

In failing to enforce the immigration laws, the administration has betrayed its responsibility to protect the public safety of the American people.

President Obama's administration has continually stated that they are focused on enforcement against the worst of the worst convicted criminals. Yet they are releasing thousands of aliens every year with serious and, in many cases, violent criminal convictions.

ICE has responded to criticism by declaring that many of the individuals released were under supervisory restrictions. These restrictions range from bond to ankle bracelets to a periodic telephone call to a designated ICE phone line. Some individuals, however, are issued an order of recognizance and therefore are under no supervision at all.

Is the American public supposed to feel safer because the same administration that released violent criminals into our communities claims to be monitoring them? Is the American public supposed to trust these aliens convicted of crimes and are here unlawfully to follow the terms of their release?

Despite requests, ICE has failed to specify the nature of the release conditions placed upon these violent criminal aliens. In the interest of public safety, we should all demand to know the release conditions of those aliens released who have been convicted of violent crimes.

The administration is also claiming that many of the individuals they released in 2013 were due to the 2001 U.S. Supreme Court decision in *Zadvydas v. Davis*. This decision limited the Federal Government's ability to detain aliens who have been ordered removed.

This case sets the pitiful precedent that aliens subject to final orders of removal, including ones convicted of a crime, cannot be held longer than 6 months and will be released in the United States if their home country refuses to take them back or their home country simply delays the U.S. government's request for a travel document. Other countries know that—because of the ruling in *Zadvydas*—they can simply run out the clock on issuing travel documents for the criminally convicted individual. Therefore, we have aliens, with no legal right to be in the United States, unwanted by their own country, being released into the country by our own administration.

This Supreme Court decision has had a detrimental effect on our ability to obtain travel documents from foreign countries and effectuate removal orders. Many countries refuse to take back their criminal aliens, leaving us no choice but to release them into our own communities.

This precedent needs to be corrected. The administration has relied upon the ruling in *Zadvydas* to release thousands of criminally convicted aliens. However, they have refused to help fix it. In fact, the Senate immigration re-

form bill that they supported does not include a fix to the 2001 Supreme Court decision. They have not asked Congress to extend the length of time they are allowed to detain foreign nationals with final orders of removal.

That is why I am cosponsoring the "Keeping Our Communities Safe Act" being introduced today by the Senator from Oklahoma. His bill would close the legal loophole that requires ICE to release dangerous criminals onto the streets of America. It would allow ICE to detain non-removable immigrants beyond six months if the alien is a national security threat or is a threat to the safety of the community and has a past violent crime conviction.

In addition to hiding behind the Supreme Court decision, the administration has refused to use the tools at its disposal to get countries to cooperate. Federal law allows the Secretary of State to discontinue granting visas to all residents of a country that refuses or unreasonably delays taking back its aliens facing deportation from the United States.

Secretary Johnson, at a House Judiciary 2 weeks ago, acknowledged that in his capacity as Secretary, his department has never asked the Department of State to use this authority. This visa sanction authority has only been invoked one time, in 2011 against Guayana, within 2 months Guayana issued travel documents for 112 of 113 aliens ordered removed from the United States to Guayana. This tactic has been proven effective and Secretary Johnson should be employing this measure.

Of the 36,000 persons released in 2013, ICE claims that 3,652 were due to the 2001 Supreme Court decision. So, only a small portion of those released were mandatorily released under *Zadvydas*.

While thousands of criminally convicted aliens have been released into the United States, both at ICE's discretion and due to bad Supreme Court precedent, President Obama has called for a reduction of immigration detention capacity by 10 percent.

The simplicity of this idea seriously calls into question this administration's management capabilities. The fact that thousands of people are being released from detention clearly suggests that ICE needs more beds, not less, in order to avoid releasing more criminally convicted aliens into America.

This administration is knowingly putting the safety of the American people at risk. Releasing violent criminals into the American population should cause great doubt about this administration's ability to enforce current immigration laws.

ICE needs to provide the American people with more information about the criminal aliens it releases. ICE needs to tell the American people what terms of release are given to what criminal offenses. ICE needs to tell the American people what types of criminal offenses it deems appropriate to release at their own discretion.

ICE needs to tell the American people how many of these criminally convicted aliens comply with the terms of their release. ICE needs to tell the American people how many of these criminally convicted aliens commit further crimes after being released. ICE needs to tell the American people how many of these criminally convicted aliens who are released become fugitives.

This administration tells us to trust them. They say they are removing more people than ever before. They claim the immigration bill passed by this body will solve our problems. Yet they have failed us and the American people. They continue to turn a blind eye to lawbreakers and refuse to take this matter seriously.

There should be more outrage about the news coming from this administration. Releasing 36,000 criminal aliens is a serious matter and one that better be fixed soon for the sake of the American public.

#### LAUCK NOMINATION

Mr. WARNER. Mr. President, I wish to speak in support of a fellow Virginian as President Obama's nominee to the U.S. District Court for the Eastern District of Virginia, Judge Hannah Lauck. When confirmed, Hannah will become the first woman judge on the Federal trial bench in Richmond, VA.

Hannah is exceptionally well qualified to carry out the duties and responsibilities of a Federal district judge.

Hannah earned her bachelor's degree, magna cum laude, in 1986 from Wellesley College, where she was also elected to Phi Beta Kappa.

She went on to receive her J.D. from Yale Law School in 1991. While in law school she directed the Homelessness Clinic and served on the board of the Initiative for Public Interest Law.

Hannah began her legal career in the Eastern District of Virginia serving as a clerk for Judge James Spencer. Judge Spencer—a Reagan appointee to the bench—is extremely well-regarded in Richmond for his legal acumen, honest nature, and service to the community and will be taking senior status this year.

Coming full circle, Hannah has now been selected to fill the seat of Judge Spencer, her mentor and for whom she clerked right out of law school.

From 1994 to 2004, she served as an assistant U.S. attorney in the Eastern District of Virginia where she handled both civil defense matters as well as criminal prosecutions.

Following a brief stint in the private sector, Hannah became a U.S. Magistrate judge in the Eastern District of Virginia, where she has served since 2005.

As a magistrate judge, she helped begin one of the first Federal reentry courts, which is designed to reduce recidivism of individuals released from prison who have serious addictions. These reentry courts are crucial to our

efforts to reduce prison overcrowding and ensure we are helping people who have made mistakes in life become productive members of society.

She is also an active member of her community where she has helped train the next generation of legal experts. For many years, she has taught at the University of Richmond T.C. Williams School of Law.

Hannah serves on the board of the Federal Bar Association and is an active member and former board member of the Richmond Bar Association and the Metropolitan Richmond Women's Bar Association.

She comes highly recommended by the Virginia State Bar, the Virginia Bar Association, has been recognized as one of Virginia's leaders in the Law and has received the strong support of many of her legal colleagues.

Hannah has an exemplary record as a prosecutor and a magistrate judge and all of her peers praise her character and integrity. I am pleased to strongly support her nomination to the Federal bench and thank all of you for joining me in supporting her nomination. This body, and our Nation, will all be well served by her presence on this court.

#### ADDITIONAL STATEMENTS

##### MADISON COUNTY, IOWA

• **Mr. HARKIN.** Mr. President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State, and it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Madison County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Madison County worth over \$831,434 and successfully acquired financial assistance from programs I have fought hard to support, which have provided

more than \$3.5 million to the local economy.

Of course, one of my favorite memories of working together is the community's hard work to secure funding made available in various farm bill programs and particularly Madison County Memorial Hospital's purchase of a mammography machine. I lost two sisters to breast cancer and know the devastating toll it takes on those who have it and their families and communities. That is why I have championed prevention and wellness throughout my career, especially early detection. I have also dramatically increased funding for cancer research at the National Institutes of Health and established the Department of Defense's breast cancer research program. I applaud your community's dedication to early detection of breast cancer. Ensuring Iowans have access to quality, affordable health care is critical—particularly for those in rural areas, who may find this care out of reach. I am pleased that the hospital is equipped with the equipment and facilities to care for Madison County residents and promote wellness in the area.

Among the highlights:

**School grants:** Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than \$132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Madison County has received \$631,434 in Harkin grants. Similarly, schools in Madison County have received funds that I designated for Iowa Star Schools for technology totaling \$20,000.

**Agricultural and rural development:** Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Madison County has received more than \$596,024 from a variety of farm bill programs.

**Keeping Iowa communities safe:** I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as, for instance, the methamphetamine epidemic. Since 2001, Madison County's fire departments have received over \$456,845 for firefighter safety and operations equipment.

**Disability rights:** Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living, and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Madison County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Madison County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Madison County, to fulfill their own dreams and initiatives. Of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

##### STORY COUNTY, IOWA

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