

al-Qaida considers our borders a vulnerability. Imagine how terrorists might exploit a 1,951-mile border with Mexico.

We are a Nation of immigrants, but we are also a Nation of laws and principles. Any attempt to halt the influx of illegal immigrants must respect that fact. The comprehensive immigration reform legislation the Senate passed in May struck a careful balance. We took a three-pronged approach: fortify our borders, strengthen worksite enforcement, and develop a fair and realistic way to address the 12 million people already in our country illegally, without offering amnesty.

Clearly, we won't reach an agreement on comprehensive immigration reform before we leave for the recess, but fortifying our borders is an integral component of national security. We cannot afford to wait until November to do that. We know what works. We built a 14-mile fence near San Diego and saw illegal immigration in the area drop dramatically. We deployed 6,000 National Guard troops to our southwest border and saw a 45 percent drop in border apprehension.

The comprehensive solution to immigration reform is ideal, yes, but I have always said we need an enforcement-first approach to reform—not enforcement-only but enforcement-first.

The Secure Fence Act of 2006 let's us get a head start on the first prong of comprehensive reform. It requires the Department of Homeland Security to achieve complete operational control over our border with Mexico. With this bill, we will have better control over who enters the country, how they enter it, and what they bring with them.

Without the critical security measures included in the bill, we leave ourselves open to attack. We place our national security at risk.

Mr. President, I yield back my time.

The PRESIDING OFFICER. The majority leader yields back the remainder of his time.

The PRESIDING OFFICER. All time has expired.

The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have not been ordered.

Mr. FRIST. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts would vote "nay."

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

The result was announced—yeas 80, nays 19, as follows:

[Rollcall Vote No. 262 Leg.]

YEAS—80

Alexander	DeWine	McConnell
Allard	Dodd	Mikulski
Allen	Dole	Murkowski
Baucus	Domenici	Nelson (FL)
Bayh	Dorgan	Nelson (NE)
Bennett	Ensign	Obama
Biden	Enzi	Pryor
Bond	Feinstein	Roberts
Boxer	Frist	Rockefeller
Brownback	Graham	Santorum
Bunning	Grassley	Schumer
Burns	Gregg	Sessions
Burr	Hagel	Shelby
Byrd	Harkin	Smith
Carper	Hatch	Snowe
Chambliss	Hutchison	Specter
Clinton	Inhofe	Stabenow
Coburn	Isakson	Stevens
Cochran	Johnson	Sununu
Coleman	Kohl	Talent
Collins	Kyl	Thomas
Conrad	Landrieu	Thune
Cornyn	Lincoln	Vitter
Craig	Lott	Voinovich
Crapo	Lugar	Warner
Dayton	Martinez	Wyden
DeMint	McCain	

NAYS—19

Akaka	Jeffords	Murray
Bingaman	Kerry	Reed
Cantwell	Lautenberg	Reid
Chafee	Leahy	Salazar
Durbin	Levin	Sarbanes
Feingold	Lieberman	
Inouye	Menendez	

NOT VOTING—1

Kennedy

The bill (H.R. 6061) was passed.

Mr. FRIST. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### CHILD INTERSTATE ABORTION NOTIFICATION ACT

Mr. FRIST. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Michigan is recognized.

UNANIMOUS CONSENT REQUEST—H.R. 5122

Mr. LEVIN. Mr. President, under the unanimous consent agreement, I have been allocated 10 minutes, at the end of which I am going to make a unanimous consent request that we proceed immediately to the Defense Authorization bill, the John Warner Authorization bill conference report, which has come over from the House. I do not know of any opposition to this bill. We have worked on it for 5 months. It has provisions in it which are critically important to our troops.

The PRESIDING OFFICER. The Senator will suspend. The Senator from Michigan has the floor.

Mr. LEVIN. I think it is critically important before we leave—

Mr. FRIST. Mr. President, let's have regular order.

Mr. LEVIN. I ask unanimous consent at this point that the conference report to accompany H.R. 5122, the John Warner National Defense Authorization Act of Fiscal Year 2007, be deemed adopted by the Senate with a motion to reconsider laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. FRIST. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. We are in discussion now and I believe we are making real progress on addressing this bill. I will object here shortly because we have to talk to a number of colleagues. But I think we are making real progress on the bill.

Mr. LEVIN. So we could adopt it tonight?

Mr. FRIST. Thus, I object.

#### CHILD CUSTODY PROTECTION ACT

Mr. SPECTER. Mr. President, I oppose cloture on the Child Custody Protection Act, S. 403, because there are not adequate safeguards for young women seeking abortions, particularly in cases of rape, incest, or health of the minor.

On September 22, 1998, I voted against cloture on a similar bill. On July 25, 2006, I voted against a similar bill.

Those bills, like the one now pending, made it a crime to take a minor across state lines for purposes of obtaining an abortion without parental consent or notification. I opposed that legislation because of my concern for minor girls who have an abusive or bad relationship with their parents, including circumstances of incest. Such a relationship makes it difficult, if not impossible, for the girl to admit to being pregnant or to express her desire to obtain an abortion. Additionally I am concerned with the delay this bill poses on young girls seeking abortions in the case of rape or health risks.

Proponents of this legislation have urged me to support it on the ground that the state judicial bypass laws provide a sufficient means for young girls who have such a bad relationship with their parents, to receive judicial authorization to secure an abortion without their parents' knowledge or consent.

It has been suggested to me that there may be compelling data that the judicial bypass procedures provide a sufficient means for such girls' interests to be protected. On the current state of the record, however, I believe that the judicial bypass procedures are not adequate, so I do not believe that a Federal crime should be legislated for those who take minor girls across state lines to secure an abortion.

To those who have urged me to support the legislation and have asked me to review such data, I have replied that I would be willing to study any such information. As noted, on this date of the record, I could not support legislating a Federal crime on this issue.

Mr. FEINGOLD. Mr. President, I cannot support the Child Interstate Abortion Notification Act, CIANA. First, I object to the decision to bring this bill directly to the floor, circumventing the