage is going to fall. It is common sense that unemployment will go up. It is common sense that it is going to be harder for Americans in this time of high unemployment and falling wages to get a decent job with health care and retirement benefits. It just is.

People can spin and they can quote Grover Norquist and those kinds of things to say otherwise, but Professor Borjas at Harvard says differently, a Federal Reserve economist in Atlanta says differently, the U.S. Commission on Civil Rights said they had hearings and every witness acknowledged it would be bad for American workers, particularly lower income workers, particularly for African-American and Hispanic workers who are already here. They will get hammered the most under this dramatic increase in workers.

They say it will increase GNP. Well, it will. You legalize 30 million, you are going to have a larger economy and it will be bigger. But the question is, per person, per capita, will America's productivity increase? Will our GDP increase?

Well, what did CBO find? This is their chart. It shows that it dropped. This is

the baseline today. If we pass the bill, the per-capita GNP of the United States of America of each citizen drops. That does not make us wealthier as a Nation, as a person. So what if the economy grows a little bit but everyone has less because you have got more people? That is what they say: S. 744 would reduce per capita by 0.7 percent in 2023. That is 2023. This is about 16 years they chart that it will be lower than it would have been if the bill never passes.

So why would we want to pass legislation that clearly reduces the per capita wealth of America, our growth of GNP? I do not think that makes good sense. I am concerned about it. Nobody wants to talk about it, they just want to pretend there is no limit to the number of workers who can be brought in and that that will not have a societal impact on America.

Let's take a look at a few things here. This is the Washington Post from 2 weeks ago when we got the job report dealing with the jobs for the month of May. It was considered to be fairly positive. It was about our normal average increase during the recovery period from the recession. But it is still not much. Not so good.

Unemployment went up, even though we created, they said, 175,000 jobs. That sounded good. We created 175,000. But you have to create about that many jobs each month to stay level, because we have more people coming into the workforce each month.

Look at what they said in the article:

The bulk of the job gains in May were in the service industry, which added about 57,000 jobs last month. Still, roughly half of those were temporary positions, suggesting that businesses remain uncertain of consumer demand.

They go on to note:

Missing from the picture were production jobs in industries such as construction and manufacturing. . . . Meanwhile, manufacturing shed 8,000 workers. . . .

Manufacturing jobs went down by 8,000. The increase was in service industries. The increase in half of those were part-time or temporary, not full-time, permanent jobs.

Anybody who says we are in great shape with regard to job creation is not telling the truth.

An article in today's Wall Street Journal, "Some Unemployed Keep Losing Ground," states that "nearly 12 million Americans were unemployed in May, down from a peak of more than 15 million. . . ."

At one point a few years ago, we had 15 million Americans working. We now have 12 million Americans working.

The percentage of Americans in the workforce continues to fall. It is the lowest since the 1970s when women were entering the workforce. That is why the percentage went up, but now we are down to that level again. People are not finding work.

The idea that we can bring in millions of workers well above the current rate and that this is somehow going to

create jobs is hard for me to accept. The article states:

"At 175,000 jobs per month, we're years away," said Adam Looney, a Brookings economist, from where we need to be in unemployment rate. The real reason is economic growth has not increased much.

It goes on to cite some very sad numbers that show the danger for people who have been unemployed for longer periods of time. It does appear, unfortunately, that somebody who is older or somebody who has not found a job for quite a number of months finds it even harder to find a job in the future. This is the Wall Street Journal, and they support immigration aggressively, but this is their story. The article talked about Mr. Ken Gray.

Ken Gray has experienced that frustration firsthand. In January of 2011, Mr. Gray's wife died after a battle with ovarian cancer; three months later, he was laid off from his job as an account manager at AT&T, where he had worked for more than 20 years. Still grieving from the loss of his wife, Mr. Gray says he was slow to turn his full attention to his job search. By the time he did, the Chicago resident was long-term unemployed, and he has struggled to get prospective employers even to respond to his applications.

"You just feel so discouraged," Mr. Gray said. "You ask yourself what's the sense of sending a resume if you don't hear anything."

Now 59 years old, Mr. Gray been living off his dwindling savings since his unemployment benefits expired last year. He says he remains determined to find work. But long-term job seekers are twice as likely to leave the labor market as to find jobs, and many experts worry that many of them will never return to work. That could create a class of permanently unemployed workers and leave lasting scars on the economy.

"Once people reach a point where they no longer consider themselves employable . . . it is very difficult to pull them back," says Joe Carbone, president of WorkPlace, a Connecticut workforce-development agency. . . . "We are losing thousands of people a day. This is like an epidemic."

I don't think we can pretend this isn't reality. I think the CBO numbers probably underestimate the problem. Professor Borjas' studies would indicate that and others would indicate that.

Another example is from the New York Times, May 20, 1 month ago, written by Jessica Glazer:

The men began arriving last Wednesday, first a trickle, then dozens. By Friday there were hundreds of them, along with a few women.

They set up their tents and mattresses on the sidewalk in Long Island City, Queens, unpacked their Coronas and cards—and settled in to wait for as long as five days and nights for a slender chance at a union job as an elevator mechanic.

On Monday morning. . . . Those in line—there were more than 800 by sun-up Monday—were hoping for a chance at job security, higher salaries and other benefits.

Andres Loaiza, 25, had his eye on a position that includes minimal physical labor. . . . Every 18 to 20 months, the union accepts 750 applications for the 150 to 200 spots in its four-year apprenticeship program. . . . While they waited, the hopefuls lined the sidewalk along 36th Street. . . . The union had rented six port-a-potties and hired a 24-hour security guard. . . . Overnight, they brushed their teeth with bottles of water; tucked into

their sleeping bags, folding chairs or cars; and tried to get some rest.

On Saturday a light drizzle fell. Gerry Dubatowka, 20, whose father is in Local 3, waited for his shot.

He is studying electrical technology at Orange County Community College, but said he would rather work with his hands than be in school.

"I just want to do whatever, wherever I got to start," said Mr. Dubatowka. "I want steady work all the time."

For millions of Americans, this is what they want. They want a job with a retirement benefit, a health care benefit, and a steady job. We are not creating enough of them. That is the problem. Continuing:

After Sunday's drenching rain, Monday morning dawned gray. A few arguments erupted as people tried to cut the line. . . . At 9 a.m. Monday, the door opened. The first man in line disappeared inside and emerged moments later with a wide smile across his face.

"Yay! No. 1!" one man yelled when he stepped onto the sidewalk.

"Good luck, big guy!" said another.

This is the problem we are facing. I would share with my colleagues, at the rate of immigration in the future, we will have well over 100,000 new immigrants a month enter the country who are looking for jobs. We will have more than that enter, but we will probably have about 100,000-or-so-plus a month looking for jobs.

What does our Congressional Budget Office say about our future economic growth pattern? The CBO each year, as part of the budget process, lays out a 10-year projection of economic growth for America. They project all kinds of things. They are not perfect, but they use the best data available from the Labor Department, academic studies, private business analysis, and they project how many people would be employed. They are projecting for America's economy what I think a large majority of other economists and private sector people are predicting; that is, a new normal, where growth has not increased as fast as it has during boom times in the past. You have heard that phrase, "a new normal." This is a new normal, and that is what we are facing.

They predict, in the second 5 years of our 10-year budget window, we will increase jobs in America by 75,000 a month, well below the amount of people immigrating to America to get jobs under this bill. Should we invite people to come who are not likely to have a job? Should we invite more people to come than we will have jobs for when they will make the new immigrants who arrive before them unable to have a good job?

Shall we bring in more immigrants than we can absorb, causing wages to decline for American citizens, making it harder for American citizens to find work? Do we take those people who are not finding jobs and do we then place them on the welfare rolls and put them on a government subsistence program when they have been independent and able to prosper previously in the private sector?

What is the right thing for America, colleagues? I think we have to think about that. These numbers from CBO show there will be adverse impacts on the economy, wages, and unemployment at a time when we need to be doing just the opposite. We need to be creating jobs, putting people to work. We simply have to give first priority to those to whom we owe our allegiance, the people who fought our wars, paid our taxes, and kept the country going when they were able to work.

I raise that point. People don't like to talk about it, but I do believe it is honest and true. A good immigration policy should be focused on a number of things. It should be focused first on the national interests, the interests of the American working people, whether they are lawful immigrants and not yet citizens or whether they are lawfully here as citizens. We owe our obligation first to that cohort of people. They are loyal to our country, and we owe them our loyalty first.

Then we bring in people at the rate we think we can absorb that is healthy for America. Maybe 1 million people a year is about the right rate. If that is where we are, I can accept that. To have it increased by 50 percent, to have the guest worker program doubled on top of allowing early entrants and legality to 15 million, that is a trend that I think is dangerous for America.

My position is this, let's be prudent, friends and colleagues. Let's be cautious. Let's not be increasing the legal flow by 50 percent at a time of high unemployment when it looks as if we are not going to be able to create enough jobs for those people who would be coming here. We surely don't need to be doubling, it seems to me, the guest worker program at a time when we have high unemployment.

This is where we are. I believe that needs to be considered. I think the American people who are out here watching what is going on in the Congress need to be asking their Senators and their Members of Congress who will be taking up these issues soon: Are you thinking about us? Whom are you thinking about? Are you thinking politics or are you thinking about me? Who is thinking about me?

You meet in secret with the Chamber of Commerce. You meet in secret with La Raza, you meet with the politicians, you meet with the meat packers group, and the immigration lawyers association, but you don't meet with the law enforcement officers who have told us this bill will not work.

You don't have representatives from the heart and soul of America in there. Nobody is expressing what kind of impact will be felt by them. This is what my concern is and one of my many concerns as we wrestle with legislation.

We can deal compassionately with the people who have been here for a long time, and I will support that. I believe we need a system that ends the lawlessness and a system that serves the national interests of American citizens.

I thank the Chair, and I yield the floor.

The Senator from Oklahoma.

Mr. INHOFE. Madam President, I ask unanimous consent that I be recognized as in morning business for such time as I may consume.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

Mr. INHOFE. Let me comment also, the Senator from Alabama has done a yeoman's job. He has studied this issue and looked at all angles. He has one great advantage over me. He is an attorney who understands the ramifications. Let me just mention two things about the bill which concern me. One is that I have been privileged, maybe as much as any other Member of this Senate, to speak at naturalization ceremonies. If my colleagues have never done it before, I say to my fellow Senators, do it. One has a totally different perspective on this whole issue we are talking about; that is, getting to know people who go through the legal channels. You look up and see that these are people who learned the language, who have studied the history and, I daresay, would know as much about the history of the United States of America as we know in this Chamber.

Anything that is going to fast-track a citizenship is something that is of concern to me.

This is not why I am here. I decided to come down knowing that the President of the United States was going to make a talk, and in this talk I wish to make sure people understand what he is advocating is the largest tax increase in the history of this country. It is something we know he has been trying to do, in terms of his global warming activities, actually a long time before he was first elected 4½ years ago. His speech on global warming indicates he has started delivering on all the promises he gave the environmentalists during his campaign. When I talk about the environmentalists, I am talking about all the groups—good, well-meaning, some are not, some are extremists.

Leading up to his reelection campaign, the President had been given a pass by all these organizations because they knew if the American people thought he was going to do what we now know he is going to do, what he announced today, he would not be reelected because of the cost of it.

So he had been given a pass by the environmentalist groups, such as the Sierra Club, the Natural Resources Defense Fund, the Environmental Defense Fund, moveon.org, George Soros, Michael Moore—you know the crowd. They said: Fine, but as soon as you are reelected, since you can't be reelected again, we want to get all these things done. So all these groups want the President to use his regulatory power to make traditional forms of energy so expensive there is no option but to use their preferred alternatives.

They understood if the President wanted to get reelected he would need

to delay many of these regulations until after his reelection, and that is exactly what happened. They were willing to do this because they believed it was that important to reelect Barack Obama for a second term as President, as opposed to Mitt Romney or any of the others who were running. So they gave him a pass, and they didn't talk about this. As a result, he delayed many of the most significant regulations the EPA worked on during his first term until after the election.

One of those regulations was Boiler MACT. Let me explain MACT. MACT stands for maximum achievable control technology. It means what is the maximum in terms of something, such as emissions, that can take place where you have the technology to support it.

This rule sets limits—this is on Boiler MACT—on emissions of industrial and commercial boilers that are actually impossible to meet because the technology required by this rule isn't even available yet. It would cost the economy—and the analysis that was done, by the way, no one has disagreed with—\$63.3 billion and would result in about 800,000 jobs being lost. It is called Boiler MACT. Every manufacturer has a boiler, and these are the standards that would be required—an emissions standard—where there is no technology to reach that at this time.

So the President waited to finalize the rule until the day after the election. He didn't want the rule to go out before then because he didn't want people to realize what it would cost until after election day.

Another rule is the Ozone National Ambient Air Quality Standards. It is called the NAAQ Standards, but it affects everyone in America. The President tried to redo President Bush's 2008 update of this standard during his first term. But as the election neared, and the cost of the regulation became clear, he completely punted the effort. Now, however, we know he is actually considering an update of this regulation that could lower the standard from 35 parts per billion to 60 parts per billion. This is on emissions, and this would put as many as 2,800 counties out of attainment.

Let me tell you what that means—and, by the way, we have 77 counties in my State of Oklahoma, and all 77 would be out of attainment. It means you can't go out and recruit industry or keep the jobs you have because you are out of attainment. That is an official standing. This would mean 2,800 counties would be out of attainment in the United States, including all in my State of Oklahoma.

One thing the environmentalists want that the President has not been able to deliver—and it is even worse than all the rest of this stuff—is to deliver on the CO₂ regulations, which is the crown jewel of environmental regulations. In fact, there is an MIT professor named Richard Lindzen, who is supposed to be one of the outstanding and perhaps the premier climate sci-

entist in America today, who said the regulations on carbon dioxide are a "bureaucrat's dream. If you control carbon, you control life."

That is a pretty strong statement. This is because everything—every manufacturing process, every refinery, every hospital diagnostics machine, every home, every school, every church—would have to be regulated. If you can control carbon, you can control every decision anyone ever makes. This is what the liberals want. They want government to control everything, and their crown jewel is CO₂. That is where the whole thing started.

Remember, a lot of people are saying now: We never did say it was global warming, now it is climate change. They have changed it around quite a bit, as people realized some of these things aren't true. I can remember when people were talking about global warming—now we know we are actually in part of this cycle that is going down. But that is not important. What is important is they want to regulate carbon dioxide. That is their goal.

So the President first tried to push greenhouse gas emissions on the Nation in 2010 when the Democrats had supermajorities in both the House and the Senate. The last bill they had was called the Waxman-Markey bill—two House Members. It was a cap-and-trade bill. We all know what cap and trade is. We have been talking about it now for 12 years. That is where they cap emissions and then they can trade those around. They can buy and sell them and it results in a huge tax increase. It would have regulated any source of emissions that emitted 25,000 tons of greenhouse gas emissions or more.

That is very important because what the President announced today is far greater than that. In other words, those bills were only going to regulate the emissions of industries that emitted 25,000 tons of greenhouse gases each year. That came to a total cost of about \$400 billion a year.

Again, I am using these without documentation now because I have been using them, and we have been documenting them for 12 years with no one arguing the fact that if we pass cap and trade at 25,000 tons of greenhouse gas emissions a year, it will cost about \$400 billion. So that is a huge amount.

While that may not be the largest tax increase in history, what the President proposed today would be. Congress squarely rejected that, and while the bill passed the House, it failed miserably in the Senate. That is because it would have lowered the standards of living for the American people across the country, forced businesses to shut down, and it would equate to the biggest tax increase in American history.

And I think people understood that. That was what happened in the past. What the President wants to do is what they could not get passed in terms of legislation, so they are going to now do it by regulation. The American people knew what was going on, knew the im-

pact this legislation would have, and they told their Representatives to vote against it, and they did. Many of those who voted for it are no longer in this Chamber. They were defeated in 2010.

With the President's reelection squarely secured, the environmentalists have been crying for the President to act aggressively on global warming. It is payback time. We understand, Mr. President, you couldn't push this thing by regulation before the election because you wouldn't have been reelected. But now you are reelected, and we have a law that says you can't be reelected again, so it is payback time. So he is doing this unilaterally, bypassing Congress, and using the authority he is claiming under the Clean Air Act.

In the words of a very prominent Democratic Congressman, JOHN DINGELL, this would be a "glorious mess" because instead of regulating only the biggest pollutants—such as in the Waxman-Markey bill, and those who wanted to regulate only industry that emitted over 25,000 tons a year—the Clean Air Act regulation would regulate any facility emitting over 250 tons. So it is not 25,000 tons that would be regulated, it is anything over 250 tons. You can't even calculate how much that would cost in terms of a tax increase.

As the President announced today, he will begin this process with the regulation of greenhouse gases from new and existing powerplants. The President may have said today he will work with the State utilities to make sure they get a policy they like, but that is just window dressing. It is putting lipstick on the pig. Legally, the President cannot get around the requirements of the Clean Air Act.

The Clean Air Act was passed a long time ago. In fact, I supported it. We had the Clean Air Act regulations back when I was serving in the House. They were good and they worked, but they do call for regulation of any facility emitting 250 tons of greenhouse gases a year. It wasn't meant for greenhouse gases that make those kinds of emissions. And while he might not be talking about it, the law he is using to justify greenhouse regulations would not let him stop with regulating just powerplants or allowing him to craft a policy that states that. He doesn't have a choice. The law requires him to eventually impose regulations on every single industry in the country—every single industry—one at a time, with unelected bureaucrats doing the heavy lifting along the way.

This means every school, every hospital, every apartment will eventually be regulated by the President's EPA, and at a much greater cost than the \$400 billion a year that was expected under Waxman-Markey. Keep in mind, the Waxman-Markey bill was the last cap-and-trade bill they tried to pass through, and it was soundly defeated. In fact, it is so hard, no one has ever calculated what the cost will be to the American people if they had to regulate down to 250 tons.

Let me give an example. For my State of Oklahoma I always calculate at the first of each year how many Federal taxpayers we have in the State. Then I do the math every time something comes along. Well, in terms of regulating under those industries over 25,000 tons of emissions a year, that amounts to \$400 billion, which is about \$3,000 a year for each taxpayer in Oklahoma. That is what you have to stop and realize. The cost of this thing is not little, it is huge.

Today's announcement doesn't come as a surprise. We have known they have been working on these regulations since the President was first elected, scheming to give his environmental base exactly what they want.

Roger Martella, former general counsel of the EPA, recently said, "Two years is about the minimal time it would take to go from soup to nuts on a rule like this," and "these rules don't come out of the clear blue sky and involve lengthy internal deliberations before the public even gets the first peak at them."

So we know what is going on right now has been happening for a long period of time. Further, the Congressional Research Service recently put out a report saying President Obama has spent \$68.4 billion on climate change activities since he has been elected. This doesn't require a vote. This was all done by the President. So that has been taking place, and the CBO substantiated this by saying the annual spending on climate change has reached an annual level of \$7.5 billion, with an additional \$35 billion being provided in the President's \$825 billion stimulus plan.

The President has been intent on giving his environmental base this victory for a long time, and he is willing to bypass Congress to make it happen. And the reason is because it would not pass Congress. We have had his bills here and they have been defeated every time.

I would look at the majority leader right now and say: I bet you couldn't come up with 35 votes to pass cap and trade in the Senate. But on regulations, he can do it without having to go out and get the votes.

The impact is clear: It is the crushing of our economy. As I spoke on the floor last night, developments in horizontal drilling and hydraulic fracturing have resulted in a boom in energy production. Oil production in America is up 40 percent in the last 4 years. It is not because President Obama is President; it is in spite of his policies because all these things have happened in hydraulic fracturing.

By the way, I know a little about that because the first hydraulic fracturing was done in my State of Oklahoma, and that was in 1949. There has never been a case of groundwater contamination in the years since then, in over 1 million applications.

Now, the 40 percent increase in production in this country in 4 years all

came from the private and State lands. None of it came from the Federal Government because this administration would not let us drill and produce in that area. In fact, the report I just quoted said that on Federal lands it has been reduced by 7 percent.

So while overall oil production nationwide is up 40 percent, on the Federal lands it is down by 7 percent.

The President is setting us on a course of unilateral disarming of our economy the same as he is doing to the military. He wants to impose costly regulations to our energy and manufacturing sectors that no other nation on Earth has. China, India, Southeast Asia, Mexico, all these nations know you need cheap reliable energy. They have to have it in their countries. They are never going to pursue these regulations, and they are waiting for the day America does it unilaterally.

Why would that be? Because if we do it, they know our jobs are going to have to find energy someplace, and they will be after those jobs. Any unilateral greenhouse regulations we have in the United States will only shut down our domestic production.

In fact, when Lisa Jackson was the Director of the Environmental Protection Agency, I asked this question, and on live TV she gave me a very honest answer: If we were to pass any of these cap-and-trade bills—such as the ones I have been talking about—would this lower overall emissions of CO₂? And she said, No. Because the problem is not here; it is in China and India and Mexico, and other countries where they don't have regulations.

You could carry that argument out and say if you pass these things and we do it unilaterally in the United States, as the President suggested today, it is going to have the effect of increasing CO₂, because people will seek those countries where they can actually do this, where they don't have any restrictions at all. So there is no need for the President to take us down this path.

He is beholden to his environmental base which claims global warming is the biggest threat facing humanity. Many have said, even in recent months, that all the major weather events of the last decade have been the result of global warming. Some have even claimed Oklahoma's recent tornadoes are the result of global warming. This isn't true. Oklahoma University's weather center says this year has not been any different than years past. We have plotted our tornadoes since 1950.

The majority leader doesn't have tornadoes in the State of Nevada as we do in the State of Oklahoma. But we have been tracking them since the 1950s and the trend is about the same. It is not any higher this year, last year, and the year before than it has been in the past. It is because we have been having these events since the dawn of time that many environmentalists now refuse to refer to global warming as global warming, so they call it climate change or anything else the public will buy.

We will most likely not be hearing many of these environmentalists talk about the fact that during the last 15 years there has not been any increase in temperature, as reported in *The Economist*. But even if they did acknowledge this, with the term climate change, they have an alibi, because climate change by its name doesn't necessarily mean warming. It can mean anything. The President's announcement today of his new plan to regulate greenhouse gases to combat global warming does not come as a surprise. He has been working on it for years.

I would conclude and say, let's remember what it was that Richard Lindzen—the foremost authority in America on this subject—stated when he said regulating CO₂ is a bureaucrat's dream: If you control carbon, you control life.

And remember the other thing, and that is all the expense, all the trouble we are talking about going through, and all that the President announced today is not going to reduce CO₂—not according to a Republican, but to the Democratic former Director of the EPA.

Madam President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, there will be no more rollcall votes tonight.

At 11:30 tomorrow, I remind everyone we have a motion to waive the budget point of order. We will also vote after that on the Leahy amendment No. 1183, as modified. Following that, we will have a vote on the motion to invoke cloture on the committee-reported substitute. So we have those votes already set up.

I have been at the White House for the last couple hours with Senator MCCONNELL. I got back to the cloakroom, and we are working on an amendment list. During my absence here the staff has been working very hard. We have worked amongst ourselves, we have worked with the Republicans trying to come up with a list of amendments. We are not there yet. I am informed that the last half hour or so we went backward rather than forward. But we are working on this. We can still do it. We have to keep our eye on the prize and make sure everyone is willing to give a little, because right now there are too many amendments that will never be agreed to. But this can be done, and we will continue to work. A majority of both caucuses wants amendments. Having said that, simple majorities won't do it. But I am hopeful and confident we are going to be able to work something out on amendments.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, there are a number of my colleagues who are going to be speaking in the next hour about the President's announcement today of his plan to address carbon pollution and the changes it is wreaking on our planet.

We just heard from the distinguished Senator from Oklahoma about the politics and motives behind the President's decision. We can disagree about the politics and motives, but I think we should be past the point of disagreeing about the facts.

The facts are that in the past 15 years, during which the distinguished Senator said we have not seen any increase in temperature, we have actually had the hottest decade on record. I will get the exact figures in a moment, but I think 10 of the 12 hottest years on record have been in the past 15 years. I heard the distinguished Senator say that so I don't have the exact numbers, but there has been a terrific spike.

If you go to the property casualty insurance industry—which is not an industry that is heavily involved with Democratic or liberal politics—these people who do their calculations make their living by trying to predict correctly, and their cold-hearted actuaries have no purpose other than to provide the insurance industry the best possible information. They are showing an exceptional spike in both the number and severity of storms we are seeing, and they are having to adjust their insurance practices accordingly.

I hope we can find a way to work together, because I think the President's step that he took today is one that is long overdue and vitally important to our economy, vitally important to our national security, vitally important to our international credibility and, most of all, vitally important to our children and grandchildren. This is the great issue and responsibility of our time, and I am delighted to see the President has stepped up to it.

I see the distinguished Senator from Hawaii is on the floor. He was at the President's announcement with me, and I know he wants to say a few words.

Trying to do something about this and put a price on carbon has been described as the biggest tax in history, perhaps, and as something that would amount to the crushing of our economy. I think it is pretty safe to show that neither of those statements is accurate.

For starters, there is nothing that says the government has to keep the money when it is in a carbon pollution fee. It could go straight back to American families and be essentially a wash in the economy. In fact, by going back to families 100 cents on the dollar and changing the economic behavior of the industry for the better, I think it will prove to be an economic plus.

Over and over, EPA regulations have been imposed that created more economic benefit for the country than they cost. I am confident this regulation, once it gets going, will create more economic benefit for the country than it will cost. And every dollar of it could go back. It would mean as much as \$900 a year for every American family to offset any increase in energy cost and to spend how they will.

But to do something that Republicans ordinarily agree is important, and that is to set the market straight so there isn't an imbalance in which the price of a product doesn't reflect the true cost of a product, that is law 101, it is economics 101, it is fairness 101. It should not be a proposition we are debating.

I intend to stay here until this hour or so we have is concluded, and I yield to the distinguished Senator from Hawaii who was also at the President's announcement in the blazing heat. But since he is from Hawaii, he is more used to the heat than I am.

Mr. INHOFE. Would the Senator yield before he yields to the Senator from Hawaii?

Mr. WHITEHOUSE. I yield the floor, whoever seeks recognition.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Madam President, I was very encouraged by the President's speech today for a number of reasons. The main thing I found encouraging is he is obviously done waiting. And there are three reasons to be done waiting.

The first is it is very unlikely, given the current composition of the Congress, that the Congress will take action in the 113th. We have to recognize that political reality.

The second is from an ecological standpoint, we don't have the luxury of waiting. We don't have 5 or 8 or 12 years to wait and deliberate. We need to take action now in order to reverse global climate change.

The third is a matter of law. Under the EPA v. Massachusetts, the Supreme Court didn't just give the authority to the EPA to regulate carbon as a pollutant under the Clean Air Act; it effectively requires that the EPA move forward. So even if this President didn't believe in the science, even if this President weren't as passionate as he is about combating climate change, he would be required under the law to comply with the conditions of the Supreme Court decision.

Let's get one thing straight. In a way, it is a little sad this has to be asserted on the Senate floor as a political statement, but here it is: Climate change is real, it is caused by humans, and it is solvable. It is a real threat with a high cost. But if we act now, we can start a new era of economic and scientific leadership for American innovation.

I see our young pages here. This is an incredible opportunity for innovation, for partnership, for opportunity, for our economy to grow, and for us to again become a world leader to start a second industrial revolution in clean energy and clean technology.

The State of Hawaii was able to move forward with something called the Hawaii Clean Energy Initiative. What we have done is simply breathtaking. In a very short period of time, we have actually tripled clean energy production—and not from 2 percent to 6 percent but, rather, from 6 percent to

around 18 percent—in a matter of a few years, all the while driving unemployment down.

So the old choice between economic development and economic opportunity and environmental protection, the premise that unfortunately some on the other side of the aisle cling to, which is we have to choose between protecting our health and our environment for future generations and economic opportunity in the short run, has been disproven.

We have great opportunities to be a leader in clean technology. That is why we have to support ARPA-E, that is why we have to support our DOE and national energy labs. The Hawaii Clean Energy Initiative is proof that we can do so.

I am very encouraged by the President's movement. I am pleased to work on a bipartisan basis with anyone who wants to legislate. If there are problems with the straight regulating of carbon, let's talk about that. But the only way to solve those problems is by legislating. If this body and the body across the Capitol are unwilling to act, I am pleased this administration will take action.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I thank the distinguished Senator from Hawaii. I ask unanimous consent, if he wishes to engage in a colloquy on the Senate floor, if that would be agreeable.

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

Mr. WHITEHOUSE. We were both at the President's speech today. One of the things the President mentioned that I think is an important point to bear in mind is carbon pollution isn't free right now. We are not going to suddenly impose a cost on the economy through regulation that otherwise would not be there.

I can speak for Rhode Island. We are paying the price right now in the price of food and goods that are more expensive because of wildfires and droughts. We are paying the price in the cost of repairs to homes and shorelines that have been damaged by floods and storms. We are paying the price in terms of increased taxes for more disaster services—not only in Rhode Island but across the country. We are paying the price in the form of hikes in our insurance premiums. We pay the price in softer ways—in days spent in the hospital with a child having an asthma attack when you could be working or at home. And certainly we pay the price in what you might call the lost victories of innovation we never achieved because we were so busy subsidizing these old fuels.

I wish to ask the Senator from Hawaii to comment for a moment on how he sees the costs in his home State of Hawaii, which is far away from my home State of Rhode Island, both very ocean and coastal States. But I would

love to hear his experience and his views as well.

Then I see the Senator from Connecticut is on the floor, who is welcomed to either join in the colloquy or to make a statement, as he wishes.

Mr. SCHATZ. Madam President, through the Chair, I would like to answer the Senator's question and then yield to the Senator from Connecticut.

I thank my friend for pointing out that this is not just for those of us who consider ourselves environmentalists, this has become an economic issue as well. This has become a question of our national strategic priorities. There is a reason that Admiral Locklear, the head of the U.S. Pacific Command, gave an address in which he called climate change the strategic threat in the Pacific theater. That is not because he is a member of the League of Conservation Voters or the Sierra Club, it is because he understands what is happening throughout the Pacific theater.

There is a reason that Secretary of the Navy Ray Mabus is leaning so heavily forward on the question of biofuels and clean energy. Again, it is not because his job is to be concerned with global climate change. His job is to make sure the Navy is as prepared as possible from a fuel standpoint and from a readiness standpoint. He sees new fuels as the way to go.

The other part of this equation from the Department of Defense perspective is the amount of money we have to spend forward operating to protect our fuel supplies and fuel lines. To the extent we can have smart grid technology, better battery storage technology, new renewable energy generation, and better efficiency, all of that helps our troops, especially as they are forward deployed.

I thank the Senator from Rhode Island for pointing out that there is a broadening recognition that this issue goes beyond conservation or anyone's particular concern with the natural environment narrowly speaking. This is a question about the cost of insurance, how much we have to spend on flood mitigation, and how much we have to spend in terms of disaster mitigation. This is now pervading our entire economy. It is costing the Federal Treasury billions of dollars, and so the cost of doing nothing at this point exceeds the cost of action.

I yield the floor for the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I thank both of my colleagues. We will soon be joined by another colleague in this colloquy, my colleague and friend from Connecticut Senator MURPHY.

I first want to thank the Senator from Rhode Island. He has been a constant and extraordinarily eloquent speaker on this subject. He has regularly been reminding us of our obligation even before the President outlined his vision of what we need to do today.

I thank my friend, and I thank the President for his bold leadership and very effective and courageous action he is taking today.

Anybody who questions the need for action in this area need look no further than the shorelines of Connecticut which were devastated by Superstorm Sandy and have been repeatedly hit over this past year by a rash of unprecedented severe weather events. Connecticut has been through extraordinarily severe and serious weather events that may become the new normal.

We hate to think of these kinds of storms, tornadoes, and hurricanes as the regular order. In fact, that havoc may be the new normal for many States and, indeed, the new normal for all of America, which is why the President's leadership today is very important. Without action, we will suffer the effects of inertia and continued pollution contamination. Climate disruption is the result of human contribution, human inaction, and human failure to address these problems. In fact, inaction is unacceptable. Inertia is intolerable. This kind of leadership from the Senate, as well as from the President, is a moral obligation to protect the climate for our children and our grandchildren.

In the last 30 years asthma rates have doubled. In the last year alone our Nation has faced droughts, floods, and extreme temperatures in almost every corner of the country, which exacts a cost in dollars and in human lives as well as suffering. These kinds of extremes in climate are destructive and deadly. The health-related costs of climate change literally add billions more to our debt.

Connecticut has suffered major disasters six times since 2010. There have been six disasters in less than 4 years, and that compares with six disasters in a 30-year period from 1954 to 1985. So we know firsthand how climate disruption—it is not just climate change, it is climate disruption—can affect our daily lives.

We have an opportunity, as well as an imperative, to act now. We need to take simple steps, and we know what they are: upgrading and modernizing our existing powerplants so they emit less carbon, investing in clean energy research and development, and investing in fuel cells.

Connecticut is the fuel cell capital of the Nation and could be the fuel cell capital of the world. By doing what I just mentioned, combined with other measures that are easily within reach, we can help save lives and dollars in this effort. The investments we are making in infrastructure—the public investments—can also help us to go in this direction.

There are commonsense and necessary actions that we have an obligation and an opportunity to take now, and one of them is the appointment of Gina McCarthy to head the EPA. Her appointment is now stalled by the

same paralyzing partisan gridlock that is all too common. This kind of partisan gamesmanship should stop. I know her well. I can assure this body of her qualifications, as I have done before.

She has worked in the Presiding Officer's State of Massachusetts, as well as my State of Connecticut. She has worked with Republican Governors. She has exemplified the kind of balanced, sensitive, and responsive approach to business needs and interests as well as to environmental protection.

She is well respected in the environment and business communities because of her dedication to developing practical solutions in facing this set of environmental challenges. Her leadership, along with the President's vision today, is so very important.

There is a group of us who are working together. I am proud to be a part of that effort. I have cosponsored legislation that would protect some of Connecticut's treasured bodies of water, including the Farmington River, the Salmon Brook, and Pawcatuck River as part of the National Wild and Scenic Rivers System.

I have joined with members of the New England delegation to urge the Army Corps of Engineers to complete its study of the Connecticut River so we can better understand the human impact on that river and improve its system. All of these efforts will be for naught if America and humankind fail to address the fundamental challenge we now face, which is to end our contribution to climate disruption, stop the drift and inertia, accept that we must act and act now. The President's plan is only an example of the kind of bold approach we need to combat the impacts of climate change.

With the Presiding Officer's approval, and with the Senator from Rhode Island's acquiescence, I will yield to my colleague from Connecticut for his comments. We share a State, and we also share a view that our children—his two and my four—will benefit from what we do together as a body, as a group, and as a country.

I yield the floor.

Mr. MURPHY. Madam President, we have a lot in common. We share the fact that we are both parents. In fact, I am the father of two little boys—a 4-year-old and a 1-year-old. If they are lucky enough, they might get to live to see the year 2100. They might be around for the end of this century, as opposed to the rest of us who will not see that day. I shudder to think about the Connecticut they are going to have to deal with 80-some years from today if we don't act right now.

This isn't science fiction that we are talking about. In New England we are talking about a 1- to 3-foot rise in sea level by the end of this century. Just a handful of inches is catastrophic in some parts of the globe, but a 3-foot rise in sea level in the State of Connecticut on a shoreline that has already been battered—as Senator

BLUMENTHAL mentioned—by storm after storm would be absolutely cataclysmic.

The Connecticut my children may be living in at the end of this century would bear almost no recognition to the one in which they live now. Every single week and every single month that we don't do something is another step closer to that future world which we now think of as one of fantasy.

Connecticut is also home to some of the biggest property and casualty insurance companies in the country—and, frankly, in the world. I think it is important to recognize the fact that our inability to act is bankrupting this country right now as we speak. The property and casualty industry has paid out \$135 billion with respect to extreme weather events in 2012—\$139 billion has been paid out. Now, that results in increased premiums, which results in skyrocketing costs for everybody across this country who is paying for property and casualty insurance.

The taxpayers have likely paid about \$100 billion in terms of cleanup costs and remediation costs just over the last year alone. Superstorm Sandy, and the events that we have seen hit the gulf and the east coast, are bankrupting our Nation and bankrupting companies and private insurance policyholders as we speak. Those costs are catastrophic.

The reason we have such a big group of Senators down here applauding the President's actions is also because we know the United States cannot do this alone. We know we are going to have to convince countries such as India, China, and developing nations to join us in a global effort. We hope the international climate talks are on pace to get an agreement that could be operative by the end of this decade, in 2020.

The world is still scarred by a unanimous vote in this Chamber to reject the Kyoto protocols. The world is skeptical that the United States really has the courage to lead on this issue.

Even though this body remains paralyzed for the time being on this subject, having the President come out and make the proposals he has today will hopefully give some confidence to the people who will be sitting in Poland at the end of this year. Hopefully, they will work out a climate agreement over the next several years on which the United States—at least with respect to the administration and the Senators down on the floor—is willing to lead.

Finally, I was pleased to hear the President talk about the specific issue of fast-acting climate pollutants today. We are going to have to get a global agreement on carbon dioxide. In the meantime, as we try to figure out a bridge to that 2020 operative agreement, if we are able to work with the international community with respect to the climate pollutants of methane, black carbon, and HFCs, we can make an enormous dent as we get ready for that lasting agreement.

In fact, we just got good news last weekend that the President, along with the head of the Chinese Government, has come to an agreement to try to rework the Montreal protocols with respect to a reduction in the admittance of HFCs, one of the most disastrous and insidious climate pollutants.

This is a very good day. We have given a signal to the international community that we are ready to lead. We have given a signal to millions of kids across the country who hope they might be around at the end of this century and that this country might have some approximation to what we enjoy today.

There will be a big group of us—led by Senators WHITEHOUSE, MERKLEY, and BOXER—who will be ready to work with this President to enact this very bold plan. As I mentioned, one of the leaders of this effort is my good friend whom I yield to now, with the permission of the Presiding Officer, the Senator from Oregon.

Mr. MERKLEY. Madam President, I thank my colleagues from Connecticut and Maryland and Rhode Island who are down here sharing their stories and their concerns about carbon pollution and its impact on climate around the world.

Indeed, it was just last October that I was engaged in a triathlon. In the first stage, the swimming was in the ocean in North Carolina. I had been told to expect temperatures of 62 to 65 degrees. As I went down to the water with the first group of participants getting off the transport bus, the first in front of me stepped in the water and said: Hey, folks, this water is really warm. Come on in.

The temperature was not 62 degrees or 65 degrees, the temperature of the ocean was 72 degrees. A week later Hurricane Sandy struck the Northeast with incredibly devastating consequences, powered by this much warmer ocean water. That is one of the many effects we are seeing of increased carbon in the atmosphere, trapping the Earth's heat.

Perhaps the most important number we should all be aware of is the number 400. I put the number 400 on a chart so we could ponder it—400 parts per million. What that represents is a roughly 50-percent increase in carbon dioxide as it is represented in the broader atmosphere since the start of the Industrial Revolution, going from 270 to 400. That is a lot of heat-trapping gases added to the atmosphere.

Indeed, when we were at 350, scientists started to say, before we hit 400, we need to dramatically reduce the burning of fossil fuels so we will never hit 400 and the number will come back down and stabilize around 350.

If we were being graded as human civilization on this planet on our effectiveness in decreasing the burning of fossil fuels and keeping the concentration from increasing, we would be getting an F. We would be failing because not only did we soar from 350 to 400,

but the rate of carbon pollution has doubled in the last 30 years. Thirty years ago the rate was, on average, one part per million per year. Now the average rate is two parts per million per year. So not only have we not decreased and leveled out, but the steepest of the curve has doubled, which means that 5 years from now we will be at 410 and 10 years from now we will be at 420. What this represents is a very bleak future for humans on this planet.

By various estimates, it has been somewhere between 3 million and 10 million years since our atmosphere had this level of carbon concentration. That means that in the time humans have been on this planet, which is less than 200,000 years, humans have never witnessed—have never lived in an atmosphere of this concentration. We have never left footprints in the sand when the atmosphere has this level of heat-trapping gases.

Now we see it everywhere. We see it in Oregon in terms of our cascade glaciers are getting smaller and our cascade snowpacks are getting smaller. Our pine beetle infestations—normally knocked down by cold winters—are getting larger. Our fires are getting larger, fed by drought and dead trees from the pine needles. Indeed, we have had three record-setting droughts in the Klamath Basin in the last 30 years—the worst ever droughts three times in the last 13 years.

We are even seeing it in our Pacific Ocean oysters. Those oysters, when they are tiny, are very sensitive to the acidity of the water. The acidity has gone up because carbon dioxide in the water has gone up.

We have many examples just in my home State. If we look across the rest of the United States, if we look across the globe, there are huge impacts everywhere, with multiples of impact at the poles, where the temperature change is faster.

I applaud the President for saying we must have a bold strategy to take on climate change. There are three big areas of carbon dioxide generation, and those are electricity generation, transportation, and buildings. His plan lays out strategies in all three areas, and that is good. That is a starting point for a much broader discussion on how we end our fossil fuel addiction. Addictions are hard to kick, but they are particularly hard to kick if we have someone who is trying to keep us hooked, and those who benefit from the profits of burning fossil fuels are very much trying to keep us hooked. So we have to recognize that requires an extra degree of dedication and effort on all of our parts.

I will wrap up and turn this over to my colleague from Maryland, who has been a terrific champion on this topic and who has seen firsthand in Maryland many of the effects of global warming.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, let me thank Senator MERKLEY for his

statement but more importantly for what he has done to elevate the discussion in the Senate on the need to deal with our environment, to deal with energy, to deal with climate change. He has been one of our true leaders in ways in which we can live sensibly and in a way that is good for our environment, good for our economy, and good for our health.

I also notice Senator WHITEHOUSE is on the floor. I know he helped organize all of us being here today. He has taken on a leadership position in the Senate in the area of climate change, and I personally wish to thank him because this has been a difficult challenge, to keep us focused on one of the most important issues of our time. When we talk about a legacy we want to leave to future generations, it is our environment, it is our health, it is our economy, it is our national security, and Senator WHITEHOUSE has been in the forefront of keeping us engaged on this issue so we could reach this day.

I applaud President Obama for his statements today, for his leadership, and for his action plan on dealing with climate change. It is comprehensive. It is extremely timely. I think it is a workable solution for us to be the leaders in the international community in dealing with the issues of climate change. First and foremost, it is based upon the best science. This is not a political issue, this is a science issue. Climate change is real, and the way we have to deal with it should be based upon the best science. That is what President Obama is seeking.

I heard some of my colleagues who are reluctant on this issue talk about the cost. I am glad they raised the issue of cost because when we passed the Clean Water Act and the Clean Air Act, the recommendations of some individuals who weren't exactly excited with the bill required that we do a cost-benefit analysis on the cost of regulation versus the benefit to our society. That cost-benefit analysis shows that we get four to eight times back in savings for what it costs to regulate to get clean air and clean water. That is just the direct economic issues. We also get a healthier lifestyle. We get air we can breathe. We are able to enjoy the environment. That is a plus in addition to the direct economic benefit.

I wish to talk about my experiences in Maryland. Maryland took a leadership position. We passed some of the toughest clean air standards in the country. We invested \$1 billion in cleaning up our energy-generating plants. Do my colleagues know what that meant for Maryland? That meant 2,000 more jobs. We created jobs by cleaning up our environment. But we need national help. Why? Because air doesn't exactly stop at a State border, and we are downwind from many other States. The people in Maryland are suffering from dirty air not as a result of what is being generated in Maryland but what is being generated elsewhere,

so we need national standards. That is exactly why the President has called for dramatic action and is taking dramatic action today.

Inaction will cost us dearly. We have had more episodes of extreme weather recently, and that is based upon science and the fact that weather is changing as a result of carbon pollution in our environment, greenhouse gas emissions. Between 2011 and 2012, those types of extreme weather events cost us more than \$1 billion worth of damage. The taxpayers of this country paid for it because we believe that when we have emergency, extreme conditions, there is a community responsibility to help deal with it. Well, we can do something about it to mitigate that type of damage in the future, and the President did that today in his call for action in regard to climate change.

Superstorm Sandy has been referred to a couple of times on this floor. We saw the devastation of that storm, which was very close to where we are here in the Nation's Capital. Last year we had a record-setting number of continuous days of 95-plus-degree weather, so we know firsthand what is happening.

In my own State of Maryland and in this region, we pride ourselves on the Chesapeake Bay and what we have done to clean up the Chesapeake Bay. I was with Senator CARPER on Monday, and we had a good-news press conference on the Eastern Shore of Maryland talking about some of the positive results we have seen in the bay.

We have worked to reduce the nutrient levels in the bay, and that is a very positive element. It reduces the oxygen deprivation in the Chesapeake Bay, and as a result we have had fewer dead zones than we had in the 1980s. That is due to the hard work we have done in this region with farmers and developers to reduce the nutrient pollutants. Yes, we are dealing with storm water runoff with farmers and developers, but we also have to deal with the realities of climate change. Warmer water kills sea grass. Sea grasses are critically important for the diversity of the Chesapeake Bay. So this issue affects my region, it affects our entire country, and inaction can cause extreme damage.

The biggest sources of carbon pollution—and my colleagues have already talked about it—are powerplants. The President talked about that, and he talked about how we deal with transportation and how we deal with our buildings. No. 1 on our list should be conservation. The less energy we use is the easiest way we can reduce our carbon footprint. We also have to develop alternative fuels, and we have to be much more aggressive in doing that.

I heard a lot of people talk about the international reaction and what other countries are doing. Two weeks ago I was in China. I was in Beijing. I was there for a couple of days. I never saw the Sun, and that wasn't because there were clouds. There were no clouds in the sky. I couldn't see the Sun because

of pollution. That is not unusual in Beijing. So China is now doing something about carbon emissions. They are doing it because they have a political problem because their people can see the pollution and they have a tough time breathing. People are actually issued masks that can supplement their oxygen intake because the pollution is so bad in China. They are taking action. They are developing alternative fuels. They are investing in solar and wind and in conservation because they know it is critically important.

Quite frankly, what is needed is U.S. leadership. The international community is waiting for America to assume the leadership role, and I think the international community is prepared to work with us. That is why President Obama's comments today were just so timely—so timely to show that the United States is prepared to take action and to lead in the international community so we all can pass on a cleaner environment, a safer world, a cleaner world, a more economically viable world, a world that is more secure for our children. President Obama took a giant step forward toward that vision with his comments today.

Let me yield very quickly back to the Senator from Rhode Island, if I might.

Mr. WHITEHOUSE. Madam President, I know the Senator from Texas is waiting to speak. I wish to, first of all, thank the Senator from Maryland, who is such a wonderful leader and ally and friend. He is very loyal to the needs and concerns of Maryland in this area. He has been terrific.

Earlier, the Senator from Oklahoma said—I think I am quoting him correctly—that in the past 15 years, there has not been any increase in temperature—I guess to suggest this isn't a real problem and we don't have to worry about it. I tried to get the figure right, but I have double-checked it, and I would like to correct myself. In the past 15 years, 13 of those 15 years are the 13 hottest years on record. So the past 15 years has been a period of very unusual heat.

What happens when you have that type of unusual heat? What happens when you have the climate disruption—to use the good phrase of Senator BLUMENTHAL. You end up with added storms.

This is a graph prepared by the insurance industry—not exactly a bunch of liberals. This is how they make their money. They want to get it right. They have graphed the storm activity, starting all the way over there in 1980, coming here to 2012.

So if you go back in the last 15 years here, you will see a significant increase in storm activity—the type of major storms the insurance industry has to pay for, so they care very deeply about this. They get their data right, and I think they can be trusted.

I also think that the 13 out of 15 being the hottest years on record can

be trusted because that is science that comes from NASA. I do not know where the Senator from Oklahoma was getting his data, but I will trust the scientists at NASA. These are people who have put an explorer the size of an SUV on the top of a rocket, fired it off into space, sent it to Mars, landed it on the surface of Mars, and they are now driving it around on the surface of Mars. I do not think these are scientists who are incapable of getting it right. So I trust the insurance industry for these numbers about storms. I trust the NASA scientists for the numbers about temperature.

I think it is pretty clear that we are way out of the bounds of history, as Mr. MERKLEY, the senior Senator from Oregon, said. The entire history of our species on this planet—until the Industrial Revolution and our great carbon dump—has been within 170 to 300 parts per million. That has been the range for as long as we have been a species on this planet—until this sudden up-surge, and that has now taken us to 400. It is a novelty, if that is not too frivolous a word to use for such an excursion outside of the bandwidth in which our species has inhabited this planet throughout our entire existence.

I see the Senator from New Mexico and the Senator from Texas organizing who is going to speak next, and I will respectfully yield to whichever one of them wishes to proceed. But I do want to thank my colleagues for coming to the floor today to discuss this issue. Senator MURPHY from Connecticut, Senator MERKLEY from Oregon, Senator SCHATZ from Hawaii, Senator BLUMENTHAL from Connecticut, Senator CARDIN from Maryland, and now Senator TOM UDALL from New Mexico all have been here on very short notice because we all want to support this President in his decision to move forward on regulating our carbon pollution and beginning to forestall the damage it is doing to our economies, to our States, to our coastlines, to our forests, to our farms. If anything, one could say it is about time, but it certainly is time, and I applaud that the President has stepped so well forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, I thank Senator WHITEHOUSE very much—him and the other Senators who have been down here talking.

I would ask the Chair—Senator CRUZ has been very generous. It was his turn to go, and I said I could finish this in 5 minutes. So I would ask the Presiding Officer to indicate when 5 minutes is up, and I will yield the floor, then, to him and ask unanimous consent that he get the floor after me so that there is not any issue there.

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

Mr. UDALL of New Mexico. Madam President, I say to Senator WHITEHOUSE, one of the things the Senator and I know—and we have been asking

for this and talking about this—we need Presidential leadership. We saw that today. The speech that was given here in Washington really detailed a lot of the important work that needs to be done.

We both serve on the Environment and Public Works Committee. We know how important it is to get an EPA Administrator in place and to move forward with the greenhouse gas regulations the Supreme Court has now said we can move on.

So this is a big day, and I think there are many of us in the Senate who are willing to work on a bipartisan basis. We hope a lot of our Republican friends will step forward and see that there is a space here to talk about climate, to try to work with each other.

I applaud the President for what he did today, how specific he was in terms of the EPA and greenhouse gases, how specific he was about policies throughout the government.

I wanted to, in what is left of my 5 minutes, talk a little bit about the Southwest. SHELDON WHITEHOUSE and the others have talked about their regions of the country, but really what we are talking about in the Southwest is that from the climate models—just business as usual that we see—if the temperatures go up 1 degree in other places in the United States, it is double that in the Southwest.

So essentially what you have is, if—and imagine a mouse and you are clicking on something on a screen and dragging it—what we see happening is New Mexico going 300 miles to the south, if you maintain business as usual and you get down the road about 75 years, although it is hard to look down that far—if you put New Mexico 300 miles to the south, you are down in the middle of the Chihuahuan Desert. It completely changes the landscape of New Mexico. Your forests are not going to hold snowpack anymore. Your temperatures are going to be much higher. Everything is going to change pretty dramatically.

Let me give an example. One of our communities in New Mexico has a watershed where they get 40 percent of their drinking water drawn from the snowpack and in two reservoirs. Many of our communities in New Mexico are like that. With snowpack gone, they will have to then go to another way of getting water. And making up 40 percent is very difficult, especially if the other areas—for example, the aquifers that are under that particular area or town—if those aquifers are also being drawn down because there is no snowpack. Then you just continually mine the waters. So that is the situation with the snowpack.

The other thing that is happening in our forests is they are burning much hotter, and they are burning out of control. We are seeing bigger and bigger fires. Every couple of years, we break the record from a few years back. With these fires burning so much hotter than they have ever burned be-

fore, the kinds of things you see is that the soil turns to almost dust. It cannot absorb water. It is not a natural forest environment. So this has a devastating, devastating impact, and it is overlain by a drought, which also has been going on about 12 or 13 years.

I want to point out and read from a recently issued report from one of our great national laboratories, Los Alamos National Laboratory, where they talked about the drought-stress for our forests. The drought-stress of forests in the Southwest “is more severe than any event since the late 1500s megadrought”—the late 1500s megadrought—that “probably led to deaths of a large proportion of trees living at the time.” Climate projections predict that “the mean forest drought-stress by the 2050s will exceed that of the most severe droughts in the past 1,000 years.”

So there is no doubt that climate change is real, that the costs are real and the costs are not just monetary. This is a direct challenge to our way of life, and no one can really put a price on that.

America needs a “do it all, do it right” energy policy, taking on the twin threats of climate change and dependence on foreign oil. With policies that encourage innovation in energy technologies, we can create jobs in an advanced energy economy.

So I am pleased to hear the President commit to taking bold actions. It would be even better if Congress moved forward with bipartisan actions. But we have seen that option hijacked time and time again.

It is time for us—as a nation—to move forward. The science and facts are clear. It demands a response that matches the scale of the problem.

In 2007, the Supreme Court ruled that the Clean Air Act requires EPA to set public health standards for climate change pollutants. The Senate has defeated several efforts to block EPA’s efforts.

The President has committed to put limits on carbon pollution from existing powerplants—powerplants that are the single greatest source of U.S. greenhouse gas pollution.

The President is instructing EPA to work with the States and industry. I agree. The EPA recently reached a major agreement with New Mexico and our State’s largest utility, PNM. As a result, we are cleaning up the air in New Mexico, reducing carbon pollution, with more natural gas and more renewable energy.

This type of collaboration should continue. But we need strong leadership at the EPA. On March 4, the President nominated Gina McCarthy to lead the Environmental Protection Agency.

And now, almost 4 months later, Ms. McCarthy is still awaiting action, delayed by a filibuster threat.

We need Ms. McCarthy at the helm of EPA, working with stakeholders to find win-wins on the environment and our economy.

The President has signaled that the problem of climate change cannot wait. The delays must end. We can reduce emissions in a smart way.

I urge my Republican colleagues to help us confirm Gina McCarthy as the Administrator of the EPA without further obstruction.

The President's action today is one of many crucial steps to address the problem, and I applaud him. Government at all levels, business leaders, and people across the country—and around the world—need to work together.

We need to develop adaptation strategies for those most affected by climate change. We need to protect future generations, with transitioning to an energy economy that produces cleaner energy.

My State is a very special place. Throughout my career, I have committed to protecting its pristine landscapes, its special ecosystems. This environmental stewardship runs deeply in my family.

Climate change threatens our economy in New Mexico and across the country. It affects our security, and our way of life.

The threat of global warming is real, and so must be our commitment to future generations.

So let me conclude and say that once again I thank Senator CRUZ for his courtesies.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, I ask unanimous consent that the Senate temporarily set aside all pending amendments so that I may offer my amendment No. 1580.

The PRESIDING OFFICER. Is there objection?

Mr. WHITEHOUSE. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. CRUZ. Madam President, the amendment I would have called up had not the majority party objected is an amendment that would have corrected one of the most egregious aspects of the Gang of 8 bill; namely, it is a penalty that is imposed on U.S. employers for hiring U.S. citizens and for hiring legal permanent residents. It is a striking result of the Gang of 8 bill as it intersects with the ObamaCare legislation.

Let me explain how it operates. Right now, for any company with 50 or more employees, if that company does not provide a sufficiently high-dollar health insurance policy for low-income workers, that company faces a fine of \$3,000 per worker. Moreover, that fine is not deductible in the company's taxes, which means that as an effective matter to the company, the penalty is in the order of \$5,000 per employee when you factor in the tax consequences. That is the present status quo under ObamaCare. That is the penalty that is visited upon U.S. employers for hiring U.S. citizens and for hiring legal immigrants.

What does the Gang of 8 bill do to change that? Well, the Gang of 8 bill takes some 11 million people who are here illegally and it grants them what is called RPI status—registered provisional immigrant status. I have many concerns about legalization prior to securing the border, but this concern is altogether separate from that, and it is the simple reality that anyone granted RPI status—anyone granted legalization under the Gang of 8 bill—is exempted from ObamaCare, which means that the employers who would be hiring them do not face the ObamaCare tax of \$5,000 per employee, whether U.S. citizen or legal immigrant.

What does this mean in reality? Let's take an example, a simple hypothetical. Madam President, I would ask you to envision a small business: Joe's Burger Shack. Joe's Burger Shack is owned by a small business owner. It is a series of small fast food restaurants in any given State. It could be my home State of Texas or any State across the Union.

Let's assume that Joe's Burger Shack has 100 employees and that at Joe's Burger Shack, with 100 employees, business is doing relatively well, people are eating more hamburgers, and Joe decides he wants to hire 5 more people. If Joe and Joe's Burger Shack decide they want to hire five more people, if Joe chooses to hire five U.S. citizens or if he chooses to hire five legal permanent residents—five legal immigrants—Joe faces a penalty of \$25,000 for doing so—\$5,000 apiece right off his bottom line to the IRS. In contrast, if Joe decides instead to hire five RPIs, who came here illegally among those 11 million who are here illegally but granted RPI legalization under the Gang of 8 bill, Joe pays a penalty of zero dollars.

Let me ask a simple, commonsense question. In this instance, who is Joe, the small business owner, going to hire? This bill creates an enormous incentive to hire those here illegally, and at the same time it does it by creating a statutory penalty for hiring U.S. citizens and for hiring legal immigrants. That makes no sense.

Let me give a second example. Suppose Joe is facing harder times. Because of ObamaCare penalties, Joe makes the decision that a great many fast food restaurants have made—to forcibly reduce workers' hours. ObamaCare kicks in when a worker works 30 hours a week, so a great many small businesses—and in particular fast food restaurants—have been forced to forcibly reduce their employees' hours to 29 hours a week or less.

Now, imagine that of Joe's 100 employees, 25 of them are RPIs—are formerly illegal immigrants who have received legalization under the Gang of 8—and 75 are either U.S. citizens or legal permanent residents.

Well, if Joe wants to reduce the hours of 25 of his employees both below the 30-hour threshold because times are hard and he cannot afford the burden

ObamaCare is putting on his business, if Joe forcibly reduces the hours of 25 U.S. citizen employees or 25 legal immigrant employees to below 30 hours a week, Joe saves potentially \$125,000 a year in tax penalties, \$5,000 apiece times 25 employees.

In contrast, if Joe says instead, I want to reduce the hours forcibly of those who are here illegally who have received legalization through the Gang of 8, Joe saves zero dollars in tax penalties because he is not paying a tax penalty regardless of whether those here illegally are working 30 or 40 hours or more. The question I would pose to the Presiding Officer is, whose hours will Joe reduce?

This statute puts an enormous incentive, an incentive from Congress, for Joe to forcibly reduce the hours of U.S. citizens and of legal immigrants.

Let me give a third and even more stringent example. Imagine if Joe is facing great financial burden, as a lot of small businesses are, as a lot of small businesses are struggling. Imagine if Joe instead made the decision to fire all 100 workers, all 100 workers who happened to be U.S. citizens or permanent legal residents and instead hire only those who are here illegally or have been legalized under the Gang of 8. The consequences, simply doing the math at \$5,000 an employee, mean Joe could save \$500,000 a year in tax penalties. Actually the way ObamaCare works, it is a complicated formula where there is an alternative avenue where Joe could well be paying \$2,000 per employee minus 30, which would get down, when you factor in the tax savings, to about \$200,000. But any way you measure it under ObamaCare's complicated tax penalty formula, Joe could potentially save hundreds of thousands of dollars by firing his U.S. employees—U.S. citizen employees or his legal resident employees and instead hiring those who are here illegally.

That does not make any sense. That is not an incentive anyone rationally would set up. That is what this Gang of 8 bill does. You know, to share how real this incentive is, this penalty for hiring U.S. citizens and legal permanent residents, I wish to read a letter from one of my constituents, Mr. Allen Tharp, who is chairman and CEO of Old England, Lion and Rose Restaurant, Ltd. in San Antonio.

He wrote a letter that reads as follows:

My name is Allen Tharp. Since 1985, I have been the sole owner and CEO of Allen Tharp LLC, as well as the Lion and Rose restaurant chain, and a partner in the Golden Chick restaurants. Our corporate restaurants provide well over 1,000 jobs to fellow Texans, and our franchise restaurants provide many more.

I've been following the current debate over immigration reform very closely and want you to be aware that this bill, coupled with the new ObamaCare legislation, makes it much more affordable for a business like mine to employ Registered Provisional Immigrants than American workers. I do not believe that was the intention of either legislation, but it is the irrefutable effect of both.

ObamaCare, as documented in numerous news stories, already creates an incentive for businesses to cut hours in order to avoid triggering the 50 full-time employee threshold that requires businesses to pay a fine if they do not provide government-approved health insurance. Because of this law, I have been forced to cut back every single hourly employee in each of my companies to no more than 28 hours per week. Cutting schedules from 40 to 28 hours per week has caused some hardship on many employees. However, our choice is to either provide part-time work or no work at all because our business cannot afford to comply with the severe consequences that would be imposed on us under this law if we continue to provide full-time employment to all these employees.

If the current immigration bill before the Senate, however, is made law, a business could hire Registered Provisional Immigrants instead of U.S. citizens and avoid triggering ObamaCare regulations and fines.

Hiring RPIs over American workers, from a purely economic point of view, would be the best thing for my business. I personally do not believe this is the right thing to do. But surely some of my competitors would. ObamaCare and the immigration bill is forcing employers to make extremely difficult choices. I do not want to be in the position of choosing to grow my business or choosing to pay my fellow Americans. I want to do both. ObamaCare and the immigration bill will prevent me from doing so.

This is a real CEO, facing the real incentives of running a business under ObamaCare and looking at what would happen if this Gang of 8 bill passed into law.

What are the potential counterarguments to this concern? Well, in the way of Washington, we do not actually have to predict, because the proponents of this bill have followed a long tried and true path in Washington; namely, they have gone to an ostensibly neutral reporter at a mainstream publication and urged them to “fact check” the claim the Gang of 8 bill with ObamaCare would put a penalty on hiring U.S. citizens and legal immigrants. And to fact check, the reporter compliantly gave the answers to the responses that are given by the Gang of 8. But I would suggest that those responses are, on their face, singularly unpersuasive. The first response the Washington Post Fact Checker put up was a claim that CRUZ is creating a mountain out of a mole hill because “the impact on employers is almost too minuscule to be noticed.” That is a quote from our friends at the Washington Post in their so-called “fact check.” The basis of this is they said, well, gosh, there are a lot of companies that do not have 50 employees. The number of companies with more than 50 employees is really small or, as they put it, “almost too minuscule to be noticed.”

I am going to suggest the claim that companies with more than 50 employees comprise a share of the economy that is “minuscule” is facially absurd.

Indeed, if you look at the data, 71 percent of all U.S. employees work in a business with more than 50 employees. So, according to the Washington Post, it is an objective fact that the employers for 71 percent of U.S. employees are “almost too minuscule to be noticed.”

To put that in raw numbers, that is 80 million employees. I would suggest 80 million employees is, on any measure, not minuscule.

The second basis of the so-called fact check, the second response from the bill’s proponents was that, well, under current law it is illegal for a potential employer to ask about a person’s immigration status. I would note this is a particularly facile response that almost surely came from a lawyer. As a lawyer myself, I will say it is precisely the sort of response that causes people to love lawyers as they do, oh, so much in today’s society. Because, yes, it is true there is a provision in statute that says: You cannot ask about a person’s immigration status and base employment decisions on that. But the statute also requires you to check their immigration status before you hire them. Moreover, there is no provision for employees volunteering this information. If this bill passes, if there is a massive incentive to hire RPIs over U.S. citizens, the simple reality is there will be massive economic incentives for employers to do so.

Let me note this point is utterly irrelevant when it comes to reducing employee hours. Because even if you engage in the “Alice in Wonderland” world where employers do not know if an individual is an RPI or a U.S. citizen, once they are hired, as a matter of legal requirement, they do know that. If they are then subsequently making a decision on whose hours to reduce, the overwhelming economic incentive would be to reduce the hours of the U.S. citizen or the legal immigrant rather than those who are currently here illegally.

I want to ask the Presiding Officer, this penalty on hiring U.S. citizens and on legal immigrants, who is this going to hurt the most? Well, it is not going to hurt companies that are doing nuclear science research. It is not going to hurt companies that are designing satellites. It is going to hurt the workers who are working in the sorts of jobs where they face competition from those who are here illegally. It is going to hurt workers, for example, in the fast-food industry. It is going to hurt workers who are working in landscaping, in construction.

Who is it going to hurt the most? If you look right now, today, under the Obama economy, who is being hurt the most by the Obama economy? Those who are the most vulnerable among us. Hispanics today have a 9.1-percent unemployment rate. Hispanic U.S. citizens, Hispanic legal immigrants will be directly harmed by this outcome. African Americans have a 13.5-percent unemployment rate right now under the Obama economy. It has gone up under President Obama. African-American workers will be hurt by this statutory penalty on hiring U.S. citizens and legal immigrants.

Teenagers face an unemployment rate of 24.5 percent. Teenagers, in particular, if you look at jobs, for exam-

ple, in the fast-food industry, are so often the first or second job a young teenager gets as he or she begins to climb the economic ladder. If Congress passes a bill that puts a major economic penalty on hiring a U.S. citizen or legal permanent resident, he or she may never get that job.

I wish to read a letter from another constituent who is president of Painless Performance, a high-end car parts manufacturer in Fort Worth, TX. The letter reads as follows:

My name is Adrian Murray. I am an immigrant. My parents moved to America from Ireland 55 years ago to seek opportunity and a better life. At the time, new immigrants had to have a sponsor and proof of future employment. I still have the letters written to the INS on their behalf. My parents later became naturalized citizens and raised me to respect America, her customs and her laws.

That was back in the day when being an American citizen was prized. To stand before a judge with hand raised, pledging allegiance and fidelity to America was the dream of millions around the world. We devalue American citizenship by making it a cheap tool for political gain.

My parents taught me to respect America’s exceptionalism and therefore honor the institutions of this nation. Because of their example, I have built a successful business with 52 employees. Many of those in my plant are legal immigrants from Vietnam. They, too, came here the right way and endured much hardship to earn their citizen status. What am I to tell them, that their sacrifice was meaningless, that they should have just snuck in, that their citizenship has no value, that the joke is on them?

Well, I would never exercise the option of replacing them with cheaper ObamaCare-exempted workers. Would they not be justified in questioning the motives and validity of a government which would even consider giving an employer that option? What has this nation come to?

It is getting harder and harder to recognize America. A nation which once proudly held fast to the virtues of liberty and freedom is now seriously contemplating a law which amounts to nothing more than thinly disguised human trafficking. Once the world’s greatest deliberative body, the Senate is set to vote this bill into law without bothering even to read it. This cannot be. This must not stand.

It is not too late. At the outset of my remarks, I asked unanimous consent to call up my amendment to fix this problem, and the Democrats in this body objected. My amendment would address this problem by providing that ObamaCare shall be defunded until there are no longer any registered provisional immigrants in line. This is the one way to correct this problem, to correct the statutory penalty on U.S. citizens and legal immigrants, if this bill were to pass.

As we have just seen, the majority party has chosen to object to bringing up that amendment. Indeed, so far, we have not had an open debate on amendments on this bill. I would note that a number of proponents of this bill claimed they were going to fix this. Here are a few of the comments sponsors of this bill have made concerning the amnesty tax loophole.

From my friend, the senior Senator of Arizona, Mr. JOHN MCCAIN:

I think that is an issue, and I think that it needs to be addressed.

Also from Senator McCAIN:

We cannot give people who are not citizens the same benefits; that is the fundamental principle . . . we are trying to work around it so that an American citizen is competitive for a job.

A quote from a senior Democratic aide:

We are willing to work through these issues as the bill works its way through the Senate.

I am sorry to tell you, those promises have not materialized. We haven't worked through these issues. I cannot help but think, with an issue such as this, of the very real impacts it has on so many families. At least in my family that impact would not have been hypothetical.

Fifty-five years ago my father came from Cuba as a legal immigrant. He was 18, and he couldn't speak English. When he arrived in Austin, TX, penniless, he took a job similar to so many other immigrants before him, washing dishes, making 50 cents an hour. I will say the food service industry has provided such an opening portal for millions of Americans and for millions of immigrants from throughout the world.

Yet if the Gang of 8 bill had been law in 1957, along with ObamaCare—my father who couldn't speak English, who was very glad to make 50 cents an hour so he could take that money and pay his way through the University of Texas, go on, get a higher paying job, start a business, and work toward the American dream—my father very well might have been fired because of the Gang of 8 bill, because the impact of this legislation would have been to cost his employer \$5,000 for hiring him, a legal immigrant.

I have to tell you, my father's skills at age 18, I wouldn't characterize him as a high-skilled dishwasher. He told me he got that job because he couldn't speak English, and one didn't have to speak English to wash dishes. You had to be able to take a dish and stick it under the hot water.

This incentive would have been a massive incentive on his employer to say: Raphael, I am sorry, you are out of a job because we are going to hire someone who didn't follow the rules, didn't come here legally, came here illegally, because Congress penalizes us \$5,000 for you, but it puts zero penalty on that individual who is here illegally. I cannot think of a more irrational, a more indefensible system than a statutory authority for hiring U.S. citizens or legal immigrants.

If this bill passes, a number of things will happen. If this bill passes, African-American unemployment, Hispanic unemployment will almost surely go up. It will be the Senate's fault because this bill will penalize hiring African Americans, U.S. citizens or legal immigrants and, instead, will incentivize hiring those who are here illegally.

If this bill passes, Hispanic unemployment will almost surely go up be-

cause this bill penalizes hiring Hispanics who are U.S. citizens or Hispanics who are legal immigrants who followed the rules.

If this bill passes, youth unemployment will almost certainly go up because it is young people in particular who are just beginning the journey up the economic ladder who will be most impacted by Congress deciding to put a \$5,000 penalty on hiring that U.S. citizen, hiring that legal immigrant and, instead, give a preference for hiring those here illegally.

If this bill passes, union households' unemployment will very likely go up because it is working-class households that are facing the most direct competition. If that happens, it will be the fault of the Senate.

If this bill passes, unemployment among legal immigrants will almost certainly go up. What this bill says, if you hire an illegal immigrant, the IRS is going to impose a \$5,000 penalty on you, the employer. If you don't hire that legal immigrant, if you reduce that legal immigrant's hours, if you hire instead someone who is here illegally, that penalty will go away.

I would suggest that is utterly and completely indefensible. Nobody in this body wants to see African-American unemployment go up. Nobody wants to see Hispanic unemployment go up, youth unemployment go up, union household unemployment go up, legal immigrant unemployment go up. Yet every one of those will happen if this Gang of 8 bill passes without fixing this problem. If that happens, all 100 Members of the Senate will be accountable to our constituents for explaining why we voted to put a Federal penalty on hiring U.S. citizens and hiring legal immigrants. In my view, it makes no sense, and it is indefensible. I very much hope this body will choose to pass my amendment and fix this gray defect in the Gang of 8 legislation.

Thank you. I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from Maine.

REMEMBERING WILLIAM D. HATHAWAY

Mr. KING. Mr. President, I rise in sadness because America and the State of Maine lost a friend yesterday, one of my predecessors in this office, Senator Bill Hathaway, who served 14 years in the Congress, 8 in the House and 6 in the Senate, from 1973 to 1978.

I knew him well because I worked for him as a staff member in the Senate. In fact, I was sworn in as a Senator 40 years to the day from the day I entered Senate service on behalf of Bill Hathaway in January of 1973.

I had a chance, as all staff members do, to see him up close, to see him operate as a Senator and as a person. I was asked today several questions about him and what characterized Bill Hathaway. The first thing I said was he always put people first. He really and truly didn't pay much attention to politics. He always wanted to do what was right. I remember being in his office in the Russell Senate Office Building and

talking about the political ramifications of some bill or some vote.

He sat back in his chair and said: You know, it is hard enough around here to figure out what the right thing to do is. When you add the politics on top of it, it becomes practically impossible.

That was the way he thought and that was the way he acted. In fact, I once sent him a memo as a young staff member that had some political ramifications of a particular vote. I wish I had saved the memo because in his inimitable scrawl at the top of the page when it came back to me it said: I pay you for policy, not political advice.

That was the kind of guy he was. One of the things which I noticed about him, which was a tremendous influence on my life, was he was exactly the same person in private as he was in public. There wasn't a different Bill Hathaway on the stump, in Maine, making speeches or on television than the one I saw behind closed doors driving around Washington or around Maine, through the small towns, getting a haircut or spending time together. He was always the same person with the same values and the same concern for the people of Maine.

If you haven't gathered it already, Bill Hathaway taught me a lot about how to do this job.

Next to my dad, he was probably the most influential adult in my life when I was a young person. He was honest, he was smart, he was analytical, and he was motivated to do the right thing for the people of this country and the people of the State of Maine.

I have one personal story as well because I think it speaks to the kind of person he was.

Unfortunately, when I was working here in 1974, I was stricken with a dangerous and unusual form of cancer. I ended up having to have significant surgery. I, again, was one of many staff members who worked for Bill Hathaway, but one of the most vivid memories of my life was waking in the hospital after the surgery in the recovery room. Looking up, I saw my wife on one side of the bed and standing at the end of the bed in hospital green scrubs was Senator Bill Hathaway.

That was the kind of man he was. He was a politician but in a good sense of the word. He was a man who thought about the people who took so seriously the responsibilities of this office. We lost him yesterday. I think he was about 90 years old. He never lost his interest in Maine, in people or in the issues of the country.

I was fortunate to spend some time with him recently, and he hadn't lost a step when it came to thinking about these kinds of questions. He was good-natured, funny, and he was genuine.

As I said at the beginning, Maine and the United States of America lost a friend yesterday, and he is one whom I will miss terribly.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, fixing our broken immigration system is an urgent priority. As the son of an immigrant myself, I understand how important this is for families across the country and in my home State of New Mexico. I know how hard immigrants work in this country, how much they believe in America, and how much they are willing to give back to this Nation.

New Mexico's remarkable spirit is rooted in our diversity, our history, and our culture, which has always been enriched by our immigrant communities and family members. At the same time, the laws that govern our country's immigration system are antiquated and ineffective. I am encouraged that we are finally making progress toward a solution and finding some common ground on this critical issue.

We need a solution that includes a visa system that meets the needs of our economy, a tough but fair path to earned citizenship for the estimated 11 million people in our country who are undocumented and a plan that ensures the security of our borders.

Our broken immigration system does not match the realities of our Nation's economy. The H-2A program makes it difficult for farmers to hire the workers they need.

The H-1B program sends some of our most talented students back to their countries of origin, where they find themselves competing against American jobs rather than helping to create American jobs.

The labor pool, comprised of millions of undocumented workers, allows for worker exploitation and low wages. We must ensure that our laws enable our companies to retain the highly skilled foreign graduates of our universities in science, technology, engineering, and mathematics, the STEM field, in order to harness their skills, their creative activity, and their entrepreneurial spirit to create jobs in America.

A commitment to reform our country's immigration system also requires a commitment to our students. As a strong supporter of the DREAM Act, I am glad this legislation acknowledges that students should be treated differently. I wish to especially thank Senator DURBIN for his work seeing this through to the end.

Thousands of students across the country will gain more education and training, which translates into better and higher paying jobs. All these extra wages will circulate through the economy, spurring economic growth and new job creation.

I have met many DREAMers in New Mexico, and they are incredibly bright, hardworking, and, frankly, most of them don't know how to be anything but an American. DREAMers represent much of what is best about our Nation—hard work, motivation, and a willingness to serve this country in uniform. I believe it is time to make the DREAM Act a reality.

Finally, those of us who represent border communities understand there

are a number of challenges they face that are unique. We have made great advances in border security in recent years. Illegal border crossing apprehensions are at historically low levels and have fallen in New Mexico by more than 90 percent since their peak back in 2005. We have more agents, more technology and infrastructure devoted to our border than ever before. Our challenge moving forward is to continue to ensure our Nation's safety while balancing the need of our border communities to thrive and benefit from their unique binational culture and economy.

The mission of Customs and Border Protection is to both safeguard our Nation's borders and facilitate lawful international trade and commerce. However, in the Paso del Norte region, which includes both west Texas and southern New Mexico, not all of our ports of entry are operating at full capacity. The high volume of commercial vehicles attempting to cross at the El Paso port makes it extremely difficult for CBP to efficiently service all the would-be crossers while also maintaining security.

My amendment to extend the hours of operation at the nearby Santa Teresa Port of Entry will lead to more efficient trade between the United States and Mexico, will help to grow our economy, create new jobs, and invest in border security efforts at our Nation's ports.

On the subject of increased commerce and the Paso del Norte region, I want to thank Secretary Napolitano for doing her part. Earlier this month she announced a plan to extend the border commercial zone in southern New Mexico. This initiative was spearheaded by former Senator Jeff Bingaman at the Federal level, and it received bipartisan unanimous support back at home in the New Mexico State Legislature. Increasing the number of visitors traveling to the region will help U.S. businesses, local economies, and bring in more tax revenue.

New Mexicans are eager for a solution. DREAM Act students deserve a solution, and, frankly, our economy requires a solution. With this in mind, I will continue to work with my colleagues to ensure we achieve accountable immigration reform that works for New Mexico and for our Nation.

Este es el ano.

Mr. President, I yield the floor, and 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. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BENNET. Mr. President, I wanted to come to the floor tonight to talk briefly about where we are in immigration reform. We are moving along this week. We have come out of several

weeks of committee work, where there were a number of Republican amendments that were adopted as part of the process and a number of Democratic amendments adopted as part of the process.

As somebody who was involved in the negotiating group that led to the bill reaching the Judiciary Committee, I actually think it was improved by both Republicans and Democrats. It has been an unusual bipartisan effort, and it is the kind of effort the American people, certainly the people of Colorado, think is long overdue. They do not understand why we seem to be engaged in these fights that don't have anything to do with them instead of working to get together constructively to meet the challenges this country faces.

I think when it comes to this very difficult issue of immigration—and it is difficult, and there are strong feelings about it—it has been remarkable for that reason; that we have been able to see what I would describe not even as a bipartisan process but a non-partisan process, with people actually coming together to resolve this issue. As a result, the objections to it, the substantive objections to it are falling away.

There was an objection that somehow the bill was being rushed through. Well, no, it went through the regular order, which is very rare for this place. It shouldn't be rare, but it is rare. It got a full hearing in the Judiciary Committee, and there has been a full hearing on the Senate floor.

There was an argument somehow it was going to create horrible deficits, and it turns out the nonpartisan Congressional Budget Office said, actually, in the first 10 years it is going to improve our deficit situation by \$190 billion and over the next 10 years by another \$700 billion—almost \$1 trillion over the course of the next 20 years.

So, then, there was another argument, which was there is no border security as part of this legislation. In the Group of 8 we listened hard to what the border Senators JOHN MCCAIN and JEFF FLAKE, two Republicans from Arizona, had to say about what they believed they needed at the border. We went and visited the border with JOHN MCCAIN and JEFF FLAKE to see what they believed they needed on the Arizona border. But there were other Senators who weren't satisfied by what we put in that bill, and so there was an effort that was then led by Senator CORKER from Tennessee and Senator HOEVEN to amend the bill, and we supported it. I supported that amendment.

In fact, that amendment got 68 votes the other night—or something like that. We were missing a couple of Senators. We would have had 68 or 69 if everybody had been here.

That is progress because that has built support for the bill—Republicans and Democrats coming together around the border security issue. I think it is very hard for anybody to make a real

argument this is not a significant attempt to strengthen the border in this country.

We were already spending more money on border enforcement than we do on any other Federal law enforcement combined as it was. We had gone to about 22,000 Border Patrol agents already as it was. Now we are doubling that number—doubling—as an attempt to respond to a very reasonable concern the American people have that the border should be as secure as possible. So that is now part of this legislation.

So those are three things people have argued: The process was too fast, the bill was going to negatively affect the deficit, and our border is still insecure. Those were the arguments that were made.

Now we don't hear those arguments so much anymore. Now we hear scare stories about health care. We are hearing scare stories about how this will affect our economy even though the non-partisan Congressional Budget Office has said we are going to see five additional points of gross domestic product growth—GDP growth—in the second 10 years of this bill passing, as a result of bringing people out of the shadows.

It is not as if the 11 million people who are here and who are undocumented are not working. They are working. Many of them are working in this country. Many of them are working in the agriculture sector in my State and in this country. Many are working in other industries as well all across the United States. But they are working in an unlawful way. They are working in a cash economy. They are working in a situation where they are easily exploited. Because of that, they drag down the wages of everybody in America.

Workers in my State who are here and who are legal—l-e-g-a-l—are having to compete in a marketplace where there are people who can pay less because they know there are people who have to take less because they do not have lawful recourse.

All the protections we put in this bill, all the protections to make sure, and rightfully so, an American is offered a job first; to ensure, and rightfully so, we are not bringing in a whole bunch of new people when there are Americans looking for work—all of those protections pale in comparison to the protection of bringing 11 million people out of the shadows and out of a cash economy and into a place where they are paid a lawful wage and they are paying their taxes to the U.S. Government.

If all someone cared about, if the only thing someone cared about when they got up in the morning and went to bed at night was rising wages for Americans, solving this issue finally for the 11 million would be the most important thing you could do. And we do that in this bill.

The opponents of this bill are not seriously suggesting they are going to go to the expense of sending 11 million

people back to where they came from. They are not seriously suggesting, in answer to this issue, that nothing in the CBO report is true, that none of it makes sense, that this is about ObamaCare when what we are really trying to do for once in this place is solve a set of challenging issues in a bipartisan way.

Mr. President, even more than that, for a decade or more, because of our broken immigration system, the policy of this country has been to turn back talented people—even people educated at our universities, even people educated to be engineers and mathematicians. When they have graduated from college here, at our expense, in many cases, we have not said to them: Stay here and build your business. Compete here and help us grow this economy. Start a business—as half of the Fortune 100 or 500 companies have been started by immigrants. No. We have said: Go home. Go home to India and compete with us from there. Go home to China and hire other people over there.

If we pass this bill, we will say once again that this nation of immigrants is open for business, that we are open to the most creative and talented people in the world, that we want them to drive our economy in the United States just as they have generation after generation going back to our Founders.

It is a great testament to who we are and to the nature of our country that people want to come here, and under the right circumstances we should have them here. The CBO report—and I don't even care about the CBO report—makes it very clear—makes it very clear—what businesspeople in my State already know: It makes it clear to the agricultural industry in my State, the high-tech industry in my State, the ski resorts in my State that the objections of people of goodwill on this bill have been met through compromise and through principled agreement.

This is a good piece of legislation. We shouldn't, in this ninth or eleventh hour or whatever it is—the ninth inning—allow ourselves to get distracted by the politics seeking to divide us in this Chamber or in this country. And I don't believe we will. So I urge my colleagues to support the passage of this bill.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I hope the Senator wasn't rushed completing his statement, because I was listening intently and appreciating all he said today.

I haven't had the opportunity to express through the instruments of this floor how much I appreciate the Senator from Colorado. He has done such a terrific job. He has been one of the four Democrats. He hasn't sought a lot of press on this, but he has been a stalwart in getting this done for a couple reasons.

One, his State of Colorado is a perfect example as to why we need this

bill. The demographics have changed in that State remarkably, as they have in my State of Nevada. His quiet concern for what we need to do and then his quiet movement to make sure we get the things done we need to is evident in this immigration bill.

Frankly, we had a discussion today in our caucus, as we have had on several occasions, about student loans. No one is better prepared to talk about that issue than the Senator from Colorado. He is not only concerned about what happens to students who are in college, but also he was a school superintendent, understanding what people who want to go to college have to deal with. So I appreciate very much the statements of the Senator from Colorado. He has done a remarkably good job, and the people of Colorado are so fortunate to have this good man in the Senate.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

CLIMATE CHANGE

Mr. LEAHY. Mr. President, I agree with the President that climate change represents one of the greatest challenges of our time, but it is also a challenge uniquely suited to our strengths as a country. Our scientists, researchers, universities and entrepreneurs stand ready to design and build new, less polluting energy sources. Vermont's and our country's farmers and forestland owners stand ready to grow renewable fuels. American businesses will innovate and develop new energy technologies that will reduce pollution and grow our economy with jobs that cannot be shipped overseas. Our workforce stands ready to modernize our power plants and retrofit our buildings to meet 21st century efficiency standards.

I stand ready to support the President, and Vermonters want to do our part. The important goals the President has laid out today will create jobs, save lives and protect and preserve our treasured natural resources for future generations.

No single step can accomplish the goals that President Obama has presented today, but we must begin now, and take these critical first steps together. We owe it to our children and grandchildren to address these threats and be responsible stewards of the earth. Just as any Vermonter who has hiked the 200 miles of Vermont's beautiful Long Trail can tell you, the journey begins with a commitment to reach a goal, and a first step in that direction.

Climate change is not a far-off or remote challenge. The impacts are overtaking us today around the globe and