

ORDER FOR ADJOURNMENT

Mr. BROWN. If there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand adjourned under the previous order, following the remarks of the Senator from Alabama.

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

The Senator from Alabama.

IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, I hope we are not moving forward with a plan that would introduce the immigration bill we considered in the Senate last year. That is what I am hearing. I believe there are talks ongoing today—bipartisan talks—talks in which the White House and other members of the President's Cabinet are participating where they are at least talking about a framework of a comprehensive immigration reform of which we could be proud.

The bill that was introduced last year was fatally flawed. It was not the kind of legislation we should have passed. If it had been passed, it would never have worked and would have been an embarrassment to the Senate. I cannot say how strongly I believe that to be true. There was no way we could repair that bill by amendment. I talked about that last year. It was important that we start over with a new piece of legislation. We worked on it, and a majority of the Republicans in the Senate, last year, voted against the bill. The House refused to even consider it. They would not take it up. Four Democrats voted against the bill last year.

So the only way to enact comprehensive immigration legislation is to start over and write a new bill on which both the Democrats and a majority of Republicans can agree. Until this week, I had hopes that was ongoing. I have not been in the detailed negotiations, but I have been briefed on some of the framework for reform that, to me, is very consistent with what I pleaded with my colleagues last year to do.

Now, over the past several weeks, up to 10 Members of the Senate have been actively meeting to write a new bill. They started with the principles laid out by the White House in a 23-page Powerpoint that promptly got leaked. Maybe they wanted it leaked. I don't know. Those Powerpoints just have one or two lines. They do not have fine print. But they do set fourth agenda items and principles.

The principles laid out in that Powerpoint are much closer to a bill I could support and I think the American people would be willing to support.

This is what they included in that presentation. Although I am not involved in the details, I think it is what Members are discussing at this moment—have been discussing, at least. Apparently, people periodically walk

away from the discussions, and they say this isn't good enough or I don't like this, but that is negotiation, hopefully, and we can work forward with it. Let me just tell you some of the things that are in this bill that were not in last year's legislation.

There is an enforcement trigger. Before any new immigration programs or green card adjustments could begin, the principles in the Powerpoint would require an "enforcement trigger" to be met. Senator ISAKSON from Georgia offered that. He basically said: We are not going to trust you this time—the American people are not. We want to see that you follow through on the things that are critical to a lawful immigration system before we pass the green card adjustments and deal with those other issues.

It also requires that the Border Patrol be increased to the numbers agreed upon—with a total of 18,300. It is one thing to say we are going to authorize 18,000 Border Patrol agents, which I think is a minimum, really not sufficient to cover the border—but it is an increase of significance. We are not going to go forward with the bill until you actually hire them and put them on the payroll and train them and they are out there.

Also, 200 miles of vehicle barriers and 370 miles of fencing must be constructed. We talked about that, and I offered the amendment. It passed several times and eventually was passed last year.

The catch and release at the border must be ended. This idea of catching people at the border who have violated our immigration laws and have come into the country illegally—they are being taken inland, taken before some administrative officer or judge and released on bail and asked to come back. Well, 95 percent are not showing up. That is what they wanted to do: to be brought into America. They were released on bail. Nobody ever went out and found them or looked for them. It is just a broken system. It is not working. Those are things that are part of the trigger as to what has to be fixed before we go forward with the legislation. That would be in the principles.

The future flow of temporary workers is critical. As to the future flow temporary worker program, the so-called Y visas—the principles outline a new program for truly temporary workers. The White House plan would admit new workers for 2 years and could be renewed three times, for a total of 6 years.

Between each 2-year period, workers would be required to return to their home countries for 6 months. Workers could not bring their spouses or their children but could return home to visit them if they choose. They would be able to go back and forth as often as they liked. There is no cap specified in the White House plan, but the plan envisions an annual cap set by the Secretary of Homeland Security in consultation with the Secretaries of Labor

and Commerce, depending on American needs.

Workers would be eligible to apply for green cards through regular channels. Regular channels are adjusted to a more merit-based system. It would include a merit-based system. I think this is a great improvement over last year's legislation. But I have to tell you, I am concerned about people coming to stay more than 1 year because I think it becomes more and more difficult for them to leave. They are less likely to leave. Many of them are more likely to violate the law and just embed and stay. I think a 1-year plan would be far better. But those are things that are being talked about which would be substantially better than last year's legislation.

There is a seasonal worker program that makes much more sense than what was in last year's bill. The principles also contain a "new and improved" seasonal worker program that would combine the current agricultural—the H-2A plan—and unskilled—H-2B—seasonal worker programs. We combine those two programs, as they should be combined, because they are each for temporary workers.

Workers could remain in this country for 9 months at a time, under this proposal, and would be required to return to their home countries for 3 months in between. This is a temporary worker program that appears to be actually temporary, unlike last year's legislation, in which the temporary guest worker program in last year's immigration bill said an individual could come to this country temporarily, but they could bring their wife and children. They could come for 3 years. That 3 years could be extended again and again and again. And they could apply for citizenship within the first year they got here. That was the temporary worker program last year. How broken was that? It would never have worked. People bring their children, they get settled in the country, a decade goes by. Who is going to be able to ask them to leave? What kind of painful scene would that be? Teachers, preachers, family members, neighbors—they have gotten to know people. They have a whole new mindset, an incorrect mindset.

The bill, last year, said "temporary guest worker program," and this is what it was. It was really a permanent entry into the country for very extended periods of time where it could be difficult for people to leave.

Under this plan, the outline that is being discussed, they could actually work—and it is what I suggested last year—and spouses and children would remain in the worker's home country.

Renewals under the seasonal program would be unlimited, which may be problematic. We would need to discuss that some.

But these workers would also be eligible to apply for green cards under regular channels, if they are willing to compete against others on a merit-