

SCHEDULE

Mr. ISAKSON. Mr. President, today we resume consideration of the border security bill. After an hour of debate equally divided and the leaders' remarks, we will proceed to a cloture vote on the motion to commit, which is the Hagel-Martinez language. This will occur at approximately 9:45 this morning. This will be the first of several votes we will have today. If cloture is not invoked, we will immediately proceed to the second cloture vote on the underlying bill. If cloture is not invoked on the underlying bill, we will turn to the cloture motions that were filed on the defense nominations. We confirmed two nominations last night, and we hope we will be able to reach agreement on the remaining few. Senators are alerted that we will have a busy morning and should stay close to the Chamber. I thank my colleagues for their cooperation before we recess for the Easter break.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. REID. Mr. President, what is the matter before the Senate at this time?

The ACTING PRESIDENT pro tempore. Once the leadership time is reserved, the Senate will resume pending business, which is S. 2454, and there will be 1 hour of debate equally divided. Does the leader wish to proceed on his leadership time?

Mr. REID. No. I wish to proceed under the time allotted, 1 hour equally divided.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

SECURING AMERICA'S BORDERS ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2454, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2454) to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes.

Pending:

Specter/Leahy amendment No. 3192, in the nature of a substitute.

Kyl/Cornyn amendment No. 3206 (to amendment No. 3192), to make certain aliens ineligible for conditional nonimmigrant work authorization and status.

Cornyn amendment No. 3207 (to amendment No. 3206), to establish an enactment date.

Isakson amendment No. 3215 (to amendment No. 3192), to demonstrate respect for legal immigration by prohibiting the implementation of a new alien guest worker program until the Secretary of Homeland Security certifies to the President and the Congress that the borders of the United States are reasonably sealed and secured.

Dorgan amendment No. 3223 (to amendment No. 3192), to allow United States citizens under 18 years of age to travel to Canada without a passport, to develop a system to enable United States citizens to take 24-hour excursions to Canada without a passport, and to limit the cost of passport cards or similar alternatives to passports to \$20.

Mikulski/Warner amendment No. 3217 (to amendment No. 3192), to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

Santorum/Mikulski amendment No. 3214 (to amendment No. 3192), to designate Poland as a program country under the visa waiver program established under section 217 of the Immigration and Nationality Act.

Nelson (FL) amendment No. 3220 (to amendment No. 3192), to use surveillance technology to protect the borders of the United States.

Sessions amendment No. 3420 (to the language proposed to be stricken by amendment No. 3192), of a perfecting nature.

Nelson (NE) amendment No. 3421 (to amendment No. 3420), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour for debate equally divided between the managers or their designees.

The minority leader is recognized.

Mr. REID. Mr. President, for my colleagues who are in the Chamber and want to speak under the half hour that is allotted to us, I will leave time for them. I know Senator LEAHY has a matter elsewhere, and I will speak and give him the time next.

The committee bill that was reported from the Judiciary Committee on a bipartisan vote is a bill that virtually all Democrats support. We now are past that piece of legislation and on what we call the Martinez substitute. Virtually all Democrats support the Martinez substitute. I thought yesterday morning we were going today to be able to pass this important legislation. As I was walking from the caucus we had yesterday, Senator TOM CARPER of Delaware said: I have to leave early; I sure hope we can get something worked out on this. That is how the Senate felt yesterday. I sure hoped we could work something out. But as the day went on, things didn't work out as well as we had anticipated.

In the Senate, there are different ways of conducting filibusters. One is to have people stand and talk for long periods of time. The other is the ability Senators have, if they wish, to filibuster by virtue of amendment.

I made a proposal to the distinguished majority leader that we would have the Judiciary Committee do the conferees and have a limited number of amendments and move on. Last night, Senator FRIST said on the floor that he would have 20 amendments and, as we know from conversations we had on the floor, that was just the beginning. There would be more amendments. These amendments, of course, would be offered by those who oppose the Martinez legislation.

The majority leader said last night—and I was surprised—that he thought he would vote no on cloture on the amendment that he offered. Certainly,

there could be an argument made, even though I don't think it is a good one, that we are going to vote against the substitute amendment, the Specter legislation, as a result of the fact that the minority filed a cloture motion. That is not the case here. The cloture motion that is pending now was filed by the majority leader, he says, because no amendments have been offered. Why would we reward those who don't like the bill? Why would we reward those who want to kill this bill by amendments?

I would hope that night has brought change, that night has turned to day, and that there will be those on a bipartisan basis who will support this invocation of cloture. That would be the right thing to do. To do so takes courage, I know, but it would be the right thing to do.

Virtually all Democrats support the Martinez legislation. This bill is supported by wide-ranging groups: the Catholic bishops, the Chamber of Commerce, civil rights groups, human rights groups, La Raza—on and on with groups that support this legislation. This legislation is good legislation, national security, real security, border security. It gives guest workers the opportunity to come to America with dignity. Twelve million people would no longer have to live in the shadows.

Franklin Roosevelt said it a lot better than I could in 1938, when he said: My fellow immigrants, remember always that all of us, and you and I especially, are descended from immigrants.

General George Washington, in a letter in 1783, said:

The bosom of America is open to receive not only the opulent and respectable stranger but the oppressed and persecuted of all nations and religions whom we shall welcome to a participation of all our rights and privileges if, by decent and proprietary conduct, they appear to merit the enjoyment.

That is what this is all about—Franklin Roosevelt, George Washington. Let's vote for cloture and move on, have a day of celebration.

I yield 7 minutes to the Senator from Vermont, the distinguished ranking member of this committee.

The ACTING PRESIDENT pro tempore. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I thank the distinguished Democratic leader. I thank him for his statement. I also wish to commend him for the work he has done, both he and the distinguished deputy leader, in trying to bring us to this point. I know how hard the distinguished senior Senator from Pennsylvania, the chairman of the committee, has worked to pass a bill. I have been proud to work with him.

I was encouraged this week that the majority leader and other Senate Republicans moved in our direction—a good direction—by recognizing that we need a solution to the problems posed by having millions of undocumented