

use his waiver authority. The President can look at these issues and decide yes or no sanctions, but there is no trigger, there is no force for the President to actually do something.

This compromise bill would encourage him to actually do something, to actually look at this information, make a decision, and if sanctions are warranted as a result of the investigation, then the President either has to impose those sanctions or waive them for six months. Right now he doesn't have to waive them. He simply keeps investigating. That is an important point to highlight.

That is an important pressure point that Iran needs to know that we are ratcheting up—albeit slightly compared to the original Iran Freedom and Support Act—we are ratcheting up the pressure on this illicit regime in Iran to do something. It is very important for the future security of our country.

I ask unanimous consent to print in the RECORD a fact sheet on the bill.

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

FACT SHEET ON SANTORUM IRAN BILL

Senator Santorum and Majority Leader Frist worked with House counterparts, House leadership, and Administration officials to craft a new bill that provides for key enhancements to the soon to expire Iran-Libya Sanctions Act (ILSA).

The bill also contains provisions that authorize assistance to pro-democracy groups inside and outside Iran, and provides additional authorities in the way of tools to curb money laundering efforts that support WMD proliferation.

The bipartisan House bill, H.R. 6198, was just passed by the House by voice vote.

This Santorum-Frist/Ros-Lehtinen-Lantos bipartisan Iran Freedom and Support Act contains several crucial elements that advance U.S. policy towards Iran:

First, it codifies sanctions, controls and Executive Orders in place against Iran. This was an important part of S. 333, the Iran Freedom and Support Act. This is a way Congress can make these important Executive Branch actions and measures part of our laws.

Second, the bill addresses the issue of investigating foreign investments in Iran's energy sector and revises the current waiver for the Iran-Libya Sanctions Act. The bipartisan bill strongly urges the Administration to investigate investment activity in Iran and report to Congress within 180 days on an investment. Instead of continuing with the open-ended waiver in current law, the bipartisan bill authorizes the President to avoid sanctioning foreign companies that invest in Iran's energy sector only if use of the waiver is vital to the national security interests of the United States. This is a six-month waiver, not an open-ended waiver. The bill permits the President to renew this waiver for six month periods. The bill also extends ILSA, due to expire on Friday, September 29, 2006, until the end of 2011.

Third, the bill directs the President to impose sanctions on foreign entities that export, transfer or provide Iran with WMD or WMD-related technologies or destabilizing conventional weapons. The President must impose these sanctions if a transfer occurs. This provision was also a key component of S. 333, the Iran Freedom and Support Act.

Fourth, and perhaps most important, the bill authorizes assistance for pro-democracy

forces inside and outside Iran. These funds are authorized for groups that are committed to democratic ideals, respect for human rights, and equality of opportunity, among other things. Activities such as radio and television broadcasting into Iran are examples of activities that could be funded under this bill.

Fifth, the bill states that Congress declares it should be the policy of the U.S. to support the efforts of the people of Iran to exercise self-determination over the form of their government, and to support independent human rights and peaceful pro-democracy forces inside Iran. This provision is central to our efforts to successfully effect peaceful change inside Iran.

Sixth, there are provisions that enhance current money laundering sanctions available to the government. Current law is enhanced to enable Treasury to target entities that are involved in money laundering related to the proliferation of WMD and missiles.

In all, the bill takes many of the provisions found in S. 333 and H.R. 282, the House companion, and blends them together in a bill that has earned Administration support.

The bill is supported by outside stakeholders such as the American Israel Political Affairs Committee (AIPAC).

Mr. SANTORUM. Mr. President, I am hopeful today that the leaders will be able to get together and will be able to get consent to move forward on this bill. I assure you, this is a bill we must pass. This is "the extension" of ILSA with some very well thought out, negotiated compromises between Republicans and Democrats in the Congress, as well as the administration. I am hopeful that we can get a successful conclusion to that bill. The security of our country demands it.

IMMIGRATION

Mr. SANTORUM. Mr. President, I would like to move to another topic, and that is back to the issue of immigration and the fence bill with which we are dealing.

A lot of people have talked about a variety of implications of this legislation. To my mind, one of the principal considerations is the issue of national security.

The 9/11 Commission stated in the preface of its report that:

It is perhaps obvious to state that terrorists cannot plan and carry out attacks in the United States if they are unable to enter the country.

That is obvious, but it is an important statement to be made that one of the things we must do to help secure this country is to make sure we have a better immigration policy, whether it is a legal immigration policy and people coming here legally, properly screened for legal immigration, or people who are coming in.

One of the things we are hearing is there are a lot more people coming across the southern border who are being picked up who are not Mexicans, who are not from Latin America. They are coming from other countries, other places around the world. This becomes an increasing concern with the porous southern border.

I commend the House for putting forth this bill. This is a very important part of an initiative that I have been talking about since the Senate passed an immigration bill which I said was, in my opinion, a misstep. I offered a package of legislation called the border security first approach, which is: Let's focus on the border. Let's focus on first things first. If we have a problem with 11 million people and growing, people who are in this country illegally, the first thing we should do is stop the growth. We should take a problem that now looks to be an infinite problem, an ever-growing problem, and make it a finite problem with a specific number of people who are here. But the idea that we are going to solve the problem of illegal immigrants by dealing with this, as the Senate bill did, by legalizing people who are here illegally without solving the problem of more and more people coming—in fact, being another beacon for more people to come because if they do come, and they get here illegally, we are going to legalize them at some point—it just, in my mind, is putting the cart before the horse. We need to put the horse out there, and the horse is stopping the problem from getting worse. That means border security.

A key element of border security that I think is obvious—certainly obvious to the American public; it is an 80-20 issue in my State—is to construct more physical barriers. That is what this legislation does.

It is important not just from the standpoint of the 9/11 Commission and terrorists, but what we are seeing in our State—again, we are far from the border—is an ever increasing problem of illegal immigrants in illegal activity in our Commonwealth. We had the U.S. attorney for the eastern district at a press conference where I announced a \$2.5 million grant to deal with the 222 corridor from Lancaster leading up into the Lehigh Valley. We have an explosion of gang activity there, much of it driven by illegal immigrants and a whole new crop of gangs from south of the border that are causing problems in that 222 corridor. We were able to get a Justice Department grant to help, but I think it points out the problem.

Hazleton, a sleepy little town, the wonderful little town of Hazleton has gotten on the map because of the problems illegal immigrants—criminal problems, drug problems, gang problems—have brought into that community.

It is a continuing problem. Just last week, Immigration and Customs Enforcement arrested 100 criminals who were illegal aliens and other folks who were immigrants out of status living throughout Pennsylvania, all the way from Philadelphia to Pittsburgh.

Among those arrested were sex offenders, people who have committed burglaries, larcenies, robberies, criminal trespass, weapons violations, narcotics violations, aggravated assaults, resisting arrest, fraud, et cetera. All of

these people were wanted on these charges. So this is not just a national security problem, but it is also a personal security problem when we are not regulating the people coming into this country, when we are allowing anyone with any record or with any intent to come into this country.

Again, that is the right of every country to do: to make sure our citizens are safe, and we have a way to accomplish that. I think this fence bill will be a step in the right direction.

Other ways in which people in this country are violating Americans, not just through potential terrorist activity and criminal activity, but another criminal activity that we are seeing more and more of—and we heard some cases during the debate—is identity theft.

A woman came to my attention. A constituent contacted us by the name of Laurie Beers who had her Social Security number stolen by an illegal immigrant. She is a nurse who, as part of her job, is constantly traveling. She learned her information had been stolen and misused. She did everything she was supposed to do: contacted the FTC, reported it to the identity theft hotline, contacted the credit bureaus, on and on—obviously, contacted the FBI.

In response she found out, yes, she was a victim of identity theft. She contacted the IRS. She was told that the man using her Social Security number is an illegal immigrant. After talking to the FBI and Secret Service, they confirmed the person is an illegal immigrant who has been working for an employer in New York City and has been filing income tax returns under her Social Security number.

Obviously, she was upset that a man working in New York was using her Social Security number to file income taxes for 3 years. She contacted the employer of that man who has been anything but cooperative in resolving this situation. In fact, she has reported they have been downright nasty.

She is lucky her credit hasn't been destroyed. But this man has, unfortunately, with her Social Security number passed some bad checks, and now she can't use checks at Wal-Mart and other stores because of her Social Security number being linked to the passage of bad checks.

That is just one example. Is it a big deal in the security of America? No, but it is a big deal if you are the person who is a victim of identify theft. So we see this as one "small example," but big in her life, as well as thousands of other Americans who have been affected by the stealing of Social Security numbers.

This is an issue we need to address. We need to get this bill done this year. We need to step away from the bad provisions that the Senate passed, which I can go into in great detail, but they have been discussed over and over, everything, again, from legalizing people who committed illegal activity by first

stepping into this country, to the Social Security issue, and a lot of others.

My time has expired. I thank, again, the leadership, BILL FRIST, for moving and pushing this bill. Let's hope for Senate passage today and a start to dealing with the issue of illegal immigration.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I believe I have 15 minutes.

The PRESIDING OFFICER. The Senator is correct.

AGRICULTURAL WORKERS

Mrs. FEINSTEIN. Mr. President, we have an opportunity today with the border fence bill and with the concurrence of Members of this body to help an industry that right now is in deep trouble, and that industry is American agriculture.

The reason it is in deep trouble is because it does not have the workforce to harvest the crops. This is true whether it is Florida, the State of Washington, Iowa, Idaho, California, Arizona, or any other agricultural State. The reason for the shortage of workers is because agriculture dominantly depends on what is an undocumented or illegal workforce. The reason that is the case is because it has been found over the years that American workers simply will not do this work. Therefore, agriculture, the huge industry that we have in America, has come to depend on an undocumented workforce.

Just to give one example—and I wish I had a big chart—but this is the pear crop in Lake County, a farm owned by Toni Scully, and these mounds are rotting pears on the field because they cannot be harvested in time.

California is the largest agricultural State in the Nation. It is a \$34 billion industry. It has 76,500 farms. California produces one-half of all of the Nation's fruits, vegetables, and nuts from only 3 percent of the Nation's farmland. If these products cannot be harvested—and it is late in the harvest season today—the price of fresh produce all over this Nation is going to rise.

We have an opportunity to do something about it. I am joined on the floor by Senator Larry Craig of the State of Idaho who is the main author of the AgJOBS Program. In the Judiciary Committee in the immigration bill, we revised AgJOBS and it was part of the Senate-passed immigration bill. Along with AgJOBS, we have reformed the agricultural guest worker program called H-2A. These two programs combine to give the farmers of America the certitude they need that there will, in fact, be a workforce able to harvest their crops, plant their crops, prune, cut, pack, and sort crops in this great country.

In my State we have roughly 350 different crops: lemons, tomatoes, raisins, lettuce, prunes, onions, cotton, and many others that are grown all across the State. Growers are reporting that

their harvest crews are 10 to 20 percent of what they were previously. It is a disaster, and it will be a very costly disaster for the farm community as well as for the consumers of America. And it can be solved. We could move today to put the AgJOBS bill on the border fence bill. We all recognize it isn't germane postcloture, but the body could agree to include it because of the emergency circumstances that exist in agriculture States throughout the Nation today.

In my State we employ at least 450,000 people in the peak of the harvest, with farm workers progressing from one crop to the next, stringing together as much as 7 months of work. The estimate is that the season is falling short by 70,000 workers.

It is a very serious situation. Fields in Pajaro Valley in Santa Cruz County are being abandoned. Farmers can't find workers to harvest strawberry, raspberry, and vegetable crops. In the Pajaro Valley, one farmer reports he has been forced to tear out 30 acres of vegetables. He has about 100 acres compromised by weeds because there is nobody to weed the field. He estimates his loss so far to be \$200,000. California and Arizona farmers say they need 77,000 workers during December to May to harvest vegetables, and they estimate the shortage will be 35,000 workers.

It is amazing to me that we can't do something about this by passing a bill that has been heard in the Judiciary Committee, that has been amended, that has been discussed over a period of years.

I would ask, if I might, the Senator from Idaho a series of questions, through the Chair. The first question is how long the Senator from Idaho has been working on the AgJOBS bill?

Mr. CRAIG. Mr. President, I appreciate the Senator asking the question. I began to work with American agriculture and specifically western growers in the Pacific Northwest and in the Senator's State of California starting in about 1999 when they came to me and recognized, as they now clearly know, that they were beginning to rely on an illegal workforce of undocumented workers who were coming in because the law that exists, the H-2A, was so complicated and so bureaucratic, it was simply failing them. So it has been now at least 7 years that we have worked to comprise and build the AgJOBS legislation.

Mrs. FEINSTEIN. Mr. President, if I may, through the Chair, is there a crisis in the State of Idaho?

Mr. CRAIG. There is a growing crisis in the State of Idaho. I would like, if the Senator from California doesn't mind, to submit for the RECORD a "Dear Colleague" letter that the Senator from California and I sent out late this month. It speaks of California and Idaho and Washington and Oregon. I ask unanimous consent that it be printed in the RECORD.