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Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, Your law is a lamp, and Your teachings illuminate our path. Help us to honor Your name.

Lord, You know every heart and provide a shield for those who have reverence for You. Today may our Senators find treasures in Your wisdom that will enable them to be responsible stewards of their noble calling. As they remember their accountability to You, empower them to live for Your glory. O God, our ruler, let Your glory be seen in our Nation and world.

Lord, we ask Your blessings upon Senator JEFFREY CHIESA as he takes his oath today.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will resume the motion to proceed to S. 744, the immigration bill. That will take place until 5 p.m. today. Senator SESSIONS will control 2 hours, and Senator LEAHY will control the remaining time today. Senator-designate CHIESA will be sworn in today as a U.S. Senator at 4:30 p.m. At 5 p.m. the Senate will resume consideration of the farm bill. At 5:30 p.m. there will be a vote on passage of that bill. Following that vote, we will resume the motion to proceed to the immigration bill. There will be a cloture vote on the motion to proceed at 2:15 tomorrow afternoon.

MEASURES PLACED ON THE CALENDAR—S. 1121 AND H.R. 126

Mr. REID. There are two bills at the desk due for a second reading.

The PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 1121) to stop the National Security Agency from spying on citizens of the United States and for other purposes.

A bill (H.R. 126) to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge.

Mr. REID. I object to any further proceedings with respect to these two bills.

The PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar under the provisions of rule XIV.

IMMIGRATION REFORM

Mr. REID. Mr. President, for most of her life Anna Ledesma has been afraid. She was a model student at Centennial High School in Las Vegas, an artist and a member of the Key Club. As one of the top academics of a large high school, she received the Millennium Scholarship to study nursing at the College of Southern Nevada. Now she is studying hard for her nursing exams. But 23-year-old Anna has lived for a long time with the constant fear that she will be deported. She is an undocumented immigrant. She was born in the Philippines and brought here by her parents when she was 7 years old. She was in the second grade.

This is what Anna told the Las Vegas Sun newspaper:

I would tell myself that they're not going to deport me because I'm a nursing student and I'm working really hard and I want to make a difference in my community . . . [But] all the time, constantly in the back of my head, I think about being deported and having to start over.

Thanks to a directive issued last year by President Obama, Anna and 800,000 other young people like her—young people who are American in all but paperwork—won't be deported. President Obama's directive suspended deportation of DREAMers—students brought to America illegally when they were children. These young people share our language, they share our culture, and they share our love for America, which in most cases is the only country they have ever known. Like Anna, the DREAMers are talented, patriotic young men and women who want to defend our Nation in the military, get a college education, and work hard to help their communities and our country.

Still, the Republican majority in the House of Representatives sent a chilling message last week to Anna and others when it voted to roll back President Obama's directive. Republicans voted to resume deportation of upstanding young people—I repeat, just like Anna—who were brought to this country illegally through no fault of their own. That is why it is vital that Congress act at long last to fix this Nation's broken immigration system.

President Obama's directive is temporary—and squarely in the crosshairs of the tea party-driven Republican rightwing. The directive is also no remedy for more than 10 million others—many of whom are the parents or siblings of DREAMers—who are living here without the proper paperwork.

But a permanent commonsense solution to our dysfunctional system is in sight. The bipartisan legislation on

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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which the Senate is now working is the solution our economy needs, it is the solution immigrant families need, and it is the solution Anna needs.

This bill isn't perfect. That is the nature of legislating. Compromise is necessary and inevitable. But this measure takes important steps to reform our broken legal immigration system, strengthen border security, and hold unscrupulous employers accountable.

Over the next 3 weeks Senators will propose a number of ideas to make the legislation better. Some will offer ideas to make it worse. But those suggestions must preserve the heart of the bill—a pathway to earned citizenship that begins by going to the back of the line, paying taxes and fines, learning English, and getting right with the law. Whether we are Democrats or Republicans, whether we are from red States or blue States, we can all agree that the current system is broken. We can all agree on the need for action. This bipartisan legislation is our best chance in many, many years to bend the system toward it working right. We need to mend this broken system.

The Senate is about to engage in this important debate about the kind of country we are and must continue to be. This Nation was founded on the promise that success should not be an accident of birth but, rather, a just reward for hard work and determination. It is no wonder so many people from so many nations wish to share that promise, but they can't all get the promise of coming to America, and that is what this legislation is all about.

The United States has always welcomed immigrants, and that is never going to change. For those like Anna, the words of the Jewish proverb are appropriate: Dreams do not die. Therefore, it is up to us to help fulfill those dreams and fix our broken immigration system.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. KAINE). Under the previous order, the leadership time is reserved.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 744, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to calendar No. 80, S. 744, a bill to provide comprehensive immigration reform, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 5 p.m. will be divided, with the Senator from Alabama or his designee controlling 2 hours and the Senator from Vermont or his designee controlling the remaining time.

The Senator from Vermont.

Mr. LEAHY. Mr. President, when the Senate Judiciary Committee held lengthy and extensive markup sessions to consider the Border Security, Economic Opportunity, and Immigration Modernization Act, or S. 744—the bill before us—we worked late into the evenings debating the bill. We considered hundreds of amendments. But what was interesting and what we heard the most about was the fact that the public was able to witness our consideration firsthand. They saw all our proceedings streamed live on the committee's Web site and broadcast on C–SPAN. We made available on our website proposed amendments, and reported developments in real time throughout the committee process. I know this made a difference because I was receiving e-mails and calls from all over the country from people watching it. Whether they agreed or disagreed on a particular matter, they said how much it meant to them to actually know what the Senate was doing. And Members from both sides of the aisle praised the transparent process and the significant improvements in the bill made by the Judiciary Committee.

The bill, as we amended it, was passed out of committee by a bipartisan two-thirds majority. Again, everybody worked together, set politics aside, and allowed the American people to see what we were doing. In many ways this is how we did it when I first came to the Senate, except we didn't have a way of streaming things live and we didn't have C–SPAN, so it is even more transparent now.

I appreciate what President Obama said this weekend about immigration reform. I agree with him that we have to move in a timely way. Of course, the time is now for the Senate to act, so I hope we can take some of the same steps in the Chamber that we took in the Judiciary Committee during our debate of this legislation to have an efficient and transparent process. After all, look at the markup of the Senate Judiciary Committee: both parties—and it goes across the political spectrum as well as geographically, from the west coast to the east coast, from southern borders to our northern borders.

During our committee consideration last month, an editorial in the Barre Montpelier Times termed our proceedings a ''lesson in democracy.'' Our committee proceedings demonstrated to the American people and the world how the Senate can and should fulfill its responsibilities despite our differences.

The ranking Republican on the committee, the senior Senator from Iowa, and I were on different sides of the legislation, but we were able to work well together. I hope we can continue to work here on the Senate floor in a bipartisan way. Although he voted against the bill, the senior Senator from Iowa said had his vote been necessary to report the bill to the Senate, he would have voted to do so. I appreciate that sentiment, and I look forward to his cooperation.

I have proposed to Senator GRASSLEY, who as the ranking Republican on the Judiciary Committee will be managing the bill for the minority, that we try to replicate here in the Senate the fair and transparent process we were able to achieve in the committee. To that end, once the Senate is able to proceed to the bill, I suggest we establish a filing deadline for amendments, as we did at the outset of our committee consideration. Ideally, then we will be able to take these amendments and group them and thereby work together by issue and by titles, as we did in the committee. It makes it a lot easier for the public as well as for the Senate to know what we are doing on the bill. It will help us with the Senate's timely consideration of this important legislation.

Of course, in order for Senators to be able to file amendments and work on the bill, the Senate has to proceed to the bill. Republicans and Democrats worked together to develop this legislation. Senators from both sides of the aisle, including the Senator from Alabama, who has already spoken on the Senate floor at length about this legislation, had amendments adopted in committee. Almost none of the more than 135 amendments adopted by the Judiciary Committee were adopted on party-line votes. So we should be able to work together to ensure consideration of amendments and then proceed to a vote on final passage without filibusters.

The American people want us to vote yes or no, up or down. They do not want us to add delaying tactics that allow us to say, well, maybe we would have been for it or maybe we would have been against it. They expect more of their Senators. Vote yes or no.

I had hoped the Senate would turn immediately to the consideration of amendments to this important bill. I regret that tomorrow afternoon, instead, we will vote on cloture on a procedural motion to allow us to begin debate on the bill. The legislation before us is the result of a bipartisan group of Senators who came together and made an agreement. It was initially a proposal from the so-called Gang of 8. It came through the committee process a product of a group of 18, supported by a bipartisan majority of the Judiciary Committee.

If Senators who have come together to help develop this bill keep their commitments, I have no doubt we will be able to end this unnecessary filibuster and pass this fair but tough legislation on comprehensive immigration reform.

There is broad agreement that our Nation's immigration system is broken and is in need of a comprehensive solution. There is also broad agreement in this Nation that people are tired of unnecessary delays in the Senate. They would like to see us do the work we are

paid to do, the work we were elected to do, and vote yes or no, not continue voting maybe by delaying. This bipartisan legislation will achieve this. Given the impact the broken system has on our economy and our families, we cannot afford delay. This is a measure on which the Senate should come together to consider and pass. We should do what is right, what is fair, and what is just.

Comprehensive immigration reform was last on the Senate floor 6 years ago. When it was blocked by the minority party—the Republican Party—the former chairman of our immigration subcommittee, Ted Kennedy, said:

> A minority in the Senate rejected a stronger economy that is fairer to our taxpayers and our workers. A minority of the Senate rejected America's own extraordinary immigrant history and ignored our Nation's most urgent needs. But we are in this struggle for the long haul. . . . As we continue the battle, we will have ample inspiration in the lives of the immigrants all around us. He was right. We are back—in strength.

I had the privilege of serving in the Senate with Senator Kennedy from the time I arrived until the time he died. I know how passionately he felt about this issue. I also know, both from then and now, that a small minority of the Senate that continues to reject this measure should not prevail this time and close the door on so many people in our country—both those who are citizens and those who aspire to become citizens.

I have taken inspiration from many sources, from our shared history as immigrants, from the experiences of my own grandparents, from my wife's parents, from our courageous witnesses Jose Antonio Vargas and Gaby Pacheco and, as Senator Kennedy noted, from the millions of American families that will be more secure when we enact comprehensive immigration reform.

During his testimony before the Judiciary Committee, Mr. Vargas asked the committee:

> What do you want to do with us? What do you want to do with me?

Poignant questions. But this legislation answers Mr. Vargas, and it sends a message to the millions of others who are looking to Senators to be true to our ''extraordinary'' history and tradition as a nation of immigrants.

I am encouraged that some on the other side of the aisle are signaling their support for this legislation. I welcome the support of those who supported immigration reform in the past, who support this effort again.

I trust that those Republican Senators who helped draft this legislation—and helped us greatly—will be with us for the long haul, be firm in their commitments, and will defend the legislation they asked the other 14 members of the Judiciary Committee to consider and approve.

I will hope and expect that they will not look for excuses to abandon what has been and what needs to be a bipartisan effort because everybody had to give some on this bill. The bill now before the Senate is not the bill I would have drafted. I voted for amendments in the Judiciary Committee that were rejected, and I voted against some amendments that were accepted. I withheld an amendment on what, to me, is an issue of fundamental fairness in ending discrimination, after Republican Senators pledged to abandon their support for this bill had that amendment been offered. I cannot begin to tell this Senate how much it hurt to withdraw that amendment. But despite many shortcomings as a result of compromise, the bill before the Senate is worthy of this Chamber's immediate attention and support.

It is time for us to stop voting ''maybe'' and instead proceed to this bill and get to the business of legislating. After all, that is what the American people, Republicans and Democrats alike, expect us to do. The Congress was unable to achieve this goal during the last decade. Now, in the second decade of the 21st century, we again have the opportunity to make the reforms we so desperately need to carry us forward and strengthen our Nation. As I said on the Senate floor late last week, if a majority of us stand together, if we stay true to our values and our agreements, I believe we can pass legislation to write the next great chapter in America's history of immigration—a chapter for which succeeding generations will thank us.

Mr. President, before I conclude on this issue, I ask unanimous consent that a copy of the editorial I referred to be printed in the RECORD.

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

[From the Times Argus, May 11, 2013]

LESSON IN DEMOCRACY

In a remarkable demonstration of the way democracy ordinarily works, Sen. Patrick Leahy held a mark-up session Thursday allowing the Senate Judiciary Committee to shape a new immigration bill.

A mark-up session occurs when a committee discusses and debates a bill, marking it up with amendments, giving both sides a say and putting on display for the world to see the differences and compromises. In watching a mark-up session, we are able to observe senators in the actual process of lawmaking.

That an important issue should be subject to an open and public mark-up session would not be so remarkable were it not for the remarkable distortion of the legislative process that has occurred in recent years by the manipulation of legislative rules.

Lately, we have become accustomed to seeing major pieces of legislation used as chips in an unsavory game of poker, with all the cards in the hands of a few players. Action on budget and debt ceiling votes has been held up until the last minute when leaders are forced by a looming deadline to reach a deal. The members themselves, instead of being engaged in the process of lawmaking, are left to twiddle their thumbs until they get the call from their leaders that a deal has been struck.

Everyone complains that making laws is like making sausage: You don't want to see what goes into it. But when the deal-making happens behind closed doors, cynicism can be the only response. The decision by Leahy, chairman of the Judiciary Committee, to hold several lengthy open mark-up sessions on the immigration issue is a sign that both Republicans and Democrats see a way through the thicket. If the Republicans were interested merely in blocking the bill, they could use their usual tactics. But given the importance of the Hispanic vote and the party's record of hostility toward minorities, some Republicans have recognized they must deal with the issue.

Protracted debate about bills in committee ought to be the norm. It is what committees are for. But the process has perils that legislators sometimes seek to avoid by using the rules to foist a measure on the body where a majority can hurry it through. It is unlikely that the Democrats could hurry anything through the Senate these days, so Leahy has decided to take the risks inherent in the amendment process to craft a bill that will win at least some Republican support.

The immigration bill is the product of the so-called Gang of Eight, a group of four Democrats and four Republicans who have sought to forge a bipartisan compromise on immigration. They are looking for a way to achieve both border security and a pathway to citizenship for the 11 million immigrants who are here illegally. Hard-line anti-immigration members will never be placated; the Senate will be working toward a formula allowing the skeptics who worry about border security enough assurance that they can lighten up a little on the punitive measures.

Senate bills follow a perilous path, particularly these days, when Republican use of the filibuster has created what amounts to a political oligarchy: the rule of the minority over the majority. This was the bitter lesson that Leahy learned on gun control legislation, which also began in his committee. The bill calling for universal background checks had majority support on the Senate floor, but the minority was able to quash it by use of the filibuster.

And yet this is why Leahy retained his position as chairman of the Judiciary Committee rather than moving to the Appropriations Committee. The appropriations process has become subject to the poker game, which robs the committee of its authority in creating and marking up a bill. As chairman of Judiciary, Leahy is giving the nation a lesson in democracy. It's a lesson that needs to be retaught.

Mr. LEAHY. Mr. President, seeing nobody seeking recognition, I ask permission to speak as in morning business on an issue we will vote on later today.

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

RURAL GIGABIT PILOT PROGRAM

Mr. LEAHY. Mr. President, let me speak on an important issue the Senate will be voting on later today, my amendment to the farm bill. The Internet has made a fundamental difference in our lives. From how we shop to how we stay connected to one another, there are few aspects of life the Internet does not touch. In the 21st century, access to high-quality, high-speed Internet is not a luxury but a necessity.

Unfortunately far too many Americans, particularly those living in rural areas, like so many in my own State of Vermont, can only dream about having access to this kind of critical infrastructure. We must take action to correct this.

I am pleased the Senate will vote today on an amendment I have offered that sets our sights high for real, ultra-high-speed Internet. In some areas, these next-generation networks are already being built. These networks offer gigabit speed—speed that is 100 times faster than what we are accustomed to today.

These networks bring with them innovation and jobs. Over the next 5 years these networks are going to become more widely adopted in urban areas, but rural America is at risk of falling further behind. If that happens, rural Americans will be left behind. They will lose potential economic growth. They will cede engines of innovation to urban areas that are equipped with ultra-high-speed Internet capability.

My amendment will establish a pilot program within the Rural Utilities Service Program that is part of the farm bill to fund up to five projects to deploy ultra-high-speed Internet service in rural areas over the next 5 years. The pilot is narrow in scope. It is carefully crafted to ensure that the main focus of the RUS Program is deploying service to unserved rural areas, while at the same time giving RUS the flexibility to find the best rural areas to test gigabit service investment. This will help pave the way for the Internet infrastructure that rural communities across the Nation will need as our economy turns the corner into this next generation of Internet service. Next-generation gigabit networks have the potential to transform rural areas. They can dramatically improve education and health care. They have the potential to bring the innovations of Silicon Valley to the Upper Valley of Vermont and to rural areas across the country.

Rural America has so much to offer in our way of life, but without the great equalizer of high-speed Internet, it cannot live up to its full potential. So now is the time to invest in these networks. One need only look at the number of applications Google received for its Google Fiber project to know that cities and towns throughout the country understand the innovation and economic growth that comes from gigabit networks. If we are going to invest money in rural networks, it makes sense that we invest some of it in networks that are going to be future-resilient.

The broadband revolution of the last decade brought a bright new future for many areas of the country, but I know firsthand that many rural areas are still playing catch-up. As the next generation of broadband investment begins this decade, let's learn from those past mistakes and test our investment in gigabit networks in rural America.

I thank Chairwoman STABENOW for working with me since the committee first started on this amendment and for her commitment to improve the quality of life for rural America, and I thank those Senators—both Republicans and Democrats—who have supported me. Most importantly, rural America supports it.

Mr. President, I yield the floor and suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GRASSLEY. Mr. President, as we look forward to a difficult and yet overdue debate about immigration, I wanted to share my thoughts on the legislation. I want to speak about the committee process as well as the substance of the bill before us. I also want to share my personal experience from the 1980s and how we can learn from history. Finally, I want to express my hope for what I think the bill should look like before it leaves the Senate.

I do not know of any Senator who says the status quo is the way it ought to be. In other words, this issue being on the floor of the Senate is very appropriate. But while we are here, we need to concentrate on getting immigration right for the long term. In 1986, the last time we had major legislation going to the President, I was there. I lived it. I voted for it.

I acknowledge that what we did in 1986, we got it wrong. We cannot afford to make the same mistakes of yesterday. From our national security to our economic security, too much is at stake. So do not repeat 1986. See that the borders are absolutely secure. No excuses from that point. No exceptions on that point.

Now, we are a nation of immigrants, but we are also a nation of laws. It is my solemn responsibility to respect the law and ensure that law is upheld. Do it the right way, not the easy way. Take what time is necessary to get it right. We know what works in Congress and what does not work. I think if we look back at health care reform as an example, we know that we did it in too hurried of a way and, consequently, questions about carrying out that legislation now are legitimate points of discussion.

Earlier in the year when a bipartisan group of eight Senators released their framework for reform, I was optimistic that the authors were going to produce legislation that lived up to the promises. In their framework they stated:

> We will ensure that this is a successful permanent reform to our immigration system that will not need to be revisited.

Without a doubt this is a goal we should all strive for. We must find a long-term solution to fixing our broken system. So I was encouraged. The authors, in the framework released to the public before bill language was available, said the bill would ''provide a tough, fair, practical road map to address the status of unauthorized immigrations in the United States contingent upon our success in securing our borders and addressing visa overstays.''

Who can argue with that point? That is exactly what we all believe a piece of legislation should do. At the time this bill was put forward and the framework was put forward, I reserved judgment until I saw the details of their proposal. I thought the framework held hope, but I realized the assurances that the Group of 8 made did not really translate when the bill language emerged. It seems as though the rhetoric was spot on, but the details were dubious.

This is what was professed by the authors: that the borders would be secured and that the people would earn their legal status. That was not what the bill actually did. The bill, as drafted, is legalization first, border secured later, and tracking visa overstays later, if at all.

In 1981, when I was a freshman Senator, I joined the Judiciary Committee and was active in the subcommittee process. We sat down and wrote legislation. We had 150 hours of hearings, 300 witnesses before we marked up a bill in May 1982. Hundreds of more hours and dozens more hearings would take place before the 1986 passage.

This year we had 6 days of hearings. We spent 18 hours and 10 minutes listening to outside witnesses. We had a hearing on the ''needs of women and children,'' another hearing focused on ''building an immigration system worthy of American values.''

The Judiciary Committee received the bipartisan bill at 2:24 a.m on April 17. We held hearings on April 19, 22, and 23. We heard from 26 witnesses in 3 days. We heard from the head of the Immigration and Customs Enforcement agency union. We heard from economists and employers, law enforcement and lawyers, to professors and advocacy groups. We even heard from people who are undocumented, proving that only in America would we allow someone not right with the law to be heard by the American people.

One of the witnesses was Homeland Security Secretary Napolitano. We attempted to learn about how the bill would affect the functions of the executive branch and whether she saw the same flaws many of us were finding. Unfortunately, we have not received responses from Secretary Napolitano to the questions that we raised at her hearing on April 23. We should have the benefit of hearing from the Secretary as to certain questions that were raised about this legislation, particularly when it comes from somebody in the executive branch who has to enforce what is laid before her.

After those hearings the committee was poised to consider the bill through a markup process. Our side of the aisle made it clear that we needed to have an open and transparent process, so we started work on May 9. We held five

all-day sessions where Members were able to raise questions, voice concerns, and offer amendments. Hundreds of amendments were filed. I alone filed 77 amendments. Of those, I offered 37. Of those 37, 12 were accepted, 25 were rejected.

Those on the other side of the aisle will boast that many Republican amendments were adopted in committee. They are somewhat right. However, only 13 of 78 Republican amendments offered were agreed to; 7 of those were from members of the Group of 8. But get this: Of the 62 Democratic amendments proposed, only 1 of those 62 amendments was rejected, and even that one was just narrowly rejected.

Commonsense amendments offering real solutions were repeatedly rejected. Those that were accepted made some necessary improvements. But get this: The core provisions of the bill remain the same coming out of committee as they were introduced into the committee.

I respect the process we had in committee. Chairman LEAHY deserves thanks from all of us on the committee because he promised an open, fair, and transparent process. Quite frankly, it was. It is a good format for what needs to take place on the floor of the Senate if the legislation that is finally voted upon is going to have credibility.

In that committee we had a good discussion and debate on how to improve the bill. It was a productive conversation focused on getting immigration reform right in the long term. Yet I was disappointed that alliances were made to ensure that nothing passed that would make substantial changes or improvements in the bill. Many of those people gave high praise to the amendments being offered but continued to vote against them.

I have often spoke about the 1986 legislation and how that law failed the American people. Now 99 other Senators are probably going to get sick of me reminding them of my presence there in 1986 and saying that we screwed up, because at that time promises were made and those promises were not kept. We said it was a one-time fix, just like the Group of 8 said they have a one-time fix. But that one-time fix did nothing to solve the problem.

In fact, it only made matters worse and encouraged illegality. People came forward for legal status, but many more illegally entered or overstayed their welcome to get the same benefits and chance at citizenship. The 1986 bill was supposed to be a three-legged stool: control undocumented immigration, a legalization program, and reform of legal immigration.

We authorized $422 million to carry out the requirements of the bill and even created a special fund for States to get reimbursed their costs. The 1986 bill included a legalization program for two categories of people: one for individuals who have been present in the United States since 1982, and the second for farm workers who have worked in agriculture for at least 90 days prior to enactment. A total of 2.7 million people were legalized. We also had enforcement in that 1986 legislation.

For the first time ever we made it illegal to knowingly hire or employ someone who was here undocumented. We set penalties to deter the hiring of people here undocumented. We wrote in the bill that ''one essential element of immigration control is an increase in the Border Patrol and other inspection enforcement activities of the Immigration and Nationalization Service in order to prevent and to deter the illegal entry of aliens into the United States and in violation of the terms of their entry.''

Unfortunately, the same principles from 1986 are being discussed today: legalize now, enforce later. But it is clear that philosophy does not work. Proof of that is it did not work in 1986. So proponents of legalization today argue we did not get it right in 1986. How true they are. I agree the enforcement mechanisms in 1986 could have been stronger. There was no commitment to enforcing the law or making sure we protected every mile of our border.

Knowing what I know now, an immigration bill must ensure that we secure the border first. Legalization should only happen when the American people have faith in the system. There needs to be a commitment to enforce the laws on the books, and, as important, there needs to be a legal avenue that allows people to enter and stay legally in the country.

Now, if you want to know how important securing the border is, just come to my townhall meetings in Iowa. So far I have been in 73 of our 99 counties. When immigration comes up and I talk about legislation, there are outbursts that we do not need more laws; why do we not just enforce the laws that are on the books—things such as ''bring the troops home.'' ''Put them down on the border.'' ''Then we won't have a problem.'' Unfortunately, the bill before us repeats our past mistakes and does very little to deliver more than the same promises we made in 1986, which promises turned out to be empty. Instead of looking to the past for guidance on what to do in the future, the bill before us incorporates the mistakes of the past and, in some cases, even weakens the laws we currently have.

Those of us who are complaining, as I have just complained, have a responsibility to put a proposal before this body that will correct those things we think are a repeat of the mistakes of 1986, and we will do this.

To further explain this bill, the bill ensures that the executive branch, not the Congress or the American people through their Congress, has the sole power to control the situation. First, the bill provides hundreds of waivers and broad delegation of authority. Two, the Secretary may define terms as she sees fit. In many cases, the discretion is unreviewable, both by the American people and by other branches of government. Can you believe that? Unreviewable.

The bill undermines Congress's responsibility to legislate, and it weakens our ability to conduct oversight. We should learn a lot of lessons from past legislation. We should be doing more legislating and less delegating. Think of the recent things that have come out that the IRS has too much power.

In health care reform, there are 1,963 delegations of authority to the Secretary to write regulations. You might think you understand a 2,700-page piece of legislation that the President signed 4 years ago, but you aren't going to know what that legislation actually does until those 1,963 regulations are written. I think we are waking up to the fact that we delegated too much and legislated too little. We shouldn't be making that same mistake with this piece of legislation and, as it is written, we are making that mistake.

I wouldn't have such strong resentment about this issue if I knew I could have faith in this administration or any future administration. By the time this thing gets down the road, that is going to be a future administration to actually enforce the law.

Show me the evidence. The President and the administration have curtailed enforcement programs. It claims record deportations, but then what does the President say? He turns around and he says the statistics are—and this is his word—''deceptive.''

The Secretary says the border is more secure than ever before, but she denounced any notion of securing the border before people here who were undocumented were given legal status. The administration implemented the DREAM Act by executive fiat, saying Congress refused to pass a bill so it decided to do something on its accord. It did that 1 year after the President told a group of people he didn't have the authority to do it. They provided no legal justification for the actions and very few answers about how they were implementing the directive.

The refusal of any executive branch of government, whether it is Republican or Democratic, to refuse accountability raises a lot of questions. They refuse to be transparent and forthcoming with Congress on almost every matter.

When this bill was introduced, I had to question whether the promise for border security 10 years down the road would ever be fulfilled. No one disputes that this bill is what I have said already, a bill that legalizes first and enforces later. That is the core problem. That is a core problem from the standpoint of everybody who is going to tell us on this floor and during these weeks of debate that immigration reform is overwhelmingly popular. I am not going to dispute that.

Understand that there are very many things that are caveats in a poll. No. 1

is that we ought to have border security. The core problem is that enforcement comes after legalization, a core problem, and the main reason I could not support it out of the Judiciary Committee. It is the main reason. It is unacceptable to me, and it is unacceptable to the American people.

The sponsors of this bill disagree. If they would read their own legislation, they would realize this fact. Later in the week I will discuss an amendment I plan to offer to change this central flaw, but allow me to tell my colleagues who are not on the committee about this major objection I have.

We have millions of undocumented people in this country. Under this bill, Congress would give the Secretary of Homeland Security 6 months to produce two reports, one on border security strategy and the other on border fencing strategy. As soon as those two documents are sent to the Hill, just as soon as they come up here, the Secretary then has full authority to issue legal status, including work permits and travel documents, to millions of people who apply.

The result is the undocumented population receives what the bill calls registered provisional status after two plans are submitted. Registered provisional immigrant is RPI. RPI status is more than probation. RPI status is outright legalization.

After the Secretary notifies Congress that she believes her plan has been accomplished, newly legalized immigrants are given a path to obtain green cards and a special path to citizenship.

Without ensuring adequate border security or holding employers accountable, the cycle is destined to repeat itself. I used the committee process to attempt to strengthen border security. My amendment to fix the trigger so the Secretary would need to report to Congress on a fast-track system and show that the border was secured to get congressional approval before legalization would proceed was defeated. We used the committee process to try to track who was coming and going from our country. Amendments to require a biometric exit system at all ports of entry, which is current law, were defeated.

We tried to hold employers accountable and stop the magnet for illegal immigration. My amendment to speed up implementation of an employer verification system was defeated.

At the end of the day, the majority argued against securing the border for another decade. The triggers in the bill that kicked off legalization are ineffective and inefficient.

If we pass the bill as is, there will be no pressure on this administration, future administrations, or those in Congress to secure the border. There will be no push by the legalization advocates to get the job done.

This is what is so important about when does legalization take place, before the border is secure or after the border is secure. Once the plans are presented, there will never be any pressure from advocates for legalization, or anybody else who is interested in solving this problem, to push to get the job done.

Moreover, the bill gives Congress the sole discretion over border security, fencing strategy, and implementation of these strategies without any input from Congress.

We have a lot of questions. Will the Secretary, who believes the border is stronger than ever before, be willing to make it even stronger? Will a Secretary who does not believe a biometric exit system is feasible ensure that a mandated system is put in place? Will a Secretary who does not believe anything should stand in the way of legalization ensure the triggers are achieved?

Proponents of the legislation claim it includes the single largest increase in immigration enforcement in American history. Proponents say mandatory electronic employment verification is a solution to future illegal immigration. It is concerning that the bill delays for years the implementation of a mandatory electronic employment verification through which 99.7 percent of all work-eligible employees are confirmed immediately today.

I will speak later in the days ahead about how this bill weakens current law, particularly laws on the books to deter criminal behavior. It concerns me greatly that the bill we are about to consider rolls back many criminal statutes, but also that there is nothing in the bill that enhances the cooperation between the Federal Government and State and local jurisdictions. In fact, it preempts State laws that are trying to enforce Federal laws currently in place.

We have a lot of work cut out for us. I know there are some who don't want to see a single change in this legislation.

For me, this bill falls short of what I want to see in strong immigration reform. The fact is we need real reform, not gimmicks that fail to fix the real problem and secure our border. We need to be fair to millions of people who came here the legal way, not bias the system in favor of those who sneaked in through the back door. We need a bill that truly balances our national security with our economic security.

This is what we can do to improve the bill: I remain optimistic that on the floor we can vote on commonsense amendments that better the bill. Serious consideration will be given to amendments that strengthen our ability to remove criminal gang members, hold perpetrators of fraud and abuse accountable, and prevent the weakening of criminal law. We must seriously consider how the bill works to the detriment of the American workers and find consensus around measures that require employers to regroup and hire from homegrown talent before looking abroad, but also improving the mechanism by which people can come here when they are needed. We must be willing to close loopholes in our asylum system, prevent criminals and evildoers from gaining immigration benefits, and ensure that we are improving our ability to protect the homeland.

I assure my colleagues I have an open mind on this legislation. I want immigration reform. I want to get it right this time, not make the same mistakes I did in 1986. I want a bill I can support. To do that, I need to see a stronger commitment to border security. I need to know future lawbreakers won't be rewarded, and that there will be a deterrent for people who wish to enter or remain illegally in the country.

Basically and simply, I want the words of this bill to match the rhetoric of those proposing the plan. The bill sponsors want a product that can garner around 70 votes in the Senate. Doing so, they seem to think, would send a message to the House that they should rubberstamp a bill that passed the Senate and send that bill to the President. I don't think that is going to happen. The House is prepared to move on its own legislation.

There will be a conference, which is a rare occurrence around here, by the way. A conference of the two Houses will ensure that the bill benefits from various checks and balances that we worship through our Constitution.

I am not trying to jump ahead to the next step of the process, I am simply telling my colleagues this bill has a long way to go through the legislative process. It needs to change before it is accepted by the American people or sent to the President. If they are serious about getting this done, more compromises will be made.

Allow me to end by echoing the words of President Reagan:

> Our objective is only to establish a reasonable, fair, orderly, and secure system of immigration into this country and not to discriminate in any way against particular nations or people. Future generations of Americans will be thankful for our efforts to humanely regain control of our borders and thereby preserve the value of one of the most sacred possessions of our people: American citizenship.

That was President Reagan.

The path we take in the days ahead will shape our country for years to come. It is my hope we can find a solution while learning from our mistakes and ensuring that future generations don't have to revisit this problem down the road.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, our current immigration system is a travesty. It is inefficient, uncompassionate, and dangerous. It doesn't serve America's economic or social interests, and it undermines respect for the rule of law and for our Democratic institutions.

Fundamental reform is both badly needed and long overdue. That is why I

support immigration reform, and it is also why I initially joined a bipartisan group of Senators to try to find common ground on this issue. But it is also why I left that group and why today I must oppose the so-called Gang of 8 immigration bill.

At the outset of this debate, the gang promised a grand immigration bargain: strict border security in exchange for a pathway to citizenship for approximately 11 million illegal immigrants already here. Even before the bill was introduced, gang members distributed talking points that lauded the bill's beefed-up security provisions, new visa reforms, and measures that would make the pathway to citizenship long and tough.

But once the gang produced actual legislation, and Senators, the media, and members of the public began to read the bill, it was clear the talking points did not reflect the reality of the legislation itself. After pointing out glaring discrepancies between claims about the bill and the actual text, Senators were told they would have an opportunity to make changes during the markup in the Judiciary Committee.

But the four gang members on the committee banded together as a block with Democrats to defeat virtually all substantive amendments proposed to the bill. Congressional approval of the border security plan? No. Improve interior enforcement and strengthen workplace verification? Rejected. Manage the flow of new legal immigrants? Failed. Limit access to some of America's most generous welfare programs? Blocked.

As a result, the bill that will come to the Senate floor this week is essentially the same huge, complex, unpredictable, expensive, and special interest-driven, big government boondoggle it was when it first came to the committee.

The bill does not secure the border, it doesn't build a fence, and it doesn't create a workable biometric entry-exit system for immigrants to this country. What standards and benchmarks it does set, the bill simultaneously grants the Secretary of Homeland Security broad discretion to waive. It will, however, immediately legalize millions of currently illegal immigrants, make them eligible for government services, and put them on a pathway to citizenship.

Many critics compare the gang bill to the failed 1986 immigration law, which, similar to this one, also promised border security in exchange for amnesty but did not deliver on its promises. But the gang bill actually reminds me of a more recent piece of legislation: ObamaCare. Similar to the President's health care law, the gang bill was negotiated in secret by insiders and special interests who then essentially offered it to Congress as a single take-it-or-leave-it proposition.

The bill grants broad new powers to the same executive branch that is mired in scandal for incompetence and abuse of power. Total cost estimates are in the trillions, according to some. Rather than fix our current immigration problems, the bill makes many of them worse. However well-intentioned, the Gang of 8 bill is just an immigration version of ObamaCare.

That is why true immigration reform must be pursued on a step-by-step basis, with individual reform measures implemented and verified in the proper sequence. Happily for immigration reformers such as I, this appears to be the approach being pursued in the House of Representatives. It is the only one that makes sense.

First, let's secure the border. Let us set up a workable entry-exit system and create a reliable employment verification system, one that protects immigrants, citizens and businesses alike from bureaucratic mistakes. Then let's fix our legal immigration system to make sure we are letting in the immigrants our economy needs in the numbers that make sense for our country.

Once these and other tasks—which are plenty big in and of themselves—are completed to the satisfaction of the American people, then we can address the needs of current undocumented workers with justice, compassion, and sensitivity.

Since the beginning of this year, more than 40 immigration-related bills have been introduced in Congress between the House and the Senate. By a rough count, I could support more than half of them, eight of which have Republican and Democratic cosponsors. We should not risk forward progress on these other bipartisan reforms just because we are unable to iron out each of the more contentious issues.

The Gang of 8 bill is not immigration reform. It is big government dysfunction. It is an immigration version of ObamaCare. All advocates of true immigration reform, advocates on both the left and the right side of the aisle, should therefore oppose it.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DURBIN. Mr. President, this week we begin a historic debate. For the first time in 25 years we will actively debate the comprehensive reform of America's immigration laws.

I will be the first to admit that I come to this debate with a prejudice, with a bias. Similar to many Americans, I am the child of an immigrant.

In 1911, 102 years ago, my grandmother came to this country with three little children. One of those children was my mother. She was 2 years old when she arrived in America, in Baltimore. My grandmother didn't speak a word of English, but somehow she managed to get my mom and my aunt and uncle on the Baltimore and Ohio Railroad train to St. Louis, MO. They were on their way to East St. Louis, IL, to meet my grandfather.

Just one floor and a few steps away is my desk for the majority whip office. Behind my desk is a naturalization certificate from my mother. I keep it as a reminder of who I am and where I came from and the fact that the Durbin family—and in her case the Kutkaite family—were immigrants to this country. I am sure my grandmother never imagined that one of her grandchildren would be standing here today representing the State of Illinois in the Senate of the United States. That is my story, that is my family's story, and it is America's story.

Perhaps it is partly because of this family history, but I believe immigration is the defining positive force in America.

How can you tell when a country is in decline, when immigrants stop wanting to come to it. Many other developed countries have had this experience. They have watched their economies decline and fail. That has never been the experience in America. Look at our history. Every generation, immigrants coming to our shores from around the world have made us stronger. Immigrants do not take away. They add to society. They are hard-working men and women with the courage to leave everything behind and to come and try to build a new and better life for themselves and their children. Every succeeding wave of immigrants, every generation of immigrants brings new life to America.

But today our immigration system is broken and doesn't reflect our heritage as a nation of immigrants. There are millions of undocumented immigrants in our country who want to be full-fledged Americans. They have strong family values. They contribute to our economy and take some of the hardest jobs in our Nation. But under current law there is no way for many of them to even get in line to be legalized. We can't turn our backs on the people who are already in this Nation, already yearning to be officially part of the American family.

They sit next to us in church. Their kids go to school with our kids and grandkids. They are the ones who serve our food at the restaurants and clean up the tables afterward. They clean our homes. They care for our kids and grandkids and they care for our elderly parents and grandparents.

When I first came to the Senate in 1997, I got a surprise phone call from Ted Kennedy. I was still pinching myself, thinking I am going to serve in the same place as Ted Kennedy. He said: I have a request for you, Dick. I would like you to be a member of my Immigration Subcommittee on Senate Judiciary. He was the chairman. I accepted his invitation.

I had sat in that gallery and watched Senator Ted Kennedy and Senator

Bobby Kennedy on the floor of the Senate. I was just a student at the time. I thought, I am going to have a chance now to sit in the same committee room with this man and speak to the issue of immigration. I didn't think 16 years later I would be standing on the floor of the Senate, with Senator Kennedy gone, and we would still be struggling to fix America's broken immigration system. We have been through a lot in that period of time.

Twelve years ago I wrote a bill called the DREAM Act. That bill would allow immigrant students who came to the United States as children to earn their citizenship by attending college or serving in the military. I have been fighting to make that the law of the land. I have called it for a vote on the Senate floor. We have received majority votes, but I could never ever break the filibuster. I could never get the 60 votes I needed.

In the last decade, with the leadership of Senator Ted Kennedy and Senator JOHN MCCAIN, we have made serious efforts to pass comprehensive immigration reform legislation, but we have always fallen short.

Prior to this particular debate, I can recall sitting in a room right off the Senate floor with another young Senator named Barack Obama working on immigration reform. It has been our challenge. Now the Senate is going to take up this issue again this week. This is the best chance we have had in 25 years to finally get this job done.

Six months ago I sat down for the first time with seven other Senators, four Republicans and three other Democrats. On my side of the table: CHUCK SCHUMER of New York, chairman of the Immigration Subcommittee; Senator BOB MENENDEZ, a leader with the Congressional Hispanic Caucus; and Senator MICHAEL BENNET of Colorado, who knows this issue firsthand from his State; on the other side of the table, JOHN MCCAIN; Senator MARCO RUBIO of Florida; Senator LINDSEY GRAHAM of South Carolina; and JEFF FLAKE of Arizona. They started calling us the Gang of 8. I have been in so many gangs around here, I think I need to get some tattoos, but I am not likely to do that. But these gangs are constructive efforts to solve problems.

This is a diverse group. Think about sitting across the table from MCCAIN, RUBIO, GRAHAM, and FLAKE. There sits SCHUMER, DURBIN, MENENDEZ, and BENNET—a lot of differences. But what brought us together was the realization that if we couldn't reach an agreement, neither would the Senate. If we couldn't bridge the differences between Democrats and Republicans, conservatives and others in our negotiations, the Senate never would.

We set out to get the job done. Several times I wasn't sure if we were going to be successful.

The Republicans had a bottom line. They wanted strong measures to secure our border with Mexico and to prevent future illegal immigration. We had a bottom line on our side of the table, too: a tough but fair path to citizenship offered to 11 million undocumented immigrants. We met for 4 months. We met 24 times, long and difficult sessions. A couple of those sessions I thought were the last ones, we would not be back another day, but we returned. We made concessions. Everybody gave a little. At the end of the day we reached an agreement.

We announced in January our set of principles and then we started the hardest part, drafting the actual legislation. By the middle of April we finally had a bill almost 850 pages, if I am not mistaken. It is here now. I probably ought to take a look and make sure I got the page numbers correct. This version is a lot longer because it is the committee substitute, but it is more than 850 pages.

We heard testimony in the Senate Judiciary Committee from dozens of witnesses, supporters, and opponents. Then in May we sat down for a markup, which is where we actually amend the bill. I have been a member of the Judiciary Committee for 15 years and I have never been through a markup like that. Senator PAT LEAHY of Vermont, President pro tempore of the Senate, chairman of the Senate Judiciary Committee, pledged he would make this markup open and fair to both sides—and he did. It took us 3 weeks. We met 5 times for a total of 37 hours on this bill. More than 300 amendments were offered. We debated and voted on 212 of them, including 112 by Republicans and 100 by Democrats. Mr. President, 136 amendments, or changes, were adopted and all but 3 of those 136 passed with a bipartisan vote. The spirit of bipartisanship was in the Senate Judiciary Committee as it was in our meetings leading up to it.

Finally came the vote for reporting the bill out of committee. It was one of those historic moments which no Senator present will ever forget. When Chairman LEAHY announced the 13-to-5 vote in favor of this measure, the room erupted in applause and cheers. People stood up at their seats and came up and embraced one another, realizing we had just made history.

Let me go through the basics of the bill. First, our bill will secure the border and stop future illegal immigration. The border of the United States today is safer and stronger than it has ever been in 40 years. We have invested billions of dollars. We have doubled the number of Federal personnel working on the border, monitoring the coming and going of people across that border every single day. We have reached a level of competence and security we never dreamed of. Now we are going to do more. We have promised the Republicans at the table we will secure that border with even more technology and more investment.

Each year we spend about $18 billion policing the border between the United States and Mexico—$18 billion. That is more than the combined expenditures for all of the Federal law enforcement agencies—FBI, Secret Service, Drug Enforcement Administration, Alcohol, Tobacco, Firearms, and U.S. Marshals Office. We spend more than that each year on the border and now we will invest even more.

For those who argue we are not serious about border protection, believe me, we are. The investments will be made with the very best technology, with the advice and cooperation of the States affected by these decisions, to make that border as safe as humanly possible. We have made amazing progress.

We can do more. The Border Patrol agents, over 20,000 of them at work today, are better staffed than at any time in the 88-year history of that agency. The Department of Homeland Security has completed 651 miles of border fencing out of the 652 miles mandated by Congress. I was a skeptic when they said they would put fences on the border. I really was. My belief was if you build a 10-foot fence it was an invitation for a 12-foot ladder, and my belief was they could easily overcome it. They put fences in places where they could work and they put other devices in places where fences won't work. Significant results have been shown. Cities on the southern border are among the safest in the country. Violent crimes in the border States have dropped an average of over 40 percent over the past 20 years and the top 4 big cities in America with the lowest rates of violent crime are all in border States: San Diego, Phoenix, El Paso, Austin.

Our bill will do more. We set a clear, tough target for border security. The bill requires the Border Patrol to have 100-percent persistent surveillance of the southwest border. In other words, the Border Patrol will have to be able to see in real time every single person who crosses that southwest border illegally. We also required a 90-percent effectiveness rate for southwest border sectors. In other words, the Border Patrol will have to stop 90 percent of all people who attempt to enter the country illegally in each border sector. It requires the Department of Homeland Security to create a southern border security plan and a southern border fencing strategy within 6 months after the bill is passed. The border security plan will spell out the personnel, infrastructure, and technology necessary to achieve this 90-percent effectiveness rate.

The bill approves $3 billion for this border plan, $1.5 billion more for a fencing strategy. If the Department of Homeland Security does not reach 90 percent effectiveness within 5 years, the Border Commission, made up of southwestern State officials and bipartisan Presidential and congressional appointees, is empowered to employ additional steps to secure the border. Our bill appropriates up to $2 billion in additional spending, if necessary, for those measures. Anyone who takes a

look at this—and you will hear many of the critics in the next few weeks say ''they are just not serious about the border''—believe me, we are. We have been. We continue to be. We put the resources on the table, with the cooperation of the States bordering Mexico, to make sure we have done absolutely everything within our human capability to keep that border safe and strong and secure.

Of course, improving border security overlooks one very obvious weakness: Forty percent of the undocumented immigrants in the United States did not cross the border illegally. They came into the United States legally on visas: students, visitors. Similar visas were given to them and they overstayed. They were supposed to come to go to college and they stayed after college. They were supposed to come for a vacation or family event and they overstayed their visas, so 40 percent of the undocumented people overstayed their visas. We address that.

This bill requires the electronic tracking of people who enter and exit America. We require, in this bill, that all visas, passports, and other travel documents for immigrants who are entering or exiting the United States be in the form of a machine-readable document which can be scanned as they enter and leave the country so we will know who is coming and going. The bill mandates this machine-readable system be interoperable with the databases that are used by Federal immigration and law enforcement agencies and the intelligence community. We are trying to integrate all of this information about people coming and going and living in this country, to make us safer and make the system work.

This gives the authorities real-time access to information to connect the dots across law enforcement data bases, including the FBI fingerprint check, name check, and the NCIC list. The new machine-readable entry-exit system will access this information when determining whether to issue a visa or deny entry.

I say to those observing this debate, when you hear just the two things I have mentioned, you have to say this bill, S. 744, is going to make America safer. The border is going to be stronger. We are going to know who is coming and going in America.

And there is more. We also need to address the job magnet that brings illegal, undocumented people into the United States. We need to make it more difficult to hire undocumented people. Our bill does it. We require all employers to use a mandatory electronic employment verification system to verify the employees are legal. Job applicants would have to show identifying documents such as a U.S. passport, drivers license, or biometric work authorization card that includes photo identification. The employer in any business, in any town across America, with access to a computer goes to the E-Verify system, enters the vital information about the person sitting across the table, pushes the button and waits to see if the photo that comes across the computer screen is the same photo as the one that has been presented. There is the verification. The employment can continue to go forward.

Our bill will reform our legal immigration system to strengthen our economy, our families, and our workers. We need to ensure that families who have been separated for many years can be finally reunited. Employers should be given a chance to hire an immigrant worker when truly needed, but first—and I insisted on this throughout—we require that you have to offer the job to an American before you bring in a foreign worker.

Our first obligation, whatever State we represent, is to the people we represent, particularly those who are out of work. This bill requires when there is a job opening, before you can offer it to a foreign worker you must offer it to an American. Maybe they cannot fill the job. Maybe they do not have the qualifications. Maybe you need some specialty. Then you can go forward under specific conditions here, with limitations, in hiring that foreign worker.

We have been told by the business community, especially high tech, that there is a need for more high-skilled workers in our country. Last week I went to the Illinois Institute of Technology in Chicago. There was an incubator there. In small suites of offices, amazing things are underway. Some of them I cannot even explain to you. I am a liberal arts lawyer, OK? The closest I ever got to real science was political science and that doesn't count. I tried to listen and absorb as much as I could about what they were doing at this fabulous institution. Some of the things they are doing there are dramatically reducing the cost of producing biological vaccines and medicines—medicines that are used, for example, in cancer therapy—to cut the cost in half. They have been experimenting on new ways to do that.

I met a young man named Bo Sung, from China. The man who was introducing us was from India himself and he was the head of the project. He said: ''This young man came to the Illinois Institute of Technology, and to Chicago, to get an advanced degree. He is possibly,'' he said, ''the smartest student I have ever had in any class—straight As in China, learned English and came here to learn more.'' He is working on this project. I got to meet him. He was kind of shy, friendly, in a way, standing off to the side. They brought him over.

I said to him: Let me ask you, Mr. Sung, would you be interested in staying in the United States and developing this project?

He said: If I could, I would.

Here was a man, brought for education in the United States, who will soon be given a choice to go back to China or to stay in the United States. His preference was to stay here. We require in this bill that if you have an advanced degree in STEM subjects—science, technology, engineering, and math—an advanced degree, and you have a job offer, that you be offered a green card. A green card is a path to legalization and citizenship. I think that is a smart thing to do.

I can recall attending the graduation at the same school a few years back where it seemed every advanced degree was going to someone from India or South Asia. I thought to myself: What a sad situation. We are handing them advanced degrees, which they earned in the United States at the best schools, and we are handing them a map on how to find their way back to O'Hare and leave.

This is a better approach. If there is a job offer, we need to keep this talent in America. It will not just employ that person, it will employ many others who can work for the companies they are going to help. Employers, under our bill, will be given a chance to hire temporary foreign workers when they truly need them, after they have tried to recruit Americans for the same jobs. We also require that any employer who hires a foreign worker must pay a fee to be set aside for a fund to help train Americans.

Let's put the cards on the table here. If you go to the graduation ceremonies at these schools, the best engineering schools in America, you will find a majority of foreign students. That is the reality today. So let's change the reality. Let's take the fees we will collect when these foreign workers, trained in the United States, are brought here to work—take the fees and create, as we do in this bill, scholarships and college funds for American engineering students. Let's grow our own in this country. Let's make sure we have young people coming out of our high schools and colleges who are prepared to get advanced degrees who are from America. There is nothing wrong with that. That is our first obligation, and this bill will do that.

In Illinois, more than 40 percent of the students who earned master's or doctoral degrees in a STEM field are temporary nonimmigrants.

In 2011, almost 2,700 specialists in advanced fields such as computer science, programming, and biomedicine who earned degrees in Illinois could not obtain visas upon their graduation. Yet in Illinois alone we will need 320,000 STEM graduates in the next 5 years.

It makes no sense. They are trained at the best schools in Illinois, we need them in Illinois, and then we tell them to leave?

It makes no sense.

Our bill allows employers to sponsor for a green card any student who graduates from a U.S. school with an advanced degree in STEM fields if they will be working in a STEM job. We also have a significant increase in H–1B visas for skilled workers. We now have a limit of about 65,000 H–1B visas a

year. It can go up to 115,000, depending on the supply and demand, and even as high as 180,000.

For the first time employers will be required to post the job on the Department of Labor Web site for 30 days before they hire a foreign worker, which goes back to the point I made earlier—first, the job is offered to an American.

Under current law, employers are permitted to pay H–1B visa holders substandard wages. We changed it. We raised the wages to be paid to the H–1B workers. We don't want to create the incentive to bring in low-wage foreign workers. We want a good wage to be offered to an American first.

We also take important steps to crack down on the biggest abuse of H–1B visas—outsourcing of American jobs. When most people think of H–1B visas, which are visas to bring in professionals, most people think of high-tech companies such as Microsoft and Google hiring engineers they need and paying them top dollar. The reality today is dramatically different.

In fiscal year 2012 all of the top 10 H–1B visa applicants were outsourcing foreign firms. These 10 companies used 40 percent of all the H–1B visas. Under current law employers can legally use the H–1B visa program for outsourcing. We changed it. We phased out the abuse of the H–1B system so that those using the H–1B program will be actually hiring the employees they need.

One of the items in this bill near and dear to all of us—certainly on our side of the table—is a path to citizenship.

During the last Presidential campaign one of the candidates on the other side advocated what he called self-deportation—that is the phrase he used—of undocumented immigrants who are currently living in our country, to leave. He was basically forcing undocumented people to leave.

It wouldn't work, it is impractical, and I think it is fundamentally wrong. Instead, we need a fair and firm solution strengthening our national security and our economy that is true to our heritage as a nation of immigrants. Our legislation creates a tough but fair path to citizenship.

What it boils down to is we need to say to the 11 million undocumented people in America: If you can prove you were here continuously before December 31, 2011, you have a chance to step forward, register with the government, and submit yourself to a background check. If there is a serious problem with your criminal background, you are finished. Leave. You cannot become a citizen. But if there is not, you can pay your taxes, pay a fine, live legally in America, work legally in America, travel, and come back into this country, and work towards citizenship over time.

It is a long process. They will be monitored. They will be forced to learn English to make sure they and their children can be part of America and its future. We would do this over a 13-year period of time. What we have today is de facto amnesty. We have 11 million undocumented people, and we don't have a law to apply—at least not one that is enforced on a regular basis. Our new law, if passed, will create a level playing field.

According to the Center for American Progress, if our bill becomes law, undocumented immigrants will increase their earnings by 15 percent over 5 years, leading to $832 billion in economic growth and $109 billion in tax revenue over the next 10 years. It also will create an estimated 121,000 jobs.

I have sat down with workers, particularly union workers, in my State. They say: Senator, what are you doing to us? You are bringing in all of these people who will now be competing with us in the workplace.

I asked them to stop for a moment and reflect on the following: These undocumented workers are competing with them today. We can find a brick layer, a plumber, somebody who can put on a roof in virtually any major city in America, and many of those folks are undocumented. In many cases they are getting paid many times less than a minimum wage, and they are competing with other workers legally here in America. We change all of that. They come forward, identify themselves, and they are bound by the laws of this country. It is going to help them ultimately, but it helps workers in general so they are not facing this unfair competitive advantage.

I see Senator CORNYN is here, and I want to give him a chance to say a few words. But first I want to close by speaking about two things before I do.

At the beginning I mentioned that 12 years ago I introduced the DREAM Act. The DREAM Act was a response to a call to my office in Chicago. There was a young girl in the city of Chicago who came to that city from Korea through Brazil. Her mother and father brought her into Chicago with her brother and sister, and they were very poor.

Her father wanted to be a minister and have a church. He never realized that dream, and he stayed at home and prayed for that dream every day. Her mother finally said: Somebody has to earn some money. So she went to work at a local dry cleaners.

Well, the kids were raised in a one-room efficiency with hammocks so they could sleep, get by with what little they had, and it was a pretty desperate circumstance. This young woman, whose name is Tereza Lee, had to basically go to school and look through the wastebasket after lunch to find food that other kids had thrown away so she could eat. That is how desperate she was.

Somewhere along the way she was invited to become part of the Merit Music Program. What a wonderful program. About 10 years ago a woman in Chicago said: As my legacy, I want to create the Merit Music Program which offers free musical instruments and musical instruction to the poorest students in our public schools. It has worked miracles. One hundred percent of the kids in the Merit Music Program go to college. Well, Tereza Lee was one of them.

It turned out Tereza Lee was an accomplished music student who learned the piano. They finally gave her a key to the Merit Music Program building because it was warm, and she liked to stay there late at night and play the piano. She got so good they said: You have to apply to the Juilliard School of Music and the Manhattan School of Music in New York.

She got the papers——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. Mr. President, I ask for 4 additional minutes.

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

Mr. DURBIN. She had the application to fill out, and it asked for her citizenship and nationality. At that point, she turned to her mom and said: What should I put there?

Her mom said: I don't know. When we brought you here, you were on a visitor's visa, but we never filed any more papers.

Tereza said: What are we going to do?

Her mom said: Let's call Senator DURBIN.

They called my office, and we checked the law. The law was not very kind to a young person in that circumstance. It said she had to leave America immediately and stay away for 10 years and apply to come back.

She was 17 years old. It didn't make any sense. She didn't do anything wrong. She was brought here as a baby.

I introduced the DREAM Act. The DREAM Act said young people who came to the United States under the same circumstance as Tereza and were brought here before the age of 16, finished high school, had no serious criminal issues, and could finish at least 2 years of college or enlist in the military would have a chance for citizenship. I have been trying to pass that ever since.

These DREAMers, which they now call themselves, have started stepping forward and telling their stories. They are in some peril when they do this, but they want America to know who they are. Some of them have amazing stories to tell.

I will tell two stories very quickly. This is Alejandro Morales. He was brought to the United States from Mexico at the age of 7 months and raised in Chicago. His dream was to become a U.S. marine. He enrolled in the Marine Math and Science Academy in Chicago and excelled in school in the Young Marines Program. He eventually rose to become the City Corps staff commander, the highest ranking cadet of 11,000 junior ROTC students in Chicago.

In a letter he wrote to me he said:

> I want to serve and fight to protect my country. I am an American; I know nothing but the United States.

Last week, in a sad, tragic, mean-spirited vote, the House of Representatives passed an amendment to deport DREAMers such as Alejandro. It is a shameless display of lack of understanding of this fine young man and thousands more just like him who want to be a part of America's future. Losing him will not make us any stronger.

Let me introduce another DREAMer. This is Issac Carbajal and his mother Victoria. Issac was brought to the United States from Mexico when he was 5 years old. They settled in the suburb of Portland, OR, and he went to high school there. A military recruiter told Issac he could have a promising career in the Armed Forces.

He sought the advice of a family friend, Dr. John Braddock. John and his wife Kim came to think of Issac as another son. Issac met the Braddock family shortly after arriving in this country.

In a letter to me John wrote that Issac ''loved this country, his country.'' They both believed the recruiter who told Issac he could enlist in the military and apply for citizenship in 2 years.

In January 2011 when Issac went to San Diego to enlist in the military, he was immediately arrested, turned over to ICE, and deported to Tijuana the next day. He was dropped off alone in a country he had not seen in almost 15 years with no identification and nothing but $18 in his pocket.

Now he is barred from returning to the United States for 10 years. He originally went to enlist in the military. Although it has been almost 2½ years since he has been deported, he still wants to come back and serve in the Armed Forces of the United States.

There are so many stories just like this of these DREAMers who want to make this a better Nation. The strongest DREAM Act provisions that have ever been crafted are included in this bill and agreed to on a bipartisan basis.

Let's pass this bill. Let's end this debate after a fulsome exchange of ideas and amendments. Let's end this debate with a strong bipartisan vote that says both Republicans and Democrats understand that this Nation of immigrants must renew its commitment to every generation to our heritage. We need to renew our commitment to those people in our families who had the courage to get up and come to this great Nation, face great sacrifice, and succeed and build what we call home: the United States of America.

Now it is our turn. Let's not only prove we can do the right thing for them and the heritage of this Nation, let's prove that every once in a while this great institution of the Senate can actually get some important work done.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Mr. President, we have been working on immigration reform ever since I came to the Senate about 10 years ago. I have sponsored legislation—most notably with the former Senator Jon Kyl in 2005—called the Comprehensive Border Security and Immigration Reform Act.

The legislation I have worked on since I have been in the Senate has dealt with virtually every aspect of the issues that immigration touches on—from high-skilled visas and guest worker programs to border security to enhancement of our ports of entry. The staffing at those ports of entry is important. It makes it possible for legitimate commerce and trade to go back and forth, most notably, with Mexico which shares 1,200 miles of common border with my State of Texas.

As a result of that bilateral exchange, 6 million jobs are created in the United States alone. I believe I have been involved in some of the toughest parts of the immigration debate, and as I have joked to my staff and family, I have the scars to prove it.

The truth is this is a new topic in many ways to so many Members of the Senate because 43 Senators have come to this Chamber since the last time we debated this topic in 2007. While the Senate Judiciary Committee has had the opportunity to vote on this important legislation, the rest of the body has not had a chance to weigh in and offer their contributions, hopefully, with an eye toward improving the bill and making it something of which we can be proud.

When I first read the bill produced by the so-called Gang of 8, I saw many improvements in our current broken immigration system. For example, the bill, as written by the Gang of 8 and now passed out of the Judiciary Committee, allowed more STEM graduates; that is, graduates from our colleges and universities with math, science, and engineering degrees, to gain admission to our country as legal permanent residents and eventually citizens. Further, I think the bill makes some improvements in terms of family unification. It brings families together who are split because of archaic and unworkable provisions in our immigration law. I think the bill also helps take an important step toward regaining the public's confidence.

The Federal Government is actually up to writing laws that can be enforced and will actually work as advertised. That is where the E-Verify provisions are so important. It makes sure employers only hire people who are legally eligible to work in this country. In that same vein, this bill as originally written would provide some enhanced penalties to employers who would game the system by evading legal workers and hiring people who cannot legally work in the United States.

All of these provisions enjoy broad bipartisan support. Yet, coming from a border State, as I said—one that shares 1,200 miles of common border with Mexico, through which the overwhelming majority of illegal immigration across our borders occurs—I believe there are dramatic improvements needed in this bill when it comes to securing America's borders and promoting public safety, and those cannot be disentangled from one another.

We know that the same border that allows somebody who wants to come into this country to work and have a better life—certainly something we can all understand and empathize with—also permits drug cartels and human traffickers to penetrate our borders and apply their dangerous trade.

We have also learned over time that our 2,000-mile southern border is very diverse. In other words, if a person is from California and their view is that the border of the San Diego area where they have double-fencing and mounted patrols, in essence, by the Border Patrol—that may well work to control the border in San Diego, but it may not work in Arizona or in Texas. As a matter of fact, we have seen dramatic improvements in Arizona. Two of the Members of the Gang of 8, Senator MCCAIN and Senator FLAKE, have been very diligent in working on those issues in their State.

However, I must tell my colleagues that, coming from the State of Texas, where we have the longest extension of uncontrolled border in the country, there is a lot of work that needs to be done because of this diversity, and that is the spirit in which I intend to offer amendments to help improve border security and public safety.

Now, the bill grants permanent legal status to millions of undocumented immigrants as currently written without any guarantee of securing the border. How would that possibly be a good idea? In other words, there are many Americans who, in their humanity and out of simple human compassion, understand that the 12 million or 11 million people who are currently undocumented or who are in illegal status in this country—they understand we are not going to do a massive deportation of those 12 million people. It is just not going to happen. What they would be willing to do is to accept a legal status for those individuals if they can be assured the immigration bill that is actually passed will work as advertised.

Those eligible for immediate legalization under the current bill would include those already deported immigrants as well as people who have been convicted of serious crimes such as domestic violence, child abuse, and drunk driving. How could that possibly be a good idea? We need to fix those provisions and fix the bill in the process.

Meanwhile, unfortunately, this bill also weakens current law with regard to people entering the country legally but failing to leave when their visa expires. This is the so-called biometric entry-exit system which has been the law of the land since 1996. When we wonder why people are skeptical about the Federal Government's commitment to actually enforce the law as written, exhibit A is this 1996 requirement for a

biometric entry-exit system that has never been implemented. Visa overstays account for 40 percent of illegal immigration. Don't we want to fix that provision of the bill? Yes, we should, and, yes, we will if my amendment is adopted.

This bill also hides from law enforcement officials certain critical information necessary to detect fraud. One of the big problems with the 1986 amnesty that Ronald Reagan signed based on the premise that there would be enforcement and no need to ever provide another amnesty again, that this would actually be enforced, was that there was so much fraud associated with it because of the confidentiality requirements of the law. Those same mistakes have been repeated in the underlying bill, and that needs to be fixed.

My amendment—something we call the RESULTS amendment because we need not just new promises, we need actual results—fixes these problems.

First, it requires the Department of Homeland Security to gain complete situational awareness and full operational control of the Southwestern border, with ''operational control'' defined as at least a 90-percent apprehension rate of illegal border crossers. Ultimately, the goal needs to be not just focused on how many we apprehend but on deterrence. Law enforcement generally operates when people are deterred from violating the law because they fear being captured and the punishment that goes along with it. So that ultimately needs to be our goal, but it will never happen unless we capture at least 90 percent of the people who come across, thus sending the message that the American border is now secure.

My amendment would also require the use of a biometric exit system at all airports and seaports where Customs and Border Protection is currently deployed, and it requires national implementation of E-Verify. Again, that system will allow employers not to be the police but to have a simple and easy way to verify that the individuals who present themselves for employment at their place of business are legally qualified to work in the United States.

The biggest difference between my amendment and the underlying bill is that my amendment guarantees results, while the Gang of 8 proposal merely promises results.

I have to tell my colleagues that perhaps with all of the confluence of scandals occurring in Washington, DC, including the IRS debacle and the Health and Human Services Secretary shaking down and raising money from the very people she regulates, there is a lot of what I would call a confidence deficit in Washington, DC—particularly given Washington's abysmal record in enforcing our immigration laws. But it is important to distinguish between promises and results.

Remember, the Federal Government has promised to secure our border for the last quarter century, and the trail of broken promises, as I said, goes back to 1986 when Congress passed an amnesty program while assuring voters they would see results on border security and enforcement. As everyone knows, we got the amnesty but not the enforcement in 1986, and the underlying bill suffers the same problems. At the very least, we should try to learn from history and not repeat it. Unfortunately, the underlying bill fails to acknowledge those lessons we should have learned about steps we need to take in order to guarantee results rather than make repetitive promises we ultimately don't keep.

I understand why the American people don't trust Washington. I understand why they dismiss some border security promises as rhetoric. That is why my RESULTS amendment is so important and essential to accomplishing the goal of bipartisan immigration reform.

As I said, right now Congress and Washington have a major credibility problem. No one believes we are actually serious about actually securing the borders and stopping the hemorrhaging of humanity across our southern border into the United States, including not just people who want to work but people who are up to no good—the human traffickers and the drug dealers. I am afraid the Gang of 8 bill in its current form would make this problem worse. So I believe the true poison pill would be the failure to take sensible measures by adopting amendments such as mine which are designed to actually solve the problem and guarantee results rather than ignore this important credibility gap Washington has.

As I said, we do not need promises, we need results, and that is what my amendment would provide. Instead of enacting so-called triggers that are just really talking points disguised as policy, it is time for us to adopt real triggers that condition the pathway to citizenship on Washington and the bureaucracy and Congress hand-in-hand working to make sure the law is enforced as written.

The majority leader reportedly, according to Politico, has somehow called my amendment a poison pill. We have heard that kind of language before. This is an effort designed to discourage those who would actually create a workable, results-driven immigration reform system from even offering their ideas. The irony is the majority leader hasn't even read my amendment because it hasn't been reduced to legislative language yet. He has prematurely called it a poison pill. In fact, the true poison pill would be failure to adopt such a sensible approach that would guarantee results so that when it goes to the House, we can see we are actually serious about delivering an immigration reform bill that functions as advertised and not just another series of hollow promises.

Strengthening border security and enhancing interior enforcement are not alternatives to fixing our broken immigration system; they are complements to the kinds of sensible reforms Members of both parties have endorsed. Indeed, the provisions of my amendment actually build on the framework created by the bipartisan Gang of 8 proposal. The difference is, again, that we don't just make the promises, we don't just require the issuance of a plan, we actually require metrics to measure success, and we hold the feet of Congress and the bureaucracy to the fire to make sure those metrics and those goals are actually achieved.

Even as we debate the most controversial issues, we should be doing everything possible to promote the type of legal immigration that benefits our society and our economy as well. It is with that spirit in mind that I will be introducing at a later time my RESULTS amendment, and I encourage my colleagues to take a look at it and join me in strengthening this underlying bill, making it more likely, not less likely, that we will actually pass a bill that will be taken up by the House of Representatives and eventually be presented to the President for his signature.

Madam President, I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Alabama.

Mr. SESSIONS. Madam President, I wish to express my appreciation to the Senator from Texas. He is a superb member of the Judiciary Committee. He offered an amendment to this effect in the committee. I thought it should have passed. It would have helped with a flawed bill. But it was voted down. I know that he is working even harder now, and I know that whatever he proposes will be the kind of legislation that will strengthen this bill.

I share with the American people a deep frustration with the current failed operation of our immigration system and share some fundamental principles of immigration reform that have been expressed by the Gang of 8.

The Gang of 8 has said the current system is broken. I agree. But more accurately, we should say the current law and procedures are not being properly carried out and are resulting in monumental illegality in our country—something that is not worthy of a great nation.

The Gang of 8 says that we must toughen our approach to border security and that we can do better. They implicitly, even openly acknowledge that our government officials have a long history of failed border enforcement and that they cannot be reasonably trusted to enforce the law. So even when the American people plead with our government to do something about the illegality, for decades this government has failed to do so.

I agree that the gang has touched on something important. But the gang acknowledges, in effect, the governing class and the activists and special interests want amnesty, and these groups lack interest in or a will to sustain a

policy of fair enforcement in the future. They say we have to guard against that, but that is what happened before. They acknowledge that. And I agree.

To ensure that amnesty does not take effect immediately, with only promised enforcement in the future—which never occurs, it seems, as happened in the 1986 amnesty bill—they have promised that they have triggers that ensure amnesty will not result unless enforcement occurs. That is the promise: We have triggers and we have mechanisms so that you cannot get amnesty unless enforcement occurs. We have a guarantee of that, and we will ensure that happens.

So I agree with the sentiment and this concern because we know what has been happening. I have been engaged in this debate since I have been in the Senate, but I do not agree their legislation comes close to fulfilling this promise. It just does not. That is the rub. The comprehensive immigration bill does not fix our failing system. The provisions, the faux triggers, the expression of interest in fencing, commissions, will work no better than current law. It will not end the illegality in the future.

So I will discuss some of the flaws in their plan today, but I want to make one thing clear. I think most Americans believe in immigration. I know they do. Most Americans are concerned about people who have been here a very long time and have had no real problems in their lives other than the immigration illegality, and they are prepared to reach out and do some compassionate things for them to give them a legal status that allows them to raise their families and their children who have become citizens. They are willing to do that, but they are concerned about the future.

Will we end up again, like in 1986, where a bill is passed that promises enforcement, but the amnesty occurs immediately, and then the promises in the future do not ever occur? What was Wimpy's line? ''I will be glad to pay you tomorrow for a hamburger today.'' I am glad to say we will have amnesty tomorrow, but I want the enforcement today in concrete.

A recent Rasmussen poll explains how the people view this issue—actually it was within the last few days. By a 4-to-1 margin, people say the enforcement should come first. Yes, they are willing to be compassionate, willing to wrestle through a fair and decent way to treat people, but they do believe that enforcement should come first because we have not had it before.

On this point the instincts of our citizens are correct. Their compassion is real. Their respect for the rule of law is real. They know amnesty has an erosive, corrosive impact on the rule of law, and we have to be very diligent to ensure in the future that we are not creating the kind of events that erode our law even more. People are not biased. They approve of our system of 1 million people immigrating here every year, but they do want the system followed fairly.

The Gang of 8, in their public statements, seem to say that is what good policy should be. That is what they have been talking about. That is what they expect the American people to hear about their legislation. That is what they have promised them they are working on, and that has been produced and laid out here.

They say they, too, are upset about what is happening. They say their plan will end illegality in the future, and it is the toughest immigration law in history. One Senator of the gang in the committee said it was ''tough as nails.'' Thus, without equivocation, they say we must have enforcement. But it is in the future, and we have a plan where you can sleep well at night and know it is going to happen.

So that is the fundamental test of where we are in this legislation. There are a lot of problems with the bill—a lot of very serious problems—and we will talk about them. But I think fundamentally the question is just: Have our sponsors laid forth a strategy that will work?

Let's examine the key components of any system that is laid out, see how it deals with them. There are two ways to become an illegal resident of America. One is to come by visa, overstay that visa, and just not return home. Forty percent of the people here illegally came legally by visa, but they just refused to go back home at the time their visa expired. The other way is simply to cross the border illegally, and we have had that by the millions in recent years.

This legislation does not fix the enforcement defects of either one of those entry methods. I have studied this issue. It can be done. We can fix both of them. It is within our grasp. It is something we can accomplish, and I would like to see us do so.

Unfortunately, analysis of this bill shows we have a problem. First, the Gang of 8's written principles that they announced at the beginning of their discussions said the path to citizenship in their bill would be ''contingent upon securing the borders and tracking whether legal immigrants have left the country when required.''

So that is both areas: the failure to leave upon expiration of a visa and the illegal crossing of the border.

Senator RUBIO went so far as to say:

> The process of legalization . . . none of that happens— None of that happens—until until we have been able to certify that indeed the workplace security thing is in place, the visa tracking is in place, and there is some level of operational control of the border.

That was in January of this year.

Well, that is right. We should not be doing this until we can certify and we know we have this system under control.

But around the same time it was reported that Frank Sharry, the head of the proamnesty group, America's Voice, said Democratic Senators privately reassured amnesty advocates that the border commission—one of the so-called triggers—would not be constructed in a way that would hold up the amnesty process for too long. He said the Democrats cannot ''allow the commission to have a real veto'' over setting in motion the path to citizenship. He also noted that the Democrats see the commission as ''something that gives the Republicans a talking point''—a talking point—to claim they are prioritizing tough enforcement, giving themselves cover to back a process that ''won't stop people from getting citizenship.''

In other words, the gang apparently seemed to be quite happy to allow people to go out and make these promises. But to the people who are actively engaged for amnesty, they said: Do not worry about it. It is not going to keep anybody from getting their full legality and eventually citizenship.

This should be a concern because the American people are unhappy with their government. The American people have asked for a lawful system of immigration for 30 years, and the Congress has refused to do so. They have passed laws that they have said will work and never have had them effectively carried out, never effectively ending the illegality, and the American people are unhappy about it.

I have suggested Mr. Sharry's statement is a good indication that the people who are behind this bill—particularly the staff and special interests and lawyers who have come together from all kinds of groups to help write the bill—do not care about enforcement in the future. All they care about is what they want today. That is letting the cat out of the bag, and the American people need to be very nervous about it. They have every right to be because I will talk about the history of some of the things that have been happening, and it should make every American concerned.

Shortly before the bill was introduced, the lead sponsor, Senator SCHUMER, frankly and openly—this is after the initial comments—openly on ''Meet the Press'' said this:

> First, people will be legalized. . . . Then we'll make sure the border is secure.

It is undisputed that the bill will provide amnesty first without a single border security or enforcement measure ever having to be put in place.

On Sunday, in an interview with Univision, Senator RUBIO said:

> First comes legalization, then comes this border security measure and then comes the permanent residency process. What we are talking about here is the permanent residency system. Regarding legalization, a vast majority of my colleagues have already accepted that: that it must take place and that it must start at the same time we start with what has to do with security. That is not conditional. Legalization is not conditional.

What he is saying is that there is no condition in this bill—no requirement

of any security to be achieved before the legalization occurs. The legalization occurs without condition, and then it is just a mere promise in the future to effectuate a legal system that we have not done for the last 30 years. Even the Wall Street Journal agrees with that analysis.

Indeed, nothing at all needs to happen for those eligible for the DREAM Act and for agricultural workers amnesty to receive it. Their process, which covers roughly 4 million people is not connected in any way to any trigger or enforcement measure whatsoever.

The American people reject such a policy. That is not what they have asked for. That is what the June 7 Rasmussen poll said. The Rasmussen report says this: The bill ''legalizes the status of immigrants first and promises to secure the border later. By a 4 to 1 margin, voters want that order reversed.''

That is the polling data, and I think that is a good response from the American people. They know the system has been manipulated before.

Madam President, I see our majority leader. I know he is a very busy man.

I say to Senator REID, I have some time left before 5 o'clock, but if you have something that needs to be done—

Mr. REID. At 4:30. The Senator can talk until 4:30. Go ahead and talk until 4:30.

Mr. SESSIONS. In a 2009 Department of Homeland Security report, prepared by the research arm for U.S. Citizenship and Immigration Services, it says this:

> Virtually all immigration experts agree that it would be counterproductive to offer an explicit or implied path to permanent residence status (or citizenship) during any legalization program. That would simply encourage fraud and [encourage] illegal border crossings that other features of the program seek to discourage. In fact, for that reason and from that perspective, it would be best if the legislation did not even address future permanent resident status or citizenship.

This a government agency making a plainly commonsensical statement that is virtually undeniable. A grant of amnesty is going to be counterproductive, and it is the kind of thing that would incentivize actions that our policies are designed to discourage—illegal entry into the United States.

Indeed, increased illegal entries into our country are happening right now. The numbers are going up. Just on hearing that there is an amnesty plan afoot, immigration illegality is increasing.

According to the Border Patrol, so far in this year 90,000 people illegally crossing the border have been taken into custody. That is 50 percent more than the same time last year. And 55,000 of them—I would note for those who are interested in this and recognize the international nature of it—55,000 of the 90,000 are not Mexican nationals.

During markup, Senator GRASSLEY offered an amendment to require the Secretary to certify to Congress that she had maintained effective control over the entire border for 6 months before amnesty begins, but it was rejected by a 12-to-6 vote.

We were told the bill would have the toughest enforcement measures in the history of the United States, potentially in the world, and would fix the illegal immigration problem once and for all. Would that not be great? That is one of the Gang of 8 members on national TV, ''Meet the Press,'' recently. Would that not be good? I think that is something we should strive for. But does the legislation do this?

I see the majority leader. He approved my time this afternoon. I have only so much of it left. I am due to have the floor until 5. I see there is important business to be done.

I yield the floor.

WELCOMING SENATOR CHIESA

Mr. REID. Madam President, I welcome Senator CHIESA to the Senate. I congratulate him on his appointment to fill the seat of the late Frank Lautenberg. Senator CHIESA—I am sure we will struggle with that name for a little while until we get used to it, but I think I have done it just about right—has served as attorney general for the State of New Jersey.

As attorney general, he has done some very remarkable work. He has worked with law enforcement and the State legislature to combat human trafficking, to protect children from predators, to crack down on gang violence. He implemented a successful gun buyback program that took 10,000 weapons off the streets, including 1,200 illegal guns.

I commend him for his efforts to keep New Jersey's streets safe, protecting Americans from gun violence. As we all know, that was something that was very close to Senator Lautenberg's heart.

Prior to becoming attorney general, he served for 2 years as chief counsel to New Jersey Governor Christie, after leading the Governor's transition team. He spent 7 years in the U.S. Attorney's Office for the District of New Jersey and more than 10 years in private practice. He graduated from the University of Notre Dame, got his law degree from Catholic University in the District of Columbia and certainly because of that is familiar with the District of Columbia.

I am confident he will serve the people of New Jersey with honor. I welcome him to the Senate.

The VICE PRESIDENT. The Republican leader.

Mr. MCCONNELL. Mr. President, I would just add, I had an opportunity to meet with JEFF CHIESA and his wife earlier today. I think the Governor of New Jersey has made a wise appointment. We look forward to working with him in the coming months.

CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the Senate a Certificate of Appointment to fill the vacancy created by the death of the late Senator Frank Lautenberg of New Jersey. The certificate, the Chair is advised, is in the form suggested by the Senate. If there is no objection, the reading of the certificate will be waived and it will be printed in full in the RECORD.

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

STATE OF NEW JERSEY

CERTIFICATE OF APPOINTMENT

To: The President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of New Jersey, I, Chris Christie, the governor of said State, do hereby appoint Jeffrey S. Chiesa, a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the passing of the Honorable Frank R. Lautenberg is filled by election as provided by law.

Witness: His excellency our governor, Chris Christie, and our seal hereto affixed at Trenton this 6th day of June, in the year of our Lord 2013.

By the governor:

CHRIS CHRISTIE,
Governor.
KIMBERLY M. GUADAGNO,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-designee will now present himself at the desk, the Chair will administer the oath of office.

The Senator-designee, escorted by Mr. MENENDEZ, advanced to the desk of the Vice President, the oath prescribed by law was administered to him by the Vice President, and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator. Welcome to the Senate.

(Applause, Senators rising.)

The VICE PRESIDENT. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I wish to join the distinguished majority leader and the Republican leader in welcoming my new colleague from the great State of New Jersey, JEFF CHIESA, and his family to the Senate. I look forward to working with him closely on the issues of importance to New Jersey and to the Nation.

We have heard some of his exemplary milestones in his career. He is a career attorney and someone who has served in public service. He certainly has the Governor's confidence, as is evidenced by the time he spent with him at the U.S. Attorney's Office, then in the Governor's transition, which he led, as well as being his chief counsel and the attorney general of the State of New Jersey, for which he has had some extraordinary opportunities to both protect

and promote the general welfare of the people of the State of New Jersey.

JEFF's father was a chemical plant worker who died when JEFF was 8 years old. So he and his two sisters were raised by his mother who was a teacher. I am sure his family is very proud of him today as the father of two children. They are extremely proud of him for all he has done throughout his career and particularly today as he becomes the newest Member of the Senate.

He was asked at the press conference with the Governor, when the Governor announced him as his designee, what did he intend to accomplish in the Senate. For those of us who have served in the Senate for a while, we know it takes a little while, and that is a tough question to ask someone, what they are going to be able to accomplish in 5 months.

But I think Senator CHIESA comes at a time in which we are having some momentous debates in this Nation. Certainly, as it is ongoing on immigration reform, he will have an opportunity to cast some critical votes in that regard. I look forward to talking with him about some of those issues as well as other critical issues that will come before the country over the next 5 months.

I look forward to working with him on behalf of the people of the State of New Jersey and our Nation. I am sure, even though it is only 5 months, he is going to make a significant mark in the Senate.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—MOTION TO PROCEED—Continued

Mr. SESSIONS. Madam President, I am delighted to see the administering of the oath to our new Senator. As a former Federal prosecutor, I know he understands much of the Federal law we deal with around here. Having been one of those myself, I welcome him and believe there will be many gifts and experiences he has had from that role that will help him serve in the Senate, writing laws that will actually be the laws enforced by his former fellow prosecutors around the country.

A closer examination of the legislation before us, this is it here, over 1,000 pages now. But you have to study it because it makes all sorts of references to ''except as provided by'' in this section and that section and subsection E(2)(I)(1)(3) and things like that. It is hard to read. But a close examination reveals that the promised enforcement of immigration law in the future that is so critical, and the American people deserve, the American people have asked for, for decades, is not there.

The triggers are not triggers at all. In fact, it would actually weaken even current law, granting the Secretary of Homeland Security, now Secretary Napolitano in particular, unprecedented power to determine how and when the border is secured, if ever. Remember, at this moment, the Secretary of Homeland Security is being sued by Federal law officers, ICE officers, Immigration and Customs Enforcement officers, of her own department because they say she is issuing directives to them to keep them from complying with plain Federal law.

In other words, she is directing them not to comply with Federal law. The Federal judge has taken the case and allowed it to go forward and is taking testimony on it. But the bill that illegal immigrants can receive amnesty, not when the border is secured but when Secretary Napolitano tells Congress she is starting to try to secure the border. Within 6 months of enactment of the legislation, Secretary Napolitano need only submit to Congress her views on a comprehensive southern border strategy and a southern border fencing strategy and give notice that she has begun implementing whatever plans she decides to implement. At that point, she may begin processing applications and granting amnesty. Indeed, she will be doing that without any border security or enforcement measures ever being required to be in place.

The reality is, once amnesty has been granted, it is never going to be revoked. Under this scheme, enforcement is unlikely ever to occur. That is just like 1986, which Senator GRASSLEY earlier today, ranking member on the Judiciary Committee from Iowa, who was here in 1986, says was a great failure at that time. He voted for the bill. He says it was a mistake. It was a mistake because we did not put in mechanisms to ensure that in the future the enforcement would actually occur.

That is why he opposes this bill. Frank Sharry, the head of America's Voice, a pro-amnesty advocate, recently said about these triggers, ''The triggers are based on developing plans and spending money, not on reaching that effectiveness''—

In other words, not reaching an effective system of security in the future—it is not tied to that. Then he goes on to say, ''which is really quite clever.'' Really clever, is it not, to see if they can fool the American people. They have written something that looks like a real trigger, that has teeth in it, that says you do not get your amnesty and legal status until enforcement occurs. But when we read the bill it is not there. Mr. Sharry actually lays it out.

In fact, in 2007, Senator ISAKSON first came up with an idea of a trigger mechanism. That gained popularity. I think he was the one who wrote the language that was in that bill. It is much stronger than this one. It was much stronger than what is in the bill today. Actually, it had the potential to work.

Remember, this was what was said when the bill was rolled out. Basically, they said the American people, we got a good bill. You can trust us. The enforcement will occur because we have triggers in the bill to guarantee it is enforced. That is not so, is it? Colleagues, does that not make you uneasy? Should it not make the American people uneasy, when they have seen Congress time and time again avoid going forward with real law enforcement?

The bill states that the southern border strategy should detail a plan for achieving and maintaining ''effective control'' of the southern border. Effective control is defined as ''persistent surveillance,'' which itself is not defined, plus ''an effectiveness rate of 90 percent or higher.'' What effectiveness rate? This is calculated by dividing the number of apprehensions and turnbacks in a sector during a fiscal year by the total number of illegal entries in the sector during that fiscal year.

But this does not account for those who escape detection by the Border Patrol. During her testimony before the Senate Judiciary Committee, Secretary Napolitano all but acknowledged the effectiveness rate is meaningless because, by definition, the Department of Homeland Security has no idea how many people avoid detection.

How can you have that formula? The measure is subject to almost limitless manipulation.

One thing we all should remember, having been involved in this for a number of years now, the border should already be secure. It should already be secure. The Secure Fence Act of 2006, passed by both Houses of Congress, already requires, right now, the Department of Homeland Security to maintain 100-percent operational control of all land and maritime borders and required the Homeland Security to do so within 18 months of the bill having been passed in 2006. That mandate has been ignored, not complied with, and the border is certainly far from 100-percent operational control.

We are going to pass a new bill that is even weaker than this and expect it is going to result in some major improvement in law enforcement?

By contrast, the rejected 2007 immigration bill set a stronger target of 100-percent operational control of the entire border, which had to be met before illegal immigrants could be given the probationary legal status.

The current bill is essentially the same as the failed 1986 bill. It is legality immediately and a promise of enforcement in the future.

It is important to know that nothing in the bill prevents Secretary Napolitano from submitting a strategy—that

is all she has to submit, is a strategy—that simply reiterates her publicly stated views about the border. She says first that the border is ''more secure than it has ever been.''

While the bill states that Homeland Security shall start ''the implementation'' of the plan ''immediately after'' submission and give notice to Congress of its commencement and provide reports on its progress, nothing in the bill actually requires the Secretary to implement anything. It just doesn't. It is not there. All she has to do is start the amnesty process, what she intends to do, and then to submit reports in the future.

We have heard there will be more fencing. You have heard that talk. The bill is going to make sure we have more fencing. But no language in the bill requires the Secretary to construct any fencing at all. Rather, the bill states the Secretary shall submit to Congress, within 6 months of enactment, her views on a fencing ''plan'' to identify where fencing, if any, including double-layer fencing, infrastructure technology, including ports of entry, should be deployed along the border.

The problem is Secretary Napolitano, who will be responsible for implementing these provisions, has said multiple times that no further fencing is necessary. She recently testified before the Judiciary Committee that Homeland Security would prefer to rely on drones and high-tech surveillance:

> We would prefer money . . . if we have our druthers, we would not so designate a fence fund.

Does it make more sense to use technology to observe people entering the country illegally, or does it make more sense to stop them from entering?

After the Secure Fence Act was passed in 2006 requiring 700 miles of double-layer fencing, they said, well, we are not going to build double-layer 700 miles of fencing. We have a better idea. We are going to have a virtual fence. We are going to use technology, balloons, and things of that nature. We have this sophisticated plan. They spent $1 billion on that plan—totally abandoned; an utter failure.

That is what is upsetting the American people in this country. Promises are made. We are going to build a fence. We all vote for a fence. Then, oh, no, we are not going to vote for a fence, we have a better idea. Then we spend $1 billion and get zero for it.

This is not necessary. We can make great improvements at the border if we have the will to do so. The will and the determination is what is lacking.

Proponents of this bill have repeatedly said ''this legislation contains the toughest border immigration enforcement measures in U.S. history.'' If that is the case, then why is the bill weaker than current law? Why is it weaker than in 2007, the bill that was offered and rejected? Congress overwhelmingly passed the mandate to build a fence in 2006—and I was engaged in that debate—by 80 to 19 votes, with the support of then-Senators Biden and Obama. Vice President BIDEN and President Obama voted for it. It hasn't come close to having been built.

I think we have 36 miles of fencing having been completed, when the bill called for 700. If we had done that, we would be in a lot better place to ask the American people today, let's be compassionate and see if we can't do something kind to people who have entered our country illegally.

According to a Rasmussen's poll in April of this year, a substantial majority of Americans want the fence built, but Congress has failed to do so. The bill would authorize $8.3 billion in additional funding to carry out all of its provisions.

You notice, it has some fencing language in it, $1.5 billion, but what is the $1.5 billion for? Is it to build a fence? You can build a lot of fence with that much money. No. It is for the developing of a fencing strategy, and the other things that money would be spent for too.

In fact, a fence does save money. Since the fence is a force multiplier, fewer Border Patrol agents will be needed. They can cover more miles, and it reduces costs. It makes a clear statement to the world that the United States is serious: Our borders are no longer open. Don't come here illegally. If you do, we are going to apprehend you, and you will be disciplined in some fashion and deported. If we do that, we will see a dramatic reduction in the number of people coming to our country illegally.

During our Judiciary Committee markup on this legislation, an amendment sponsored by Senator LEAHY was adopted that says nothing in this provision ''shall require the Secretary to install fencing'' if the Secretary in her discretion determines that fencing is not necessary. Of course, she says she doesn't favor more fencing.

In addition, the amendment requires that the Secretary consult with the Secretaries of Interior, Agriculture, States, local governments, Indian tribes, and property owners, before she could ever build a fence, and to minimize the impact on the environment, culture, commerce, and quality of life for residents.

Well, you always try to do those things. All of this is an indication that with regard to the question of barriers and fencing to enhance the lawfulness at our border, this bill doesn't do it. Actually, this bill is hostile to it. Can you see that language in there? This was discussed at Judiciary. It passed in the committee.

Only 36.3 miles of fencing out of the 700 has ever been completed. Had the rest of it been completed, we would be in a lot better shape today.

We were told:

> If, in 5 years, the [Secretary's border security] plan has not reached 100 percent awareness and 90 percent apprehension, the Department of Homeland Security will lose control of the issue and it will be turned over to the board of governors to finish the job.

That was Senator RUBIO on the ''Mark Levin Show.'' This commission they talk about at the border, the mere existence is left to the sole discretion of the Secretary of Homeland Security only if she determined that Homeland Security, her own department, ''has not achieved effective control'' of the border 5 years after enactment.

Wait 5 years, and if she hasn't done the job—she has certified she hasn't done the job, and after the legalization has already been granted—it is then entirely up to the Secretary to determine whether her plans are ''substantially completed'' and ''substantially implemented''—then and only then would the Southern Border Security Commission be formed.

The bill's proponents claim the commission would be ''a powerful and important policy-making body,'' and that the Secretary of Homeland Security will be compelled to implement the commission's recommendations. That was one of the Gang of 8's news releases.

Not so. The commission is empowered only to make recommendations to the President, the Secretary, and Congress, which are then to be reviewed by the Comptroller General. Nothing in the bill requires any other commission's recommendations to be implemented. They don't have any power. Once it makes its recommendations, the commission dissolves in 30 days, kaput.

As Byron York noted in the Washington Examiner in his column today:

> There is nothing in the bill requiring the commission to finish the job of border security, and indeed it would have no authority to do so.

Indeed, it would have no authority to do anything, really, except issue a report.

The second issue that deals with illegality in our country is the visa question. We were told the path to citizenship in the bill would be ''contingent upon . . . tracking whether legal immigrants have left the country when required.'' That has a plain meaning, have they left when required.

Under current law, we have a mechanism where people are fingerprinted and they are identified when they come into the country. There is no clocking out when they leave the country.

What does the bill do? Does it fix that problem? Let's look at the history of it. The bill rolls back the requirements in current law, laws that were passed on six different occasions by Congress since 1996 for a biometric exit system. We have a biometric entry system at some points, but not an exit system. Yet instead of forcing the administration's hand, making this happen, this bill gives in to the executive branch's obstinacy over at least two administrations and provides for only an ''electronic,'' not biometric, exit system, and only at air and seaports, not land ports.

It is estimated that nearly 40 percent of the illegal population here today are visa overstays. GAO, our Government Accountability Office, has repeatedly said a system such as the one called for in this bill will not reliably identify visa overstays, and that without a biometric exit system:

DHS cannot ensure the integrity of the immigration system by identifying and removing those people who have overstayed the original period of admission.

That is the Government Accountability Office's objective, nonpartisan analysis of the legislation.

Beyond violating our laws, visa overstays pose a substantial threat to national security. Visa overstayers come from all over the world. The 9/11 Commission, after the 9/11 attacks, recommended that:

The Department of Homeland Security, properly supported by Congress, should complete, as quickly as possible, a biometric entry-exit system.

In a report entitled ''Tenth Anniversary Report Card: The Status of the 9/11 Commission Recommendations,'' they came back together to see how well their recommendations had been carried out. They praised the fact that we have an entry system, a biometric entry system known as US–VISIT. It has been proven to be valuable, they say, in national security too.

Despite this successful deployment of the entry component of US–VISIT, the Commission notes there is still no comprehensive exit system in place. As important as it is to note when foreign nationals arrive, it is also important to note when they leave. Full deployment of the biometric exit component of US–VISIT should be a high priority. Such a capability would have assisted law enforcement and intelligence officials in August and September of 2001 in conducting a search for two of the 9/11 hijackers who were in the United States on expired visas.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I thank the Chair. I believe 5 o'clock has arrived. I thank the managers of the Agriculture bill. I know they worked hard on their legislation.

I yield the floor.

AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 954, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 954) to reauthorize agriculture programs through 2018.

Pending:

Stabenow (for Leahy) amendment No. 998, to establish a pilot program for gigabit Internet projects in rural areas.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from Michigan.

Ms. STABENOW. I see the distinguished Senator from North Dakota on the floor. This is Senator HEITKAMP's first farm bill we are about ready to vote on. She has been an extraordinary voice and really hit the ground running. It is my pleasure to yield 5 minutes to her.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Madam President, I would first like to thank the Senator from the great State of Michigan for her incredible leadership. I met her over a year ago and knew she was a force to be reckoned with, not only because she has red hair but because she is someone who understands that to move something forward, we need to have compromise and we need to understand that a farm bill represents the interests of the entire country, not just the interests of maybe the Great Plains States or the Southern States or even our urban areas that care desperately about nutrition. She understands that we need to forge a bill that can pass both Chambers and keep our country moving.

The fact is that agriculture is a shining star in the American economy today. When we look at States such as North Dakota and Nebraska and Kansas and South Dakota, all agriculture-based States, we see they did not have the deep trough of this recession because agriculture did pretty well. And why did agriculture do pretty well? Because the last farm bill that was crafted provided an appropriate balance of concern for our long-term fiscal obligations along with providing our producers with a legitimate and appropriate safety net.

We have a farm bill today that is even better that we are going to be voting on. Why is it better? Because it not only provides that certainty and that safety net for American producers—the backbone, historically, of our economy—but it reduces the deficit $24 billion by eliminating a process of direct payments, by cutting some unnecessary expenditures, by streamlining conservation, and by taking a look at a rational and reasonable approach to some of the issues regarding nutrition.

So I am very proud today to stand before this body about to cast one of my first votes—not the first vote but one of my first votes—doing what is absolutely essential for the North Dakota economy; that is, passing a farm bill.

I want to give an idea of what North Dakota is all about because we like to brag but also because people forget about North Dakota being an agricultural State with so much attention having been focused in recent months and recent years on our dramatic energy development. So let me give a rundown on what we do in North Dakota as far as our production. We are No. 1 in barley; No. 1 in beans, dry and edible; No. 1 in navy beans and pinto beans; No. 1 in canola, flaxseed, and honey; No. 1 in lentils and dry edible peas; No. 1 in all forms of sunflower; No. 1 in durum wheat and spring wheat; and we are No. 2 in sugar beets and No. 2 in all wheat. So 90 percent of North Dakota's land base—90 percent—is engaged in agriculture. It is the backbone of what we do.

As we talk about the importance of public policy not only to protect our producers but to give them opportunities for certainty, I would like to talk about two unique things of which I am exceptionally proud.

The first is that this Crop Insurance Program will provide the safety net so many of our young farmers in our States need to get engaged in the business of farming. Why is that important? Well, 10 years ago when I was still in elected office, I would go to farm meetings and look around the table, and everybody was in their fifties and sixties and a 50-year-old farmer would be a young farmer. Now we go to those same meetings, and sitting around that table are 20- and 30- and 40-year-old farm families saying: We want to engage in the business of agriculture. And that is good for the world because we not only need to produce our products for America, we need to produce our products for the entire world.

So this is a farm bill that strikes the right balance. It is a farm bill that addresses the priorities not only of my State but hopefully the priorities of this country. There are 16 million jobs—16 million American jobs—depending on this bill.

The second point I wish to make about this bill—and people remind me occasionally that it is a year late because we have already gone to one extension since I have been here—is that it is a bill which will send a message to the American people that we need to provide certainty once and for all. We need to do things in a timely fashion, and I think moving this farm bill right now is moving it in a timely fashion.

This is an excellent piece of legislation, and I urge all of my colleagues to vote for it.

I thank the chairwoman from Michigan for her excellent and exceptional leadership, along with her ranking member Senator COCHRAN, who has been so instrumental in forging the compromises that make today possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, at this point I want to take a moment before we vote today to recognize folks who have worked so hard to get us to this point.

First of all, I thank my colleagues in advance for coming together one more time and leading for rural America—for farmers, for ranchers, for the 16 million people who have jobs because of agriculture in this country. It has been a long road for the Agriculture Reform, Food, and Jobs Act, and I have been blessed and pleased to have a wonderful partner and ranking member,

the distinguished Senator from Mississippi. He has been a partner every step of the way, and I thank him and look forward—as the House hopefully this time will complete their work—to having the opportunity to go to conference and crafting an agreement we can then present back to the Senate. I can't thank Senator COCHRAN and his staff enough for their wonderful partnership.

We started this last year. We had 3 weeks that the farm bill was on the floor of the Senate. We had 73 votes, adopted 42 amendments, and we took that as the basis for the bill this year. Once the House did not take up the bill—and, in my judgment, walked away from rural America last year—we had to come back and do it again, so we used the work product the Senate did last year as the basis of our work, and we had 2 weeks of debate on the floor of the Senate. We have added 14 more amendments to the bill that is in front of us.

So I thank the majority leader for his hard work and leadership and patience. As always, he knows how important agriculture is to our economy, how important it is to support rural communities and families and consumers around our country. I appreciate that he has not just once but twice given us precious time on the Senate floor so that we could do our job in standing up for rural America and for consumers across this country.

I am proud we once again voted—or are about to vote today—in a bipartisan way to move this bill forward. This bill has been bipartisan from start to finish, and I believe that is the reason for our success. I am grateful to colleagues who have worked in such a diligent way on both sides of the aisle. There are many leaders on both sides of the aisle on this bill. We wouldn't be here today without leadership on both sides of the aisle, and I am very grateful for that. This is how the Senate is designed to work, where people who care very deeply on both sides of an issue can sit down—in our case, around a table in the Senate agriculture room—look each other in the eye, talk to each other, listen, and make the compromises necessary to come together with a balanced bill. That is what we did.

Last year we passed the farm bill, as I said before, in a bipartisan way as well. The House Agriculture Committee passed a bipartisan farm bill last year, but for whatever reason the full House didn't consider the bill. It was allowed to expire. The good news is that this year it looks as though it is going to be different. That is good news for rural America and the men and women who work hard every day to give us the safest, most affordable, most abundant food supply in the world—in the world.

I thank my incredible staff, who have done this now not once but twice. Actually, because we engaged and had a work product when the supercommittee deficit commission was operating, we have actually done this three times. I think they could do farm bills in their sleep. Hopefully they have not been sleeping when they have been writing this one, but I am very grateful for their leadership.

I thank Chris Adamo, my terrific staff director for the Agriculture Committee, who is living and breathing these issues every minute and only takes occasional breaks to go fly fishing in Michigan. We have a historic agreement on conservation and crop insurance in this bill thanks to his leadership and that of our team.

Jonathan Coppess, our chief counsel, and Joe Shultz, our economist extraordinaire, who understand the ins and outs of agriculture like nobody else, have done so much as we have transitioned in this bill toward market-based risk management tools for our farmers.

Jonathan Cordone, our general counsel, crossed every ''t'' and dotted every ''i'' in this bill, and frankly, there are a lot of them. He has been keeping track of all the amendments and making sure this process runs smoothly.

Karla Theiman, who leads our livestock and dairy issues, has helped make the energy title something we could really be proud of. I am very grateful for all her leadership and hard work.

Tina May, who wrote our original conservation title and then decided to go have a baby, is amazing. She knows more about conservation than anyone I know, and we are very proud that not only the conservation title in the Senate but one that is very similar in the House bears the mark of her hard work and leadership.

I do want to note that Jonathan Coppess had a son during the last farm bill and Tina had a son during this farm bill. So I am not sure what it is about farm bills, but we will see what comes next.

One thing about Tina's maternity leave is that it allowed us to get the T2 team back together. Kevin Norton came back from the USDA to work with Catie Lee, as they picked up very excellently the heavy load and made it look easy. Thanks to them, our country will have healthy wildlife habitats and clean, fishable waters for generations to come.

Jacqlyn Schneider, who is another of our farm bill veterans, ably led our nutrition team and has done such a wonderful job. She has done so much for the diversity of American agriculture through organics, fruits and vegetables, and all the things we call specialty crops, as well as Jess Taylor. Jess has done terrific work in partnership as well.

Brandon McBride led our efforts to reorganize the rural development title and worked so hard this year to make sure the energy title continued to grow the economy in rural America.

Russ Behnam is our expert on technology issues—biotechnology issues—on crop protection and has lent very important expertise to our efforts. I am grateful.

Cory Claussen led our efforts on dairy last year, and his hard work led to the major advances we have made in this bill for beginning farmers and ranchers as well as for our veterans who want to get into agriculture.

I am very proud that in our bill we have a new agriculture liaison for our veterans. So many of our men and women coming home are from small communities around America, and they want to have the opportunity to go into farming, and we want to help them do that.

Cory is also leading our CFTC efforts, so Cory's work is just getting started. Hanna Abou-El-Seoud, who kept the trains running on time, made sure we were all prepared and prepped—no easy job as well. Alexis Stanczuk and Kyle Varner, who is the newest member of our team, have once again done a great job doing whatever needed to be done in order to help us be successful. Jessie Williams, Nicole Hertenstein, Jacob Chaney, and our entire great team on the committee have helped us to get to this point.

I also wish to say thank you to my chief of staff Dan Farough, who manages our personal office; Matt VanKuiken, my terrific legislative director who followed the floor procedure and made sure everything was happening as it should; Bill Sweeney, my great deputy chief of staff; Cullen Schwarz, my communications director; and Ben Becker, our press secretary who made sure we were telling the story of rural America and this farm bill and the reforms in it every day. We couldn't have done it without them and our entire team, Matt Williams, Will Eberle, and Alex Barriger.

I wish to thank my State team and all of the outreach efforts led by the outstanding Teresa Plachetka, Kali Fox, Mary Judnich, Brandon Fewins, and Korey Hall, making sure that Michigan is truly represented on every page.

This was a bipartisan effort, and I wish to thank everyone on Senator COCHRAN's team, especially T.A. Hawks and James Gleueck, for their leadership. Once again, Doug Elmendorf's CBO farm team came through thanks to Jim Langley and everyone on their team.

I wish to thank Kasey Gillette from Senator REID's office, who is part of our extended family. It is great working with her again. This is like a second annual family reunion, always having Kasey with us.

Nothing could get done around here without our excellent floor staff who have been led by Gary Myrick and Tim Mitchell, and thank you to everybody on our team for their very long hours as usual.

Of course, we wouldn't have had anything to pass without the amazing expertise of our legislative counsel team, Michelle Johnson-Wieder and Gary Endicott, and their invaluable assistance;

last, but not least, the great team at the USDA and who I believe is an absolutely terrific Secretary of Agriculture, Tom Vilsack, and his General Counsel's Office.

There are so many people to thank. I will stop. There are other colleagues who wish to speak. I just want everyone to know that when you take basically 12 different chapters or titles—any one of which could be its own piece of legislation—and put it together in something called a 5-year farm bill, it happens because of a tremendous amount of talent and experience and hard work and it happens because, in our case, we have what I believe is the most seasoned Agriculture Committee former chairs, former Secretary of Agriculture. We have people who know agriculture and care about it deeply. With so much talent and experience, it has been a real privilege—and continues to be—to chair this committee.

This farm bill is the product of 2 years of hard work by a long list of talented people. As we vote today, we support 16 million people who depend on agriculture for their jobs. We are providing $24 billion in deficit reduction on a bipartisan basis. We are providing policies that will conserve our land and our water resources for generations to come; that help families who have fallen on hard times keep food on the table for their children; a bill that helps our veterans get started in agriculture; that supports our small towns all across America; and recognizes the diversity of American agriculture and strengthens efforts to give families the opportunity to buy fresh local food in their supermarkets and have it available in their schools. This farm bill creates jobs.

I am very proud of the work we have done, and I ask all of our colleagues to support us in voting yes today on this bill.

I yield 5 minutes to Senator KLOBUCHAR.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I rise in support of this very important bill.

First, I wish to thank Senator STABENOW for her leadership, as well as the Senator from Mississippi. It was a true bipartisan effort. As I heard her list all the names of these wonderful staff people who worked on this bill, I also wish to mention my staff director Adam Durand.

The other thing I wish to mention is this wouldn't have happened without Senator STABENOW, with her ever optimistic view, never giving up on this bill.

It has been 354 days since the Senate passed its last farm bill—I have been counting it down—and this is long overdue. This got done in record speed because we had gone through all of these issues, 70-something amendments, last time, and this time we were able to get the farm bill through the Agriculture Committee in record time—in 3 hours. Now it is on the floor, and I predict we will have strong bipartisan support.

You ask why. First of all, last year our country experienced the worst drought since 1956, costing the country tens of billions of dollars. In Minnesota 74 counties were eligible for disaster relief due to drought.

This year the late spring and wet conditions have prevented many farmers in my State from even getting their crop into the ground. Dairy farmers have been especially hurt because of the alfalfa shortage because of the rot because of the water.

We can't do anything about the weather, but we can make sure our country has a steady food supply and that we are not dependent on foreign food. How do we do that? By having a smart, fiscally sound farm bill.

I can tell you what we have is a bill that literally saves the taxpayers $24 billion in 10 years over the last farm bill. That is why it makes no sense for me to play a game of green light-red light and at the end of the year we are going to extend the last farm bill that is even more expensive, when we have a very smart farm bill here.

It matters in my State. My State is No. 1 in turkeys, sweet corn, green peas, and oats, No. 2 in spring wheat, No. 3 in hogs and soybeans, and No. 4 four in corn. But it is more than the crops and the sugar beets and the wheat. We don't just raise livestock. We don't just produce crops. We also produce the foods—milk at Land O'Lakes, the turkey at Jennie-O, the animal feed at Cargill, the Spam at Hormel.

When we look at this farm bill, we have to understand it involves not just our farmers—in fact, that is the smaller percentage of the farm bill than, say, the nutrition program—but it also involves our entire economy and how that all goes together from energy on down. What I like about this farm bill is it does connect these dots and makes sure we have a strong economy across the board, starting with our farmers, also including strong conservation efforts.

I see the Senator from North Dakota Ms. HEITKAMP. She and I, along with Senator HOEVEN, worked very hard to make sure there were strong provisions in this bill for the conservation efforts, which include our retention of water with floodings in the Fargo-Moorhead area, also making sure we had strong efforts for agriculture research, something everyone in our country cares about as we move forward.

We streamlined the conservation program from 23 to 13 programs. The bill funds the energy title programs, which this last extension did not do, and it also does a lot with ag research. I also had some of my amendments included which help beginning farmers and ranchers; that includes reducing the cost of crop insurance for beginning farmers by 10 percent. The second amendment helps beginning farmers access land for grazing.

These are just a few of the things in this bill. We are excited about this bill.

I would just end by saying, as Senator STABENOW did, that this is a call for action. The Senate has gotten its act together. We were able to work out a bipartisan compromise in the committee. We are able to get a strong vote on the floor. Now it is time for Speaker BOEHNER to call up the House bill so then we can work out the differences—as we should—in regular order, in conference committee.

Our farmers deserve nothing less, the kids who depend on these school nutrition programs deserve nothing less, and the conservation efforts in our country, those who hunt, those who fish, those who enjoy the outdoors, deserve nothing less.

It is time to get this bill done. We will vote on it tonight and then it goes over to the House. I would like to get this bill out of the House by the time we are ready to head into August, where we talk to a lot of our farmers and they have a few words to say every time we speak to them. I think the House would like to hear good things for a change.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, I am pleased to join the distinguished Senator from Michigan in urging approval of this bill by the Senate. It has been a pleasure working with her and other members of the Agriculture Committee to produce a farm bill that meets the needs of those involved in agriculture production and the consumers of the crops produced by American farmers and ranchers.

This farm bill will also encourage and reward protection of water, soil and forestry resources.

The bill also authorizes and improves Federal nutrition programs administered by the Department of Agriculture. It contains reforms to the nutrition title to eliminate waste, fraud and abuse.

This bill deserves the support of the Senate.

The Senate debate on the farm bill has included votes on a number of amendments over the last 2 weeks. American agricultural producers deserve the certainty that comes with a strong 5 year farm bill. I am pleased that we have come up with a bill that will meet that need.

This legislation will provide farmers in all regions of the country with a robust and workable safety net, while also reducing by $24 billion the cost of the programs authorized by current law.

Ms. STABENOW. Madam President, I yield time now to the Senator from Florida for a colloquy with myself.

The PRESIDING OFFICER. The Senator from Florida.

GREENING

Mr. NELSON. Madam President, I am grateful to the chairman of the committee to engage in a colloquy with me

about a devastating disease of bacteria called greening, which is devastating the citrus industry. We know of no cure. The bacteria kills the citrus tree in 5 years, and we are not going to have a citrus crop or industry unless we can find a cure for this bacteria.

The bacteria is transported by an insect called a psyllid, and once the psyllid bores its snout into the bark of the tree and the bacteria is injected into the foam or sap of the tree, it will kill the tree. They found various methods of spraying to try to prolong the life of the tree, but in essence the tree will die in about 5 years. It is in every grove in Florida. It is now in the citrus industry in California and Arizona and they have found the psyllid likewise in other gulf coast States—Alabama, Louisiana—and greening is also in the State of Georgia.

So what we are trying to do is set up a trust fund, which is authorized in the bill, and to get it funded in order to find a cure for this disease so an industry that has become so important to the entire country can be saved.

I have talked at length with the chairman of the Finance Committee Senator BAUCUS, who has been very supportive. As a matter of fact, we passed a similar bill out of the Finance Committee in the last Congress. I plan to work with Senator BAUCUS and Senator STABENOW to make sure this trust fund becomes a reality as we move forward with this farm bill.

Ms. STABENOW. I would just indicate to my colleague who has been such a strong advocate for his State, for his growers, his people—I am very grateful for that.

He has made his case very strongly. I understand that once a tree is exposed to the disease, there is no cure. The tree will die within 5 years. It must be entirely replaced. In fact, as the Senator indicated, this is something that affects many States—not only Florida but Texas, California, Louisiana, Alabama, Arizona, Georgia as well. So I know this is a serious issue for our citrus growers, and I am committed to working with Senator BAUCUS to make sure the trust funds for citrus, as well as cotton and wool, are included in the final conference committee.

I know these are concerns shared by a number of our colleagues, and I look forward to working with the Senator from Florida as well as other colleagues. This is a very important issue.

Mr. NELSON. I thank Senator STABENOW for her commitment to helping fund a cure for citrus greening, and it is just that; it is an emergency situation.

Because of the devastating nature of this citrus greening disease, the citrus research trust fund must have guaranteed funding in the farm bill. We simply can't wait any longer. Graciously, Senators STABENOW and BAUCUS have both been so encouraging and have agreed with me personally to restore the funding mechanisms of the trust fund when the Senate and the House go to conference on the farm bill. When this farm bill makes its way to the President's desk, the citrus trust fund needs to be a fully functional and a funded component.

Ms. STABENOW. Madam President, let me just say in conclusion that I look forward to working with my colleagues to ensure there is a guaranteed source of funding for the citrus trust fund. I understand the devastation to an entire industry that he is speaking about to and look forward to working with him.

Mr. NELSON. I would just conclude by saying that I not only speak of this for my State of Florida, of which citrus is one of its primary industries and now the product of which is a staple on every American breakfast table, but I speak also of our sister States, Arizona, California—and, by the way, to the Presiding Officer I can say that the psyllid and the bacteria are in the State of Hawaii as well—Georgia, Louisiana, and Alabama. I am very grateful for this commitment.

USDA BIOBASED MARKETS PROGRAM

Mr. KING. Madam President, I appreciate the opportunity to talk with the Chairman today to get clarity about the products that will be included in the USDA Biobased Markets Program. The Senator's hard work and vision on the issue of innovation in natural resources industries has provided the essential leadership to support growth in this critical economic sector.

I greatly appreciate the work that she and Senator COCHRAN did to expand the program's application in this farm bill, including the explicit definition of forest products and the expanded definition of innovation as it applies to the program.

The Senator and I both represent States that have strong forest products industries in fact in Maine there are over 16,700 people who are employed by the forestry, logging, wood products, and pulp and paper industries. This industry also helps ensure that Maine's 233,000 family woodland owners have income to conserve and sustain their working forests. Both of our States' forest-based economies have been hit hard by the downturn in the housing market as well as increased pressure overseas so it is important that we do not further hinder them in any way.

I have learned recently of the USDA Biobased Markets Program and the fact that in some cases, this program favors foreign products and other biobased products over forest products, which are some of the most biobased products in existence.

Ms. STABENOW. I thank the Senator for raising this important issue. In Michigan the same industries employ over 24,600 people and I agree that these jobs are vital to the economy. I was pleased to be able to lay out a clearer path forward in this farm bill for the inclusion of forest products in USDA's Biobased Markets Program.

Mr. KING. I would like to clarify that it is not the Committee's or the Senator's intent to exclude forest products from this program. And I would also like to clarify the meaning of the new provisions around innovation in the program.

Ms. STABENOW. Yes, it is our intent to include forest products that apply an innovative approach to growing, harvesting, sourcing, procuring, processing, manufacturing, or application of biobased products. Products should be included regardless of the date of entry of the product into the marketplace.

Mr. KING. Let me give the Senator an example of a forest products manufacturer in my home state that I believe is incredibly innovative in how they grow and source their materials for their products.

Verso Paper Company has 1600 employees at their two mills in Bucksport and Jay. They make coated commercial printing papers that utilize manufacturing technologies that deliver increasingly improved print quality through new coating formulations that incorporate newly developed chemicals and materials. These products are some of the most biobased products in the marketplace and should be eligible for the program.

In addition to these changes in their product, Verso has also in the last few years, significantly increased innovation in the sourcing of their products, by increasing the amount of certified, sustainable fiber that feeds their mills.

An improvement in this year's bill is the addition of language that allows for innovation in the sourcing and application of biobased products. In regards to innovation in sourcing of biobased products does the Senator agree that innovations like forest certification systems would qualify products for the program?

Ms. STABENOW. I appreciate the Senator mentioning Verso, since they also have a mill in Quinnesec, MI and recently made a significant investment in upgrading its energy system. It is our intention that products that are sourced with innovative sourcing strategies like forest certification systems and products that have improved their manufacturing are included in the program.

Mr. KING. I thank the Senator. And what about companies like Robbins Lumber in Maine that produces solid wood products, like 2x4s or flooring? While the product may be the same product that has been on the market for decades, the company producing it now generates all the heating for the mill and offices as well as the energy for drying lumber from their own biomass waste, as compared with using energy from the grid. Further, they have worked with several organizations to permanently conserve thousands of acres of land for wildlife habitat and recreation.

Ms. STABENOW. That truly is what we are trying to inspire with this innovation provision we are trying to help companies think outside the box in

how they can improve their processes. Their efforts in both energy generation from waste and land conservation are both excellent examples that they are doing so.

Mr. KING. I thank the Senator. Again I truly appreciate the attention to this issue and look forward to working with you and USDA in the implementation of this legislation to support the important forest products industry which has been an integral part of the economy of this country for centuries.

• Mr. MCCAIN. Madam President, I would like to make a few remarks about the farm bill that's before the Senate this week.

As my colleagues know, this is our second attempt in 2 years to pass a new 5-year farm bill. The Senate passed its version last Congress, which is essentially the same bill we are debating today. Last year, the House refused to consider the Senate bill with good reason. This bill is loaded with costly farm subsidies and hidden pet-projects. I believe most Americans would be angered to know how we are wasting their hard-earned tax dollars.

Congress already plunged our Nation into $16 trillion worth of debt partially through farm bills like this. On average, Congress spends about $1 trillion more annually than the Federal budget allows. According to the Congressional Budget office, the budget deficit for fiscal year 2014 will be about $624 billion. This bill alone—all one-thousand pages—will cost nearly $1 trillion. That's almost $1 billion per page. We must reduce the size of the Federal Government and the farm bill is certainly ripe for cuts.

I will concede that my colleagues on the Senate Agriculture Committee did make some effort to eliminate our more outdated farm subsidy programs like the Direct Payments Program, which spends about $5 billion a year to pay farmers of staple crops like corn whether or not they grow anything. Direct payments have held on for decades until now. Perhaps that gives the American public a sense of the shelf-life of the new farm subsidies we are debating today.

Unfortunately, the savings generated by eliminating direct payments are plugged back into the farm bill to finance new, more expensive subsidies like those that are part of the Federal Crop Insurance Program. While I agree that our farmers need some form of safety net, farm bill crop insurance isn't ''insurance'' as most people know it. Crop insurance is just a roundabout way to influence the free market, subsidize overproduction and ultimately fleece consumers. Taxpayers spend $14 billion a year subsidizing about 60 percent of insurance premiums for everything from oysters to almonds. Even non-food products like tobacco get $33 million a year in crop insurance handouts. Worse yet, crop insurance isn't about protecting famers against crop losses due to weather or infestation; it protects farmers against revenue loss. I am hard pressed to think of any other industry in America that can take out an insurance policy at the taxpayer's expense to ensure their profits. This is clearly egregious when one realizes that commodity prices are at record-highs.

This is all part of farm bill politics. In order to pass a farm bill, Congress must find a way to appease every special interest and every commodity association. Here are some other examples of hand-outs that special interests win in this year's farm bill: $150 million to establish a ''Citrus Research Trust Fund'' as well as a ''Wool Apparel Manufacture Trust Fund''; $25 million to study the health benefits of lima beans and peas; $1.4 million to study commercial mushroom growing; $1.3 million to study the DNA sequencing of Christmas trees; $25 million to teach school children how to grow food in backyard gardens; $10 million for eliminating ''feral swine''; $200 million for the Market Access Program, which subsidizes overseas advertising campaigns for large corporations, like handing out samples of Tennessee whiskey in India or subsidizing a sampling tour of mint candies in the U.K.

This is how we pass behemoth farm bills the Capitol Hill-rule of ''dispersed costs and concentrated benefits.''

Take for example the protectionist provision concerning catfish inspections that was added in conference to the 2008 Farm Bill. It forces USDA to create a special catfish inspection office that will cost taxpayers $15 million a year. GAO has said it is duplicative and wasteful of FDA seafood inspection services. But it helps prop up domestic catfish farmers in southern States from having to compete with Asian catfish imports. I had an amendment to repeal this office but was denied the courtesy of a vote despite it having 15 cosponsors and overwhelming support in the Senate. My statement on this matter is in the RECORD of last week when I attempted to call up my amendment and make it pending.

I also sought a vote on another amendment that I introduced with Senator TOOMEY concerning the repeal of something known as ''permanent farm law.'' Because of permanent farm law, it's not an option for my colleagues or I who want to put our feet down and say enough is enough to reckless farm bills. Permanent farm law is essentially old farm bills from 1938 and 1949 that are still on the books that automatically kick-in if we fail to renew the farm bill or pass a temporary extension.

Reverting to permanent farm law requires USDA to implement economic Soviet-style ''command and control'' policies that require farmers to achieve ''parity prices'' rooted in 1914 which bear no resemblance to today's market. Nobody wants permanent farm law because it would severely disrupt planting decisions for farmers and, according to USDA, will cost taxpayers up to $50 billion in subsidies and increase food prices by $20 billion. Yet these Depression-era farm bills work as a ''deadman's switch'' to pressure Congress into passing modern farm bills. This almost happened last year when the Senate passed a farm bill and the House did not. Americans may remember we faced a ''dairy cliff'' in December when milk would double to $7 per gallon of milk. Within one week of the pressure from national media coverage over the ''dairy cliff,'' Congress rushed through a business-as-usual extension of the 2008 farm bill that was absent of any reform.

There's no reason to keep a 1938 farm law on the books except to force Congress into passing farm bills by holding consumers hostage. My amendment would have repealed this permanent farm law to prevent this budgetary gamesmanship from repeating. But again, the Senate's farm bill managers refused to allow us a vote on this amendment as well.

At the end of the day, this farm bill will be hailed by its supporters as reform-minded. But let me assure the American public, it is anything but. It was managed under a closed-amendment process and will prove to be just as wasteful and costly as any farm bill we have seen to date.

For these reasons, I urge my colleagues to join me in opposing this bill.•

Mrs. FISCHER. Madam President, I rise today to speak on amendment No. 1169, a bipartisan amendment that Senator CARPER and I offered to the farm bill to fix bureaucratic hurdles that impact farmers' access to seeds. Like so many of the amendments that were offered to this farm bill, our amendment unfortunately was not considered despite broad, bipartisan support and a strong need for the legislation.

Legislation is needed to ensure that American farmers continue to have sufficient quantities of seeds each planting season. Every year, seed is produced in South America in the winter and is delivered just-in-time for spring planting in the United States. Due to the historic drought in 2012, it is estimated that 20 percent of U.S. corn seed will be brought in from South America for planting in 2013.

All seeds are regulated by the Department of Agriculture, USDA. All imported seed must be accompanied by the appropriate forms required by Customs and Border Protection, CBP and USDA, allowing the U.S. Government to electronically track the shipments. In addition to providing information on the seed and the U.S. destination, if seed is still in a research and development phase, it is imported under a strict permitting program administered by USDA's Animal and Plant Health Inspection Service, APHIS. As part of its oversight role, USDA also frequently samples and tests incoming seed shipments.

The Environmental Protection Agency, EPA requires a Notice of Arrival,

NOA for all pesticides that enter the United States. Recently and without warning, EPA began requiring the same NOA form used for imported chemical pesticides on seed import shipments. These duplicative and unnecessary paperwork requirements imposed by EPA threaten to disrupt vital seed shipments.

The NOA is designed for imports of commercial pesticides not seeds, and EPA procedures are antiquated. The form cannot be processed electronically. It must be physically presented to and signed by EPA and then returned to the importer who then gives it to CBP so the shipment can enter. Some 2,000 to 3,000 shipments of counter-seasonally-produced commercial seed arrive 24 hours a day, 7 days a week during the critical period from January to April, but EPA only operates during regular business hours. This volume can quickly overwhelm the NOA process. A delay of even a day can result in delayed deliveries, delayed plantings, and reduced yield for farmers.

EPA has never issued any rule or guidance suggesting that seeds containing a pesticide require an NOA to enter the country. However, EPA officials have been enforcing this requirement for commercial seeds containing a pesticide. No seeds should be subjected to these additional paperwork requirements.

Our amendment to the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA would clarify the roles of EPA and USDA and ensure that unnecessary paperwork does not disrupt an adequate supply of seeds. This language would clarify that the NOA required for the importation of conventional pesticides is not required for imports of treated seed. All seeds would continue to be regulated by USDA under existing statutes and would remain subject to all applicable USDA and CBP entry requirements. EPA's authority to regulate the pesticides themselves would not be affected.

This bipartisan legislation was adopted by voice vote as an amendment to the House Agriculture Committee farm bill and is supported by the American Farm Bureau Federation, American Seed Trade Association, National Farmers Union, Agricultural Retailers Association, National Corn Growers Association, and National Council of Farmer Cooperatives.

Senator CARPER and I worked with Senator BOXER to make changes to our amendment to address concerns about the scope of the amendment. We are hopeful that when the farm bill is considered in conference, our amendment is adopted.

Ms. COLLINS. Madam President, I rise today in support of the Senate farm bill, S. 954, which would make significant reforms to federal agriculture programs and important investments in nutrition, conservation, and rural development. In addition to providing a safe and healthful food supply, America's farmers sustain our rural communities, protect the environment, and preserve the open space that is a vital part of our heritage.

This 5-year reauthorization bill demonstrates much-needed fiscal responsibility by eliminating wasteful direct payments, which over the years have provided financial benefits to hundreds of wealthy individuals not involved in farming. Overall, the bill would cut spending by $24 billion, which is a step in the right direction.

The farm bill contains some significant help for family farms in Maine and throughout the country. It contains a provision I authored with Senator GILLIBRAND that would reform the way the USDA sets dairy prices, reforms that are supported by Maine's dairy farmers. The provision would require the USDA to begin the hearing process to restructure the milk pricing system and would direct the Secretary of Agriculture to release the Department's recommendations to Congress.

S. 954 would maintain fruit and vegetable research programs, which are critical for Maine's potato and wild blueberry growers. In addition, the bill includes several local and organic food initiatives that would benefit Maine's agriculture community.

The bill would also continue vital programs to address hunger and nutrition promotion while strengthening the integrity and accountability of federal nutrition programs. I was pleased to see the adoption of commonsense reforms and the rejection of an amendment that would have made harmful changes to the Supplemental Nutrition Assistance Program safety net.

Given the significant budget pressures, the bill would appropriately improve the effectiveness of conservation and rural energy initiatives. S. 954 demonstrates a continuing commitment to voluntary working lands programs that help improve stewardship practices with technical assistance and cost-share programs for working agricultural and private forest lands, including in Maine.

There are, however, some disappointments. In an arbitrary decision by the USDA, the fresh white potato is the only fresh vegetable or fruit to be specifically excluded from the Special Supplemental Nutrition Program for Women, Infants and Children, or WIC. I filed an amendment that would allow for the purchase of nutritious and affordable fresh white potatoes in WIC, which is cosponsored by a group of bipartisan colleagues, including Senators MARK UDALL, RISCH, KING, CRAPO, BENNET, JOHANNS, SCHUMER, CANTWELL, and BALDWIN. The modification I proposed is strongly endorsed by Maine's potato industry and supported by sound nutritional science, and I am disappointed I was denied a vote on it. I will continue to press for this reform as the Senate and House negotiate a final farm bill.

An amendment I cosponsored with Senator LEAHY that would eliminate a payment limit for organic farmers under the Environmental Quality Incentives Program, also did not receive a vote. It is also regrettable that the amendment to reform the sugar program by Senator SHAHEEN, which I cosponsored and which was endorsed by a broad coalition of consumer, business, and environmental groups, failed to pass. According to CBO, these reforms would save $82 million over the next 10 years.

The leadership of the Senate Agriculture Committee deserves credit for putting together a bipartisan farm bill during this time of partisanship. This bill is a welcome change from the previous reauthorization, which was loaded with wasteful spending and subsidies. I continue, however, to have concerns that the cost of this farm bill remains too high and that more should be done to reform agribusiness programs to help address our skyrocketing deficit. This is an area I hope Congress will continue to work on moving forward.

Mr. WHITEHOUSE. Madam President, despite its name, farm bill policies touch the lives of all Americans, not just those who work in the agricultural sector. In addition to reauthorizing farm programs, this legislation deals with domestic and international food aid, conservation and the environment, trade, rural development, renewable energy, forestry, and financial markets, among other issues. This year's reauthorization presented an opportunity to enact significant reforms in these critical areas. While some progress was made, I believe the bill falls short of its potential and, ultimately, I cannot support it.

The farm bill took an important step toward reform by ending the longstanding practice of giving direct payments to farmers of certain commodity crops, regardless of whether a farmer experienced losses or even planted a crop. It also places caps on the amount of farm payments an individual can receive, expands crop insurance opportunities for specialty and organic crops, establishes conservation compliance as a requirement for receiving premium insurance subsidies, and invests in rural broadband.

In spite of these successes, however, the farm bill does not do enough for Rhode Island families.

Of greatest concern to me, it includes a $4.5 billion cut over 10 years to the Supplemental Nutrition Assistance Program or SNAP also known as food stamps. These cuts could lead to a reduction in food stamp benefits for an estimated 500,000 households across the country, including possibly 20,000 households in Rhode Island. SNAP is our Nation's most important anti-hunger program. In this challenging economic climate, which has affected low-income individuals more harshly than anyone, and from which Rhode Island is recovering very slowly, it is wrong to cut critical food-assistance funding.

I am also discouraged that this legislation provides no funds for fisheries

disasters, including those declared in 2012. Like our farmers, fishermen feed this nation. Americans enjoyed an average of 15 pounds of fish and shellfish per person in 2011, making us second in total seafood consumption in the world. Accordingly, fishing is also a major economic cornerstone of our coastal communities. In 2011, fisheries supported over 1.2 million jobs in the United States.

Despite adhering to strict catch limits, many fishermen and historic fishing communities are suffering dramatic declines in stocks. In 2012, Commerce Secretary Bryson and Acting Secretary Blank issued fisheries disaster declarations ranging from Alaska to Samoa, and from Mississippi up to my home State of Rhode Island. Despite being included in the Senate version, emergency funding for many of these fisheries was left out of final version of the Sandy disaster relief bill ultimately signed into law.

Farm bill programs provide billions of dollars in subsidies and technical assistance to farmers every year. In comparison, fishermen have little access to similar kinds of federal subsidies. Several amendments have been filed that attempt to correct this inequity, including the creation of a pilot program for Farm Service Agency operating loans and crop insurance for shellfish growers. We are a long way, however, from adequately supporting and protecting the role of fisheries in our food supply chain. Fishermen remain second-class citizens when it comes to federal support.

Finally, American agriculture springs from the richness of our land and natural resources, and the farm bill has long supported programs to conserve and protect those resources. As the harmful effects of climate change become more prevalent, our agricultural policy should reflect the threat posed to farming and food production by these changes. In this farm bill, ''climate change'' and ''extreme weather'' are hardly even mentioned. Congress can start by opening the Regional Conservation Partnership Program to climate change adaptation and mitigation projects.

The farm bill is important and wide-ranging legislation. Unfortunately, the bill before the Senate leaves out essential protections for low-income Americans, hard-hit fisheries, and precious natural resources.

Mrs. FEINSTEIN. Madam President, I rise today in opposition to amendment No. 991, filed by my colleague, the junior Senator from South Dakota.

This amendment would eliminate $2 billion from SNAP by limiting the funds available for cost-effective nutrition education programs.

While I appreciate and share my colleague's deep commitment to deficit reduction, this amendment would do so at the expense of those who can least afford it.

It is a shortsighted amendment penny-wise and pound foolish.

A $2 billion cut to this program would chip away at vital programs that combat obesity, a growing epidemic that weighs on our health care system and our economy. Estimates of the medical cost of adult obesity in the United States range from $147 billion to nearly $210 billion per year, according to the Trust for America's Health.

Cutting this program may save money in the short term, but it would cripple ongoing efforts to deliver innovative and effective nutrition education to the most vulnerable populations in our country.

And these education programs are working, Madam President.

According to a study published in the Journal of Nutrition Education and Behavior, USDA's SNAP nutrition education programs contributed to a 17 percent increase in the number of California adults who ate at least five servings of fruits and vegetables each day.

The study showed that the greatest improvements in daily fruit and vegetable consumption were seen in populations with the greatest need.

There was a 91 percent increase among the poorest segment of the population, those with less than $15,000 in annual income, who consumed five or more serving of fruits and vegetables per day; a 77 percent improvement in the African American population, and a 43 percent improvement in the Latino population.

The staggering cost of obesity will continue to increase until we take significant action to improve our health and diet.

That's not to say that there's no room for reform; there certainly is.

That is why Congress passed the Healthy Hunger-Free Kids Act 3 years ago, a bill that made significant reforms to SNAP nutrition education programs.

Most notably, the law changed how the program is funded to make it more equitable. The formula now reflects the actual number of SNAP beneficiaries in each State.

Some would have us believe that the amendment, which mandates an across-the-board $5 cap per recipient, is fiscally responsible. I don't think that is the case. I believe this is simply an attempt to redistribute SNAP funding to States that have shown no interest in reducing obesity among SNAP beneficiaries.

Under the Healthy Hunger Free Kids Act of 2010, funding for the SNAP Education Program is allotted based on two factors: a State's historical contributions to healthy eating and lifestyle programs, and the number of SNAP participants in the State.

The amendment offered by my colleague from South Dakota undoes that formula, instead allocating funds solely on a per-recipient basis.

The Healthy Hunger Free Kids Act formula was the product of a compromise.

The old formula, which allowed the Federal Government to match all State contributions to programs that encourage healthy eating and lifestyles for SNAP recipients, was not affordable.

By eliminating the unlimited match provision and replacing it with a block grant, the Healthy Hunger Free Kids Act was able to save taxpayers more than $1 billion over 10 years.

In exchange for this reduction, a new formula was created. Under the new provision, States that committed hundreds of millions of their own dollars to reduce obesity, like California and Michigan, received marginally higher obesity education funding from USDA.

And States that had not dedicated their own resources to combating obesity received a relatively smaller share of the funding.

Allowing the changes from 2010, which are just now being implemented, to take effect is the best way to effectively reform this program.

This amendment would devastate a program that helps SNAP-eligible children and families learn to stretch their food budgets, reduce hunger, make improvements to their diets and reduce obesity.

I urge my colleagues to let USDA implement the thoughtful comprehensive reforms from 2010.

Mr. LEVIN. Madam President, the Agriculture Reform, Food, and Jobs Act of 2013 contains many important provisions for my State of Michigan and for our Nation's farmers and that is why I am voting in support. The Senate passed a farm bill in 2012, but the House took no action. This was unfortunate, as that farm bill as well as the one before us now contain important reforms to agricultural programs. Reforms that will better help farmers manage their risk and better protect the environment.

CBO estimates that the Senate introduced bill would reduce direct spending by $18 billion over a 10-year period. The bulk of these savings come from the elimination of direct payments to growers and restructuring of conservation programs. While achieving this budgetary savings, the bill provides important funding for agricultural producers. I am pleased that this farm bill provides funding for specialty crops. My home State is second only to California in the number of crops grown and is second to none in production of 18 different commodities including tart cherries, cucumbers, blueberries, dry black and red beans and cranberries. The bill before us provides mandatory funding for the Specialty Crop Research Initiative, continues funding for specialty crop block grants and consolidates efforts to fight invasive pests.

The bill also includes important conservation provisions to reduce erosion, improve wildlife habitat, and protect water quality, including that of the Great Lakes. Compliance with conservation measures is required for lands receiving Federal assistance. Every year, about 600 million tons of topsoil erode from agricultural lands in the Great Lakes region. This soil erosion also includes fertilizer and other

chemicals, polluting waterways and contributing to harmful algal blooms, a growing problem in the Great Lakes. The conservation requirements in the bill would help prevent this from occurring, as well as protecting the soil quality and productivity of the farmland.

I am also pleased the bill includes the Regional Conservation Partnership Program, which would support locally-led conservation projects in priority watersheds such as the Great Lakes. The program would allow a broad range of issues to be addressed including sediment reduction, water quality improvements, and habitat conservation. Because the Great Lakes region already has a regional plan in place, our region should be able to effectively compete for the $110 million in annual funding that would be provided for this program. We have made some solid progress in cleaning up our Great Lakes and other waters in Michigan, but there is still much to be done. The conservation funding provided in the farm bill would help to protect and restore the Great Lakes as well as Michigan's inland waterways.

Mr. HARKIN. Madam President, sometimes Congress passes legislation that directly creates jobs. More often, we approach job creation indirectly, with legislation that lays the groundwork for a more productive and dynamic private sector. An excellent example of this is this new farm bill.

The chairwoman, Senator STABENOW, and the ranking member, Senator COCHRAN, deserve congratulations and our sincere gratitude for all of their efforts and their success in bringing this bill through the Agriculture Committee and to the Senate floor. And because this bill reflects so much of the work done in the last Congress, I also want to recognize the many contributions of Senator ROBERTS.

As a senior member and former chairman of the Committee on Agriculture, Nutrition, and Forestry, this is the eighth farm bill I have worked on since coming to Congress in 1975. I chaired the committee during passage of the 2002 and 2008 bills. From that experience, I can tell my colleagues the new farm bill—the Agriculture Reform, Food and Jobs Act of 2013—is good for Iowa and our entire Nation.

It is a difficult enough process to craft a farm bill without the extra hardship of having to take spending reductions out of the budget baseline. These budget cuts are very difficult because there are compelling needs respecting food, agriculture, and rural America. This measure embodies genuine sacrifices and serious deficit reduction. It exceeds the farm bill deficit reduction in the budget resolution we passed here in the Senate.

This bill reflects a bipartisan balance among numerous competing demands. It was broadly supported in the committee and I hope it will be broadly supported by the full Senate. Again, I commend the leadership of our committee for striking that balance and building support for this legislation.

Overall net farm income has been strong in our Nation in recent years, and that has given a boost to rural economies. But this strong income has not been enjoyed by all producers of all commodities, or in all regions of the country. For example, many farmers and ranchers are still struggling to survive the devastating impact of drought and other natural disasters.

This bill wisely continues programs that offer some income protection and stability in the face of the inevitable natural disasters and swings in farm production levels and commodity prices. At the same time, this bill continues and builds upon important reforms in recent farm bills, for example, by strengthening and tightening payment limitations.

A landmark reform in this bill is eliminating what are called the direct commodity payments. From their inception, I did not believe the direct payments were sound or responsible policy. They were inadequate when farm prices and incomes fell. Yet when prices and incomes rose, the payments continued anyway, which was unjustified, and even embarrassing.

And so I support replacing the direct payments with the revenue protection program in this bill focused on protecting farmers against losses of revenue, taking into account both prices and yields. The new revenue program is an evolution of the Average Crop Revenue Election—ACRE—program that I was pleased we included in the 2008 farm bill. This bill also continues a strong crop insurance program, and in fact it makes it even more beneficial to farmers. That is certainly of substantial economic value to Iowa farmers.

In the conservation title, I commend Senator STABENOW, Senator COCHRAN, and Senator ROBERTS for important improvements in the programs, and for continuing the Conservation Stewardship Program and other critical initiatives with substantial funding levels. I do very much regret that conservation funding is cut from the budget baseline levels, but I commend and thank the leaders of our committee for limiting those conservation budget cuts.

I especially want to express my strong congratulations for the momentous agreement that was reached between the farm community and the conservation community to reinstate minimum conservation requirements in order for a farmer to receive Federal crop insurance subsidies. This is a very important policy reform. I very strongly urge my colleagues to support this agreement on making basic conservation an integral part of crop insurance.

I am pleased this bill continues to provide fresh fruits and vegetables to school children across the country. That is an initiative I started and expanded as chairman. I regret, however, that this legislation reduces funding for nutrition assistance to low-income Americans. I commend the chairwoman and ranking member for limiting these reductions. I intend to try to mitigate cuts to antihunger programs as the legislative process moves forward.

In the several farm and rural energy programs in the bill, I am very pleased with the substantial level of mandatory funding dedicated to continue these effective and beneficial initiatives.

So, again, I thank the chairwoman and the ranking member for their good work and pledge my support to them in moving this bill through the Senate and to conference with the House—once the House passes its bill, we hope—and then to the President.

This new farm bill is vitally important to our Nation and especially to productivity, vitality and jobs in our Nation's food and agriculture sector. It is far too important to be delayed any longer.

Mr. DURBIN. Madam President, today I will vote to pass a bipartisan measure to reauthorize the many important programs and reforms included in this year's farm bill. Chairman STABENOW and Senator COCHRAN are to be commended for the good work they and other Agriculture Committee members put into developing this legislation.

This bill is the most sweeping reform of agriculture programs in recent memory. Gone are outdated direct payments that are made regardless of profitability of the farm. Instead, we strengthen the crop insurance program, a vital safety net for our producers, while making commonsense reforms. The amendment I offered with Senator COBURN reducing premium support for the wealthiest farmers is a part of these reforms. So is the move to require conservation compliance from farmers who benefit from subsidized crop insurance. I hope these will be retained in a final conference version of the bill.

The energy title includes mandatory funding for programs to expand bio-based manufacturing, advanced biofuels, and renewable energy. These programs help companies in Illinois like Archer Daniels Midland and Patriot Renewable Fuels process and manufacture products in rural America. There are many examples in Illinois of new markets being developed and new jobs being created in rural areas because of the growth in bio-based industries.

The bill also includes mandatory spending, reauthorizes, and expands several programs in the research title. A new Foundation for Food and Agriculture Research will leverage public dollars to generate private investment in ag research. These investments are important to Illinois producers and major research institutions like the University of Illinois, Southern Illinois University, the Peoria Agriculture Lab, and several other universities and labs across Illinois.

Finally, the bill ensures that programs are in place to help our rural communities grow and thrive and it reauthorizes food assistance programs for

those most in need, at home and abroad. And it does all this while saving roughly $24 billion compared to pre-sequestration budget levels.

As the Senate and House work through conference, I urge my colleagues to protect access to SNAP for the over 23 million households that depend on the program. It is my great hope that when a final version of the 2013 farm bill is considered in the Senate, I will be able to fully support a bill that protects this important nutrition program.

Mr. LEAHY. Madam President, across Vermont's food system, businesses are starting, expanding, and creating good jobs. Ever more local food is available in stores, restaurants, and institutions throughout the State and in greater supply, for more months of the year. Important programs are reaching more food insecure Vermonters with fresh, healthy food. Thanks to the Senate farm bill we will continue to see these improvements in Vermont and across the country

Nationwide agriculture supports 16 million jobs. In Vermont our farms and private forestlands play a large role in our economy and our State's cultural and historical identity. Iconic images of Vermont's farms and forests bring millions of visitors to the State each year, supporting our local communities.

The 2013 farm bill that the Senate passed today will continue to support our farmers and rural communities, while also reforming agricultural programs to save taxpayers billions of dollars. I am encouraged that the Senate Agriculture Committee Chairwoman DEBBIE STABENOW and our ranking member THAD COCHRAN have been able to bring the Senate together to pass a bipartisan farm bill. A farm bill that saves more than $23 billion. A bill that includes many compromises. This bill provides an important framework to help farmers and ranchers in all regions of the country manage their risks more effectively, especially our country's dairy farmers, who strongly support the dairy provisions in the Senate-passed farm bill.

I must also thank the chairwoman for her assistance with my gigabit broadband pilot amendment. This small pilot effort is an important addition to the bill and the broadband program and will help to ensure that the taxpayer dollars we are investing in networks will not become obsolete within the next few years. Gigabit Internet is spreading to cities across the country, and this pilot will allow USDA to test out investment in gigabit networks in rural areas on a pilot basis. The next generation gigabit networks will transform everything from the reliability of the electrical grid, to education and healthcare in rural America. We cannot leave rural America behind in the dust while the rest of the country moves into this next stage of the digital era.

I urge the U.S. House of Representatives to follow suit by bringing a farm bill up for debate as soon as possible. Time already is running short for us to bring Senate and House bills to a conference committee to work out the vast differences and arrive at a compromise farm bill that can be signed into law prior to the Sept. 30 expiration of the current bill. Farmers face enough uncertainty in their work and do not need Congress to compound the variables with which they must contend by once again delaying final action on a farm bill. Our farmers and the American people deserve a new farm bill and a balanced bill like the one we have passed in the Senate today, a bill which supports our nutrition, conservation, rural development, and farm programs. Our farmers cannot afford to be kept in limbo any longer by congressional gridlock.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired. The question occurs on amendment No. 998, offered by the Senator from Vermont, Mr. LEAHY.

Mr. LEAHY. Madam President, this amendment is very simple. It sets up a pilot program for real ultra-high-speed Internet in rural areas. We are going to have this in urban areas. All we are saying is let rural areas—and every single Senator represents a rural area somewhere in their State—allow rural areas to compete with urban areas for jobs, for education, for medical care.

The ultra-high-speed Internet service pilot is narrow in scope, carefully drafted. I know it is supported by the distinguished chair and distinguished ranking member. It has the potential of bringing, as I said earlier, the innovation of Silicon Valley to the Upper Valley in Vermont and rural areas across the country.

It is almost what we had to argue about rural electricity back before I was born—whether rural areas would be the same as urban areas. This makes it possible.

I urge its passage.

Ms. STABENOW. I urge a ''yes'' vote on the Leahy amendment.

The PRESIDING OFFICER. The question is on agreeing to the Leahy amendment.

Mr. COCHRAN. 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 assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Alaska (Mr. BEGICH), the Senator from Ohio (Mr. BROWN), the Senator from West Virginia (Mr. MANCHIN), the Senator from Vermont (Mr. SANDERS), the Senator from Colorado (Mr. UDALL), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from South Carolina (Mr. GRAHAM), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from South Carolina (Mr. SCOTT), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from South Carolina (Mr. SCOTT) would have voted ''nay.''

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

The result was announced—yeas 48, nays 38, as follows:

[Rollcall Vote No. 144 Leg.]

YEAS—48

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Bennet	Heinrich	Nelson
Boxer	Heitkamp	Pryor
Cantwell	Hirono	Reed
Cardin	Johanns	Reid
Carper	Johnson (SD)	Rockefeller
Casey	Kaine	Schatz
Collins	King	Schumer
Coons	Klobuchar	Shaheen
Cowan	Landrieu	Stabenow
Donnelly	Leahy	Tester
Durbin	Levin	Udall (NM)
Feinstein	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wyden

NAYS—38

Alexander	Cruz	McCaskill
Ayotte	Enzi	McConnell
Barrasso	Fischer	Moran
Blunt	Flake	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chiesa	Heller	Rubio
Coats	Hoeven	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Wicker
Crapo	Lee	

NOT VOTING—14

Begich	Manchin	Scott
Blumenthal	McCain	Udall (CO)
Brown	Murkowski	Vitter
Chambliss	Paul	Warner
Graham	Sanders	

The amendment (No. 998) was agreed to.

Mr. LEAHY. Madam President, I move to reconsider the vote.

Mr. WHITEHOUSE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. We have one more vote tonight on final passage.

The PRESIDING OFFICER. The clerk will read the bill for the third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, under the previous order the question is, Shall it pass?

Mr. COATS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the

Senator from West Virginia (Mr. MANCHIN), the Senator from Colorado (Mr. UDALL), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Kentucky (Mr. PAUL).

Further, if present and voting, the Senator from Alaska (Ms. MURKOWSKI) would have voted ''nay.''

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

The result was announced—yeas 66, nays 27, as follows:

[Rollcall Vote No. 145 Leg.]

YEAS—66

Alexander	Durbin	McCaskill
Baldwin	Feinstein	Menendez
Baucus	Fischer	Merkley
Bennet	Franken	Mikulski
Blumenthal	Gillibrand	Moran
Blunt	Graham	Murphy
Boozman	Grassley	Murray
Boxer	Hagan	Nelson
Brown	Harkin	Pryor
Burr	Heinrich	Reid
Cantwell	Heitkamp	Rockefeller
Cardin	Hirono	Sanders
Carper	Hoeven	Schatz
Casey	Isakson	Schumer
Chambliss	Johanns	Shaheen
Chiesa	Johnson (SD)	Stabenow
Coats	Kaine	Tester
Cochran	King	Udall (NM)
Collins	Klobuchar	Vitter
Coons	Landrieu	Warren
Cowan	Leahy	Wicker
Donnelly	Levin	Wyden

NAYS—27

Ayotte	Hatch	Risch
Barrasso	Heller	Roberts
Coburn	Inhofe	Rubio
Corker	Johnson (WI)	Scott
Cornyn	Kirk	Sessions
Crapo	Lee	Shelby
Cruz	McConnell	Thune
Enzi	Portman	Toomey
Flake	Reed	Whitehouse

NOT VOTING—7

Begich	Murkowski	Warner
Manchin	Paul	
McCain	Udall (CO)	

(The bill will be printed in a future edition of the RECORD.)

VOTE EXPLANATIONS

• Mr. WARNER. Mr. President, I was not able to vote on final passage of the farm bill today due to an urgent personal matter, but I want the record to reflect my strong support for the Agriculture Reform, Food and Jobs Act. Last year I voted in favor of the farm bill and would have once again supported this bipartisan legislation. S. 954 gives Virginia's farmers the certainty they need, supports the economies of our rural communities and also improves current farm programs. I am proud that the bill contains two of my priorities: ensuring farmers in the Chesapeake Bay watershed get a fair share of conservation funding and reforming broadband financing programs to provide greater accountability and transparency. I would like to thank the chairwoman and ranking member for their tireless efforts, and wish I could have been there to cast my vote for this important, bipartisan legislation.•

• Mr. UDALL of Colorado. Mr. President, I was unable to return to Washington, DC, prior to the votes this evening due to unavoidable travels delays that were beyond my control and was therefore unable to cast a vote for rollcall votes No. 144 and 145, Leahy amendment No. 998 and final passage of the farm bill, S. 954. Had I been present, I would have voted ''yea'' on each.•

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak for up to 5 minutes. Following my remarks, Senator SESSIONS will have the floor.

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

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business.

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

THE FARM BILL

Mr. BROWN. Under the leadership of Chairman STABENOW and Ranking Member COCHRAN, the Senate has again passed a bipartisan deficit-reducing bill that will help our farms, our families, our economy, and our environment.

The Agriculture Reform, Food, and Jobs Act of 2013 is a good start to cultivating a new era of prosperity in our country and reinvesting in rural America. That is because this bill benefits all Americans, especially in my home State of Ohio.

One in seven jobs in Ohio, in places such as Custar and Defiance, is related to food and agriculture. To keep our economy growing, the farm bill must remain a priority here in Congress. We have shown the Senate can do its part.

To people who are uncertain about our ability to work across the aisle, I say look at this farm bill. To people who are concerned about spending in Washington, I say look at this farm bill. To people who are disheartened about our ability to help low-income families make ends meet, I say look at this farm bill.

This bill saves more than $24 billion, and it maintains important investments in conservation, nutrition, renewable energy, and rural development. Farmers across Ohio and across the country tell us they want a leaner, more efficient, and market-oriented farm safety net. Taxpayers deserve that too.

By eliminating direct payments, linking crop insurance to conservation compliance, and by further reforming our risk management programs, the Senate has taken that first step.

Every farmer knows the importance of building on last season's work. Last year, Senators THUNE, DURBIN, Lugar—the predecessor—the Presiding Officer, and I proposed the Aggregate Risk and Revenue Management Program, streamlining the farmer safety net, making it more market-oriented. The Agricultural Risk Coverage Program included in this bill gives farmers the tools they need to mitigate risks, ensuring that payments happen only when farmers need them most. The program relies on current data and, as a result, is more responsive to farmers' needs and more responsive to taxpayers.

It also includes a provision to help Ohio farmers and producers sell their products directly to consumers. It will make a world of difference to families and schools that want to eat locally grown food. I appreciate the efforts, interest, and support of Senator COCHRAN in those efforts.

However, this bill does not include my food and agriculture market development amendment, cosponsored by 14 of my colleagues, to provide needed funding to several important programs that support the development of a stronger, more sustainable food system. We will work on that in the House.

By aligning our agricultural, health, and economic policies in ways that ensure farmers get a fair price for their product, all Americans can have access to affordable, healthy food, while contributing to strong communities and thriving local economies.

The farm bill affects every American every day. It is a deficit reduction bill. It is a jobs bill, conservation bill, rural development bill, and it is bipartisan.

I commend again Senator STABENOW and Senator COCHRAN for their work in crafting this bill, and their joint effort to work across party lines is to be commended.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I want to thank the Senate for passing this very important farm bill, the Agriculture Reform, Food, and Jobs Act of 2013.

I especially thank my colleagues DEBBIE STABENOW and PAT ROBERTS and their staff members for the hard work they devoted to this effort. Their bill, when it was begun, passed the Senate last year. Their legislation became the starting point for our work this year on the bill.

The chairwoman of the Agriculture Committee, Senator STABENOW, and her staff director, Chris Adamo, have been outstanding leaders in this effort. I would at this opportunity thank them and all of the members of their staff for their hard work in developing a strategy and developing language of a bill that could enjoy such broad support.

Members of our committee staff and my personal office staff have worked very hard too in this effort. I would like to thank them for their contributions. I appreciate their hard work. They include my staff director, T. A. Hawks, Nona McCoy, Kevin Batteh, Darrell Dixon, Adam Telle, Daniel Ulmer, Ben Mosely, Taylor Nicholas, Julian Baer, Andrew Vlasaty, Chris Gallegos, Steven Wall, Keith Coble, Anne Hazlett, James Glueck, and Sarah Margaret Hewes. The staff members have done an outstanding job, and

I am very pleased they have been members of our team. For all of them and especially for the Senators and the support we have received today, we appreciate the support very much.

Mr. President, I yield the floor.

FORTY-EIGHTH ANNIVERSARY OF GRISWOLD V. CONNECTICUT

Mr. DURBIN. Mr. President, 48 years ago on June 5, the U.S. Supreme Court made a landmark ruling in Griswold v. Connecticut, which legalized birth control for married couples in all 50 States and paved the way for women and men to have legal access to contraception.

The Justices' decision not only recognized birth control as a right protected under our Constitution, but empowered women and families to make decisions in the best interest of their health and well-being.

In fact, access to birth control has had such a dramatic impact on women and families in this country that the Centers for Disease Control and Prevention named it one of the top 10 public health achievements of the past century, along with vaccinations and adding fluoride to water.

Family planning and contraceptive services give women and couples the ability to determine timing of births and family size.

Research shows that having smaller families and spacing out births improve the health of children and women.

Access to contraception also improves the economic and social well-being of women.

Contraception allows young women to postpone pregnancy until they finish school, secure a good job, and are as ready as any parent can be to start a family.

The benefits of contraception help not only women, but their children.

When parents have prepared themselves financially and mentally to love and support a child, the child reaps all the benefits.

While the Supreme Court's 1965 ruling on Griswold v. Connecticut paved the way for legalizing contraception, the Federal Government has played a key role in expanding access to family planning services.

In 1970, under President Nixon, title X was created and remains the only dedicated source of Federal funding for family planning services in the U.S.

Title X provides critical family planning and preventive health care to 5.2 million low-income and uninsured women and men across the country.

Title X services prevent nearly 1 million unintended pregnancies each year, almost half of which would otherwise end in abortion.

In 1972, 2 years after the creation of title X, Medicaid funding for family planning was authorized.

Last year, a key provision of the health care reform law took effect that builds on the legacy of Griswold v. Connecticut.

New health insurance plans will now cover a range of preventive health services, including contraception services, at no cost.

The annual cost of birth control pills can range from $160 to $600. For many women, that expense has been a barrier to accessing basic health care.

Over the last 48 years, we have made tremendous progress ensuring women have access to quality health care and are free to make decisions about their own health.

As we remember Griswold v. Connecticut, we must remember those who fought to ensure access to contraception. We must protect personal freedoms and defend our Nation from efforts to undermine access to basic health care.

AWARD OF ABILENE TROPHY TO ST. LOUIS REGION

Mr. DURBIN. Mr. President, I rise today to commend the communities of St. Louis and Southwestern Illinois region for winning the Air Mobility Command Community Support—Award also known as the Abilene Trophy—for their support of Scott Air Force Base in 2012.

The Abilene Trophy is presented annually to a civilian community recognized for providing outstanding support to a nearby US Air Force Air Mobility Command base. The award has been presented every year since 1998 and highlights the role our communities play in support of our service men and women and their families.

Scott Air Force Base in St. Clair County, IL, is home to the 375th Air Mobility Wing, the Air Force Reserve Command's 932nd Airlift Wing, and the Illinois Air National Guard's 126th Air Refueling Wing. Scott Air Force Base also headquarters major military organizations such as USTRANSCOM, the Air Force Global Logistics Support Center, and the Air Mobility Command. Winning the prestigious Abilene Trophy is particularly meaningful, given the multiple missions supported there.

The nomination package for the Abilene Trophy cited over 270 examples of how the surrounding communities have supported military personnel at the base, including in-kind donations such as $500,000 worth of documented material aid through the H.E.R.O.E.S. Care program. Partnerships were built that could help servicemembers and their families find appropriate resources. Servicemembers and their families were recognized by major league sports teams such as the Cardinals and the Rams and by community schools and businesses. Countless other examples of generosity, support and gratitude from the community have provided financial, physical, and emotional support throughout the year.

We owe a great debt of gratitude to the men and women who have sacrificed their lives or go to work every day to protect our country. I am proud to support those who have done so much for our Nation and am just as proud of those communities that do the same.

Congratulations to the Southwestern Illinois and St. Louis regions on winning the Abilene Trophy. Tomorrow's awards ceremony reminds us of your commitment to our servicemembers at Scott Air Force Base and to our military families.

SRI LANKA

Mr. INHOFE. Mr. President, I rise to encourage our Department of State to review its current policies regarding the country of Sri Lanka, and seek further engagement with its leadership so as to assist them as they continue their progress toward complete reconciliation and reconstruction after 30 years of the civil war against the Tamil Tiger terrorists.

As you know, four years ago Sri Lanka defeated the Tamil rebels, and is currently recovering from the economic, political, and social upheaval caused by this destructive civil war. Peace has brought historic post-conflict recovery, and I find that Sri Lanka has brought the dividends of peace in an inclusive manner, in particular to those in the north and the east of the country from where suicide bombers and other terrorist attacks were once launched.

It is my understanding that, since the war ended, those two areas have seen an economic growth of 22%, compared to an average of 7.5% in the rest of the country. It is also my understanding that Sri Lanka has removed half a million anti-personnel mines, resettled 300,000 internally displaced people and re-established vital social services in the areas of health and education. It is making progress in other areas of reconciliation in accordance with its legislative and budgetary procedures, and is expected to conduct elections in the north in September—an important step towards political reconciliation. Such processes take time, as we have learned from our own Civil War.

It seems to me that Sri Lanka is developing into a key economy, both in its own right and as a gateway to India. It is my understanding that U.S. private investment there totals billions in long term Sri Lankan bonds. Such investments there, however, are not as visible as the airports and harbors financed by China and other governments. Regardless, it is my understanding that at this time, Sri Lanka continues to present a unique window of investment opportunities for U.S. companies.

In addition, Sri Lanka's geo-strategic location and deep-water ports could be vital to the long term financial and national security interests of the U.S. Some 50% of all container traffic and 70% of the world's energy supplies pass within sight of the Sri Lankan coast.

Understandably, U.S. policies towards Sri Lanka have focused on accountability for what happened during the last phases of the civil war as well as on steps toward reconciliation efforts that seek inclusion of former terrorist enemies into the democratic process. While these aspects are very important and deserving of support, I believe there is the opportunity to engage in a wider approach at the same time that takes into account economic and geostrategic considerations. Maybe a wider approach would have a positive influence overall.

I have expressed these points recently in correspondence to Secretary Kerry, urging him to undertake at the Department of State a review of our current policies towards Sri Lanka to ensure that we not only encourage continued reconciliation that includes political transparency especially in the upcoming election in the north but also recognize Sri Lanka's potential to be a strong financial and national security ally in the future.

Secretary Kerry has replied agreeing with me that promising economic growth is occurring in Sri Lanka after years of terrorist insurgency, and that this country can play a significant geopolitical role in U.S. strategic security interests in South Asia and the Indian Ocean. The State Department, however, points out that Sri Lanka still needs to achieve ''meaningful reconciliation between the Sinhala majority and Tamil and Muslim minorities.''

I take the State Department at its word, and believe the upcoming September 7 Provincial Council elections in the north can be a meaningful act of reconciliation between the Sinhala majority and Tamil Muslim minorities. And if they are deemed to be conducted in a free and fair manner, I will renew my request to Secretary Kerry to reaccess our current policies towards Sri Lanka.

TRIBUTE TO ROBERT MARTIN, TUSKEGEE AIRMAN

Mr. HARKIN. Mr. President, I would like to take a moment to recognize the remarkable service of Robert Martin, who has spent his life overcoming racial barriers and giving back to his country through extraordinary military and public service.

Born and raised in Dubuque, IA, Mr. Martin, in his youth and throughout his life, demonstrated an exceptional commitment to academics, athletics, and community service. He participated in Boy Scouts despite threats and backlash from fellow scouts' parents. He was also ultimately inducted into the Dubuque Senior High School Athletic Hall of Fame. He graduated from Iowa State University earning a degree in electrical engineering and obtained a pilot's license.

Mr. Martin, while still in college, applied to join the U.S. Army Air Corps and was accepted after he was drafted into service. He began his military career in Fort Dodge, but was transferred to Tuskegee, AL, to train in the Army's Black pilot program, where he received the rank of commissioned second lieutenant and specialized in operating the AT–6 Texan and the P–40 War Hawk. He then, in 1944, became an active fighter pilot in Italy, conducting over 60 long-range combat missions as part of the 100th Fighter Squadron. His squadron defended B–17 Flying Fortresses from German assaults. On March 3, 1945, he was shot down by ground fire in Yugoslavia. He parachuted from his burning plane and successfully avoided German capture with the help of Yugoslavian partisans. Upon his recovery, he returned to the U.S. and was honorably discharged.

After being discharged, Mr. Martin continued to serve in the Army Air Corps Reserves, rising to the rank of captain. Following his military career, he maintained a commitment to public service, serving as an engineer for Cook County, IL. He was also a leader in Tuskegee Airmen, Inc., an organization whose members travel the country as educators and historians.

Mr. Martin was awarded a number of accolades for his service, including the Distinguished Flying Cross, a Purple Heart, an Air Medal with six Oak Leaf Clusters, and, in 2007, the Congressional Gold Medal. Moreover, he was inducted into the Iowa Aviation Hall of Fame and presented the George Washington Carver Medal from Simpson College, which recognizes individuals who have served as an inspiration to others; demonstrated leadership and conviction; advanced the fields of science, education, the arts, or religion; and dedicated themselves to addressing humanitarian issues. Mr. Martin's record exemplifies the extraordinary military service African Americans performed and the dedication that they displayed for their country in spite of the prejudice they experienced.

Robert Martin is a remarkable citizen, truly deserving of his many decorations and my gratitude. I wish him and his family all the best and thank him and all the Tuskegee Airmen for their steadfast service.

CONSULTATION REQUEST

Mr. COBURN. Mr. President, I ask unanimous consent that my letter dated June 10, 2013, to the minority leader be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, June 10, 2013.

Hon. MITCH MCCONNELL,
Senate Minority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting that I be consulted before the Senate enters into any unanimous consent agreements or time limitations regarding H.R. 180, National Blue Alert Act of 2013.

I support the goals of this legislation and believe suspects who seriously injure or kill federal, state or local law enforcement officers in the line of duty should be apprehended as quickly as possible. However, I believe the responsibility to address this issue, as it relates to state and local law enforcement officers, lies with the states and local communities that these brave law enforcement officers serve. Furthermore, while I do not believe this issue is the responsibility of the federal government; if Congress does act, we can and must do so in a fiscally responsible manner. My concerns are included in, but not limited to, those outlined in this letter.

While this bill is well-intentioned, it will likely cost the American people several million dollars over 5 years without corresponding offsets. I recognize this bill no longer contains the authorization included in prior versions of this legislation; however, establishing a new program which requires the Department of Justice (DOJ) to carry out additional responsibilities, even if implemented by existing staff, is not free of future costs. In examining last year's National Blue Alert Act of 2012 (H.R. 365), the Congressional Budget Office (CBO) estimated the DOJ would incur an additional $5 million over 5 years solely in administrative costs to operate the Blue Alert system. As this legislation made no changes from the 2012 bill, it is safe to assume those costs will recur.

It is irresponsible for Congress to jeopardize the future standard of living of our children by borrowing from future generations. The U.S. national debt is now over $16.7 trillion. That means over $53,000 in debt for each man, woman and child in the United States. A year ago, the national debt was $15.7 trillion. Despite pledges to control spending, Washington adds billions to the national debt every single day. In just one year, our national debt has grown by $1 trillion or 6.4%.

In addition to these fiscal concerns, there are several problems specific to this legislation. First, there is no need to establish a national Blue Alert system because many states have already developed their own Blue Alert programs for the same purposes outlined in this bill, including alerts issued for the injury or death of federal, as well as state and local law enforcement officers. In 2008, Florida and Texas were the first states to establish these programs. Fourteen additional states soon followed—Oklahoma, Maryland, Georgia, Delaware, California, Virginia, Mississippi, Tennessee, Utah, Colorado, South Carolina, Washington, Kentucky, and Ohio. This year, in July and October, respectively, Indiana and Connecticut will begin their Blue Alert systems. Several state legislatures currently have legislation pending that would establish a Blue Alert system, including Minnesota, Illinois and Alabama.

Furthermore, there is no data to support the success of any of the existing state Blue Alert programs. Oklahoma established its Blue Alert system in 2009, but it is not yet fully functional. The last five states to establish an alert system did so just last year. As a result, not only have states already established their own programs, but from the limited use of the existing systems, there is no clear evidence of a substantial need for a Blue Alert system, or of the consistent, successful apprehension of suspects as a direct result of a Blue Alert. If anything, we should wait for these programs to produce results that can be examined and determine whether this type of system is useful before instituting a federal one-size-fits-all program.

Second, while the bill's supporters likely envision pursuing suspects who have injured or killed a law enforcement officer in a routine traffic stop or while fleeing a crime scene, for example, the bill's definition of ''law enforcement officer'' is much broader.

The bill incorporates the definition in Section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968, which includes ''an individual involved in crime and juvenile delinquency control or reduction, or enforcement of the criminal laws (including juvenile delinquency), including, but not limited to, police, corrections, probation, parole, and judicial officers.'' As a result, a Blue Alert could be issued for a state court bailiff, a state parole officer, or an officer within a state's juvenile corrections facility, if injured in the line of duty.

Finally, I do not believe the federal government has the authority under the Constitution to provide federal funds to coordinate the tracking of state and local fugitives or to establish national protocols to apprehend suspects accused of injuring or killing state and local law enforcement officers. Article I, Section 8 of the Constitution enumerates the limited powers of Congress, and nowhere are we tasked with funding or becoming involved with state and local criminal issues.

There is no question those suspected of injuring or killing a state or local law enforcement officer in the line of duty should be aggressively pursued and prosecuted. However, I believe this issue is the responsibility of the states and not the federal government. Despite these Constitutional limitations, if Congress does act in this area, like most American individuals and companies must do with their own resources, we should evaluate current programs, determine any needs that may exist, and prioritize those needs for funding by cutting from the federal budget programs fraught with waste, fraud, abuse, and duplication.

Sincerely,

TOM A. COBURN, M.D.,
United States Senator.

TRIBUTE TO COMMANDER GEORGE KOVATCH

Ms. LANDRIEU. Mr. President, the Homeland Security Appropriations Subcommittee will soon bid farewell to our congressional fellow, Coast Guard CDR. George Kovatch, who has served the Committee on Appropriations over the past 3 years. Unfortunately, Commander Kovatch is retiring, so not only is his departure a loss for the Committee on Appropriations, but it is also a loss for the Coast Guard.

Commander Kovatch has been detailed to the committee from the U.S. Coast Guard since 2010 and is a key member of our professional staff. Commander Kovatch performed admirably in his role on the Homeland Security Appropriations Subcommittee. He did everything we asked of him, with pinpoint accuracy, and always beat the deadlines given to him. I would also add that he served the committee during interesting times, perhaps more interesting than he imagined when he accepted the job. He was here for the Deepwater Horizon oilspill, the Times Square bombing attempt, the air cargo printer scare, Hurricanes Isaac and Sandy, and the Boston marathon bombing.

The Homeland Security Appropriations Subcommittee has greatly benefited from the experience Commander Kovatch gained as a Coast Guard officer, in particular his insights into the operations of a complex military organization that is combined with a large domestic agency. He has superb analytical skills that have been critical in our review of a $39 billion budget request and in developing complex spreadsheets that synthesize funding issues into easily understood documents we have used in hearings, closed briefings, in full committee, and on the floor. He made critical recommendations that were adopted to improve key components within the Department of Homeland Security, most notably carefully overseeing integrity efforts following the rapid hiring of agents and officers at Customs and Border Protection as well as Immigration and Customs Enforcement to ensure that all agents, but especially new hires, receive comprehensive training in ethics and public integrity. His unqualified professionalism, perception, superb analytic focus and technical skills, combined with a keen sense of humor, a cool head, and a modesty rarely seen on Capitol Hill, have helped keep the momentum for these bills moving forward. His high standards of professionalism and thoroughness are beyond reproach, and his contributions have been highly valued.

Through all of this, George maintained the decorum and professionalism that we have all come to expect from our military officer corps, and he has represented the Coast Guard with the highest integrity and competence. Commander Kovatch has served me, this subcommittee, and the Senate well. We are sorry to see him leave and will miss him as our colleague but are glad to count him as a friend. Each of us on the Homeland Security Appropriations Subcommittee wish George all the best as he moves forward in the next phase of his career, where we anticipate seeing great things of him in the coming years.

ADDITIONAL STATEMENTS

HAM RADIO IN ALASKA

• Mr. BEGICH. Mr. President, the American Radio Relay League is the national association for amateur radio, connecting ham radio operators around the world. Each year, the league sponsors a 24-hour Field Day in June. The weekend of June 22 to 23 was chosen for 2013.

Ham radio has a variety of uses from private recreation, to roundtable discussions, self-training to emergency correspondence. Throughout its history, amateur radio has been a tool for inventors and hobbyists to share experiences and spread ideas. Notable enthusiasts include the late Walter Cronkite, ''CBS Evening News'' anchor, and Nobel Prize-winning physicist Dr. Joseph H. Taylor. In the past, just by signing on one could converse with a foreign dignitary or even bounce radio waves off the Moon or aurora borealis to speak with cosmonauts aboard the International Space Station.

In Alaska, there are 16 ham radio clubs. These clubs provide a vital communication link that may otherwise not be available. This link includes checkpoint updates for the Yukon Quest and Iditarod sled dog races, support for local organizations such as the Boy Scouts, and critical forecast information to and from the National Weather Service.

In 2011, a superstorm in the Bering Sea crippled communities along the west coast of Alaska. Ham radio operators took up the task of providing real time data to local, State, and Federal weather services, as well as to emergency responders, on the condition of residents. As ham radio can operate independent of AC power or internet connection, it is well-suited to communities in rural Alaska.

Indeed, ham radio operators have been there throughout our Nation's times of need: the 1964 Good Friday earthquake in Alaska and more recently Hurricane Katrina in the lower 48. These operators are deeply committed to public service, and they work tireless unpaid hours to maintain the flow of information.

As Alaska's Field Day approaches, let us remember the vital role ham radio operators have played in education, science, survival, entertainment, and relationship-building in the United States.•

TRIBUTE TO MICHAEL F. ADAMS

• Mr. ISAKSON. Mr. President, today I wish to pay tribute to Dr. Michael F. Adams, president of my alma mater, the University of Georgia, which is the first State-chartered university in America. Dr. Adams is stepping down as president on June 30, 2013, after 16 very successful years leading Georgia's flagship university.

Dr. Adams was named president of UGA on June 11, 1997, and immediately focused on making the university one of America's best. Under his leadership, student quality has risen dramatically, research production has increased significantly, and UGA is serving the people of Georgia and our Nation in new and innovative ways. As a result, U.S. News & World Report has ranked it as one of America's top 20 public research universities in 8 of the past 10 years.

The UGA campus has been transformed during Dr. Adams' presidency, with more than $1.2 billion in new construction, renovation, and infrastructure undertaken. He created the UGA Real Estate Foundation as a funding mechanism for much needed campus projects. His dedication to making UGA's campus one of the most breathtaking in the country is apparent. When approaching Sanford Stadium from the west end, two of the capital projects that Dr. Adams has undertaken are visible. Not only are the Richard B. Russell Special Collections Libraries and the expansion of the Tate Center a testament to the growth of the university's physical campus, but

they also show the president's commitment to ensuring that UGA's students have access to state-of-the-art facilitates. It is ''a place of the quality to which we aspire should look the part,'' as he has said.

Dr. Adams has also overseen the construction of the Paul D. Coverdell Center for Biomedical and Health Sciences, a new Lamar Dodd School of Art, an expansion of the Georgia Museum of Art, and the first new residence halls on campus in more than 30 years, the East Campus Village.

There has been an expansion of the infrastructure and physical footprint under Dr. Adams, and he has also directed an increase in growth and diversity of the academic program. Five new colleges or schools have been established during his tenure: the School of Public and International Affairs, the College of Environment and Design, the College of Public Health, the Eugene P. Odum School of Ecology, and the College of Engineering. Additionally, the UGA Health Sciences campus on the former campus of the U.S. Navy Supply Corps School houses the College of Public Health, as well as the Georgia Regents University-University of Georgia Medical Partnership, granting medical degrees in Athens for the first time.

Understanding, appreciating, and sharing the passion with which Georgians cheer for the ''Dawgs,'' Dr. Adams has also made sure that UGA athletics continue the tradition of fielding the most gifted and dominant teams and athletes in the country. UGA athletes have won 27 national championships, 58 Southeastern Conference titles, and 125 national individual titles while Dr. Adams has been president. He also understands that the balance between academics and athletics is not a zero-sum game but that each plays a unique role in defining the identity of the university.

Dr. Adams has been an outstanding leader of this institution. During his tenure, he has personally or on behalf of the university received more than 50 awards in higher education, including the Knight Foundation Award for Presidential Leadership and the James T. Rodgers Award, the highest honor bestowed by the Southern Association of Colleges and Schools.

I would like to thank and recognize University of Georgia president Michael F. Adams for his extraordinary service to the University of Georgia and our great State.●

REMEMBERING HENRY T. ''HANK'' WILFONG, JR.

● Ms. LANDRIEU. Mr. President, as chair of the Senate Committee on Small Business and Entrepreneurship, I join the small business community throughout our country in mourning the death of Mr. Henry T. ''Hank'' Wilfong, Jr., president of the National Association of Small Disadvantaged Businesses, NASDB. Mr. Wilfong was a valued partner in promoting, improving, and increasing opportunities for firms owned by socially and economically disadvantaged individuals. He not only was a CPA, with an MBA from UCLA, he also served in a number of capacities for Presidents, Governors, and local municipalities. Most notably, Mr. Wilfong was the first Black Pasadena City Councilman. He was also a three-time Presidential appointee, which included the Small Business Administration's Associate Administrator of the 8(a) Program. Later, he founded NASDB, a trade organization representing over 300 minority, women-owned, service-disabled, veteran-owned, and HUBZone small businesses.

Whether it was his advocacy for parity among the set-aside programs or his passion for strengthening the women-owned small business and 8(a) Programs, we have all been touched by his legacy, which promotes equal opportunity for all small businesses to succeed and live the American dream of entrepreneurship. With his passing, we also lose a U.S. Army Korean War veteran. He was a fighter his entire life, and we are all grateful for his service to our country, both in the military and as an advocate. Our deepest condolences go out to his family and all those whose lives he touched. We will greatly miss Hank Wilfong, Jr., who served as the voice for so many small businesses that deserved to be heard.●

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1121. A bill to stop the National Security Agency from spying on citizens of the United States and for other purposes.

H.R. 126. An act to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1783. A communication from the Program Manager, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Information Required in Prior Notice of Imported Food'' (RIN0910–AG65) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1784. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Process for a Designated Contract Market or Swap Execution Facility to Make a Swap Available to Trade under Section 2(h) (8) of the Commodity Exchange Act; Swap Transaction Compliance and Implementation Schedule; Trade Execution Requirement under Section 2(h) of the CEA'' (RIN3038–AD18) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1785. A communication from the Director of Program Development and Regulatory Analysis, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Community Connect Broadband Grant Program'' (RIN0572–AC30) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1786. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled ''Unincorporated Business Entities'' (RIN3052–AC65) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1787. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sedaxane; Pesticide Tolerances'' (FRL No. 9386–9) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1788. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Imidacloprid; Pesticide Tolerances'' (FRL No. 9387–9) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1789. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Diisopropyl adipate; Exemption from the Requirement of a Tolerance'' (FRL No. 9387–8) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1790. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Propamocarb; Pesticide Tolerances'' (FRL No. 9388–1) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1791. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''1,3-Propanediol; Exemptions from the Requirement of a Tolerance'' (FRL No. 9386–8) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1792. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Kendall L. Card, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–1793. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Gerald R. Beaman, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–1794. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Francis J. Wiercinski, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1795. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Richard P. Formica, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1796. A communication from the Director, Facilities Services Directorate, Department of Defense, transmitting, pursuant to law, the Facilities Services Directorate/Pentagon Renovation and Construction Program Office (PENREN) annual report; to the Committee on Armed Services.

EC–1797. A communication from the Principal Deputy Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report relative to modernization priority assessments provided by the Chiefs of the Reserve and National Guard components; to the Committee on Armed Services.

EC–1798. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Department of Defense 2013 Major Automated Information System (MAIS) Annual Reports (MARs); to the Committee on Armed Services.

EC–1799. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, the Department's Cooperative Threat Reduction (CTR) Annual Report to Congress for fiscal year 2014; to the Committee on Armed Services.

EC–1800. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, (2) two reports relative to vacancies in the Department of the Treasury received in the Office of the President of the Senate on June 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1801. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report relative to the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was originally declared in Executive Order 12938 of November 14, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC–1802. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Understandings Reached at the 2012 Australia Group (AG) Plenary Meeting and the 2012 AG Intersessional Decisions; Changes to Select Agent Controls'' (RIN0694–AF76) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1803. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition, Removals, and Revisions to the List of Validated End-Users in the People's Republic of China'' (RIN0694–AF92) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1804. A communication from the General Counsel and Agency Ethics Official, Office of General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Standards of Ethical Conduct for Employees of the National Credit Union Administration'' (RIN3133–AE10) received in the Office of the President of the Senate on June 5, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1805. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Loan Originator Compensation Requirements Under the Truth in Lending Act (Regulation Z); Prohibition on Financing Credit Insurance Premiums; Delay of Effective Date'' ((RIN3170–AA37) (Docket No. CFPB–2013–0013)) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1806. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Filing, Indexing and Service Requirements for Oil Pipelines'' (Docket No. RM12–15–000) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Energy and Natural Resources.

EC–1807. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Reliability Standards for Geomagnetic Disturbances'' (Docket No. RM12–22–000) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Energy and Natural Resources.

EC–1808. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Freeport Harbor Channel Improvement Project, Brazoria County, Texas; to the Committee on Environment and Public Works.

EC–1809. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Models for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF–426, Revision 5, 'Revise or Add Actions to Preclude Entry into LCO 3.0.3—RITSTF Initiatives 6B and 6C,' Using the Consolidated Line Item Improvement Process'' (NUREG–1432) received in the Office of the President of the Senate on June 5, 2013; to the Committee on Environment and Public Works.

EC–1810. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Updated Aging Management Criteria for Reactor Vessel Internal Components for Pressurized Water Reactors'' (LR–ISG–2011–04) received in the Office of the President of the Senate on June 5, 2013; to the Committee on Environment and Public Works.

EC–1811. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County Reasonably Available Control Technology Under the 8-Hour Ozone National Ambient Air Quality Standard'' (FRL No. 9820–3) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Environment and Public Works.

EC–1812. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Kentucky: Kentucky Portion of Cincinnati-Hamilton, Revision to the Motor Vehicle Emissions Budgets'' (FRL No. 9820–1) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Environment and Public Works.

EC–1813. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia; Removal of Obsolete Regulations and Updates to Citations to State Regulations Due to Recodification'' (FRL No. 9819–6) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Environment and Public Works.

EC–1814. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio; 1997 8-Hour Ozone Maintenance Plan Revision; Motor Vehicle Emissions Budgets for the Ohio Portion of the Wheeling Area'' (FRL No. 9821–3) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EC–1815. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio; Lima 1997 8-Hour Ozone Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets'' (FRL No. 9821–5) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EC–1816. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Maryland; Revisions to the State Implementation Plan Approved by EPA through Letter Notice Actions'' (FRL No. 9822–5) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EC–1817. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revision to the Classification and Implementation of the 2008 Ozone National Ambient Air Quality Standards for the Northern Virginia Nonattainment Area'' (FRL No. 9822–3) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EC–1818. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Low Emission Vehicle Program'' (FRL No. 9822–6) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EC–1819. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Indiana: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 9817–9) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EC–1820. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Regulatory Guide 1.221 on Design-Basis Hurricane and Hurricane Missiles'' (DC/COL–ISG–24) received in the Office

of the President of the Senate on June 4, 2013; to the Committee on Environment and Public Works.

EC–1821. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Direct Final Approval of Sewage Sludge Incinerators State Plan for Designated Facilities and Pollutants; Indiana'' (FRL No. 9821–1) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. ROCKEFELLER for the Committee on Commerce, Science, and Transportation.

*Anthony Renard Foxx, of North Carolina, to be Secretary of Transportation.

*Penny Pritzker, of Illinois, to be Secretary of Commerce.

*Coast Guard nomination of Rear Adm. Steven E. Day, USCGR, to be Rear Admiral.

Mr. ROCKEFELLER. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

*Coast Guard nomination of Loring A. Small, to be Lieutenant Commander.

*Coast Guard nomination of Adam R. Williamson, to be Lieutenant Commander.

*Coast Guard nomination of Kevin J. Lopes, to be Commander.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PORTMAN:

S. 1122. A bill to authorize States to use assistance provided under the Hardest Hit Fund program of the Department of the Treasury to demolish blighted structures, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARPER (for himself, Mr. COBURN, Mr. BENNET, Mr. COONS, Ms. KLOBUCHAR, Ms. LANDRIEU, Mrs. MCCASKILL, Mr. WARNER, Ms. AYOTTE, Mr. ENZI, Mr. ISAKSON, and Mr. CORKER):

S. 1123. A bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. KING, and Mr. BLUMENTHAL):

S. 1124. A bill to establish requirements with respect to bisphenol A; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 1125. A bill to require the Secretary of State to submit to Congress reports on water sharing with Mexico; to the Committee on Foreign Relations.

By Mr. REED (for himself, Mr. GRASSLEY, Ms. STABENOW, Mr. COWAN, and Mr. BLUMENTHAL):

S. 1126. A bill to aid and support pediatric involvement in reading and education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. COCHRAN, Mrs. MURRAY, and Mr. WHITEHOUSE):

S. 1127. A bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. UDALL of Colorado (for himself, Mr. ALEXANDER, Mr. BROWN, Ms. CANTWELL, Mrs. GILLIBRAND, Mr. MCCONNELL, and Mr. UDALL of New Mexico):

S. Res. 164. A resolution designating October 30, 2013, as a national day of remembrance for nuclear weapons program workers; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. RUBIO, Mrs. BOXER, Mr. BARRASSO, and Mr. MURPHY):

S. Res. 165. A resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko in light of the recent European Court of Human Rights ruling; to the Committee on Foreign Relations.

By Mr. COONS (for himself and Mr. FLAKE):

S. Res. 166. A resolution commemorating the 50th anniversary of the founding of the Organization of African Unity (OAU) and commending its successor, the African Union; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. RUBIO, and Mr. CARDIN):

S. Res. 167. A resolution reaffirming the strong support of the United States for the peaceful resolution of territorial, sovereignty, and jurisdictional disputes in the Asia-Pacific maritime domains; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 294

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 348

At the request of Mr. ROCKEFELLER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 348, a bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths.

S. 351

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 351, a bill to repeal the provisions of the Patient Protection and Affordable Care Act of providing for the Independent Payment Advisory Board.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 501

At the request of Mr. SCHUMER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 501, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 548

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 548, a bill to amend title 10, United States Code, to improve and enhance the capabilities of the Armed Forces to prevent and respond to sexual assault and sexual harassment in the Armed Forces, and for other purposes.

S. 654

At the request of Ms. LANDRIEU, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 654, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 700

At the request of Mr. KAINE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 749

At the request of Mr. CASEY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 749, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 964

At the request of Mrs. MCCASKILL, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 964, a bill to require a comprehensive review of the adequacy of the training, qualifications, and experience of the Department of Defense personnel responsible for sexual assault prevention and response for the Armed Forces, and for other purposes.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 971

At the request of Mr. WYDEN, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from South Dakota (Mr. THUNE) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 971, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 976

At the request of Mr. UDALL of Colorado, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 976, a bill to provide for education of potential military recruits on healthy body weight and to facilitate and encourage exercise in potential military recruits, and for other purposes.

S. 987

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 987, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 999

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 999, a bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

S. 1028

At the request of Mr. SANDERS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1028, a bill to reauthorize and improve the Older Americans Act of 1965, and for other purposes.

S. 1053

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1053, a bill to amend title XVIII of the Social Security Act to strengthen and protect Medicare hospice programs.

S. 1091

At the request of Ms. MIKULSKI, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1091, a bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 1096

At the request of Mr. BAUCUS, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1096, a bill to establish an Office of Rural Education Policy in the Department of Education.

S.J. RES. 15

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 154

At the request of Mr. HOEVEN, the names of the Senator from Illinois (Mr. KIRK), the Senator from Idaho (Mr. RISCH), the Senator from South Carolina (Mr. SCOTT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Iowa (Mr. GRASSLEY), the Senator from Ohio (Mr. PORTMAN), the Senator from Mississippi (Mr. WICKER), the Senator from Texas (Mr. CORNYN), the Senator from Missouri (Mr. BLUNT), the Senator from South Dakota (Mr. THUNE), the Senator from Arizona (Mr. MCCAIN), the Senator from Nebraska (Mrs. FISCHER), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Wyoming (Mr. BARRASSO), the Senator from Indiana (Mr. COATS), the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. COBURN), the Senator from Oregon (Mr. WYDEN) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. Res. 154, a resolution supporting political reform in Iran and for other purposes.

AMENDMENT NO. 1025

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1025 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1118

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1118 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1163

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of amendment No. 1163 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1166

At the request of Mr. CHAMBLISS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 1166 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. KING, and Mr. BLUMENTHAL):

S. 1124. A bill to establish requirements with respect to bisphenol A; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, scientific studies continue to show cause for concern about the chemical Bisphenol-A, BPA, especially the effects on babies and young children. Endocrine disrupting chemicals alter the function of the body's hormonal system. BPA is a synthetic estrogen, which means that it mimics this hormone when in the body. While studies continue to examine the exact effects this endocrine disrupting chemical has on humans, consumers deserve more information. They have the right to know if it is in the food products they purchase for their families.

The BPA in Food Packaging Right to Know Act requires that food packaging that uses BPA include a clear label informing consumers. The label would read, ''This food packaging contains BPA, an endocrine-disrupting chemical.'' This basic message would allow individuals to make informed decisions about the products they purchase.

BPA is most commonly found in food products, such as the lining of cans. Parents are busy enough caring for their children and juggling what feels like a hundred things at the same time. Having factual information about whether the food they are buying at the grocery store contains BPA, a potentially harmful chemical, shouldn't be one more thing they have to go to great lengths to figure out.

This legislation also directs the Department of Health and Human Services, HHS, to do a safety assessment of food containers containing BPA to determine if there is reasonable certainty that no harm will come from long-term low dose exposure to BPA as well as high dose exposure.

This safety standard would also be used to evaluate proposed uses of alternatives to BPA. There is no use in replacing BPA in products if what we are replacing it with is just as bad or worse for human health.

The President's Cancer Panel focused on reducing the environmental cancer risk in its 2008- 2009 Annual Report. BPA is just one of many chemicals

that pose a potential environmental cancer risk, with links to various cancers and also potentially affecting how well cancer treatments work. This panel, appointed by former President George W. Bush, decided that even though studies are ongoing, they had enough information to state that ''the true burden of environmentally induced cancer has been grossly underestimated.''

I agree with this finding and strongly believe that as scientific studies continue to seek definitive answers to the role of chemical exposure in adversely affecting human health, the very least that consumers deserve is the right to know what chemicals, such as BPA, are in the products they are purchasing. The panel specifically mentions concern that even though studies continue to link BPA with a variety of diseases, it still remains in products.

I am particularly concerned about the negative health effects to children who are exposed to chemicals both while they are developing in the womb and in the first few years of their lives. Children are particularly susceptible to toxins while their bodies are developing at such a rapid pace. A recent study by researchers at the University of California, Berkley, stated that fetuses and pregnant women may be particularly susceptible to BPA exposure. The study found that exposure to BPA may have an effect on thyroid function, and suggests continued studies to confirm these findings.

An article published in Health Affairs in 2011 estimated that the annual cost of diseases that can be attributed to negative environmental exposures was more than $76 billion per year in 2008. The incidence of endocrine system-related diseases continues to rise, and animal studies have shown adverse health effects in connection with exposure to BPA.

A recent study by researchers at the Columbia Center for Children's Environmental Health examined a link between BPA exposure and an increased risk for asthma in young children. They found that there was an elevated risk associated with BPA exposure and more research is needed to determine specific links.

BPA is one of the most pervasive chemicals in modern life. This chemical is used in thousands of consumer products and the most common exposure is through the lining of food packaging- like cans of green beans and ready-made soups. As with so many other chemicals in consumer products, BPA has been added to our products without knowing if it is safe or not.

I urge my colleagues to join me in supporting the BPA in Food Packaging Right to Know Act to stand up for the right of consumers to make informed choices about the food products they buy for their families. I look forward to working with my colleagues on this important issue.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 1125. A bill to require the Secretary of State to submit to Congress reports on water sharing with Mexico; to the Committee on Foreign Relations.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1125

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Working to Address Treaty Enforcement Rapidly for Texas Act''.

SEC. 2. REPORTS ON WATER SHARING WITH MEXICO.

(a) IN GENERAL.—The Secretary of State shall submit to Congress a report—

(1) not later than 45 days after the date of enactment of this Act, and quarterly thereafter, describing efforts by Mexico to meet the treaty obligations of Mexico to deliver water to the Rio Grande, in accordance with the treaty between the United States and Mexico entitled ''Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande'' (done at Washington, February 3, 1944); and

(2) not later than 1 year after the date of enactment of this Act, and annually thereafter, describing the benefits to the United States of the document entitled ''Interim International Cooperative Measures in the Colorado River Basin through 2017 and Extension of Minute 318 Cooperative Measures to Address the Continued Effects of the April 2010 Earthquake in the Mexicali Valley, Baja California'' (done at Coronado, California, November 20, 2012 (commonly referred to as ''Minute Number 319'')).

(b) ACTION BY SECRETARY OF STATE.—Notwithstanding any other provision of law, the Secretary of State shall not extend Minute Number 319 if the Secretary fails to comply with the requirements of this Act.

By Mr. REED (for himself, Mr. GRASSLEY, Ms. STABENOW, Mr. COWAN, and Mr. BLUMENTHAL):

S. 1126. A bill to aid and support pediatric involvement in reading and education; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce with my colleague, Senator GRASSLEY, the Prescribe-a-Book Act. I thank Senators STABENOW, COWAN, and BLUMENTHAL for joining us as original cosponsors of this bipartisan bill.

Literacy skills are the foundation for success in school and in life. Developing and building these skills begins at home, with parents as the first teachers.

Our legislation would create a federal pediatric early literacy grant initiative based on the long-standing, successful Reach Out and Read program. The program would award grants on a competitive basis to high-quality non-profit entities to train doctors and nurses to discuss with parents the importance of reading aloud to their children and to give books to children at pediatric check-ups from six months to five years of age, with a priority for children from low-income families. It builds on the relationship between parents and medical providers and helps families and communities encourage early literacy skills so children enter school prepared for success in reading.

The pediatric literacy model implemented by Reach Out and Read has consistently demonstrated effectiveness in increasing family engagement and boosting children's reading proficiency. Research published in peer-reviewed, scientific journals has found that parents who have participated in the program are significantly more likely to read to their children and include more children's books in their home, and that children served by the program show an increase of 4–8 points on vocabulary tests. I have seen upclose the positive impact of this program on children and their families when visiting a number of Rhode Island's Reach Out and Read sites.

The Prescribe a Book Act would leverage federal dollars to expand pediatric literacy initiatives so that more young children reap the developmental benefits of having books at home and being read to by their parents. Federal grant funding for Reach Out and Read through the Department of Education helped build a successful public-private partnership that has been matched by tens of millions of dollars from the private sector and state governments. The Prescribe a Book Act would establish a formal authorization for activities modeled on this type of successful partnership.

I urge our colleagues to join us in cosponsoring the Prescribe a Book Act, and to work to include its provisions in the upcoming reauthorization of the Elementary and Secondary Education Act.

By Mr. REED (for himself, Mr. COCHRAN, Mrs. MURRAY, and Mr. WHITEHOUSE):

S. 1127. A bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce with my colleagues Senators COCHRAN, MURRAY, and WHITEHOUSE, the Strengthening Kids' Interest in Learning and Libraries Act.

Since 1965, more than 60 education and library studies have produced clear evidence that school libraries staffed by qualified librarians have a positive impact on student academic achievement. Knowing how to find and use information are essential skills for college and careers. A good school library, staffed by a trained school librarian, is where students develop and hone these skills.

Our bipartisan legislation would reauthorize and strengthen the Improving Literacy through School Libraries program of the Elementary and Secondary Education Act, the only federal

initiative explicitly dedicated to supporting and enhancing our nation's school libraries. The key improvements to the program include ensuring that elementary, middle, and high school students are served; expanding professional development to include digital literacy instruction and reading and writing instruction across all grade levels; focusing on coordination and shared planning time between teachers and librarians; awarding grants for a period of three years; and ensuring that books and materials are appropriate for and gain the interest of students with special learning needs, including English learners.

The SKILLS Act would also strengthen Title I by asking state and school district plans to address the development of effective school library programs to help students gain digital literacy skills, master the knowledge and skills in the challenging academic content standards adopted by the state, and graduate from high school ready for college and careers. Additionally, the legislation would broaden the focus of training, professional development, and recruitment activities under Title II to include school librarians.

Absent a clear federal investment, the libraries in many of our high poverty schools will languish with outdated materials and technology, and in turn, students would be cut off from a vital information hub that connects them to the tools they need to develop critical thinking and research skills necessary for success. This is a true equity issue, which is why I will continue to fight to sustain our federal investment in this area and why renewing and strengthening the school library program is of critical importance.

I urge our colleagues to join us in cosponsoring the bipartisan Strengthening Kids' Interest in Learning and Libraries Act, and to work together to ensure that it becomes a part of the upcoming reauthorization of the Elementary and Secondary Education Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 164—DESIGNATING OCTOBER 30, 2013, AS A NATIONAL DAY OF REMEMBRANCE FOR NUCLEAR WEAPONS PROGRAM WORKERS

Mr. UDALL of Colorado (for himself, Mr. ALEXANDER, Mr. BROWN, Ms. CANTWELL, Mrs. GILLIBRAND, Mr. MCCONNELL, and Mr. UDALL of New Mexico) submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 164

Whereas, since World War II, hundreds of thousands of men and women, including uranium miners, millers, and haulers, have served the United States by building nuclear weapons for the defense of the United States;

Whereas those dedicated workers paid a high price for their service to develop a nuclear weapons program for the benefit of the United States, including by developing disabling or fatal illnesses;

Whereas the Senate recognized the contribution, service, and sacrifice those patriotic men and women made for the defense of the United States in Senate Resolution 151, 111th Congress, agreed to May 20, 2009, Senate Resolution 653, 111th Congress, agreed to September 28, 2010, Senate Resolution 275, 112th Congress, agreed to September 26, 2011, and Senate Resolution 519, 112th Congress, agreed to August 1, 2012;

Whereas a national day of remembrance time capsule has been crossing the United States, collecting artifacts and the stories of nuclear weapons program workers relating to the nuclear defense era of the United States, and a remembrance quilt has been constructed to memorialize the contribution of those workers;

Whereas the stories and artifacts reflected in the time capsule and the remembrance quilt reinforce the importance of recognizing nuclear weapons program workers; and

Whereas those patriotic men and women deserve to be recognized for the contribution, service, and sacrifice they have made for the defense of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 30, 2013, as a national day of remembrance for the nuclear weapons program workers, including uranium miners, millers, and haulers, of the United States; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate October 30, 2013, as a national day of remembrance for past and present workers in the nuclear weapons program of the United States.

SENATE RESOLUTION 165—CALLING FOR THE RELEASE FROM PRISON OF FORMER PRIME MINISTER OF UKRAINE YULIA TYMOSHENKO IN LIGHT OF THE RECENT EUROPEAN COURT OF HUMAN RIGHTS RULING

Mr. DURBIN (for himself, Mr. RUBIO, Mrs. BOXER, Mr. BARRASSO, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Foreign Relations.

S. RES. 165

Whereas, in August 1991, the Ukrainian Parliament declared independence from the Soviet Union and approved decrees to mint its own currency and take command of all Soviet military units on its soil;

Whereas, in December 1991, 90 percent of Ukrainians voted in a referendum to support independence from the Soviet Union;

Whereas Ukraine has experienced increased economic and political cooperation with Europe and the United States since its independence from the Soviet Union;

Whereas, in 1996, Ukraine adopted its first democratic constitution that included basic freedoms of speech, assembly, religion, and press;

Whereas in 2004, Ukrainians organized a series of historic protests, strikes, and sit-ins known as the ''Orange Revolution'' to protest electoral fraud in the 2004 presidential election;

Whereas Yulia Tymoshenko was a leader of the Orange Revolution and was first elected as Prime Minister in 2005;

Whereas, in the 2010 presidential election, incumbent President Viktor Yushchenko won only 5.5 percent in the first round of voting, which left former Prime Minister Viktor Yanukovich and then Prime Minister Yulia Tymoshenko to face one another in a run-off election;

Whereas Mr. Yanukovich defeated Ms. Tymoshenko by a margin of 49 percent to 44 percent;

Whereas, on October 11, 2011, Ms. Tymoshenko was found guilty and sentenced to seven years in prison on charges that she abused her position as Prime Minister in connection with a Russian natural gas contract;

Whereas, on January 26, 2012, the Parliamentary Assembly Council of Europe (PACE) passed a resolution (1862) that declared that the articles under which Ms. Tymoshenko was convicted were ''overly broad in application and effectively allow for ex post facto criminalization of normal political decision making'';

Whereas, on May 30, 2012, the European Parliament passed a resolution (C153/21) deploring the sentencing of Ms. Tymoshenko;

Whereas, on September 22, 2012, the United States Senate passed a resolution (S. Res 466, 112th Congress) that condemned the selective and politically motivated prosecution and imprisonment of Yulia Tymoshenko, called for her release, and called on the Department of State to institute a visa ban against those responsible for the imprisonment of Ms. Tymoshenko and the other political leaders associated with the 2004 Orange Revolution;

Whereas, on April 7, 2013, President of Ukraine Viktor Yanukovich pardoned former interior minister Yuri Lutsenko and several other opposition figures allied with Ms. Tymoshenko;

Whereas, on April 30, 2013, the European Court of Human Rights, which settles cases of rights abuses after plaintiffs have exhausted appeals in their home country courts, ruled that Ms. Tymoshenko's pretrial detention had been arbitrary; that the lawfulness of her detention had not been properly reviewed; that her right to liberty had been restricted; and, that she had no possibility to seek compensation for her unlawful deprivation of liberty;

Whereas, on April 30, 2013, Department of State Spokesman Patrick Ventrell reiterated the United States call that Ms. Tymoshenko ''be released and that the practice of selective prosecution end immediately'' in light of the European Court of Human Rights decision;

Whereas Ukraine hopes to sign an association agreement with the European Union during the Eastern Partnership Summit in November 2013; and

Whereas, after the European Court of Human Rights ruling, European Parliament Committee on Foreign Affairs chairman Elmar Brok stated that ''Ukraine is still miles away from fulfilling European standards'' and must ''end its selective justice'' before signing the association agreement: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the Government of Ukraine to release former Prime Minister Yulia Tymoshenko from imprisonment in light of the April 2013 European Court of Human Rights verdict;

(2) calls on the European Union members to include the release of Ms. Tymoshenko from imprisonment as an important criterion for signing an association agreement with Ukraine at the upcoming Eastern Partnership Summit in Lithuania;

(3) expresses its belief and hope that Ukraine's future rests with stronger ties to Europe, the United States, and others in the community of democracies; and

(4) expresses its concern and disappointment that the continued selective and politically motivated imprisonment of former

Prime Minister Yulia Tymoshenko unnecessarily detracts from Ukraine's otherwise strong relationship with Europe, the United States, and the community of democracies.

SENATE RESOLUTION 166—COMMEMORATING THE 50TH ANNIVERSARY OF THE FOUNDING OF THE ORGANIZATION OF AFRICAN UNITY (OAU) AND COMMENDING ITS SUCCESSOR, THE AFRICAN UNION

Mr. COONS (for himself and Mr. FLAKE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 166

Whereas, on May 25, 1963, 32 newly independent African countries signed the Charter of the Organization of African Unity (OAU) to promote unity, solidarity, and political and economic cooperation among themselves, and to defend member states' sovereignty, territorial integrity, and independence;

Whereas upon its inception, the OAU embraced the principles of the Universal Declaration of Human Rights, including freedom of association, free expression, and political participation;

Whereas such efforts to encourage African unity, advance human rights, and promote economic development on the continent were undermined by regional conflicts, military coups, and civil wars, as well as large foreign debts, increasing trade imbalances, food insecurity, and weak institutions;

Whereas a decision declaring the establishment of the African Union (AU) as a successor organization to the OAU to promote democratic principles and institutions, encourage economic growth, and develop new tools for the collective promotion of regional stability was adopted in Sirte, Libya, on March 1, 2001, and March 2, 2001;

Whereas the vision of the African Union is that of ''an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena'';

Whereas the African Union expresses commitment to the essential values of transparency and accountability and promotes democratic processes across the continent of Africa;

Whereas the African Union departed from the OAU's abiding doctrine of nonintervention in the internal affairs of member states in favor of a new policy establishing the right of the AU to intervene in a member state under grave circumstances, including with respect to war crimes, genocide, and crimes against humanity;

Whereas the African Union continues to build more robust African regional institutions in order to address the myriad challenges facing the continent, and has established an African peace and security architecture, the New Partnership for Africa's Development, a strategic framework for regional socioeconomic development, the Comprehensive Africa Agriculture Development Program, and the African Peer Review Mechanism, which seeks to help advance good governance, among other institutions;

Whereas the African Union has contributed to regional peace and security by mobilizing peacekeeping or intervention forces to protect civilians or support political mediation missions and peace-building processes in Burundi, Comoros, Sudan, Somalia, and Mali;

Whereas efforts to end conflicts on the continent of Africa, which continue to destabilize states, undermine democracy, stifle economic growth and investment, and rob young Africans of the opportunity for an education and a better life, are a key United States objective;

Whereas it is critical to the interests of the United States that the African Union be capable of effectively addressing current conflicts and preventing future ones, advancing economic growth and broad-based and sustainable economic development, and consolidating democracy and good governance;

Whereas the United States Government demonstrated its strong commitment to working closely with the AU by establishing a Mission to the African Union in 2006;

Whereas, on August 3, 2010, the United States and the African Union signed a $5,800,000 multi-year assistance agreement to achieve common policy objectives;

Whereas, on June 14, 2012, President Barack Obama announced a United States Strategy Toward Sub-Saharan Africa, which calls on the United States to deepen its partnership with African countries and regional organizations by supporting efforts to advance accountable, democratic governance and adherence to human rights norms and the rule of law, particularly by supporting the African Union African Charter on Democracy, Elections, and Governance and other multilateral standards;

Whereas key goals also supported by the African Union include fostering peace and security, spurring economic growth, trade, and investment, and promoting opportunity and development;

Whereas, on February 1, 2013, a Memorandum of Understanding was signed between the United States and the African Union to cement cooperation on peace and security, democracy and governance, economic growth, trade, and investment, and promotion of opportunity and development;

Whereas the African Union serves as a preeminent dialogue and policy-making forum for leaders in Africa seeking to advance a wide range of regional political, security, social, and economic objectives, including subregional integration, and is a key interlocutor for and representative of the people of Africa in international political and policy forums, including the United Nations; and

Whereas close relations between the United States and the African Union mutually benefit the people of the United States and Africa and the political, security, economic, and cultural relations that link them: Now, therefore, be it

Resolved, That the Senate—

(1) extends warm congratulations to the former member states of the Organization of African Unity on the 50th year anniversary of its founding, in particular its original 32 member states;

(2) commends member states of the African Union for their strong and determined joint efforts to promote democratic societies, sustainable development, and sound economic practices, and peace, security, and stability on the continent;

(3) urges the President to continue to strongly support efforts to advance and strengthen United States-African Union cooperation, including through United States programs to help build the capacities of the African Union;

(4) encourages the President to expedite and expand United States efforts to achieve the goals and objectives of his United States Strategy Toward Sub-Saharan Africa; and

(5) emphasizes the rule of law, good governance, respect for human rights, open markets, and broad-based and sustainable economic growth and development as key pillars for long-term stability and security in Africa and United States engagement with the continent.

SENATE RESOLUTION 167—REAFFIRMING THE STRONG SUPPORT OF THE UNITED STATES FOR THE PEACEFUL RESOLUTION OF TERRITORIAL, SOVEREIGNTY, AND JURISDICTIONAL DISPUTES IN THE ASIA-PACIFIC MARITIME DOMAINS

Mr. MENENDEZ (for himself, Mr. RUBIO, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 167

Whereas the maritime domain of the Asia-Pacific region includes critical sea lines of communication and commerce between the Pacific and Indian oceans;

Whereas the United States has a national interest in freedom of navigation and overflight in the Asia-Pacific maritime domains, as provided for by universally recognized principles of international law;

Whereas the United States has a national interest in the maintenance of peace and stability, open access by all to maritime domains, respect for universally recognized principles of international law, prosperity and economic growth, and unimpeded lawful commerce;

Whereas the United States has a clear interest in encouraging and supporting the nations of the region to work collaboratively and diplomatically to resolve disputes without coercion, without intimidation, without threats, and without the use of force;

Whereas the South China Sea contains great natural resources, and their stewardship and responsible use offers immense potential benefit for generations to come;

Whereas, in recent years, there have been numerous dangerous and destabilizing incidents in this region, including Chinese vessels cutting the seismic survey cables of a Vietnamese oil exploration ship in May 2011; Chinese vessels barricading the entrance to the Scarborough Reef lagoon in April 2012; China issuing an official map that newly defines the contested ''nine-dash line'' as China's national border; and, since May 8, 2013, Chinese naval and marine surveillance ships maintaining a regular presence in waters around the Second Thomas Shoal, located approximately 105 nautical miles northwest of the Philippine island of Palawan;

Whereas the Association of Southeast Asian Nations (ASEAN) has promoted multilateral talks on disputed areas without settling the issue of sovereignty, and in 2002 joined with China in signing a Declaration on the Conduct of Parties in the South China Sea that committed all parties to those territorial disputes to ''reaffirm their respect for and commitment to the freedom of navigation in and over flight above the South China Sea as provided for by the universally recognized principles of international law'' and to ''resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force'';

Whereas Japan and Taiwan reached an agreement on April 10, 2013, to jointly share and administer the fishing resources in their overlapping claimed exclusive economic zones in the East China Sea, an important breakthrough after 17 years of negotiations and a model for other such agreements;

Whereas other incidences of the joint administrations of resources in disputed waters in the South China Sea have de-escalated tensions and promoted economic development, such as Malaysia and Brunei's 2009 agreement to partner on exploring offshore Brunei waters, with drilling in offshore oil and gas fields off Brunei beginning in 2011;

and Thailand and Vietnam's agreement to jointly develop areas of the Gulf of Thailand for gas exports, despite ongoing territorial disputes;

Whereas the Government of the Republic of the Philippines states that it ''has exhausted almost all political and diplomatic avenues for a peaceful negotiated settlement of its maritime dispute with China'' and in his statement of January 23, 2013, Republic of Philippines Secretary of Foreign Affairs Del Rosario stated that therefore ''the Philippines has taken the step of bringing China before the Arbitral Tribunal under Article 287 and Annex VII of the 1982 Convention on the Law of the Sea in order to achieve a peaceful and durable solution to the dispute'';

Whereas, in January 2013, a Chinese naval ship allegedly fixed its weapons-targeting radar on Japanese vessels in the vicinity of the Senkaku islands, and, on April 23, 2013, eight Chinese marine surveillance ships entered the 12-nautical-mile territorial zone off the Senkaku Islands, further escalating regional tensions;

Whereas, on May 8, 2013, the Chinese Communist Party's main newspaper, The People's Daily, published an article by several Chinese scholars questioning Japan's sovereignty over Okinawa, where key United States military installations are located which contribute to preserving security and stability in the Asia-Pacific region;

Whereas the Government of the People's Republic of China has recently taken other unilateral steps, including declaring the Senkaku Islands a ''core interest'', ''improperly drawing'' baselines around the Senkaku Islands in September 2102, which the 2013 Annual Report to Congress on Military and Security Developments Involving the People's Republic of China found to be ''inconsistent with international law'', and maintaining a continuous military and paramilitary presence around the Senkaku Islands;

Whereas, although the United States does not take a position on the ultimate sovereignty of the Senkaku Islands, the United States Government acknowledges that they are under the administration of Japan and opposes any unilateral actions that would seek to undermine such administration, affirms that the unilateral actions of a third party will not affect the United States' acknowledgment of the administration of Japan over the Senkaku Islands, remains committed under the Treaty of Mutual Cooperation and Security to respond to any armed attack in the territories under the administration of Japan, and has urged all parties to take steps to prevent incidents and manage disagreements through peaceful means;

Whereas, on August 3, 2012, a Department of State spokesperson expressed concern over ''China's upgrading of the administrative level of Sansha City and the establishment of a new military garrison there,'' encouraged ASEAN and China ''to make meaningful progress toward finalizing a comprehensive Code of Conduct,'' and called upon claimants to ''explore every diplomatic or other peaceful avenue for resolution, including the use of arbitration or other international legal mechanisms as needed'';

Whereas the United States recognizes the importance of strong, cohesive, and integrated regional institutions, including the East Asia Summit (EAS), ASEAN, and the Asia-Pacific Economic Cooperation (APEC) forum, as foundation for effective regional frameworks to promote peace and security and economic growth, including in the maritime domain, and to ensure that the Asia-Pacific community develops rules-based regional norms which discourage coercion and the use of force;

Whereas the United States welcomes the development of a peaceful and prosperous China, the government of which respects international norms, international laws, international institutions, and international rules; enhances security and peace; and seeks to advance a ''new model'' of relations between the United States and China; and

Whereas ASEAN plays an important role, in partnership with others in the regional and international community, in addressing maritime security issues in the Asia-Pacific region and into the Indian Ocean, including open access to the maritime domain of Asia: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the use of coercion, threats, or force by naval, maritime security, or fishing vessels and military or civilian aircraft in the South China Sea and the East China Sea to assert disputed maritime or territorial claims or alter the status quo;

(2) strongly urges that all parties to maritime and territorial disputes in the region exercise self-restraint in the conduct of activities that would undermine stability or complicate or escalate disputes, including refraining from inhabiting presently uninhabited islands, reefs, shoals, and other features and handle their differences in a constructive manner;

(3) reaffirms the strong support of the United States for the member states of ASEAN and the Government of the People's Republic of China as they seek to develop a code of conduct of parties in the South China Sea, and urges all countries to substantively support ASEAN in its efforts in this regard;

(4) supports collaborative diplomatic processes by all claimants in the South China Sea for resolving outstanding maritime or territorial disputes, in a manner that maintains peace and security, adheres to international law, and protects unimpeded lawful commerce as well as freedom of navigation and overflight, and including through international arbitration, allowing parties to peacefully settle claims and disputes using universally recognized principles of international law;

(5) encourages the deepening of efforts by the United States Government to develop partnerships with other countries in the region for maritime domain awareness and capacity building; and

(6) supports the continuation of operations by the United States Armed Forces in the Western Pacific, including in partnership with the armed forces of other countries in the region, in support of freedom of navigation, the maintenance of peace and stability, and respect for universally recognized principles of international law, including the peaceful resolution of issues of sovereignty and unimpeded lawful commerce.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources has been postponed. This hearing was scheduled to be held on Tuesday, June 11, 2013, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the hearing was to receive testimony on the November 6, 2012, referendum on the political status of Puerto Rico and the administration's response.

For further information, please contact Allen Stayman at (202) 224–7865 or Danielle Deraney at (202) 224–1219.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, June 12, 2013, in SR–301, Russell Senate Office Building, at 10 a.m., to conduct a hearing on the nomination of Davita Vance-Cooks, of Virginia, to be the Public Printer.

For further information regarding this hearing, please contact Lynden Armstrong at the Rules and Administration Committee, (202) 224–6352.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, I wish to announce that the Committee on Small Business and Entrepreneurship will meet on June 13, 2013, at 10 a.m. in room 428A, Russell Senate Office Building to hold a markup of pending legislation.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Monday, June 10, 2013, at 5:30 p.m. in room S–216.

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

PRIVILEGES OF THE FLOOR

Mr. DURBIN. Mr. President, I ask unanimous consent that Emily Sharp, Michael Branson, Mike Oleyar, Teresa Bloom, fellows from the Senate Budget Committee, be granted floor privileges during consideration of S. 744.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that fellows in Senator BLUMENTHAL's office, Afton Cissell and Sean Arenson, be granted floor privileges for the duration of debate on S. 744.

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

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Chair grant privileges of the floor to Joseph McCormack of the Budget Committee for the remainder of the first session of the 113th Congress.

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

ORDER FOR PRINTING OF TRIBUTES

Mr. BROWN. Mr. President, I ask unanimous consent that tributes to Frank Lautenberg, the late Senator from New Jersey, be printed as a Senate document and that Members have until 12 noon on Thursday, June 20, to submit said tributes.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, the appointment of the following Senator as a member of the Senate National Security Working Group for the 113th Congress: ROBERT MENENDEZ of New Jersey (Majority Co-Chairman), vice Frank R. Lautenberg of New Jersey (Majority Co-Chairman).

ORDERS FOR TUESDAY, JUNE 11, 2013

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, June 11, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to S. 744, the comprehensive immigration reform bill, under the previous order; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

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

PROGRAM

Mr. BROWN. Tomorrow at 2:15 p.m., there will be a cloture vote on the motion to proceed to the immigration bill. If cloture is invoked, there will be a second vote at 4 p.m. to adopt the motion to proceed and begin consideration of the bill.

ORDER FOR ADJOURNMENT

Mr. BROWN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn following the remarks of Senator SESSIONS, as provided for under the previous order.

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

Mr. COCHRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, we are looking at now and considering an immigration bill. S. 744 is before us. This is a two-volume set consisting of over 1,000 pages, and unfortunately it doesn't do what its sponsors say it does. It doesn't provide the security and other important items we want in an immigration reform bill, and therefore it cannot be passed in its present form and should not be passed in that form. It is just that simple.

This is a big, important issue. When we pass immigration reform, we do not need to be back in the situation that occurred in 1986 when they passed immigration reform and promised to do enforcement in the future. We gave the amnesty immediately, and the promises of enforcement never occurred. This is not a little matter. It has resulted in 11 million people now being in our country illegally. This is a result directly of the failure of the 1986 bill to carry out its enforcement promises, a direct result of Presidents and Congress not insisting that happen.

So there is a general consensus even among the Gang of 8 that Congress and the President can't be trusted, and we need to have legislation that somehow mandates that to happen because we have to have—in their minds—the amnesty first. That is just the way it has to be, and once that is given, well, we will promise to take care of it in the future.

I have been discussing the two aspects of immigration that cause us to have the illegal immigrants. The first part is obvious—it is people who cross the border illegally. At any number of our borders and ports, they come in illegally, and that is a big part of our problem—actually, though, only 60 percent. Forty percent of the problem is the people coming into our country legally on a visa. The others just come illegally. They have no right to enter the country; they just enter. These have a right to enter the country. They come in on a visa and they just don't go home. They just stay. And history tells them nothing ever happens. Nobody knows they didn't return home. Nobody clocks them out when they go home. Nobody knows they are here, and they just stay.

The President of the United States, through the Secretary of Homeland Security, has directed its ICE agents—Immigration and Customs Enforcement officers who are all over and around our country, although small in number, about 5,000—to basically not execute any deportation proceedings against anybody—almost none. They have to be convicted of a big felony, a serious crime, and only then do they initiate deportation.

We also have cities that are failing to support the Federal Government in any way. When they catch somebody for a crime in their city and discover they are illegally in the country, they won't notify the Federal Government they are there so they can come and pick them up and carry out the deportation that is required. This is the kind of sad state we are in, and it certainly is a sad state indeed.

So the American people, by a 4-to-1 margin in a poll of just a few days ago, said: We are prepared to be generous to people who entered the country illegally and haven't gotten into trouble. We will be compassionate to them. But we want to see the enforcement occur. By a 4-to-1 margin, that poll showed that the American people said the enforcement should come first before we grant the legality—before we give the amnesty. Now, isn't that good common sense?

As I go through the second part of my concern about this process, you will see the ineffectiveness and unwillingness of the Federal Government to fulfill its role of ensuring that our sovereignty is defended through the elimination of illegal immigration. And we can do that. We can do it, but we are not doing it.

So the first part, dealing with the border, as I mentioned today, they softened the current law.

Current law is you have to have 100 percent operational control at the border. Under the standards they utilize there, this bill says 90 percent of border patrol encounters and otherwise reduces the enforceability and the enforcement standards of making sure our border is lawful.

I would just say, first and foremost, each one of these matters are exceedingly complex and must be done properly. As we talked about earlier, the crafting of legislation necessary to ensure that our border is lawful requires a lot of work and a lot of different strategies and capabilities for our men and women who are out there at risk enforcing that law. That is the fundamental reason we should have legislation that goes step by step. We should have a piece of legislation that has been worked on very hard involving Immigration and Border Patrol officers. That legislation should be brought forth and we would pass it to fix the border.

Then, the second part, as I am talking about today, the entry-exit visa situation where people enter the country lawfully according to a visa but don't return to their home country, that has its own unique and complex systems that need to be dealt with, and that needs to be done independently and separately. We need a separate and independent analysis of how to deal with the workplace to ensure that people who come into the country illegally don't get jobs in the future. We have to end this.

So I am taking the bill at its word. They want to give legal status to everybody who is here. So what do we do to try to ensure this doesn't happen again in the future? We are not saying go out and try to find everybody who is in the country illegally and capture and deport them. That is not a practical solution at this point in our history. We do need to figure out how to compassionately deal with those individuals, but we don't need to be where we can't enforce the law in the future so we have another amnesty upon us,

another situation with millions of people here illegally because we failed to do our duty.

The way we do the entry-exit visa has been determined by Congress for a number of years. It is to use a biometric entry-exit visa system. So we take fingerprints of everybody who comes to the country. They are clocked in when they enter the United States, and that fingerprint identifies them as the person who has the visa. Then, when they leave, they are supposed to clock out and use their fingerprint—which is the best biometric proven system. You put maybe just two fingers on the reader as you go onto the airplane to fly out of the country and it reads it and sees if you are a terrorist or you are a criminal fleeing prosecution for a crime you may have committed in the United States. It is as simple and easy as can be, but for one reason or another this has been blocked.

The history of the biometric exit system is so instructive for us because it tells us how the Presidential and congressional authorities of America have failed to carry out what ought to be a universally accepted bipartisan plan to make our entry-exit visa system work right and reduce that 40 percent of illegal immigrants in our country who come by visa.

In 1996, Congress first adopted a requirement for an entry-exit system to track those who were entering and leaving the United States in the Illegal Immigration Reform and Immigrant Responsibility Act. The first time we passed it was in 1996. In 2000, Congress passed another law requiring the entry-exit system be electronic and to be implemented at all air, sea, and land ports of entry. That was 2000, 13 years ago.

Again in 2000, when amending the visa waiver program, Congress required a ''fully automated entry and exit control system'' to record entry and departure information for all aliens participating in the program. Congress also required that passports be machine readable.

After 9/11, a time of national introspection and study, Congress once again demanded the implementation of an entry-exit system through the passage of the PATRIOT Act. The intent of Congress was made clear at that time:

> In light of the terrorist attacks perpetrated against the United States on September 11, 2001, it is the sense of Congress that the Attorney General, in consultation with the Secretary of State, should fully implement the integrated entry and exit data system for airports, seaports, and land border ports of entry with all deliberate speed as expeditiously as practical.

Congress demanded that the entry-exit system be biometric and based on tamper-resistant machine readable documents. A biometric system requires that an immigration document match the individual presenting the document. In other words, there is a biometric capability to make sure the person who presents a document is the person named in the document. There are a variety of ways to make a document biometric, but the most common is to use digital fingerprints which can easily be run through computer data bases to match records on file. This is done every day.

According to the Department of Homeland Security's own Web site:

> Unlike names and dates of birth which can be changed, biometrics are unique and virtually impossible to forge. Collecting biometrics helps the U.S. government prevent people from using fraudulent documents to enter the country illegally. Collecting biometrics also helps protect your identity in the event your travel documents are lost or stolen.

That is on the Web site today of Homeland Security, and it is absolutely correct.

In 2002, Congress reiterated the demand for a biometric entry-exit system at all ports of entry, requiring Homeland Security issue aliens ''only machine readable tamper-resistant visas and other travel and entry documents that use biometric identifiers.''

That was what we passed in 2002. It also required that the government install biometric readers and scanners ''at all ports of entry in the United States.''

Also, in 2002, the Department of Homeland Security initiated the US-VISIT system, which has great potential, and it has done some good things, but it hasn't been completed. That system was to develop this entire process. Two years later, US-VISIT was collecting biometric data on all aliens entering the United States. In 2004, Congress again demanded a biometric entry-exit system through the passage of the Intelligence Reform and Terrorism Prevention Act of 2004. In that act, Congress said:

> Congress finds that completing a biometric entry and exit data system as expeditiously as possible is an essential investment in the effort to protect the United States by preventing the entry of terrorists.

It goes on:

> The Secretary of Homeland Security shall develop a plan to accelerate the full implementation of an automated biometric entry and exit data system.

In 2007, now the 9/11 Commission comes back together again. They had issued a report with a whole lot of recommendations. They met to see how many of their recommendations had been adopted. They reiterated the need for an exit visa system and demanded that the exits apply to all foreign nationals entering under the visa waiver program and added a biometric component. That was in 2007 when that was passed.

Congress is crystal clear and consistent that this is what we expect to be done. Has it been done? No. It has not yet been done. What about this new immigration bill that has 1,000 pages in it and we are told is the toughest in history? We are told—Senator SCHUMER said ''tough as nails.'' Does it require it? Will it ensure that it finally gets done? No. Not only that, it alters the law. It says it doesn't have to be done. It eliminates biometrics, and it eliminates land entry and exit systems. So you do not have an exit visa system at anything but the airports under their plan, and it is not biometric. It actually weakens dramatically repeated law enactments of the Congress, so it is not stronger on the visa program, where 40 percent of the overstays come from. Forty percent of the people entering the country illegally come from visa overstays. It doesn't fix that. It weakens that law. I don't see how my colleagues can come here and brag about this when, plain as day, that is what their bill does. I do not think the bill should be considered in this form.

The struggle continues. Get this. Last week the House, still frustrated about this matter—Representative BARLETTA of Pennsylvania got an amendment passed to prohibit funding for Department of Homeland Security parties and receptions until the biometric entry-exit system was fully implemented as the 2004 law required.

What do we draw from this? We draw several things. One of them is that the American people already get it. They don't trust Congress to do anything they say. We pass laws and we go home and we say we fixed the biometric bill, and it never happens. We passed six different laws requiring it, and it doesn't happen. Then they say they are passing the toughest bill that has ever been written about entry-exit visas and we are going to fix this problem and we recognize that 40 percent of the people come through that way, and is it fixed? No. It undermines current law. Current law is not being enforced, I acknowledge. They just surrender—give in.

This can be done. First of all, we need to go back. I think the frustration of the American people with what is happening in this Congress is well-earned. They have a right to be unhappy. A recent poll, a poll not too long ago, showed this. It asked people: Are you more frustrated or angry with people who enter the country illegally or the government officials who have allowed it to happen? And 88 percent said they were mad at Congress and the government. The American people are not mad at people who want to come to the country illegally. They are frustrated and angry that their elected representatives, who year after year, decade after decade, promised to fix this system, blithely go about their business and never do it. They say one thing and they do another. It is not right.

They say: You know, it just cannot be done. It is too hard. It is too expensive. It slows down entry-exits. People just don't want to do this, and that is why we just never got around to it.

We just discovered a report that never got any publicity, but I didn't realize what was in it, that was published in 2011. It went to the Appropriations Committee. They are not the immigration committee. It sat around; nobody paid much attention to it.

In 2009 the Department of Homeland Security conducted a pilot program at the Detroit and Atlanta airports to deal with what would happen if we had an entry-exit biometric visa system at those two airports. They found that a biometric exit system—we have the entry, remember—was not only feasible but fast, accurate, and did not slow passengers as they boarded the departing flights.

During 1 month of heavy international travel time, June and July, the biometric exit system in Detroit processed 9,448 aliens and identified 44 from the watch list and 60 suspected overstays—out of less than 10,000 people. This is a terrorist watch list and a criminal watch list. Some of these were arrested for violation of Federal law and had warrants out for their arrest on nonterrorist charges. Some of them showed up on watch lists, and 60 of them were suspected overstays. What about Atlanta? They processed 20,296 aliens subject to US–VISIT and identified 131 on the watch list and 90 overstays.

Since 9/11, at least 36 individuals who have overstayed their visas have been convicted of terrorism-related charges. Thirty-six since the 9/11 attacks have been arrested for terrorism charges. They were visa overstays, including Amine el-Khalifi, who attempted to bomb the Capitol last year; the Christmas Day bomb plot; and a near getaway by the would-be Times Square bomber, Faisal Shahzad, who had already boarded a flight leaving the United States when he was arrested just before he could take off.

We are once again reminded that border security is an essential element of national security, and exit control is part of that rubric. Tamerlan Tsarneav, the Boston bomber—alleged—remained invisible to the immigration system, having exited the country for a 6-month stay in Russia because today's biographic exit data was insufficient to identify him as leaving the country—in this case, a misspelling or he used a different spelling and he was not picked up on the list, whereas if we had used his fingerprints, he would have been identified biometrically instantly.

While S. 744 requires the use of software to correct misspellings, it may not work for the millions of other names the software does not pick up. It will not pick up the fact that there is an arrest warrant for murder out for him—let's say in Indianapolis—when he is getting on a plane in Boston, but it should get picked up if they use the entry-exit visa. The individual would then successfully have fled the United States and may be able to get away completely with a serious crime. The only way to verify a person is who they claim to be really is through a biometric identifier.

During the committee markup, I offered an amendment to require the implementation of the biometric exit system as required by current law as part of the trigger to allow the Secretary to grant green cards to those given amnesty. In other words, if she did not have that fixed and in place as current law required it, the amnesty in 10 years, the green card, would not be issued.

A biometric air-sea exit solution is available right now, as it was in 2009. It requires no infrastructure changes to airports and can be deployed immediately. Neither the TSA nor airlines need to be directly involved in this.

Also, in 2005, the biometric exit for vehicles and pedestrians at land ports was tested and found to be workable. To implement that solution today would require less than was required during the 2005 testing. We simply use the biometric data already in the system as well as the tamper-resistant card and expansion of the current Trusted Traveler Program in entry lanes to the exit lanes. If we do the entry, we need to do the exit lanes.

Nevertheless, my amendment failed 12 to 6. So I guess Senator SCHUMER and the leaders of the Gang of 8 didn't give a path to the Republican members who might have voted for my bill. They had to stick together. Senator SCHUMER claimed such a system would cost $25 billion to implement. Well, somebody had used that figure, and I had only then discovered this 2011 report of the exit system in Atlanta and Detroit—this report right here. We just found out there was actually documented evidence that it doesn't cost anything like that much.

However, when we aggregate the 2008 U.S. visa impact analysis data and industry data, the greatest total cost for the first year of technology implementation at air and seaports would be approximately $172 million to $855 million, depending on collection and the units chosen. The most expensive units do not require an attendant to even be there. Instead, there would be a monitoring attendant who can supervise a number of mobile kiosks all at once.

In addition, in 2008, an air, sea, and biometric exit project regulatory impact analysis also noted that the air, sea, and biometric system was less costly than a biographic exit system for several reasons: improved detection of aliens overstaying visa, 300 ICE agents have to do overstays now, and cost avoidance resulting from improved Immigration and Customs Enforcement efficiency; in 2007 cost removal per visa violator was $18,375 per individual; improved efficiency and processing of entry-exit data; and improved national security environment. Today the cost is significantly lower because the latest technology requires less manpower to operate and support the process. So in an exit system, when a traveler comes through the airport, before they board the plane, they go to a spot and for a few seconds—according to this report there is negligible slowing down—they put their finger on it, it reads their fingerprint, and says, yes, indeed, this person who entered the country has permission to leave. It then runs a check of terrorist and crime data to see if there is a warrant for the person's arrest, and then moves right on to the plane. The report found it took less than 2 seconds for a fingerprint capture. That is amazing.

Of course, a lot of people don't know, but many police departments provide police officers in their automobiles fingerprint reading data. So they arrest somebody for DUI, they have them put their finger on the machine, and bingo, it comes up they are wanted for rape. That is how fugitives are apprehended today. We do far less hunting them down by name. We wait for them to get picked up with some sort of check or other arrest. Mobile units do that.

These systems are now deployed internationally in nine countries and 20 international airports, including Australia, and process over 700 million passengers per month. This can be done, and I am amazed and frustrated it has not happened.

When Secretary Ridge was Homeland Security Secretary, we talked about this. My experience in law enforcement was that the fingerprint had to be the data because it is the fingerprint the police officers and the FBI use when they arrest somebody for a crime, and many people flee. Many of the people who flee like to leave the country.

The last thing he said when he left office: I have one bit of advice for my successors, and that is use the fingerprint. After much effort and much debate and much conflict, he had distilled that down to that simple decision. Frankly, we are almost there, and we should complete.

So in the committee markup, an amendment sponsored by Senator HATCH was adopted that requires yet another pilot program limited to the 10 busiest airports within 2 years, and the FAA designated 30 core airports over 6 years. The amendment, which does not serve as a trigger to amnesty or anything else, fails to require biometric exit at the land ports, which makes the system unenforceable and almost unusable because a person can fly in and they can exit from a land port. We need to record that or we won't know whether they ever left the country.

As Senator GRASSLEY said at the time in the committee: In 1996, we passed an entry-exit system, and it is not law. So what I see before us is a fig leaf that leaves us to believe we are doing more than the bill requires, but because the bill does a lot less than what we decided in 1996 we needed to do, I think this amendment should be defeated. But it wasn't; it passed.

Finally, we were told that all of the triggers would have to be fully implemented. If they are not fully implemented, there will be no green cards issued. This is one of the Gang of 8 selling and talking about the bill. It had to be fully implemented—all the triggers—or there would be no green card.

So let's take a look at what the bill actually says about that. The bill says

after 10 years, the Secretary may adjust the status of those illegal immigrants who receive amnesty to lawful, permanent resident or green card status. So the Secretary can adjust the people who came here illegally from their temporary legal status to permanent resident of the United States, or green card, and then be on a guaranteed pathway in 3 years to full citizenship. But that is supposed to only be done when? The Secretary certifies to Congress that her border security strategy is substantially deployed, substantially operational, and that her fencing plans are implemented and substantially completed. These terms are undefined, leaving these determinations to the sole discretion of the Secretary, and she said we don't need anymore fencing. She gets to decide about fencing.

What is she required to do? Her fencing plan has to be initiated and approved, or her plan has to be implemented. But the plan doesn't have to call for a single foot of fencing.

Also, the green card status can be given when she has implemented the new—this is important—employment verification system required under the bill, which is for new employees, not current employees. They do an E-Verify system to check on something like that, and it is not mandatory for all employers until 5 years after the regulations are published. So the employment effort is not effective for at least 5 years after the amnesty has been provided, and it could take even longer for it to become fully effective.

The real deadline for implementation of the employment, the E-Verify successor system they would like to develop, may be as long as 10 years. That is less than what the 2007 bill called for, the bill that failed. In 2007 E-Verify was required for all new hires 18 months after the enactment of the bill and for all current employees 3 years after the enactment of the bill. So their plan for the E-Verify system is far weaker than the plan in 2007, and it suggests that by putting it off and not having current employees have to have it used for them that they are not very serious about it.

Also, she is using an electronic but not biometric system exit system at air and sea but not land ports of entry. So another requirement for a trigger is that there must be an end use and an electronic, not biometric, exit system for air and seaports but not land. Experts have told us if we don't do land, we never know when anybody has left the country.

Unfortunately, as are most seemingly tough provisions in this bill, it is followed by an exception that swallows the rule. The bill allows the Secretary to grant green cards to those given amnesty without satisfying these triggers if litigation or an act of God has prevented one of the so-called triggers from being implemented, or implementation has been held unconstitutional by the Supreme Court, or the Court has simply granted certiorari in a case challenging its constitutionality; and ten years have elapsed since the date of enactment. There are so many loopholes in it, and so she can certify she has a plan. She can certify that with expanding the system electronically but not biometrically, in airports and seaports but not land ports, we end up with what would appear to be a big improvement over current law, but it is not. Current law requires biometric in land, sea, and air. So this reduces that.

The bill undermines the ability to deport people who are in the country illegally. There are a whole lot of examples I could give at this point, and I won't—not tonight, to the Chair's relief.

So, as in 1986, amnesty comes first. It will occur. The deportations will stop, and it happens now. But the enforcement that is promised will not happen in any effective way. That is clear. If we read the bill, we see there is not a real sense that anybody who knows anything about enforcement was there in the room drafting the bill, driving the legislation, to close loopholes and make this system enforceable in the future and end its brokenness today, end the illegality today, and put us on a path we can be proud of for our future. The bill does not fix illegality that dominates so much of our current system. It surrenders to illegality and does not stand up and fix it. This is not what the good people of this country want for their future: another long period of illegal immigration and another inevitable amnesty.

We can fix the border. We can do that. We can fix our visa system. It is not that hard. We know how to do it now. We can fix and dramatically increase the ability of employers to ensure they hire only legal workers and not hire illegal workers, leaving Americans unemployed at record rates. We can establish a strong interior enforcement system, one that has integrity and fairness. This bill is not close to that goal. Even though we could do it, it fails to move us where we need to go to put this system on a sound path. It should not become law.

I thank the Chair and yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow morning.

Thereupon, the Senate, at 7:44 p.m., adjourned until Tuesday, June 11, 2013, at 10 a.m.