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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.

O Omnipotent Sovereign God, beneath whose all-seeing eye our mortal lives are passed, may all our deeds and purposes today bring honor to You. Lord, save us from pride and arrogance, and help us to be quick to see the needs of those less fortunate than ourselves and promote goodwill and fellowship among all people.

Today, bless our lawmakers. Let their motives be transparent and their word be their bond. May they be generous in their judgment of others, loyal in their friendships, and magnanimous to their opponents.

Sovereign God, let every knee be bent before You and every tongue confess that You are Lord.

We pray in Your great 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.

RESERVATION OF LEADER TIME

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

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 be in morning business until 5 p.m. today.

At 5 p.m. the Senate will be in executive session to consider a couple nominations for United States district judges. One is for Pennsylvania and one is for New Mexico. At 5:30 p.m. there will be at least one rollcall vote on the confirmation of the nominations. The Restrepo and Gonzales nominations are the two nominations we have. Restrepo is from Pennsylvania and Gonzales is from New Mexico.

Following those votes, the Senate will resume consideration of the immigration bill.

BUDGET CONFERENCE

Mr. REID. Mr. President, it has been 86 days since the Senate passed its budget. We have been through this on several occasions. We have had Republican Senators come and criticize the Republican leadership here for not letting us go to conference. They talked about their wanting regular order so we could move forward in dealing with the financial crisis facing this country, but they have ignored us.

We are proud of the budget we passed. It was hard, but it reflects our priorities: protecting middle-class families and growing the economy. Even though that is the case, we are still willing to work out a compromise with our Republican counterparts.

We are not going to get everything we want. That is what conferences are all about. They have been going on in this country for more than two centuries. But we believe our sound fiscal policy would stand out as being so much better than what they have done in the House. We could do this through the regular order of the budget process. Unfortunately, Democrats and Republicans are not going to find common ground if we never start negotiating. As I said, for 86 days Republican leaders have objected to a conference with the House of Representatives. In conference, Democrats and Republicans could work together to work out our differences—differences between our budgets as well as our priorities. But Senate Republicans have objected to a conference time and time again.

Today, I read in the Hill newspaper called Politico that the House Republicans are more than happy for their Senate colleagues to obstruct and delay. They know a budget conference would only put the spotlight on divisions within the House Republican caucus. Here is what the article said:

Going to conference to match the House and Senate-passed budgets—or making any movement on the budget right now—could open up a schism in the [Republican] caucus on spending that for months leadership has managed to keep mostly at bay.

So what they are saying is the Republican leadership over here is protecting the House. The House Republican leadership understands they cannot agree on anything—nothing. Therefore, objecting to this is the right thing to do because they will never get out in the open as to how crazy their budget priorities are.

But as Senate Republicans cover for their dysfunctional House colleagues, the country inches closer to another crisis: a default on the Nation's bills.

Reasonable Republicans are just as concerned as I am about this last manufactured crisis—a crisis that would undercut the economic progress of the last 4 years. Those reasonable Republicans have come to the floor repeatedly to call on Republican leaders to stop blocking bipartisan budget negotiations. I hope those reasonable Republicans prevail. I hope Republican leaders in the House and in the Senate will stop bowing to tea party extremists and listen to the more reasonable Members of their caucus.

I repeat, Republican Senators have arrived here on the floor on more than one occasion and criticized our not being able to go to conference. So if past is prologue, using the full faith and credit of the U.S. Government as a political hostage will not only be bad

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

for the economy, it will also be bad for the Republican Party.

It is time Republican leaders acknowledge that compromise—not reckless brinkmanship—will put America on the road to fiscal responsibility.

IMMIGRATION REFORM

Mr. REID. Mr. President, for 16 years, Blanca Gamez thought she was an average American girl. But when she turned 16, one by one her friends learned to drive. Her parents sat her down and explained an important truth she did not know at the time: She could not get her driver's license because she is an undocumented immigrant.

Blanca's parents brought her from Mexico to the United States when she was 7 months old. Because they came without proper paperwork, she was missing something really important. Blanca's parents told her: ''You need nine numbers.'' That refers to a Social Security number, which she did not have. A Social Security number—those nine numbers—opens doors to American citizens, which American citizens take for granted.

I had an opportunity to visit with Blanca when I was in Las Vegas recently. She is a young woman with everything going for her. She is smart, she is driven, and she loves this country with a passion that is truly moving. In fact, she does not remember the country she was born in, Mexico. She was 7 months old when she came here. To her home means Nevada. That is our State song: ''Home Means Nevada.'' And home certainly means Nevada to this young woman.

Unfortunately, without a Social Security number—those nine numbers—Blanca faced challenges her American-born peers simply did not.

But all that changed a year ago this week when President Obama signed a directive suspending deportation of upstanding young people such as Blanca who were brought to this country as children. As a result, she now has her nine numbers.

Almost 300,000 DREAMers—undocumented immigrants who came to this country as children—have already taken advantage of this opportunity.

Thanks to President Obama's courageous action, Blanca and hundreds of thousands of upstanding young men and women like her can rest easier knowing they are no longer in danger of being deported. They can now drive, they can work, and they can get the nine numbers that unlock a successful future—I repeat: a Social Security number.

Blanca's future—and the future of 800,000 young DREAMers—will remain uncertain until Congress passes commonsense immigration reform. President Obama's directive is only a temporary solution.

The Republican majority in the House of Representatives has taken aim at the DREAMers, voting recently to resume deportation of promising young people such as Blanca.

The directive does not address the 10 million people living in this country without the proper documentation who do not qualify for deferred action. Many of these individuals are the parents or siblings of DREAMers such as Blanca. The bipartisan legislation before the Senate is the opportunity they have been waiting for. This bill offers a pathway to earned citizenship that begins by going to the back of the line, paying penalties and fines, working, paying taxes, staying out of trouble, learning English, getting right with the law.

The measure will be good for national security, it will be great for the economy, and it will be good for millions of immigrant families.

The bill is not perfect, but it takes important steps to reform our broken legal immigration system and strengthen border security.

I know many of my colleagues have ideas about how to improve this bill. I hope we will be able to process additional amendments soon so we can give these ideas the debate they deserve here in the Senate and, after that, of course, the votes they deserve.

We have five amendments pending. We could vote on four of them right away. I also think it would be fair to add the Heller amendment. That would mean three Republican amendments and two Democratic amendments.

My colleagues should be aware, unless we begin voting on amendments soon, we will need to work through the weekend in order to finish the bill before July 4.

Recognizing that this is a Nation founded by immigrants, I hope Senators will consider every amendment to this bill with compassion. Like generations before them, Blanca's parents and millions of other undocumented immigrants came here seeking a better life. The famous author C.S. Lewis said:

> You are never too old . . . to dream a new dream.

It is time for Congress to help 11 million dreamers—young and old—get right with the law and unlock their potential.

MORNING BUSINESS

Mr. REID. Would the Chair announce the business of the day, please.

The PRESIDING OFFICER (Mr. MURPHY). Under the previous order, the Senate will be in a period of morning business until 5 o'clock p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Vermont.

COMMENDING THE MAJORITY LEADER

Mr. LEAHY. Mr. President, as always, I commend the distinguished majority leader for his words on immigration reform. We are on this bill because he set this time aside, and he, like I, hopes we will soon be voting on amendments. There are a lot of potential amendments, just as we had 300 amendments filed in the Senate Judiciary Committee. We were able to work through them. I know we do not expect that many here on the floor, but I know the leader has set aside time for us, and I know his commitment to get this filed and fulfilled, and I joined him on that. I think the time is right. We either do it now or we are never going to do it.

So I thank the leader again.

MANDATORY MINIMUM SENTENCES

Mr. LEAHY. Mr. President, there are two matters I want to talk about. Before I speak about the immigration, I want to speak about the Supreme Court ruling today in Alleyne v. the United States, that facts underlying mandatory minimum sentences must be proved to a jury beyond a reasonable doubt.

I continue to believe our criminal justice system's reliance on mandatory minimum sentences is a mistake.

In March, Senator PAUL and I introduced the Justice Safety Valve Act of 2013, to give Federal judges greater flexibility in sentencing in cases where a mandatory minimum is not only unnecessary but often counterproductive.

Mandatory minimum sentences imprison some people, particularly nonviolent offenders, for far longer than is just or beneficial.

Looking at it just from a fiscal point of view, as a result of mandatory minimums the Federal prison population has exploded in recent years. This has placed enormous strain on the Justice Department's budget. That means less money for Federal law enforcement, less aid to State and local law enforcement, less funding for crime prevention programs that make us safer, plus less money for prisoner reentry programs.

Sentencing reform has worked at the State level. The Justice Safety Valve Act is an important step toward the sentencing reform our Federal system desperately needs. I applaud the Supreme Court decision today in Alleyne.

I have long felt that when legislative bodies pass mandatory minimums, it is a feel-good response to crime, but it does no good.

Judges need discretion. Every case that comes before a judge is different. Now, do judges always get it right out of the tens of thousands of cases that come before them? No. Of course not. Sometimes they might not, but they are far more often right than wrong. They are always more right than a legislative one-size-fits-all approach. Mandatory minimum laws are one size fits all. Anybody who has spent time in the criminal justice system either as a defense counsel or as a prosecutor or as a judge knows that one size does not fit all. We should get rid of all of our mandatory minimums, have real standards

that judges will follow, and then let the individual men and woman who sit on the bench make the decision.

IMMIGRATION REFORM

Mr. LEAHY. Mr. President, as we continue yet another week debating S. 744, the bipartisan immigration bill, I hope we can start making some progress on this vital legislation. The American people know what some of us have to realize: our immigration system is broken; it has to be fixed. If we are going to have an effective solution to this complex problem, we cannot focus simply and effectively on one border or any single aspect of our immigration system. We have to address all parts of our immigration system.

Of course, we all agree we have to secure our borders, but we must also reduce the incentives people have to come here illegally or to overstay their visas. It means we have to implement E-Verify so employers stop hiring those who are not authorized to work here. We also have to eliminate the extensive backlogs that tear so many families apart.

We have to respond to the needs of American farmers and technology companies and investors who create jobs in this country. We also need to remember that our history and the future of the Nation is based on immigrants when we are considering the legalization process provided in this bill.

Almost 4 weeks ago the Judiciary Committee voted to report this immigration reform bill with a strong bipartisan vote of 13 to 5. I understand the Congressional Budget Office's task is a difficult one, with complex, comprehensive measures such as this. We expected their score today. I hope they are able to get the official score early tomorrow so we can move forward and complete consideration of this bill. As we closed out each title during our extended mark ups, we forwarded the text to the CBO, so they have had the border security title and the non-immigrant visa title for well over a month. I look forward to reviewing their analysis when we receive it.

In addition to the CBO score we are awaiting, we should also credit the extensive testimony the Judiciary Committee received from former CBO Director Douglas Holtz-Eakin. He testified that immigration reform ''will increase the productivity growth in the U.S. economy, the fundamental building block of higher standards of living, and generate larger economic growth numbers than we have seen in recent years.''

Specifically, he estimated reform of this nature would increase growth so that ''the overall growth rate and real GDP would rise from 3 percent to 3.9 percent, on average annually, over the first 10 years. The upshot of GDP after 10 years would be higher—a difference of $64,700 per capita versus $62,900 per capita. This higher per capita income of $1,700 after 10 years is a core benefit of immigration reform.''

According to Holtz-Eakin this increase in growth would also help lower our deficit. In fact, he testified that ''Over 10 years an additional 0.1 percentage in average economic growth will reduce the federal deficit by a bit over $300 billion. In this context, the rules imply that over the first 10 years of the benchmark immigration reform the federal deficit would be reduced by a cumulative amount of $2.7 trillion.''

Also, the Judiciary Committee received powerful testimony from Grover Norquist. He was asked repeatedly by those who oppose this bill whether legalizing immigrants would lead to a drain on our safety net. His response was that just the opposite would occur. He testified that ''immigrants come at the beginning of their working lives, which means they will have years to pay taxes and contribute to the economy before being eligible for entitlements.'' Furthermore, Mr. Norquist testified that ''Some argue that the fiscal burden of America's entitlement programs make more immigration cost prohibitive. That is a false choice. That our entitlement systems are broken is not an argument for less immigration; it is an argument to fix our entitlement systems.''

It is not every day that I agree with these very conservative commentators and advocates, but I was happy to invite them to testify before the committee and commend their analysis to Members who are concerned about the approximate 'cost' of reforming our broken immigration system. All the valid testimony—all the valid testimony we received says that fixing the broken immigration system adds to our bottom line in a beneficial way.

One of the hallmarks of this country is how we have historically treated those who have sought shelter and refuge on our shores. America protects the most vulnerable among us. This includes survivors of domestic violence and human trafficking, as well as pregnant women and children. I am proud to report that there are strong protections in this bill for the treatment of children caught in the broken immigration enforcement system.

In the Judiciary Committee we added to those protections for domestic violence and human trafficking victims. But the Judiciary Committee also considered and rejected, as it should, several amendments that sought to take away protections in our safety net programs for immigrants who need them. I know some may want to punish the 11 million undocumented people currently living here in the shadows. The bill specifically contains a steep financial penalty for that purpose. The undocumented also need to go to the back of the line and take classes to learn English, but even these tough steps are not enough for those who oppose this bipartisan bill.

While some may want to look like they are being even tougher on the undocumented population, we all need to consider how further punitive measures may deter people from coming out of the shadows. When children and pregnant women are put at risk by an urge to punish millions of people who are trying to make a better life for their families, as my grandparents did, we do not live up to our American values and we do not make this a safer country. Last week, Senator HATCH filed several amendments to deny or delay protections for the millions of people who apply for registered provisional immigrant status. I will oppose all of those amendments. They are not fair. They deter people from coming forward to register. That makes us all less safe.

It is a cruel irony when my friends on the other side of the aisle talk about border security, the high cost of implementing their proposed measures is always absent from the discussion. But when we are talking about programs that help children who live near the poverty line, well, then suddenly fiscal concerns are paramount.

So if we are talking about a specific type of fencing, or a new expensive exit program, our concern is supposed to trump any hesitancy about government spending. Spend whatever it takes. Spend whatever it takes, and at the same time dramatically increase the boon that their proposals give to the government contracting firms that make money off of them.

However, if we are talking about programs literally to feed the hungry or provide vaccinations to children, vaccinations which make us all healthier because of the disease it stops, then we hear lectures as to how we cannot afford those programs in the current fiscal environment. Maybe some of these contractors with their lobbyists ought to be covering those programs. Maybe we will hear more need for them.

I would say from a moral point of view, as an indication of how great a country we are, we ought to be saying: Hungry children, children who can be saved from childhood illnesses, it is in our moral core as a Nation, the most wealthy, powerful Nation on Earth to help them. The bill we are considering prohibits immigrants in registered provisional immigrant status from accessing Federal means-tested public benefit programs throughout their time in provisional status.

In addition, as a result of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, even qualified legal permanent resident immigrants must wait an additional 5 years after they are legalized to receive any safety net protections. We have already put all kinds of barriers up here.

So including the 5-year bar, most immigrants who are working their way through the path to legalization will have to wait anywhere from 13 to 15 years before having any access to safety net programs. Given the penalties and the fines they have to pay, it is wrong to further deny these low-income families protection that some may desperately need.

We have seen amendments that try to designate an immigrant a ''public charge'' and thus deportable simply because the individual's child received health or nutrition benefits. If a child is an American citizen, would we really want that child's parents deported simply because the child needed food stamps while the parent was in provisional status?

We should protect the children of immigrants and their families. In 2009, President Obama signed the Children's Health Insurance Reauthorization Act (CHIPRA). Under Senator ROCKEFELLER's strong leadership, CHIPRA included a provision which allowed states the option to waive the five-year bar to the Children's Health Insurance Program (CHIP) and Medicaid for lawfully residing immigrant children and pregnant women. Today, 25 states offer this safety net for children and 20 states offer it to pregnant women. My own state of Vermont offers this protection to both pregnant women and children. I commend my friend, Chairman ROCKEFELLER, for allowing states the option to immediately provide CHIP and Medicaid for immigrant children and pregnant women.

Like so many harsh amendments that have been filed with respect to the safety net, I have seen similarly harmful amendments on the issue of the earned income tax credit, the EITC, or the child tax credit, CTC, which were designed to help hard-working families pay their taxes.

The earned income tax credit is available only to families who are working and paying payroll taxes, not some kind of giveaway. They have to be working and paying taxes. EITC is a core part of the Tax Code like any other tax credit that adjusts Federal tax liability, based on family circumstances. It is not, and it has never been, considered a ''public benefit.'' But some amendments have been filed seeking to deny the EITC for all registered immigrants for eternity, even after they have obtained legal status. One of these amendments was offered during the committee process, and was rejected.

Similarly, the Child Tax Credit was enacted in 1998 for the benefit of U.S. citizens or U.S. resident alien children under the age of 17. In practice, it first requires that an individual work and pay her taxes. If the person meets this basic requirement, undocumented or otherwise, the Child Tax Credit may be claimed for the benefit of the U.S. citizen or U.S. resident alien child. Undocumented immigrants who use an Individual Taxpayer Identification Number are able to benefit from the Child Tax Credit since they work and pay taxes. However, there are numerous workers who are lawfully present that also use Individual Taxpayer Identification Numbers to pay taxes. During the Committee markup, one senator proposed an amendment that would have denied the Child Tax Credit to low-wage workers who pay their taxes using an Individual Taxpayer Identification Number. This overreach would have harmed numerous U.S. citizen children and their families. Fortunately, this unduly harsh amendment was rejected by the Committee as well.

I would strongly oppose any amendment to deny hard-working families from participating in these tax credits when they are paying payroll taxes. We know that these credits are vital to working families and we have a moral obligation not to harm children in our communities and their families by denying their families these credits.

We give huge tax benefits and loopholes to millionaires. Yet a hard-working family, should they not be entitled to these tiny benefits? They are dwarfed by what we give to millionaires. Let's start paying attention to the people who need our help.

Some who oppose comprehensive immigration reform have raised the false alarm this immigration bill would drain the Social Security trust fund and bankrupt our Medicare system. Nothing could be further from the truth. The Wall Street Journal and Commentary are two publications that almost never agree with my positions. In fact, the opposite is true. In an editorial dated June 2, 2013, entitled, ''A $4.6 Trillion Opportunity,'' the Wall Street Journal states unequivocally that ''Immigration reform will improve Social Security's finances''—not take away from it, but will improve it. In fact, it notes that

> The Senate bill raises immigration quotas by about 500,000 a year over the next decade (to reduce backlogs) and by about 150,000 a year after that. Thus the net effect of the immigration bill on the long-range Social Security trust fund ''actuarial balance will be positive,'' Mr. Goss recently wrote in a letter to Senator MARCO RUBIO. These higher post-reform levels of immigration would mean an extra $600 billion into the trust fund to about $4.6 trillion over 75 years.

It is true that ''Immigration won't solve all of Social Security's financial problems.'' However, it said ''immigrants unquestionably narrow the funding gap. More generous immigration is a wise step toward solving the entitlement crisis in Washington.''

I ask unanimous consent to have the editorial printed in the RECORD.

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

[From the Wall Street Journal, June 2, 2013]

A $4.6 TRILLION OPPORTUNITY

IMMIGRATION REFORM WILL IMPROVE SOCIAL SECURITY'S FINANCES

The Senate immigration bill has ignited a debate over the fiscal costs of reform, with some conservatives claiming costs far exceed the benefits. We think that's wrong, and one place to look for evidence is the costliest of all federal programs, Social Security. As some 75 million baby boomers prepare to retire, immigrants will be crucial to keeping the federal pension program afloat.

As too few Americans understand, Social Security is not a pre-funded retirement system and there is no ''lock box'' with money set aside for each worker's retirement. It operates as a pay-as-you-go system.

Benefits paid out each year roughly match payroll tax revenues collected, at least until the program goes into annual deficit in a few more years, and the so-called trust fund only contains IOUs that the government owes itself. Those IOUs don't help. The Social Security Administration estimates that the present discounted value of the 75-year shortfall of promised benefits beyond the taxes expected to be collected is $8.6 trillion.

The crux of the problem is that the ratio of workers to retirees is falling fast. While there were 16 workers for every retiree in 1950, the ratio now stands at a little under 3 to 1 and within 20 years when the baby boomers are age 65 or older the ratio will fall to about 2.5 to 1.

Immigrants help ease this demographic problem in three ways. First, most come here between the ages of 18 and 35, near the start of their working years. Second, few come with elderly parents (only about 2.5% of immigrants are over age 65 when they arrive), and the seniors who do come aren't eligible for Social Security because they have no U.S. work history. Third, immigrants tend to have more children than do native-born Americans and their offspring will also pay into the system.

These facts are confirmed in the latest report of the Social Security trustees released last week. They conclude that the program's long-term funding shortfall ''decreases with an increase in net immigration because immigration occurs at relatively young ages, thereby increasing the numbers of covered workers earlier than the numbers of beneficiaries.''

How big a bonus are we talking about? Enormous. We asked Stephen Goss, Social Security's chief actuary, to estimate the value of the 1.08 million net new legal and illegal immigrants that currently come to the U.S. each year. He calculates that over 25 years the trust fund is enriched in today's dollars by $500 billion and the surplus from immigration mushrooms to $4 trillion over 75 years.

''The numbers get much larger for longer periods,'' Mr. Goss explains, ''because that is when the additional children born to the immigrants really help.''

The Senate bill raises immigration quotas by about 500,000 a year over the next decade (to reduce backlogs) and by about 150,000 a year after that. Thus the net effect of the immigration bill on the long-range Social Security trust fund ''actuarial balance will be positive,'' Mr. Goss recently wrote in a letter to Senator Marco Rubio. These higher post-reform levels of immigration would mean an extra $600 billion into the trust fund to about $4.6 trillion over 75 years.

The reason is that most immigrant workers pay into the program for 20 to 40 years before they collect any benefits, and they don't have parents who collect benefits while they pay in. Once the immigrants retire and collect benefits, their children are making tax payments roughly covering the payments to their parents.

All of this offsets the cost of legalizing currently illegal immigrants. Illegal workers are especially beneficial to Social Security because millions pay into the system—for example, by using fake Social Security numbers when they apply for a job. But since they are illegal, they don't qualify for benefits when they get old. Legalizing their status means they will qualify for future benefits based on their work from now on, but the fiscal impact of the Senate bill is still positive, says Mr. Goss.

The relative skills and earnings of immigrants and their children also matter a great deal in measuring their financial contributions. More skilled immigrants have higher earnings, so they pay more in payroll taxes.

And because of the progressive benefit structure of Social Security, those with higher incomes collect less per dollar paid in.

This underscores an under-appreciated bonus of the Senate immigration bill. The bill shifts U.S. immigration policy somewhat more toward skills-based entry rather than family unification. It also increases green cards for foreigners who graduate from American schools in science and engineering, thus raising the education and skills of new immigrants. This means the future fiscal immigration windfall is likely to exceed $4.6 trillion.

Immigration won't solve all of Social Security's financial problems. The program still needs reform in its benefit formula and to allow private accounts. But immigrants unquestionably narrow the funding gap. More generous immigration is a wise step toward solving the entitlement crisis in Washington.

Mr. LEAHY. Likewise, an article dated June 6, 2013 in Commentary debunks the myth that immigration would bankrupt the Medicare trust fund. The title of the article is notable: ''Message to Congress: Immigrants Pay More Than Their 'Fair Share' of Medicare.'' According to the article, ''it turns out that closing the borders would deplete Medicare's trust fund.'' In fact, ''over a seven-year period, immigrants paid in $115.2 billion more than they took out. Meanwhile, native-born Americans drained $28.1 billion from Medicare. In other words, immigrants are keeping Medicare afloat. And it's non-citizen immigrants who make the biggest contribution. On average, each one subsidizes Medicare by $466 annually.'' It concludes that ''Scare-mongering about the cost of immigration has become a staple of political debate . . . But our findings indicate that economic fairness, not just morality, argues for immigrants' rights to care.''

The goal in this bill is to encourage undocumented immigrants to come out of the shadows so we can bring them into our legal system and then do what all Vermonters tell me, what Americans everywhere tell me: Play by the same rules. I mean, that is a sense of fairness we should agree to. If we create a reason for people not to come out and register, this is going to defeat the purpose of this whole bill. It makes all of this work: the hearings, the hours and days and weeks of markups and consideration, makes it for naught. Amendments that seek to further penalize the undocumented would just encourage them to stay in the shadows. These steps are not going to make us safer and they are not going to spur our economy.

One of the many reasons we need immigration reform is to ensure there is not a permanent underclass in this Nation. As part of this effort, we need to continue the vital safety net programs that protect children, pregnant women, and other vulnerable populations.

Too often immigrants have been unfairly blamed and demonized as a drain on our resources. Facts prove the opposite.

We are a nation of immigrants. As I have said many times before, my maternal grandparents came from Italy to Vermont seeking a better life. They created many jobs when they did that. They sent their children to college and saw their grandson become a Senator.

My wife's parents came from the Province of Quebec, speaking French. She was born here. Her family contributed to the economy of Vermont, and our whole region, with the jobs they created. They raised three wonderful children at the same time.

We are a nation of immigrants. Let's fight to maintain our tradition of protecting the vulnerable. Let's allow the American dream to be a reality for all those who are in this country because they want to be in this country.

Time is not now divided from one side to the other, is it?

The PRESIDING OFFICER. It is not.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO DOUG BAILEY

Mr. ALEXANDER. Mr. President, I come to the floor to talk about Doug Bailey. Doug Bailey died last week at age 79. The New York Times reported on Tuesday that Doug Bailey helped define the role of political consultant in the 1960s and 1970s and that he founded the Hotline. He was much more than that to me and to countless others for whom he was an example of how to live a public life.

I am aware that when offering a eulogy it is good form to speak more of the deceased than of oneself, but that is hard to do with Doug because he cared so much about everyone he met and everyone he worked with. I first met Doug Bailey in Washington, DC, in the spring of 1977. I was here for a few months working with Howard Baker, the former Senator from Tennessee, who had just been elected to be the Republican leader of this body. He asked me to come work for him. I think part of that was to console me, to let me lick my wounds for having lost the Governor's race a couple years earlier in Tennessee. There wasn't much prospect for a political future for me then because the Nashville Tennessean had written that there wouldn't be a Republican Governor in Tennessee for another 50 years.

So I was here in Washington, and while I was here I became energized by the Republican Senators. It looked to me as though Jimmy Carter was already in trouble, and my friend Wyatt Stewart introduced me to Doug Bailey. The reason I thought it was an important meeting was because at that time he and his partner John Deardourff represented 7 of the 12 Republican Governors in the country who were still in office after the Watergate debacle of 1974.

Doug came to Nashville. He sat down with my wife Honey, Tom Ingram, and me, and we talked about the idea of another Governor's race—this time in 1978. Doug's view was that I had lost, among other things, because I wasn't a very interesting candidate, that I campaigned in a blue suit and talked to Republicans and to rotary clubs. So the talk was about what would be authentic, what did I really like to do.

To make a long story short, I ended up walking 1,000 miles across Tennessee over 6 months in a red-and-black plaid shirt, followed by a group of four University of Tennessee band members in a flatbed truck. And several times a day we would get up on the truck and play in Alexander's washboard band. Doug put all that on television, and I won the election.

Now, to some, that would seem like an ultimate political gimmick, but if you think about it, the idea of the walk across Tennessee was a good deal more authentic than the photo-ops and the press releases and the 5-second sound bites that are often what we end up with in politics today. But let me just say it this way: I would have never been elected Governor if it hadn't been for Doug Bailey.

He also did something else I had never seen anybody else do—no other political consultant. He actually wrote a plan and we actually followed it during the campaign.

The important thing for me to say today is that political consulting was not the end of Doug Bailey's help. He came to Nashville once a week during my first term as Governor not so much to talk about politics, but to talk about how to be a better Governor, which was his idea of how to be a political success. Our conversations were usually not about how to follow, but how to lead, and how to deal with the political implications, for example, of wanting to have three big road programs and do it on a pay-as-you-go basis so we could attract the auto industry to our State without running up debt and persuade all the Republican Members to vote for three gas tax increases, which every single one of them did.

Doug's advice was that a good tactic was to do the right thing because it would confuse your opponents; they wouldn't understand what you were up to.

His advice about recruiting people to work in the cabinet, for example, was not to just invite someone who might take the job, but to make a list of the four or five best persons to do the job and then ask the best one. He said: You might be surprised—that person might be waiting for an opportunity to serve the public. That was some of the best advice I ever got because some of the best persons were waiting for the right opportunity for public service.

All this sounds hopelessly naive, especially today, in a time when there is

so much cynicism about politics. But that is the way it was then, and that is the way I was trained, and that is the way I tried to do my job. I would wake up every day literally thinking about almost nothing else other than how I could help our State move ahead.

I called Doug Bailey throughout the last 30 or 35 years whenever I needed good advice. I called him when the Democrats swore me in early to remove a corrupt Governor who was selling pardons for cash in Tennessee, and he gave me a few words I used to speak to the public on that day.

One of the best pieces of advice he gave me was when the first President Bush called me while I was the University of Tennessee president. I knew President Bush was going to ask me to be the new Education Secretary, and I had about 2 hours to think about it.

Doug said: Ask these two questions. One, Mr. President, may I come up with a plan, subject to your approval? Two, may I go and recruit a team, subject to your approval? Well, that may not seem like much, but after I was announced by the President, I walked into the White House personnel office, and they tried to tell me whom to hire. I said: I don't have to do that. I already have the President's assurance that I can recruit a team subject to his approval. So I was able to recruit David Kearns, former head of Xerox, and Diane Ravitch and others who never would have ended up in President Bush's administration, and he was delighted with them.

Doug always had a project. Some were zany. Some were downright brilliant. One of the most recent was to try to persuade someone to run for President on an Independent ticket online. He didn't succeed at that. He was starting another project when I saw him last at a dinner at the end of January in Washington this year.

Ironically, Doug Bailey was an expert in the technology, TV ads, and the Hotline, which have contributed to today's polarization in politics. But he withdrew from politics after a while and from political consulting because he didn't like what politics had become. He thought more elected officials needed to understand that there is a difference between campaigning and governing and that differences should be resolved in the middle rather than entrenched in the fringes or on the extremes.

In a tribute, Judy Woodruff wrote about perhaps Doug's greatest passion and his greatest legacy: inspiring youngsters such as Chuck Todd and Norah O'Donnell—whom he paid almost nothing to work at the Hotline—to care about and be involved in America's political system. I am sure Chuck and Norah would tell you that Doug considered it even more important and an even nobler calling to actually serve in government, and that he spent most of his life teaching and helping those who were willing to do it.

I would never have been elected Governor without Doug Bailey's help. More important, I will give Doug most of the credit for whatever success I had as Governor and in politics. It has been a long time since I regularly checked with him before I made a political move, but when I did, I always felt as though the next step was a surer step and a step more likely to be in a direction that served a larger purpose other than my own political existence.

I have never known a person who cared more about each person he met in every issue he tackled. So I wanted to come to the floor today and express this tribute to a public life well lived, and to offer my condolences to his wife Pat, his children Kate and Edward, his brothers and his grandson.

I ask unanimous consent to have printed in the RECORD following my remarks the New York Times story about Doug Bailey's death and Judy Woodruff's blog about his passing. It has lots of comments from other people, and I have not seen a blog in a long time where all the comments are positive. Usually that is not the case.

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

[From the New York Times, June 13, 2013]

DOUG BAILEY, G.O.P. POLITICAL CONSULTANT, DIES AT 79

(By Paul Vitello)

Doug Bailey, who helped define the expanding role of political consultants in the 1960s and '70s and later founded The Hotline, a digest of political news, distributed by fax, that became an indispensable tool of the political trade in the pre-Web 1980s and '90s, died on Monday at his home in Arlington, Va. He was 79.

Mr. Bailey, who had health problems in recent years, was working at home on several projects when he died, apparently in his sleep, said his daughter, Kate Bailey.

His consulting firm, Bailey Deardourff & Associates, which he started in 1967 with a fellow political hand, John Deardourff, worked mainly for moderate Republican candidates like Gov. Nelson A. Rockefeller of New York, Mayor John V. Lindsay of New York and Senator Charles H. Percy of Illinois. At one point in the late 1970s, the firm had 11 of the country's 19 Republican governors as clients.

Its work on behalf of President Gerald R. Ford's campaign in 1976 against Jimmy Carter, then a former Georgia governor, was widely credited with helping to narrow Mr. Ford's deficit of much as 20 points in the polls—most of it attributed to his pardon of President Richard M. Nixon for his role in Watergate—to 2 points by Election Day.

The firm made some commercials featuring ordinary Americans questioning Mr. Carter's lack of national experience, and others focused on Mr. Ford's likability and long government service, all to the tune of a campaign song, ''I'm Feeling Good About America.''

''We said to ourselves, what the country knows about Gerald Ford is that he pardoned Nixon,'' Mr. Bailey told The New York Times. ''Let's tell them more, let's give them a view of Jerry Ford the man that's upbeat.''

Mr. Deardourff died in 2004 at 71.

Mr. Bailey, who had grown dismayed by the polarization of national campaigns in the 1980s, started The Hotline in 1987 partly as an experiment in bipartisanship, he said. With the Democratic strategist Roger Craver as his partner, he sought to expose the professional political class to a broad range of issues across the ideological spectrum.

Mr. Bailey told interviewers that in The Hotline's first year, potential subscribers asked three main questions: ''You're going to do what?'' ''You want me to pay you how much?'' And ''What's a fax?''

The Hotline's 500 or so paying subscribers—among them politicians, pundits, political operatives and Congressional staff members—received an exhaustive aggregation of information at 11:30 each morning, including news about state and local election campaigns and grass-roots trends like tax revolts, term-limit drives and environmental initiatives.

It also offered a roundup of political jokes from the previous night's talk-show monologues. Before ''The Daily Show,'' The Hotline was one of the most prodigious purveyors of political humor in the country.

''That's part of political communication these days,'' Mr. Bailey said, presciently, in a 1991 interview with The Washington Post. ''As a practical matter, if you want to know where the people are, their views come from television, and more from programs that don't try to influence them directly, such as the late-night monologues.''

The Hotline, which was bought by The National Journal in 1996 and is part of its Web site, became a training ground for political reporters, including Chuck Todd of NBC and Norah O'Donnell of CBS. Its currency has been somewhat devalued in the past decade by free political sites like Politico and Talking Points Memo, whose creators acknowledge The Hotline in their lineage.

Douglas Lansford Bailey was born on Oct. 5, 1933, in Cleveland to Walter and Marion Bailey. His father ran a manufacturing company. After receiving a bachelor's degree from Colgate University, Mr. Bailey received his master's and doctorate degrees from the Fletcher School of Law and Diplomacy at Tufts.

Besides his daughter, Mr. Bailey is survived by his wife, Patricia, a commissioner of the Federal Trade Commission from 1979 to 1988; his son, Ed; a brother, David; and a grandson.

In 1999, again with Mr. Craver, Mr. Bailey founded the Freedom Channel, which offers politically oriented video online on demand.

In 2006, Mr. Bailey joined with the Democratic political consultants Hamilton Jordan and Gerald Rafshoon in founding a political reform organization, Unity08. It suspended its activities in 2008 after a failed effort to draft Mayor Michael R. Bloomberg of New York to run for president.

''The two-party system has worked well for 200 years and can continue to do so,'' Mr. Bailey said at the time, ''but only when elections are fought over the middle. Our goal is to jolt the two parties into recognizing this, by drawing them into a fight over the middle rather than allowing them to keep maximizing the appeal to their bases at the extremes.''

Asked in another interview about politics today, Mr. Bailey said, ''Candidates listen too much to consultants because they're driven by winning and money.''

This article has been revised to reflect the following correction:

Correction: June 17, 2013

An earlier version of this obituary omitted one survivor and erroneously included two brothers among the survivors. Of Mr. Bailey's three brothers, only one, David, survives him; Robert and Richard are deceased.

[From the Rundown, June 13, 2013]

REMEMBERING DOUG BAILEY

(By Judy Woodruff)

It doesn't happen often. But every once in a while, you meet a person who carries the

human equivalent of sunshine around with them. It's the guy or girl who always seems to be smiling—if not outright, then just beneath the surface. And not in a goofy way, but rather as if they love life and what they're doing and have decided not to let the gremlins throw them off course. My friend Doug Bailey, who died this week at the age of 79, was like that. I never had a conversation with him, over the course of more than thirty years, when he didn't have a piece of good news to share. He was one of the most upbeat people I've ever known.

What may surprise you is that he spent his life in politics. Given the partisanship and negativity that define today's political arena, it's hard to imagine. But Doug got his start when things were different, when candidates could be moderate Republicans (as most of those he supported were), or conservative Democrats, and still get elected to office. This was back in the 1960s and '70s when Republicans such as New York Gov. Nelson Rockefeller, and Sens. Charles Percy of Illinois, Howard Baker of Tennessee and Richard Lugar of Indiana were running for election and re-election. Doug Bailey worked for all of them, and for President Gerald Ford in his re-election campaign of 1976.

Tennessee Republican Sen. Lamar Alexander, whose gubernatorial campaign Bailey worked on in that era, told the National Journal in an interview this week, ''He cared about every person he met and every issue he tackled.''

President Ford's close loss to challenger Jimmy Carter was hard on Doug, but what caused him to leave campaign work altogether, he later told friends, was the negative tone politics started to take on in the 1980s. He went on to create the Hotline, a pioneering daily newsletter on campaigns and candidates, and later to launch a succession of projects aimed at bringing the two parties together, searching for the increasingly elusive common ground between the far left and the far right.

But what I remember best about Doug Bailey was his passion for getting young people turned on to politics. He refused to accept the idea that entire generations of Americans would grow up and be repelled by the thought of a life in public service. When I first talked to him in 2005 about a rough plan for a documentary project, traveling around the United States and profiling the group that has come to be known as ''millennials,'' no one was more enthusiastic than Doug.

He put me in touch with the surprisingly large national network of young people he knew—all leaders, many then still in college; at the same time, he urged me not to forget to talk to young people who were not in school. In 2007, when the project was over, after two documentaries and other reports had been aired or published, he urged me to do a sequel. Since then, and as recently as this spring, he's had one idea after another about how to engage young people in public life. In the hundreds of tweets that popped up after word spread of his death, there were scores from young folks he mentored.

Doug was not only really smart; he was wise. He believed politics was meant to help people and to make this a better country, and he thought political people should work together to make that happen. He never gave up on the idea. We honor his legacy by not giving up either. Doug Bailey is survived by his wife Pat, their children Ed and Kate, and a grandchild.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE DREAM ACT

Mr. DURBIN. Mr. President, last Saturday was the first anniversary of a very historic day. On June 15, 2012, President Barack Obama announced he would grant temporary legal status to immigrant students who arrived in the United States as children. This status, known as deferred action for children arrivals, or DACA, allows these young people to live and work legally in America on a temporary basis without fear of deportation.

June 15, 2012, is a day I will never forget. It was personal. It was 12 years ago that I introduced legislation known as the DREAM Act. This bill gives immigrant students who grew up in this country a chance to earn their citizenship. I have worked hard to pass this bill for 12 years. During that time it has been my honor to meet hundreds of the young people who would be eligible for the DREAM Act.

I don't know when it started, but we started calling them, and they called themselves, the DREAMers. They were brought to the United States as children. They grew up in this country, and they have overcome some amazing obstacles. They are tomorrow's doctors, engineers, teachers, and soldiers. They are young people who will make America a better country. But for most of their young lives they have been trapped in a legal limbo, fearing that they could be deported away from their families, away from their homes, away from the only country they have ever called home with just a knock on the door. Yet they have developed amazing lives with great potential.

Incidentally, we have already invested in them. They were educated in America. They have a great potential to make this country even better for the future generations. It just doesn't make any sense to walk away from the talents they can bring to us.

In 2010, Senator Richard Lugar of Indiana and I joined together across the aisle to ask the Obama administration to grant deferred action to DREAMers. President Obama wanted to give Congress a chance to act before using his Executive power, and he said: I know I have the authority, but let's see if you can pass the DREAM Act.

We brought it to the floor of the Senate. I remember that day. If I am not mistaken, it was a Saturday, and that gallery was filled. It was filled with young people in caps and gowns who were watching the debate on the floor of the Senate on the DREAM Act. We needed 60 votes because we faced a Republican filibuster. We have always faced a Republican filibuster.

Fifty-five Senators voted for it, which by most standards is a sufficient majority, but not by the Senate standard. We fell five votes short of defeating the filibuster.

I watched those students file out of those doors, and then I left the floor of the Chamber. I walked downstairs to meet with them. There was not a dry eye in the room. They had just watched their dreams disappear right here on the floor of the Senate—five votes short.

The House, in which the Presiding Officer was serving, had already passed the DREAM Act under the leadership of Speaker NANCY PELOSI, Howard Berman, ZOE LOFGREN, and especially my colleague from Illinois, LUIS GUTIERREZ. The House had risen to that challenge. We had our chance and fell short by five votes.

After that Republican filibuster of the DREAM Act, President Obama decided he needed to take charge. He established the deferred action for childhood arrivals to give those DREAMers and the thousands like them across the country a chance to come out of the shadows and be part of America.

What has happened since then? In the last year more than 539,000 have applied for DACA. So far about 365,000 applications have been granted; 140,000 applications are still being considered. I am proud to say my home State of Illinois has the third most DACA applicants, more than 28,000, and the third most DACA recipients, approximately 23,000 young people. It wasn't too surprising because shortly after the President announced his program, Congressman LUIS GUTIERREZ and I held a gathering at the Navy Pier, which is kind of a seminal site in downtown Chicago.

We invited those who wanted to apply for this deferred action. We thought: What are we going to do if 400 or 500 people show up? Then we were worried no one would show up. We didn't know what to expect. Well, we knew the night before what was coming. The line started forming at midnight. At midnight these families stood there—mom, dad, and their son or daughter—waiting for a chance for that son or daughter to apply for this decision by President Obama of deferred action.

Many times the parents were undocumented themselves and even risked deportation by showing up. But the thought of saving a child in their family and giving that child a chance was enough for them to take the risk.

Well, it turned out over 12,000 people showed up. We were overwhelmed. We couldn't even come close to processing the applications that were involved. We knew then this was an idea whose time had come.

It is especially important to note the 1-year anniversary of President Obama's announcement as we consider what is going on on the floor of the Senate this week. We are debating comprehensive immigration reform.

The reality is that DACA is overwhelmingly popular with the American people. The American people—I have always trusted—have in their heart of

hearts a goodness, an understanding, and a caring. They saw these young people brought here as babies, infants, as little children, and they knew they had not made the decision to come here, but their parents made the decision to come here. If anybody did anything wrong, violated any law, overstayed a visa, whatever the circumstances, it wasn't the child, it was the parent. They understand the basic element of justice not just in America but in life, and it is this: You don't hold a child responsible for the wrongdoing of a parent. Most Americans understood that and want to give these young people a chance.

On election day last year, Hispanic Americans voted overwhelmingly in favor of President Barack Obama. There were many Republican Members of Congress, including my good friend Senator JOHN MCCAIN of Arizona, who heard that message loudly and clearly, and that—in no small part—is why we are considering comprehensive immigration reform today. Within this bill is the DREAM Act, and not just the DREAM Act, but the strongest version of the DREAM Act that has ever been written.

It is also important to note what happened to the DREAMers in the last year. These young Americans were finally able to work legally in America and have already stepped forward to contribute their talents. The Center for American Progress and the bipartisan Partnership for a New American Economy has concluded that giving legal status to DREAMers will add $329 billion to America's economy and create 1.4 million new jobs by 2030. The economic benefit of legalizing 11 million undocumented could be even greater.

According to the study by the Center for American Progress, if comprehensive immigration reform 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 increased tax revenues—money that will be paid by the currently undocumented immigrants who will become legally part of America in the next 10 years. It will also create an estimated 120,000 jobs every single year—a growth engine. It always has been a growth engine in America. This Nation of immigrants, when it builds on the strength and commitment of newcomers, is a stronger and better Nation and continues to lead the world. How could we have forgotten that lesson of history?

Conservative economist Douglas Holtz-Eakin recently concluded immigration reform would actually reduce Federal deficits by $2.7 trillion, add a full percentage point to our economic growth, and raise GDP per capita by approximately $1,700.

I started several years ago coming to the floor of the Senate to not just speak about the DREAM Act but to tell the stories of DREAMers. It was something I came to do because I finally witnessed their courage and realized I had to share it here on the floor of the Senate. When I first started talking about the DREAM Act and undocumented young people who could be deported in a moment, torn away from their families and their lives and sent to a place they could never remember, facing a language they couldn't speak, they would very quietly wait until my meeting was over and come out of the darkness by my car as I was leaving and say, Senator, I am one of those kids who would be helped by the DREAM Act. They didn't want anyone to see them for fear of being deported. But over time they came to realize that standing up, with the courage to tell their stories, they risked deportation but they put a face on this issue. It wasn't some politician giving a speech, it was a real life, and that is what they did. As they came forward to tell their stories with their courage, I came to the floor of the Senate.

I wish to take a moment now to thank a man who is sitting to my right, Joe Zogby. Joe has been a staffer on this issue from the beginning, and when it passes I know he will celebrate just as I do, understanding, as I do, the lives that will be impacted by this decision if the DREAM Act becomes the law of the land.

These DREAMers are an amazing group. The stories I told on the floor included DREAMers who grew up in 17 different States, from Arizona and Texas in the Southwest, Missouri and Ohio in the Midwest, and North Carolina and Georgia in the Southeast. These talented young people came to America from all over the world—19 different countries represented—and from every continent except Antarctica. Yet all of them share something in common: America is their home. They are only asking for a chance to give back to their home.

Today I wish to spend a minute or two to update the Senate on what has happened to some of these DREAMers since they received DACA—this deferred status—last year.

Angelica Hernandez was brought to America when she was 9 years old. Two years ago, Angelica graduated from Arizona State University as the outstanding senior in the mechanical engineering department with a 4.1 GPA. Angelica just finished her first year of graduate school at Stanford University where she is working on a master's degree in civil and environmental engineering with a focus on energy. Her dream is to dedicate her career to developing renewable energy. After receiving DACA, because of the President's Executive order, this summer Angelica will work at Enphase Energy, a solar energy startup company.

This is Pierre Berastain. Pierre and his sister were brought to the United States from Peru in 1998 when they were children. Pierre didn't speak a word of English when he arrived in Texas, but he went on to receive a bachelor's degree with honors from Harvard University. He is currently pursuing a master's degree at Harvard Divinity School. Two years ago, Pierre cofounded the Restorative Justice Collaborative, a nonprofit organization which involves criminal offenders in the process of repairing the harm they have done. Since he received DACA, Pierre was awarded one of only 10 Harvard Presidential Public Service Fellowships so he can expand this organization.

This is Carlos Martinez. Carlos and his brother were brought to the United States when he was only 9 years old. He graduated with honors with a bachelor of science degree in computer engineering from the University of Arizona. Carlos received job offers from Intel, IBM, and many high-tech companies, but he couldn't work because he was undocumented. So he went on to get a master's degree in software systems engineering at the University of Arizona. After receiving DACA, Carlos is finally able to work in America as an engineer. This Wednesday he will start a new job with IBM, a company that first tried to hire him 6 years ago when he was undocumented. Out of more than 10,000 applicants who applied to IBM, Carlos Martinez was 1 of only 75 people they hired.

This is Nelson and Jhon Magdaleno. They came to the State of Georgia from Venezuela when Nelson was 11 and Jhon was 9. Nelson and Jhon went to Georgia Tech University, one of the most selective engineering schools in America. Nelson graduated with an honors degree in computer engineering and Jhon is currently an honor student majoring in chemical and biomolecular engineering. After receiving deferred action, Jhon is working at a biomedical engineering lab at Georgia Tech researching glaucoma. He recently secured an internship with Eastman Chemical Company. Nelson is now working at Texas Instruments, one of America's top high-tech companies.

Ola Kaso was brought to the United States from Albania at the age of 5. What a superstar. Valedictorian of her high school class, she is now a pre-med student in the honors program at the University of Michigan. Her dream is to become a surgical oncologist. Can we use more of those? You bet. In 2011, I invited Ola to testify at a hearing on the DREAM Act. She was the first undocumented immigrant to openly testify before the Senate. It took amazing courage for this young woman. After receiving deferred action this spring, Ola interned in the office of my colleague and friend Senator CARL LEVIN.

This is someone those following the debate may recognize: Tolu Olubumni was brought to the United States from Nigeria when she was a child. In 2002, Tolu graduated with a degree in chemical engineering from Washington and Lee University in Virginia. For 10 years—10 years after graduating from college—Tolu couldn't work as an engineer. She spent her time working to pass the DREAM Act. Since receiving the deferred action, Tolu is working as

an advocate for comprehensive immigration reform with the Center for Community Change. Last week, Tolu was introduced to America. She had the honor of introducing President Obama at a White House event on immigration reform.

I met with the President last week. I asked him about those DREAMers. He said they came into the Oval Office and met with him, and he said there were tears in everyone's eyes as they realized the opportunity these young people might finally get if we pass comprehensive immigration reform.

This is Erika Andiola. Erika was brought to our country from Mexico when she was 11 years old. She graduated with honors from Arizona State with a bachelor's degree in psychology. Erika was the founder and president of the Arizona DREAM Act Coalition, an immigration group advocating for the passage of the bill. She received DACA and has since been working in Congress. She is the district outreach director for one of the Arizona delegation's newest members, Representative KRYSTEN SINEMA.

Now I want my colleagues to meet Carlos and Rafael Robles. Carlos and Rafael were brought to the United States as children. They grew up in suburban Chicago in my home State of Illinois. They were both honor students at Palatine High School and Harper Community College. Carlos is now attending the University of Chicago majoring in education. With DACA, Carlos can pursue his dream to become a teacher and he will have the opportunity to student-teach in a suburban high school in the Chicagoland area. Rafael is at the University of Illinois in Chicago where he is majoring in architecture. After receiving DACA, he is working at Studio Gang Architects, an award-winning architectural firm in the great city of Chicago.

This is Jose Magana. Jose was brought to the United States from Mexico at the age of 2. He graduated valedictorian of his high school. He is the first member of his family to attend college. In 2008, he graduated summa cum laude from Arizona State University with a major in business management. He went on to graduate from Baylor University Law School. After receiving DACA, Jose began working with the Mexican American Legal Defense Fund, a leading civil rights organization. This week, Jose will be sworn in as a member of the bar which he was unable to do before President Obama's Executive order 1 year ago.

To hear the stories of these amazing young people is to realize the benefits immigration has always meant for America. Imagine what will happen when 11 million undocumented immigrants have the opportunity to come out of the shadows and be part of America. Like these DREAMers, they will be able to contribute even more to this country they worked so hard to come to and worked so hard to stay in and now call home. Legalization will unleash the earning potential for millions of people. They will be able to pursue jobs and manage the skills they have instead of working and being exploited in the underground economy. It is the right thing to do and it will make America stronger.

It was so disappointing last week when the Republicans in the House of Representatives passed an amendment to cut off funding for this program. That is right. All of these young people who have received a chance—the first chance ever to be part of America's future—would have the program shut down by a vote last week in the House of Representatives. Supporters of this amendment want to deport these young people. They make no bones about it. They believe they should leave. Their belief is that if these DREAMers are forced out of the country and deported to some other country, we will be a stronger Nation because of that. What are they thinking, to lose people such as Carlos Martinez and Tolu Olubumni? These young people can make a positive difference for America. It is shameless, absolutely shameless, to play with the lives of these young people. These are people who need a chance. They don't need to be the victims of some political gambit. It would be bad for America's future if they leave. We couldn't possibly be stronger if Angelica Hernandez could not continue to work on future renewable sources of energy and Ola Kaso could no longer be the researcher in cancer she wants to be.

The answer is clear: We need to pass comprehensive immigration reform on a bipartisan basis right here in the Senate. We have waited way too long. For over 25 years this broken immigration system has not done these people justice nor has it done America justice.

During the next 2 weeks the Senate will conclude one of its most historic debates on comprehensive immigration reform. It has been over 4 months that I have been actively involved in this Gang of 8—four Democrats and four Republican Senators. We have had over 30 sitdown meetings, face to face. Many of them went smoothly, as did the discussion of the DREAM Act; some of them not so smoothly. We disagreed, and some of the disagreements were pretty vocal. At the end of the day, though, we realized we had a larger responsibility that went beyond any single difference of opinion we might have. We reached a bipartisan agreement. Now the question is, can the Senate hold that agreement together, on the floor of the Senate, when the amendment process begins, and next week when we face a vote.

The values and principles that underlie this agreement are fundamental and critical. They include a path to citizenship not only for these young people but for many of their parents. They have to come out of the shadows, up to 11 million of them, and identify themselves to a government they have feared their whole lives. They have to register with this government and then submit themselves to a criminal background check. If they are found to have a serious problem in their background, they are gone. They don't have a chance to become legal in America. But if they pass that background check, they have to pay a substantial fine, pay their taxes, and then learn English and be monitored during the course of 10 years—10 years—in probationary status. During that period, they can work legally in America—they won't be deported—and they can travel without fear of being stopped at the border. Then, at the end of 10 years, if they have met all of the standards, all of the scrutiny, if they have paid the fines and paid their taxes, they will have a chance for a 3- to 5-year path to citizenship. It is a long process. For many of them, it will be a great sacrifice, but they have offered great sacrifices with their lives already.

On the other side, we have agreed with our Republican colleagues to do even more in our power to make sure our border with Mexico is as strong as humanly possible and to make certain our immigration system is changed so we don't face this debate every 5, 10, or 25 years.

I think it is a good bill. There are parts of it I am very proud of, some parts of it I do not like at all, but that is the nature of a compromise, that is how you get something done.

I look around this institution, and I realize how important this issue is, but I also realize how important this issue is to the Senate. If I asked the people of America, what do you think about Congress these days, I think I would know the answer. Somebody said our approval rating just broke double digits again. We are up to 10 percent of the American people who think we might be worth having. That must include a lot of our relatives and close friends that we made it up to 10 percent.

We better prove something on the floor of the Senate over the next 2 weeks. We better prove that we can work together, Democrats and Republicans; that we will not break down and fall apart over one issue or the other; that we will keep our focus on getting this job done.

Then we need to turn to our colleagues and friends in the U.S. House of Representatives and tell them they face the same historic responsibility we faced. I have heard a lot of speculation about what might happen in the House. Let's just focus on the Senate for the next 2 weeks. Let's do our part and do our job and let the American people witness this process as it should be. If we are successful at the end of next week and pass this legislation, then let the American people speak up to the Members of the House of Representatives. Let them hear from their districts and the people they represent what they feel about the importance of this issue when it comes to immigration reform. I am confident, as I said

earlier, that deep in their hearts, the American people are good people, they know our roots, they know our story, they know our origin.

I stand here today as the son of an immigrant. My mother came to this country at the age of 2. She was a DREAMer in her day. Her mom brought her to the Port of Baltimore, put her on a train, and they linked up with my grandfather in East Saint Louis, IL. Upstairs in my office is my mother's naturalization certificate. It is proudly displayed because I want people to know who I am and where I came from. It is my story, it is my family's story, but it is America's story that the son of an immigrant can be standing on the floor of the Senate representing the great State of Illinois and speaking to the next generation of immigrants to America and the difference they can make.

This is our opportunity. We know America will be a stronger and better nation when we do it.

Thank you, Mr. President.

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

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, last week I gave remarks on the floor that pointed out that promises made that the immigration bill before us was a significant move toward merit-based immigration and away from chain immigration—I dealt with that subject. I am not aware that any of my comments have fundamentally been disputed.

The fact is that 30 million people will be given legal status as an immigrant on a pathway to citizenship over the next 10 years—that 30 million is three times the current legal flow of 1 million a year, which would be 10 million a year. It would triple the number of people put on a path to permanent legal residence and citizenship. Only 2.5 million of those would be admitted under this new, small, actually weak, merit-based section of the bill. This is nowhere close to the truly effective and popular merit-based immigration system which Canada adopted a decade—maybe more—ago and which is being followed and adopted in other developed countries around the world.

Evidence has also been introduced that nonimmigrant guest workers—that is, those who come not for immigration, to be a citizen and be permanent, but come to work for a period of time and return home—that group of workers will double under the legislation that is before us over current law.

All of this is at a time of persistently high unemployment and when virtually all serious academics, economic experts agree that such a huge flow will depress wages of our middle-class workers and increase unemployment. Politicians blithely claim otherwise, but Professor Borjas at Harvard and the Federal Reserve in Atlanta and others have studied this, and they show otherwise with in-depth economic research.

There is a long list of other promises. The reason I raise this is because these were promises that we are going to improve the working conditions of Americans, we are going to shift to a merit-based system. That is not correct.

There are other promises. I made a speech and so have others that have clearly demonstrated that the triggers in the bill do not work. The triggers are supposed to say: You do not get legal status or you do not get green card status until these law enforcement issues are fixed, until the illegality is fixed. The triggers are ineffective. That has been documented. It really is not disputable, in my opinion. All the Secretary of Homeland Security has to do is to submit a plan that she says will work. It does not require any fencing or any other actions specifically. And she gets to determine whether it is working. If it does not meet the standards according to the Secretary, then a border commission is established, but the border commission has no power. It can only issue a report, and it dissolves in 30 days. So these promises that we have a very tough plan that is guaranteed through a series of triggers are not so.

Today I will talk about the DACA program and how that has undermined law enforcement. Surely we can agree that congressional legislation is more than salesmanship, it is more than puffing, it is more than promises. Surely it represents a bill and a bill that must be read.

The words of legislation are not a mere vision designed to touch our hearts. It is not something that the sponsors can come in and say: We believe the American people are correct. They want A, B, C, and D. We have a bill that does it. And then nobody reads the bill to determine whether it does it. So that is what I have been trying to do.

Congress and the good American people do want to solve our immigration problems—problems that our politicians and government leaders have messed up for 30 years. The American people have pleaded with Congress to fix this system for 30 years. Congress has failed to do so. They continue to promise to do so but do not. Now, that is a fact.

But legislative language is the real thing. Legislation is not a vision. Legislation has power—power to fix our broken system or power to allow the lawlessness to continue. Thus, it is legislation, not spin, that we will be voting on. A promise made by a gang is of no value if the bill language does not produce the results they promise. So that is the rub. That is the problem we face.

Presumably there are ads running this very day which claim to be sponsored by conservative voices, founded by Mr. Zuckerberg of Facebook, no conservative to my knowledge, featuring Senator RUBIO urging the passage of the bill. Indeed, Mr. Zuckerberg created a front group that is on the advertisement—they are called Americans for a Conservative Direction, that purports to be reflective of conservative thinking in America.

I think that is a bit odd. It is odd right now that Senator RUBIO, who is still talking to the American people on those ads and to my constituents in Alabama, is saying all of this on the ad when he has already said the bill is flawed and he cannot vote for it in its current circumstance. I think that advertisement ought to be pulled.

Worse, virtually everything in the ad, especially in the voiceover—not Senator RUBIO—but the voiceover is false. It is not an accurate description of the legislation, what it does, how it will work. It is just not. If it was, I would be intrigued by this legislation and would be interested in thinking it should set sort forth a framework that most Americans agree would be a basis for immigration reform.

So conservatives should be careful, no matter how sincere, in being part of promoting legislation that we do not fully understand or will not do what it claims it will do. A commitment to truth is a conservative value. I like all of the Gang of 8 members personally. I have worked with them for a number of years. I truly admire Senator RUBIO. He is a fantastic new Member of the body. I understand the goals they articulate and would support most of those goals. So it is no pleasure for me to raise these uncomfortable points.

But at this very minute, Mark Zuckerberg and his supporters are running these ads promoting legislation as doing something I do not believe it does. I think we should be working on that. I know we have had a number of our colleagues, another one of my good friends this weekend pronounced a political doctrine of the death spiral of the Republican Party. I have to tell you, we have a lot of people who make political prognostications. But the truth is who knows what political issues will dominate in 2016 or 2020 or 2030.

Mr. President, is there a time agreement?

The PRESIDING OFFICER. Each Senator has 10 minutes to speak.

Mr. SESSIONS. Thank you. I did not realize that. How much time is remaining?

The PRESIDING OFFICER. The Senator has 1 minute.

Mr. SESSIONS. I thank the Chair.

The best politics, in my view, is to do the right thing for the right reason and to be able to explain what one is doing cogently and honestly to the American people, and then the people will decide. If they do not like your decisions over a period of time you are out. So be it.

Is that not the way the system is supposed to work?

It is not wrong to give respect to the opinions of the American people, to ask what they think about issues and how they react to issues. There is nothing wrong with that. Actually, we should do that. But it is not right to poll a large and complex issue to find out what people want and then propose legislation that you say fulfills their desires, when the legislation does not fulfill those desires.

That is not the right thing to do, to promote good policy in America. As a matter of fact, polls show the American people want enforcement before amnesty by a 4-to-1 margin. Polls also show a clear majority actually favor a lower legal flow or the same amount of legal flow into our country from immigration.

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

Mr. SESSIONS. They do not favor the huge increase of legal flow that is called for in this bill. Maybe later I will be able to talk about some of the difficulties of enforcement under current law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

GUN VIOLENCE

Mr. MURPHY. Mr. President, I appreciate the great work my colleagues, Senator DURBIN, Senator SCHUMER, Senator RUBIO, and others, have done on the immigration bill. I am going to be pleased this week to support their work. But I came to the floor, as I have most weeks since being sworn in, to talk about the issue that has dominated discussions in my State over the past 6 months; that is, the issue of gun violence.

Last week we commemorated the 6-month anniversary of the deadly shooting in Sandy Hook, CT, in which 20 6- and 7-year-olds, first graders, were gunned down, and 6 of their teachers, including as well the gunman and his mother. A lot of families came down here last week to continue to lobby both the House and the Senate.

The look on their face is a complicated look. It is clearly first and foremost the look of incalculable grief as these families still try to figure out how to live the first summer of their life without their loved one, whether it be a first grader who would have been heading into second grade or a mother or a teacher or a brother or sister.

But there is also, in combination with this grief, this look of shock, this look of shock that frankly gets worse every time they come down here as they try to understand how this place could stand by and do nothing, absolutely nothing, in the wake of the horror that Newtown, CT, has seen.

At least we have taken a vote on the Senate floor. Very much like the description that Senator DURBIN gave earlier of his attempt several years ago to pass the DREAM Act, we got 54 votes on the floor of the Senate. Under our Draconian and backward rules, that was not enough to get the bill done. But the House has not even scheduled a debate on gun violence legislation. Families in Newtown, CT, cannot understand that. They cannot understand how Senators and House Members can look them in the eye, can hear the story of their grief and do nothing.

They certainly cannot understand it after, almost to the day of the 6-month anniversary, another mass shooting occurred, this time on the other side of the country. We almost know the story before we hear it: Mass shooting; four dead; others wounded. In Newtown, we did not even have to pick up the paper to know it was going to be an assault weapon; it was going to be high-capacity magazines, once again.

Every story is a little bit different. So this one was an assault weapon that was partially handmade. This time there was a lot of ammunition that may not have been used. But it is a story that gets repeated over and over: Lots of people dead, assault weapon used, high-capacity magazines.

So for those people who say we cannot do anything about it, we can. We can. Because we can keep these dangerous, military-style weapons in the hands of law enforcement and people who are hired and trained to shoot these weapons for a living. We can say that 8, 10, 15 rounds is enough, that you do not need 30 rounds in a magazine, you do not need 100 rounds.

We can do something about our mental health system, try to reach out and give some help to people who are struggling, but we do not. That is what is so hard for the families of Newtown to understand. What is additionally hard for them to understand is this number. Since those 28 people were killed in Newtown on December 14, 5,033 people have died at the hands of gun violence across this country. This chart is a couple of days old, so we can take down the 33 and add a handful more.

I hope people here have gotten to understand the stories of people such as Jack Pinto and Dylan Hockley, Grace McDonnell. I hope people here have come to know the stories of the 20 little boys and girls whom we will never know their greatness because they were cut down in their youth.

But I wish to tell some other stories, about the common, everyday, almost routine gun violence that for some reason we have decided to live with in this country. So I am coming down here every week to tell another handful of stories about victims. Today, instead of telling detailed stories about specific victims, I wish to talk about one weekend in New York City.

About 2 weeks ago, the weekend of May 31 to June 2 was kind of the first truly warm outdoor weekend we had in the Northeast. The police, in places such as New York City and Bridgeport and Hartford, have come to dread that first real hot summer weekend because the summers tend to come with a lot of guns and a lot of gun violence and a lot of shootings in places that maybe not a lot of Americans are used to, living in the safety and security of their neighborhoods.

Let me tell you what happened on that one weekend in one city, New York, NY. That weekend 25 people were shot over the course of 48 hours. Six people were killed over one single weekend in New York City. It started with Ivan Martinez, 21 years old, who was approached at about 3:25 a.m. on Friday night by a 20-year-old gunman and a woman in the Bronx. The gunman shot Martinez once in the head. Then he ran off with the woman.

Over the course of the weekend, 12 people were shot in Brooklyn, 8 people were shot in the Bronx, 4 in Queens. It went like this on Sunday night: At 12:10 a.m., a 21-year-old man was shot in the leg; at 2:36 a.m., a 22-year-old man was shot three times on East New York Avenue in Brooklyn; about an hour later at 3:30, a 20-year-old man was shot in the leg at Bedford Park in the Bronx; at 4:12 a.m. that morning, a 35-year-old man brought himself to Jamaica Hospital with a gunshot wound; at 11:40 a.m., a 15-year-old was shot in the leg and the back—at 11:40 a.m., middle of the day on Sunday, a 15-year-old shot in the leg and the back. At about 3:25, a gunman opened fire at the corner of Bedford and Lenox at Prospect-Lefferts Gardens.

The carnage in one weekend barely made news across this country. Most people would not know it if I did not come down to the Senate floor and tell this story. That is what we have come to accept in this country. This represents a dramatic drop in gun violence in New York City. So far we have had 440 shootings in New York City. That is a 23-percent reduction from last year. This has been a good year in New York City, and 440 people have been shot.

We do nothing about it. We cannot even bring ourselves to say criminals should not have guns, that gun trafficking, done out of the back of vans on the side streets of the Bronx and Brooklyn and Queens should be a crime. We cannot even do that on the floor of the Senate.

That weekend, maybe the most tragic shooting was one that didn't end up in a death, and that was the shooting of a little girl named Tayloni Mazyck.

Three men opened fire in a wild episode that weekend in Brooklyn. People said it sounded as though it was the 4th of July, so many gunshots were going off in this neighborhood. It was likely gang activity, but the consequence of the shooting wasn't a gang member, it was a little 11-year-old girl who was struck through her neck. The bullet lodged in her spine. Although Tayloni lived, she will never walk again.

Listen, I grieve every single morning and every single night for the 20 little girls and boys who died in Newtown, CT. If that is what has prompted us to

finally have a serious discussion here on the floor of the House and the Senate about gun violence reform, then so be it.

This is an average summer weekend in New York, with a little girl getting paralyzed and shootings throughout Saturday and Sunday night. People are getting shot in the middle of broad daylight on a Sunday afternoon. We can do something about it. We don't have the power to eliminate gun violence, we can't make bad people stop doing bad things, but we can pass commonsense laws such as background checks to check if criminals are getting guns or people with serious, dangerous mental illness. We can increase the resources of social workers and psychologists to try to reach some of these kids to try to teach them other ways of dealing with their anger than going in and reaching for a gun. We can lock up anybody who takes a bunch of guns from a gun show, throws them into a sack and sells them to criminals on the streets of New York, Bridgeport, Los Angeles, or Chicago.

We are not helpless. We have power in this place to do something about the mass shootings in Newtown, the mass shootings in Santa Monica, and the 5,033 people who have died across this country since December 14, in the 6 months since. It is not too late. We have a chance to come back to this floor after immigration, perhaps after the summer, let cooler heads prevail and allow this body to do something about the scourge of gun violence that so far this place has had no answer for. It causes the families of Newtown and the families of these victims to leave this place shaking their heads.

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. SESSIONS. 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, I earlier reported on some points in speeches I had made about some of the promises from the Gang of 8 concerning the legislation they have offered and why they are not fulfilled in their bill; for example, the triggers, and the merit-based movement they claim is significant in their legislation. I believe both of those are inaccurate.

Today I wanted to point out how government officials are refusing to enforce our current law and the unease that causes all of us. This bill does not fix that problem but gives even more power and discretion to the political appointees to waive, moderate, and get around the enforcement requirements of this new bill. These are the requirements of enforcement that our bill's sponsors say are important and must happen, but the bill does not require it to happen in many different places.

The story I will be telling is effective to explain why, despite the pleas from the American people for 30 years, lawlessness continues to rise in the immigration area and why we now have 11 million people here illegally.

Senator DURBIN earlier made a reference to the DREAM Act that he has worked hard on. It does present, for the most part, some of the most sympathetic claims for some sort of legalization in the country. The reason Congress rejected his legislation is because it overreached, in my opinion, which is not necessarily to say that it would have passed had it been more narrowly drafted.

It did not pass, but the President of the United States did it anyway. The President of the United States just did it anyway. He issued a directive to Federal law enforcement officers: Don't enforce this law, this law, and this law. Instead, do it as we tell you to.

That comes from the President to the Secretary of Homeland Security, to John Morton, and all the supervisors down to the officers.

Officers are up in arms about this. The ICE officers who enforce these laws have voted no confidence in Mr. John Morton. Today Mr. Morton announced his resignation after quite a long time being the center of this controversy. ICE officers said they had no confidence in him. He basically spent his time promoting amnesty, meeting with special-interest groups, not helping them do their job, and directing them not to do what the law plainly required them to do. It put them in an untenable position of having to follow their boss's political direction and violate their oath to follow the law.

Indeed, and amazingly, the law enforcement officers filed a lawsuit against Secretary Napolitano and Mr. Morton. They are claiming they are being forced to violate the law.

The judge has allowed this case to go forward, and it is being reviewed. It is in court right now. I never heard, as a federal prosecutor of nearly 15 years, of such a thing where the officers are suing their supervisors who won't let them follow plain law. This is the problem we are dealing with.

Over a year ago, as Senator DURBIN mentioned earlier, the Obama administration implemented a backdoor amnesty for an estimated 1.7 million, a Pew estimate, illegal immigrants through a program called the Deferred Action for Childhood Arrivals, the DACA Program. It covers aliens who entered the country illegally when they were under the age of 16 and not older than 31 as of June 15, 2012.

Congress dealt with legislation to that effect and rejected it. It did not pass it. According to the published Department of Homeland Security guidelines, each DACA applicant is required to submit biographic and biometric information along with other information to prove they are eligible for the program.

The U.S. Citizenship and Immigration Services, USCIS, is to process the applications. In a little under a year, USCIS has approved an astonishing 291,859 applicants. On May 20, Kevin Palinkas, president of the National Citizenship and Immigration Service Council, the union representing the 12,000 USCIS adjudication officers who were supposed to adjudicate these matters, issued a press release reporting ''a 99.5 percent approval rating for all illegal alien applications for legal status filed under the Obama administration's new deferred action for childhood arrivals, DACA, policies.''

He reported a 99.5-percent approval. He attributed the exceptionally high approval rate to policies implemented by the Department of Homeland Security leadership that essentially made it impossible to make any real effort to eliminate fraud or identify dangerous criminal aliens.

He goes on to say:

> DHS and USCIS leadership have intentionally established an application process for DACA applicants that bypasses traditional in-person investigatory interviews with trained USCIS adjudications officers. These practices were put in place to stop proper screening and enforcement.

He is saying the new policies that eliminate the interviews ''were put in place to stop proper screening and enforcement, and guarantee that applications will be rubber-stamped for approval, a practice that virtually guarantees widespread fraud and places public safety at risk.''

That is a pretty gutsy thing to say for a person who works in the Department of Homeland Security about his supervisors. I am sure he gave great thought to that.

This press statement goes on to say:

> The attitude of USCIS management—

These are the political appointees.

> is not that the agency serves the American public or the laws of the United States, or public safety and national security, but instead that the agency serves illegal aliens and the attorneys which represent them. While we believe in treating all people with respect, we are concerned that this agency tasked with such a vital security mission is too greatly influenced by special interest groups—to the point that it no longer properly performs its mission.

That is a strong statement. It should be something we listen to as we evaluate whether we need to give more discretion to these supervisors when we pass a new bill.

Mr. Palinkas sent a letter to Congress on June 5 of this year, a few weeks ago, reiterating his concerns in light of S. 744.

He wrote and said this bill ''would lead to the rubber-stamping of millions of applications for both amnesty and future admissions, putting the public safety and the taxpayer at risk.''

He further stated:

> In addition to the impossible time constraints imposed on each and every adjudicator to complete our assigned workloads, we are currently lacking the manpower, training, and office space to accomplish our mission and achieve what our jobs demand.

These challenges cry out for reconsideration of S. 744 in its present form.

A few days ago, a report released by Judicial Watch revealed that documents obtained through the Freedom of Information Act confirm all of Mr. Palinkas' concerns. The documents reveal the administration has abandoned official background check procedures in order to keep up with the hundreds of thousands of amnesty applications under the program.

For example, according to a September 17, 2012, e-mail from Associate Regional Director for Operations Gary Garman, field offices could expect the benefits center to conduct just ''lean & light'' background checks with only random samples of modified cases being sent to the field for verification.

It goes on to say about the inadequacy of the applications submitted for amnesty under the ''lean & light'' system, St. Paul Field Director Sharon Cooley e-mailed staffers in October of last year with the following observation:

As you are already aware the [applications] will not be as complete and interview ready as we are used to seeing. This is a temporary situation—I just can't tell you when things will revert back to the way things used to be.

That is the kind of situation we are in today. Then, on November 9, 2012, last November, the entire agency was directed to halt all background checks. It is unknown how long USCIS stopped conducting background checks, but apparently they did. They may still be approving applications without background checks.

We must conduct background checks to protect against public safety and national security threats. We can say that we want to move people out of the shadows, but if we don't complete the necessary background checks, those who are criminals or terrorists would be out of the shadows, and hiding in broad daylight with the absolute protection of legal immigration status. We should not transform them from the shadows to legal status without some sort of serious analysis of who they are, as the USCIS adjudicators and ICE officers tell us.

If nobody is checking, nobody is digging into it, then this will become a common thing. They will just submit some false documentation, nobody will look at it, and they are home free. That is not the way we should be doing this. It is the kind of sliding, slipping away from real enforcement that has helped put us in the fix we are in today.

This is troubling because the bill of the Gang of 8 gives Secretary Napolitano the discretion to determine the specifics of the amnesty application process for the entire 11 million people who will be given legal status in the country, including the responsibility or the discretion to determine the specific information required of the applicant; the form of the application, paper or electronic—and electronic ought to be a big part of it because we can immediately check with the National Crime Information Center on criminal backgrounds. It would be easier whether any applicant is actually going to be interviewed or not.

It also requires the Secretary to collect biometric, biographic, and other data the Secretary deems appropriate for use in conducting ''national security and enforcement clearances,'' which is left undefined.

Knowing the administration is so determined to accelerate these other clearances, we can assume they would not be following strictly any of the law as it would be passed. This is why our law enforcement officers are concerned about the bill. This is what is causing them angst.

If the administration does not currently do even minimum interviews under the DACA Program they are not going to do it in the future when we have 11 million people being cleared. These clearances should include checks against Federal and State law enforcement databases, both biometric and biographic, including the Department of Homeland Security and FBI databases, the consolidated watch list, and ''lookout,'' and the biometric immigration databases. They are there to identify people who may be in violation of the law, have warrants out for their arrest for murder, drug dealing, or robbery, and are on a terrorist watch list. That is why we have these systems.

I offered an amendment during the Judiciary Committee markup that would have mandated those checks as well as allowed for electronic filing of applications so that information could be easily checked against the law enforcement electronic data bases. It would have required in-person interviews where national security or public safety concerns arise, not interviewing everybody—although we really probably should interview everybody. But my amendment just said for those where national security or public safety concerns arise.

Under this legislation, the Secretary doesn't have to interview a single amnesty applicant. But my amendment was rejected. This is a quote from the bill's lead sponsor, Senator SCHUMER, when talking about requiring such safeguards being unacceptable because they would ''slow things down dramatically. It will be impossible—it could take a year, 18 months, 2 years before this would be effectuated. We hope that most folks could get in[to] within 6 months.''

So I would say this is the plan: We say we have an effective background check system for all those who are going to be applying to be put on a guaranteed path to citizenship. We say to the American people we have a system, while failing to require any of that in any effective way.

Mr. President, I don't know, do we have a time limit on these remarks? I see some of my colleagues here.

The PRESIDING OFFICER. The Senator may proceed for 3 additional minutes.

Mr. SESSIONS. I thank the Chair.

A quick turnaround of applications seems to be far more important to the Gang of 8 than the issue of identifying people who may be a threat to public safety—criminals who may have warrants out for them and who may have been arrested or served time for felonies. We need to know that. They are not supposed to be given status if they have been convicted of a felony.

This is despite what we learned from the 1986 amnesty. The failure to conduct adequate background checks in 1986 and vet for national security threats enabled both criminals and terrorists to be legalized. A 2009 report by the Homeland Security Institute, prepared at the request of the USCIS Ombudsman in anticipation of immigration reform concluded:

The potential volume of new cases generated by immigration reform legislation could overwhelm USCIS capabilities and capacities.

I think that is true. The report also warned:

It is important to recognize that every ineligible illegal immigrant who comes across the border during the preparation and implementation phases of any new legalization program intending to apply for legal status entails yet another possible fraudulent application for a limited number of adjudicators to weed out.

In other words, we are going to have people coming right now—the immigration flow has picked up dramatically—once they hear amnesty is afoot. If we don't have any ability to do the kind of fundamental checking here, everybody will be successful and fraudulent applications will be cleared in large numbers.

The bill does not require the Secretary to interview a single amnesty applicant, including those who might pose a national security risk. Even the 2007 comprehensive immigration reform bill mandated in-person interviews, with terrorism concerns being one of the reasons. The 1986 amnesty required face-to-face interviews, but no routine interviews are being conducted under the President's DACA Program—his amnesty for those who came here as teenagers—and there is no reason to expect there will be anything done in this program either, which is 22 times larger.

Interviews are very important. Not interviewing applicants for admission to the country facilitated the 9/11 hijackers, hundreds of terrorists who have entered the country since the 1990s, and most recently was a contributing factor to the Boston Marathon terrorist attack. The 9/11 Commission concluded that:

There were opportunities to stop both World Trade Center pilots in secondary interviews at the border. That did not happen. We also know that not having a fifth man on the Pennsylvania flight mattered as well. Al-Kahtani's turn-around at Orlando International Airport after an extensive secondary interview meant there were only four

hijackers on the flight headed for either the White House or the Capitol. That plane was overrun by the passengers who knew their plane was headed for disaster, and gave their lives to stop the hijackers. This one secondary interview prompted by two astute border inspectors in Orlando determined how many hijackers the passengers had to fight on Flight 93.

Press reports indicate that Boston bomber Tamarlan Tsarneav was watchlisted, but because of a ''downgrade'' on the watchlist, he was not placed in a secondary interview when he returned from six months in Russia in 2011. If Tsarneav had been interviewed, and even slightly questioned about where he had been and why, knowing he was already watchlisted, then he could well have been further interviewed by the FBI's Joint Terrorism Task Force. Because the bill does not require basic checks, the bill will continue to allow terrorists and criminals to exploit weaknesses in our immigration system and use it to gain legal status.

Indeed, the bill specifically permits the Secretary to streamline applications for adjustment of status of those who were recipients of the administration's DACA initiative. In fact, in the Justice Department's brief recently filed in Crane v. Napolitano, in which ICE agents have sued DHS leadership over policies that they believe require them to violate the law and their oath, the Obama administration made clear that it believes it ''inherently'' has almost unbridled discretion in the matter of immigration enforcement. It even argued that the federal court has no jurisdiction to review or question DHS's decisions. The court disagreed.

This bill surrenders to the executive branch's overreach. In fact, many provisions inexplicably weaken the law with regard to future illegal immigration and we are going to talk more about that as this debate continues. If this bill is going to secure the border and end illegal immigration ''once and for all'' as its sponsors say it will, these provision that weaken law enforcement must be removed.

The American people rightly expect their government to enforce the laws enacted by Congress and keep its promises. But given this administration's refusal to enforce the laws currently on the books, the American people have no reason to believe that the loopholes, waivers and discretion granted to the administration will not be used, as they are being used now, to reduce enforcement and public safety.

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

Mr. SESSIONS. I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

NSA SURVEILLANCE PROGRAMS

Mr. COATS. Mr. President, I come to the floor today to discuss recent national security leaks by a former NSA contractor by the name of Edward Snowden. His name is known now throughout the world. Some have praised Snowden as a hero and a whistleblower. I do not. Anyone who violates their sworn oath to not disclose classified information and then leaks national security documents that compromise our intelligence operations and harm our country's ability to prevent future terrorist attacks should neither be called a hero nor a whistleblower. What Snowden has done borders on treason, and I believe he should be prosecuted to the fullest extent of the law.

Mr. President, it is no secret we have a serious trust deficit in this country with the Federal Government. I understand the concerns and the fears of my constituents and the American people relative to some of the things that have occurred here that lead them to question their trust in their elected officials or in their government.

There has been a series of scandals over the past several months, including but not limited to the IRS targeting conservative groups, the actions of Attorney General Eric Holder, and the ever-changing responses from this administration regarding the attacks on Americans in Benghazi. We still don't have the full story, and the narrative keeps bouncing around with change after change after change. So I understand this distrust the American people have about anything that comes out of Washington, DC.

A lot of this is being fueled by mischaracterizations and misrepresentations in the media, grabbing onto whatever is said in the Guardian. Of course, the Guardian says, and people hear: This is what is happening to your country. This is what is happening with your government. They are violating your civil rights and violating your privacy. But none of us stand for that, nor will we stand for that. But in their rush to be the first to break the news of the NSA or other classified programs, to break it first online or on the air, the media has fueled this distrust of the American people by misrepresenting the facts.

Contrary to what some news reports and other sources have said, let me say this for the record: The government is not and cannot indiscriminately listen in on any Americans' phone calls. It is not targeting the e-mails of innocent Americans. It is not indiscriminately collecting the content of their conversations. And it is not tracking the location of innocent Americans through cell towers or their cell phones.

There are civil liberties and privacy protections built into this program that are now being released in great detail, and it is important the American people understand those and know what they are. We have to understand this careful balancing act between protecting classified methods and sources to the detriment of losing that information, losing lives, identifying sources, and compromising programs, and the need to reassure the American people we are following the law and following the constitutional right of Americans to privacy. All of this has to be put in the right context.

As a side note, let me just simply say, Mr. President, that it is ironic that a lot of American private companies seem to have more information about us than the government does. They may have a phone number, but many of the private companies know what we like to eat, where we shop, what we like to wear, what movies we order, where we like to vacation, and we are flooded with marketing attempts to use the information they have collected against us.

But that is not what the NSA is doing under these programs and the programs in question. These programs are in place solely for the purpose of detecting communications between terrorists who are operating outside of our country but communicating with operatives potentially within the United States.

The intelligence community neither has the time nor the inclination nor the authority to track people's Internet activity or pry into their private lives. Even if someone is suspected, by the way, of a phone call match with a foreign terrorist and someone residing or living in America and suspected of having a link to terrorism, the government can go no further than the court to get an order to investigate any other information or material about them. And let's not forget why these programs are there in the first place.

Following the tragic attacks on September 11, 2001, America realized it needed to greatly improve our intelligence efforts and communications among our agencies—we were facing a different kind of war. This wasn't two States lining up against each other. This wasn't addressing wars from the past. This was a whole new way that enemies were attacking Americans on our homeland. We needed to modernize our approach, and we needed to connect the dots before a terrorist attack occurred again at the level of 9/11 or others.

In fact, had these programs been available to NSA before that September date, I believe we could have identified some or all of the hijackers. When one of the September 11 hijackers called a contact in Yemen from San Diego, we could have identified them through this program. We could have prevented the terrorists from boarding those planes and blowing up the World Trade Center, striking the Pentagon, crashing into a field in Pennsylvania, and killing thousands of Americans.

These programs connect the dots and have successfully thwarted dozens of terrorist attacks. They are some of the most effective tools available to protect our country from terrorist organizations like al-Qaida.

That is why I find it so troubling and, frankly, irresponsible for the media and others to distort the nature of

these counterterrorism programs. These programs are legal, constitutional, and utilized only under the strict oversight of both parties and all three branches of government, including a highly scrutinized judicial process. In the end, these programs rely on the trust of the American people. And with that trust lacking today, I am asking my fellow Members of Congress, as well as the media, to fact-check first before mischaracterizing programs that save lives.

I believe we can—and we must—protect both security and liberty when it comes to counterterrorism efforts, and I believe these programs do just that.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

EXECUTIVE SESSION

NOMINATION OF LUIS FELIPE RESTREPO TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NOMINATION OF KENNETH JOHN GONZALES TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Luis Felipe Restrepo, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania and

Kenneth John Gonzales, of New Mexico, to be United States District Judge for the District of New Mexico.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided and controlled in the usual form.

The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I am pleased to rise today to strongly support the confirmation of Kenneth Gonzales for U.S. district judge for the District of New Mexico.

Mr. Gonzales is an exceptional nominee with an impressive range of legal experience and expertise. He was unanimously confirmed by the Senate as the U.S. attorney for the District of New Mexico in 2010. But he is more than just his resume, remarkable as it is. He is also an inspiring American story.

Mr. Gonzales grew up in the Pojoaque Valley in the northern part of our State. He was the first in his family to graduate from college. With the help of scholarships and grants, he received his undergraduate and law degrees from the University of New Mexico, a school that I am proud to call my alma mater.

After graduating he was a law clerk to New Mexico Supreme Court Justice Joseph Baca, and he worked as a legislative assistant for Senator Jeff Bingaman.

He began his career as a Federal prosecutor in the U.S. Attorney's Office for the District of New Mexico in 1999, prosecuting a wide range of Federal offenses, including narcotics and violent crime cases. He holds the rank of major as a judge advocate in the U.S. Army Reserve, which he joined in September 2001. He has provided critical legal assistance to hundreds of active and retired soldiers and spouses, both here and overseas. In 2008 he was called to Active Duty as a part of Operation Enduring Freedom, where he was stationed at Fort Bragg and served as a senior trial counsel.

Mr. Gonzales has been an exemplary U.S. attorney for the District of New Mexico. He oversees a broad array of criminal and civil cases.

I would also like to note that he has made Indian Country a priority in the U.S. Attorney's Office, making a real difference in prosecuting cases of violence against native women and children.

Not surprisingly, his advice and counsel are highly valued. He serves on the Attorney General's Advisory Committees on Native American Issues, on the Southwest Border and Immigration Issues, on the Environmental and Natural Resources Working Group, and is a member of the Tenth Circuit Advisory Council.

He is also a member of the New Mexico Hispanic Bar Association. If confirmed, he will join only 58 other Hispanic active district court judges—less than 10 percent of the country's 677 district court judgeships.

Mr. Gonzales is esteemed for his diverse experience, for his even temperament, and for his integrity. From a young man dreaming of going to college, to his life in public service, his story is one of great determination and commitment. He has shown a reverence for and dedication to the law throughout his career.

I urge his confirmation. I know Ken Gonzales will serve New Mexico well on the Federal bench.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I would like to take a few minutes to also speak about the nomination of Kenneth Gonzales to be a Federal district judge for the District of New Mexico.

Ken, as he is known back home to many of us, is truly a standout nominee. I wish I could take credit for his nomination, but that credit belongs to our former U.S. Senator Jeff Bingaman and to our senior Senator TOM UDALL. But I want to thank both of them for putting forward such a great candidate for this position, and I am very pleased to be here today to support him.

Ken has a long and distinguished record of public service, including more than a decade of service in our military. Ken has served as the U.S. attorney for New Mexico since April 2010. His elevation to lead that office followed more than a decade of service there as an assistant U.S. attorney. I would like to highlight at least one of his many accomplishments that I find particularly important.

I think Ken's efforts as U.S. attorney demonstrate not only his character and his intellect but the dedication that he has to serving his home State and making it a better place for all our residents.

Much of New Mexico is Indian Country for which the U.S. attorney has the responsibility to prosecute criminal activity. Ken has taken the initiative to reorganize and focus the U.S. attorney's resources to more effectively combat the higher-than-average rates of violent crime, sexual assault, and sexual abuse that have plagued Indian Country.

This includes creating the first Indian Country Crime Section within any U.S. Attorney Office. This section includes a team of lawyers responsible for pursuing felony offenses on tribal lands. The office is also collaborating with tribal prosecutors to investigate and prosecute domestic violence in more than 20 pueblos and tribes located throughout the State of New Mexico.

This is just one example of Ken's work, but throughout his career Ken has shown a dedication to serving the people of New Mexico. It is the sum of all his efforts and accomplishments that make me believe he will make an outstanding addition to the Federal bench, and I am pleased that today we are at the final step toward getting him here.

The process for getting to the Federal bench is a long road to travel. The Judiciary Committee's leadership from both sides of the aisle takes seriously its responsibility to ensure that every nominee is fit to serve. I want to say a special thanks to Senator LEAHY and Senator GRASSLEY for working together and with Senator UDALL and myself to get Ken through this process.

As the vetting process surely showed, Ken has the knowledge, temperament, and integrity to serve on the Federal bench. I have no doubt that he will distinguish himself there, as he has throughout his entire legal career.

I strongly support his nomination, and I urge all of my colleagues to do the same.

Mr. President, I yield the floor.

• Mr. TOOMEY. Mr. President, I wish to offer my full support for the nomination of Judge Luis Felipe Restrepo to serve as U.S. District Judge for the Eastern District of Pennsylvania.

Before I begin, I wish to take this opportunity to thank Chairman LEAHY and Senator GRASSLEY for helping facilitate Judge Restrepo's confirmation

hearing and Leader REID and Leader MCCONNELL for their assistance in bringing his nomination to the Senate floor.

I would also like to thank Senator CASEY for his collaboration in our bipartisan effort to fill Pennsylvania's judicial vacancies with exceptional candidates. Over the past 2½ years, we have worked together to identify and recommend eight candidates, seven of whom have been confirmed. The people of Pennsylvania value this bipartisan spirit and I am pleased our joint efforts have led to today's consideration of Judge Restrepo.

Judge Restrepo currently serves as a Federal magistrate judge for the U.S. District Court for the Eastern District of Pennsylvania. A native of Columbia, he was raised in Northern Virginia and received his citizenship in 1993. A graduate of the University of Pennsylvania, he went on to earn his J.D. from Tulane School of Law.

Judge Restrepo brings a strong record as an attorney in both the public and private sector, which helps explain why he merited a unanimous ''Well Qualified'' rating from the American Bar Association. After working as a public defender, he then practiced law at the law firm of Krasner & Restrepo, focusing on criminal defense and civil rights litigation. After 13 years in the private sector, Judge Restrepo was selected to be a Federal magistrate judge and has served the public in this capacity for 7 years.

Aside from his legal duties, Judge Restrepo has devoted significant time to his community. In addition to his involvement with the Make-A-Wish Foundation, he established the Police/Barrio project, which focuses on improving the relationship between the Police Department and Latino Community in Philadelphia.

I am very confident that Judge Restrepo's judicial experience, legal acumen, and dedication to public service will serve him well should he be confirmed for the Federal bench. I am pleased to support this highly qualified nominee and I urge my colleagues to vote for his confirmation.●

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. ISAKSON. 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. ISAKSON. I ask permission to speak for 3 minutes as if in morning business.

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

CONGRESSMAN JOHN ROBERT LEWIS

Mr. ISAKSON. Mr. President, I rise proudly today to speak to a resolution that I have submitted in the Senate commending JOHN ROBERT LEWIS, Congressman, from the city of Atlanta, civil rights leader in the 1960s and 1950s, and my personal friend.

In 1954, I was 10 years old in the Atlanta public schools when Brown v. Board of Education was decided in the U.S. Supreme Court. JOHN LEWIS was 4 years older than me. He was born just outside of Pike County, AL, and went to the Pike County, AL, segregated public school. He went on to Fisk University to get a degree in religion and philosophy and volunteered for sit-ins in Nashville to break the first sit-in on lunch counters in the history of that city.

This year marks the 50th anniversary of what is called the Big Six in civil rights. As I am sure the Presiding Officer will remember, it was 50 years ago this August that Martin Luther King led a march in Washington and gave his great speech, ''I Have a Dream'' at the Lincoln Memorial. There were six great civil rights leaders then. There is only one left, and that is JOHN ROBERT LEWIS. He is my friend, he is my compatriot, and our lives have paralleled each other all the way through.

JOHN introduced me when I was first elected to the U.S. House of Representatives, and I was honored for that introduction. This year I joined JOHN on the 50th anniversary of the crossing of the Edmund Pettus Bridge in Selma, AL, the historic march, the bloody march on Bloody Sunday, which turned around the Voting Rights Act, saw to it that every American got equal access to vote, and changed the history of our country.

It is an honor and a privilege for me to honor JOHN today on this 50th anniversary of the crossing of the Edmund Pettus Bridge and honor a career that has been dedicated to liberty and freedom for all Americans.

JOHN recently suffered the loss of his beautiful wife Lillian. She is survived by their son John Miles Lewis. JOHN is a great leader to this day on the floor of the House, a great leader for the State of Georgia, and one with whom I am pleased to serve as Senator.

History has many heroes, as we all know—their pictures and their carvings are all over this Capitol. But none is greater than one who has sacrificed their life for the rights of others and for everyone to enjoy the same rights that everyone else in America has. JOHN LEWIS is such a person. I am honored to recognize him with this resolution.

Mr. President, I yield for the distinguished Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, on the question of nominations, I attended President Obama's announcement of the nomination to the DC Circuit a couple of weeks ago. I have heard some of my colleagues on the Republican side being very critical of the President for not sending nominations for judicial vacancies to the Senate, even though when he has, some of them have held them up for 6 months to a year before they then vote overwhelmingly for the person. They hold him up and then say: Why don't you send more people? Frankly, a lot of people say: Why should I spend 6 months or a year waiting while they hold me up? Now the President has sent nominees for the multiple vacancies that continue on the DC Circuit. So the same Senators who are complaining that he was not sending up nominees now say he is sending up too many. My friends on the other side of the aisle are saying: You are not sending up enough, but you are sending up too many. I think maybe the American people see the fallacy of that argument.

Having been unfairly criticized in connection with the nomination of Judge Srinivasan, with some Senate Republicans saying: Why didn't you get him up here earlier for a vote, even though Republicans had asked us to delay him, I have learned from that that when cooperating and delaying at their request, I am going to get criticized for delaying, so going forward I will be making every effort to schedule prompt hearings for these impressive nominees, each of whom received the highest possible rating of ''well qualified'' from the nonpartisan ABA Standing Committee on the Federal Judiciary. We have three people with the highest possible rating.

The last time we had someone for the DC Circuit, even though Republicans kept saying: Let's delay, keep delaying—and I did so at their request—and they criticized me for delaying, here we are and we are going forward with them.

Frankly, I voted for a lot of President Bush's nominees. In fact, I would say I voted for 97 or 98 percent of all Republican nominees over 38 years. I voted for more Republican judicial nominees than any Republican presently in the Senate. There is no Republican in the Senate who has voted for more Republican nominees of Republican Presidents, nominees for judgeships, than I have. So I do not need a lecture about holding things up.

I have consulted with the ranking Republican on the committee and informed him that I plan to notice the first hearing for July 10. That gives plenty of time for everybody to read all the nominee's materials. We will be on vacation for the Fourth of July week; they can read it during vacation. That will be 36 days since the nominations and on a slightly slower timeline than we followed for the more recent confirmation of the nominee to the Eighth Circuit. I am delighted to include the nomination of Patricia Millett of Virginia, who should have broad bipartisan support, in our July 10 confirmation hearing.

It is disappointing that the same Republican Senators who said during the George W. Bush administration that the DC Circuit should have 11 filled judgeships and who voted to confirm President Bush's nominees for the 9th, 10th and 11th seats, now that there is a Democratic President of the United States in the White House, they say no,

no, they should not be filled. It seems this President has to be treated differently than the previous Presidents. I am not sure why the difference, but that is what they want. It is disappointing as well that Republican Senators I have helped fill circuit vacancies with nominees from their home states, over opposition from their own Republican Senate caucus, are ready to tow their party's line when it comes to the D.C. Circuit.

Following President Obama's reelection, Senate Republicans are even proposing to eliminate those D.C. Circuit judgeships legislatively. Their claims of concern about the caseloads of the Second and Eleventh Circuits but not the most overburdened Ninth Circuit are difficult to reconcile with their votes for President Bush's D.C. Circuit nominees. As one scholar at the nonpartisan Brookings Institution has said, this ''fooled no one who was paying attention.''

I cannot help but wonder where Senate Republicans' concern about the caseload of the Second Circuit was when they needlessly delayed the confirmation of Gerard Lynch for three months; when they needlessly delayed the confirmation of Raymond Lohier for seven months; when they needlessly delayed the confirmation of Susan Carney for five months; when they unfairly stalled the nomination of Judge Robert Chatigny and then needlessly delayed the confirmation of the next Connecticut nominee, Chris Droney, for four months; or when they needlessly delayed the confirmation of Denny Chin for four months and forced the Majority Leader to file cloture to get a confirmation vote.

I wonder where their concern about the caseload of the Eleventh Circuit was when they needlessly delayed the confirmation of Beverly Martin for four months, or when they needlessly delayed the confirmation of Adalberto Jordan for four months and forced a cloture vote before his confirmation. I am prepared to help alleviate concern about the caseload of the Eleventh Circuit by scheduling a hearing on the nomination of Jill Pryor, a ''well qualified'' nominee from Georgia to the Court, if her home State Senators would return their blue slips indicating that they do not object to her nomination going forward.

The American people are not fooled. Senate Republicans are now playing by a different set of rules. Politifact has looked at their argument that President Obama is trying to ''pack'' the D.C. Circuit, and rated it ''false.'' It goes on to note that the Republican bill to eliminate D.C. Circuit judgeships ''comes closer to the kind of structural meddling typical of court packing than does Obama's approach.'' In the last 30 years, Republican presidents have appointed 15 of the last 19 judges named to the D.C. Circuit. Now that these three vacancies exist during a Democratic presidency, Senate Republicans are trying to use legislation to lock in their partisan advantage, and thwart the will of the American people, who elected Barack Obama. Even conservative columnist Byron York has tweeted: ''It doesn't strike me as 'packing' to nominate candidates to available seats.''

The Washington Post's ''Fact Checker'' blog has also looked at the arguments about the D.C. Circuit's caseload that Senate Republicans are using to justify their attempt to eliminate three seats on that court, and has judged them worthy of two ''Pinocchios,'' meaning: ''Significant omissions and/or exaggerations. Some factual error may be involved but not necessarily. A politician can create a false, misleading impression by playing with words and using legalistic language that means little to ordinary people.''

Senate Republicans should know that their argument about the D.C. Circuit's caseload is misleading. While they claim expertise in the matter because of a hearing they held in 1995, the fact is that their current claims fly in the face of the actual testimony from that hearing. They are fond of citing the testimony of Judge Laurence Silberman, a Reagan appointee, that he felt the 12th seat was not necessary. What Senate Republicans do not mention is that Judge Silberman believed that 11 judgeships was the proper number on that Circuit, and that the notion that the D.C. Circuit should have only nine judges was ''quite farfetched.'' Judge Silberman also said that ''the unique nature of the D.C. Circuit's caseload'' means that it is not directly comparable to the other circuit courts. Even though their own witness contradicted them, 18 years later Senate Republicans continue to make their partisan argument. In addition, we eliminated that twelfth seat years ago.

In its April 5, 2013 letter, the Judicial Conference of the United States, chaired by Chief Justice John Roberts, sent us recommendations ''based on our current caseload needs.'' They did not recommend stripping judgeships from the D.C. Circuit but stated that they should continue at 11. Three are currently vacant. According to the Administrative Office of U.S. Courts, the caseload per active judge for the D.C. Circuit has actually increased by 46 percent since 2005, when the Senate confirmed President Bush's nominee to fill the eleventh seat on the D.C. Circuit. When the Senate confirmed Thomas Griffith—President Bush's nominee to the eleventh seat—in 2005, the confirmation resulted in there being approximately 121 pending cases per active D.C. Circuit judge. According to the most recent data, there are currently 177 pending cases for each active judge on the D.C. Circuit, 46 percent higher.

Further, concerns about low caseloads did not bother Senate Republicans voting this past February to confirm a Tenth Circuit nominee from Oklahoma, giving that Court the lowest number of pending appeals per active judge in the country. It did not bother Senate Republicans voting this past April to confirm an Eighth Circuit nominee from Iowa, giving that Court the lowest number of pending appeals per active judge in the country. Yes, lower than the D.C. Circuit. I do not recall seeing any bills from Senate Republicans to eliminate the Oklahoma and Iowa judgeships.

This falls into a pattern that we have seen from Senate Republicans over the past 20 years. While they had no problem adding a twelfth seat to the D.C. Circuit in 1984, and voting for President Reagan's and President George H.W. Bush's nominees for that seat, they suddenly ''realized'' in 1995, when a Democrat served as President, that the Court did not need that judge. Judge Merrick Garland was finally confirmed in 1997 after President Clinton was reelected but Senate Republicans would not act on his final two nominees to the D.C. Circuit.

In 2002, during the George W. Bush administration, the D.C. Circuit's caseload had dropped to its lowest level in the last 20 years. During that Republican administration, Senate Republicans had no problem voting to confirm President Bush's nominees to the ninth, tenth and eleventh seats. These are the same seats they wish to eliminate now that Barack Obama is President, even though the Court's current caseload is consistent with the average over the past 10 years. Even on its own terms, it is apparent that this argument has nothing to do with caseload, and everything to do with who is President. When Senate Republicans get serious about ensuring our Federal courts are adequately staffed, I am more than happy to work with them on a long-overdue judgeship bill. But this selective concern about the D.C. Circuit, and the fact that in 2008 the minority blocked a Judiciary Committee hearing on ''The Growing Need for Federal Judgeships,'' does not reflect such seriousness.

I urge those Republicans who say first that the President is not moving fast enough and then, when he does move, say he is moving too fast, to reconsider their approach, work with the President, and let's have fair hearings on these three nominees and go forward with them. If we do, I am confident we will agree that they are well-qualified judicial nominees.

RESTREPO AND GONZALES NOMINATIONS

Last week the Senate failed to complete action on one of the three nominations pending for vacancies in the Eastern District of Pennsylvania. Even though Senate Democrats had expedited three of President Bush's nominees to that court, confirming them all by voice vote just 1 day after they had been reported by the Judiciary Committee, Senate Republicans refused to do the same for President Obama's nominees. They refused even though all three had the bipartisan support of their home State Senators and the

unanimous support of all Republicans on the Committee. Two were confirmed last week but one was held back. After waiting 98 days for a vote, Judge Alejandro and Judge Schmehl were confirmed unanimously last week. Today, after another unnecessary delay, the Senate will finally vote on the nomination of Judge Luis Restrepo, more than 100 days after he was voted out of the Judiciary Committee unanimously. When the Senate is finally allowed to act, we will confirm a judge to fill a 4-year vacancy.

The Eastern District of Pennsylvania is a court that needs judges. Even with today's vote, it will remain nearly 20 percent vacant. The Senate should be taking swift action to fill these kinds of vacancies, not delaying for no good reason. This obstruction does a disservice to the people of Pennsylvania, and to all Americans who depend on our Federal courts for justice.

I regret that I must correct the RECORD, again. The recent assertion by Senate Republicans that 99 percent of President Obama's nominees have been confirmed is not accurate. President Obama has nominated 237 individuals to be circuit or district judges, and 195 have been allowed to be confirmed by the Senate. That is 82 percent, not 99 percent. By way of comparison, at the same point in President Bush's second term, June 17 of his fifth year in office, President Bush had nominated four fewer people, but had seen 215 of them confirmed, which is 20 more confirmations. The truth is that 92 percent of President Bush's judicial nominees had been confirmed at the same point, 10 percentage points more than have been allowed President Obama. That is an apples to apples comparison, and it demonstrates the undeniable fact that the Senate has confirmed a lower number and lower percentage of President Obama's nominees than President Bush's nominees at the same time in their presidencies.

I noted at the end of last year, while Senate Republicans were insisting on delaying confirmations of 15 judicial nominees that could and should have taken place then, that we would not likely be allowed to complete work on them until May. That was precisely the Republican plan. So when Senate Republicans now seek to claim credit for their confirmations in President Obama's second term, they are inflating the confirmation statistics. The truth is that only nine confirmations have taken place this year that are not attributable to those nominations Senate Republicans held over from last year and that could and should have taken place last year. To return to the baseball analogy, if a baseball player goes 0-for-9, and then gets a hit, we do not say he is an all-star because he is batting 1.000 in his last at bat. We recognize that he is just 1-for-10, and not a very good hitter. Nor would a fair calculation of hits or home runs allow a player to credit those that occurred in one game or season to the next because it would make his stats look better.

If President Obama's nominees were receiving the same treatment as President Bush's, today's votes would bring us to 215 confirmations, not 197, and vacancies would be far lower. The nonpartisan Congressional Research Service has noted that it will require 31 more district and circuit confirmations this year to match President Bush's 5-year total. Even with the confirmations finally concluded during the first 6 months of this year, Senate Republicans have still not allowed President Obama to match the record of President Bush's first term. Even with an extra 6 months, we are still 10 confirmations behind where we were at the end of 2004.

Luis Restrepo has served as a U.S. Magistrate Judge in the Eastern District of Pennsylvania since 2006. Prior to his appointment to the Federal bench, he was a founding partner of Krasner & Restrepo, a firm that focused on civil rights and criminal defense work. He has also worked as an adjunct professor at Temple University, Beasley School of Law and the University of Pennsylvania Law School. Before co-founding his own law firm, Judge Restrepo was an Assistant Federal Defender for the Eastern District of Pennsylvania, an Assistant Defender for the Defender Association of Philadelphia, and a Law Clerk for the ACLU's National Prison Project. The nonpartisan ABA Standing Committee on the Federal Judiciary has unanimously rated Judge Restrepo ''well qualified.'' He is supported by both his home State Senators, Senator CASEY and Senator TOOMEY.

Kenneth Gonzales has been the United States Attorney for the District of New Mexico since 2010. He served as an Assistant U.S. Attorney in that office for the previous 11 years. Prior to working with the U.S. Attorney's Office, Kenneth Gonzales spent 3 years as a Legislative Assistant to former Senator Jeff Bingaman and 2 years as law clerk to the Honorable Joseph F. Baca of the New Mexico Supreme Court. He also serves in the United States Army Reserve as a Judge Advocate General. Kenneth Gonzales has the support of his home State Senators, Senator TOM UDALL and Senator MARTIN HEINRICH, and was reported unanimously from the Judiciary Committee 2 months ago.

I want the Senate to make real progress on filling judicial vacancies so that the American people have access to justice. In President Bush's first term, half of his consensus district nominees waited 18 days or fewer for a vote, so we know the Senate is capable of swift action on nominations. There is no reason consensus nominees like Judge Restrepo and Kenneth Gonzales should have to wait 2 or 3 months for a vote. The only reason for these delays is because of Republican refusal to allow votes. These nominees deserve better, and the American people deserve better.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I am going to vote for both judges today. But today I want to inform my fellow Senators and American people regarding the facts on judicial nominations. Today, we will confirm two more nominees. I would note that we confirmed two judges just 4 days ago.

After today, the Senate will have confirmed 197 lower court nominees; we have defeated two. That is 197–2. That is an outstanding record. That is a success rate of 99 percent.

And we have been doing that at a fast pace. During the last Congress we confirmed more judges than any Congress since the 103rd Congress, which was 1993–94.

This year, the beginning of President Obama's second term, we have already confirmed more judges than were confirmed in the entire first year of President Bush's second term. Let me emphasize that again—We have already confirmed more nominees this year than we did during the entirety of 2005, the first year of President Bush's second term.

After today, only five article III judges remain on the Executive Calendar—three district nominees and two Circuit nominees.

Two of those were reported out last week, two more about a month ago, and one has been on the calendar for about two months. Yet, somehow Senate Democrats cite this as evidence of obstructionism.

Compare that to the calendar of June 2004, when 30 judicial nominations were on the Calendar—10 Circuit and 20 District. In fact, four of those were from Pennsylvania, as is one of our nominees today. I don't recall any Senate Democrats complaining about how many nominations were piling up on the calendar, nor do I remember protestations from my colleagues on the other side that judicial nominees were moving too slowly.

Last week, when we confirmed two Pennsylvania judges, there were statements made on the floor that we were treating President Obama's nominees very different than those of President Bush. But look at the record. As I said, there were four Pennsylvania nominees on the calendar in June of 2004.

Gene Pratter was nominated in November 2003, had a hearing in the following January, was reported in March, and was confirmed in June.

Lawrence Stengel was nominated in November 2003, had a hearing the following February, was reported in March, and was confirmed in June.

Juan Sanchez was nominated in November, had a hearing the following February, was reported in March, and was confirmed in June.

Those milestones are nearly identical to our Pennsylvania nominee today who was nominated last November. Just like the ones I mentioned, he had a hearing the following February, was reported in March, and now will be confirmed in June.

If we have been unfair to this nominee, as it is now claimed, where was the outcry from Senate Democrats on the Bush nominees I just described? The fact is there is no difference in how this President's nominees are being treated versus how President Bush's nominees were treated.

Remember, now there are only five article III judicial nominees remaining after today's vote. Yet, as I mentioned, in June 2004 there were 30 nominations pending on the calendar. Some of those nominees had been reported out more than a year earlier and most were pending for months. And some of them never got an up or down vote.

The bottom line is that the Senate is processing the President's nominees exceptionally fairly. President Obama certainly is being treated more fairly in the beginning of his second term than Senate Democrats treated President Bush in 2005. It is not clear to me how allowing more votes so far this year than President Bush got in an entire year amounts to ''unprecedented delays and obstruction.'' Yet, that is the complaint we here over and over from the other side.

Last week it was stated that with this President, ''Republicans have never let vacancies get below 72.''

After today's votes there will be 77 vacancies in the federal judiciary. But 52 of those spots are without a nominee. How is it the fault of the Republicans that the President has not sent 52 nominees to the Committee? Obviously, common sense ought to tell you that we can't act on nominees who are not presented to the Senate.

Just one example will illustrate this. Last week the Chairman of the Judiciary Committee singled out the vacancies on the Eastern District of Pennsylvania. We are confirming the third judge to that Court, after the two last week. Four vacancies remain, but there are no nominees pending in the Senate for the Eastern District of Pennsylvania.

It was also stated that the seat we are filling today has been vacant for over 4 years, as if Republicans were to blame for that. The fact is, this seat went vacant on June 8, 2009. President Obama was the President then. He waited over 3 years and 5 months before making a nomination on November 27, 2012. Why did the President make the people of Pennsylvania wait so long? That wasn't the fault of this side of the aisle. Yet now we are accused of obstruction.

So I just wanted to set the record straight—again—before we vote on these nominees. I expect they will both be confirmed and I congratulate them on their confirmations. And as I said at the beginning, I'm going to vote to support these nominees.

Kenneth John Gonzales is nominated to be United States District Court Judge for the District of New Mexico. Upon graduation from the University of New Mexico School of Law in 1994, Mr. Gonzales clerked for Chief Justice Joseph F. Baca of the New Mexico Supreme Court. In 1996 he worked as a legislative assistant to Senator Jeff Bingaman. From 1999 to 2010, Mr. Gonzales served as an Assistant United States Attorney in the U.S. Attorney's Office for the District of New Mexico. His primary responsibility was criminal prosecution including large-scale drug trafficking cases with various Federal agencies and a small number of violent crime cases originating in the Mescalero Apache Reservation. In 2006 Mr. Gonzales transferred to the Albuquerque Violent Crime Section where he prosecuted violent crime occurring on Indian Reservations as well as several bank robbery and firearms-related cases that originated in the Albuquerque area. In 2009 he transferred to the Narcotics section as a designated attorney for the Department of Justice Organized Crime Drug Enforcement Task Force where his work was primarily long-term and complex narcotics trafficking investigations and prosecutions. In 2010 he became the United States Attorney for the District of New Mexico.

Since 2001 Mr. Gonzales has served as a Reserve officer with the United States Army Judge Advocate General's Corps. In November 2008 he was mobilized to active duty and stationed at Fort Bragg, NC with the 18th Airborne Corps where he conducted legal reviews, official responses to Freedom of Information Act requests, Army Regulation 15–6 investigations, and property accountability investigations. Currently he fulfills his annual Reserve requirement as an Adjunct Professor of Criminal Law at the JAG Legal Center & School in Charlottesville, VA.

The American Bar Association's Standing Committee on the Federal Judiciary gave him a ''Qualified'' rating.

Luis Felipe Restrepo is nominated to be United States District Court Judge for the Eastern District of Pennsylvania. Judge Restrepo received his B.A. from the University of Pennsylvania in 1989, and his J.D. from Tulane University Law School in 1986. Upon graduation, he clerked at the ACLU Prison Project in Washington, DC. From 1987 to 1990, he was an assistant defender with the Defender Association of Philadelphia where he represented criminal defendants in State and Federal court. In 1990, he became an assistant federal defender for the Federal Community Defender for the Eastern District of Pennsylvania, appearing at the trial and appellate level.

Judge Restrepo was in private practice with one partner from 1993–2006. There, he focused primarily on criminal defense, including some death penalty cases. He defended clients on retainer and as a court-appointed counsel. While in private practice the majority of Judge Restrepo's civil cases consisted of Section 1983 actions alleging police abuse and mistreatment. Other civil matters included representation in workplace accident, medical malpractice, wrongful death, and fire cases.

Judge Restrepo was appointed to be a United States Magistrate Judge for the Eastern District of Pennsylvania in 2006. As magistrate judge, he manages all aspects of the pre-trial process in civil cases: conducting evidentiary hearings, ruling on non-dispositive motions, and making reports and recommendations regarding dispositive motions.

The American Bar Association's Standing Committee on the Federal Judiciary gave him a ''Well Qualified'' rating.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, I ask that any time remaining be yielded back.

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

All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Luis Felipe Restrepo, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania?

The nomination was confirmed.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Kenneth John Gonzales, of New Mexico, to be United States District Judge for the District of New Mexico?

Mr. LEAHY. Mr. President, I request 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 bill clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Wyoming (Mr. ENZI), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Alabama (Mr. SHELBY), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 150 Ex.]

YEAS—89

Alexander	Fischer	Merkley
Ayotte	Flake	Moran
Baldwin	Franken	Murphy
Barrasso	Gillibrand	Murray
Baucus	Graham	Nelson
Begich	Grassley	Paul
Bennet	Hagan	Portman
Blumenthal	Hatch	Pryor
Blunt	Heinrich	Reed
Boozman	Heitkamp	Reid
Boxer	Heller	Risch
Brown	Hirono	Roberts
Burr	Hoeven	Rockefeller
Cantwell	Isakson	Rubio
Cardin	Johanns	Sanders
Carper	Johnson (SD)	Schatz
Casey	Johnson (WI)	Schumer
Chambliss	Kaine	Scott
Chiesa	King	Sessions
Coats	Kirk	Shaheen
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Thune
Cornyn	Lee	Udall (CO)
Cowan	Levin	Udall (NM)
Crapo	Manchin	Warner
Cruz	McCain	Warren
Donnelly	McCaskill	Whitehouse
Durbin	McConnell	Wyden
Feinstein	Menendez	

NOT VOTING—11

Coburn	Inhofe	Toomey
Cochran	Mikulski	Vitter
Enzi	Murkowski	Wicker
Harkin	Shelby	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to a period of morning business from now until 6:40 p.m. to allow a colloquy between Senator BROWN and Senator ISAKSON.

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

Mr. REID. When that time is up, I ask unanimous consent to be recognized.

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

The Senator from Georgia.

Mr. ISAKSON. I ask unanimous consent to be recognized along with Senator BROWN of Ohio for up to 15 minutes and to engage in a colloquy.

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

THE CENTERS FOR DISEASE CONTROL

Mr. ISAKSON. Madam President, I am proud to stand here today as a resident of Georgia and its capital city Atlanta, which is the home of the Centers for Disease Control and Prevention in America, a great institution with which Senator BROWN and I are familiar. We want to talk about some of its great achievements today.

CDC is the Nation's health protection agency, but it is really the world's health protection agency. What CDC has done is build a strong national public health and disease detection network for working with State and local agencies, private partners, universities, and communities to stop disease and stop outbreaks.

By way of example, CDC led a multi-State response to last year's fungal meningitis outbreak that resulted in 745 infections and 58 deaths in 20 States. CDC identified and contained dangerous foodborne pathogen outbreaks, such as hepatitis A found in frozen berry blend; salmonella found in the poultry industry; and E. coli found in frozen food products.

CDC puts science into action every day to protect the American people, using breakthroughs such as microbial genomics to find outbreaks sooner, stop them earlier, and prevent them better in environmental hazards, biosecurity threats, and national disaster. CDC provided direct support within hours of Superstorm Sandy to the devastated northeast last year. We need to be able to be ready for this year's hurricane system as it deals with other public threats.

The CDC provides crucial information on the status of health risks to the American people. With data it helps determine the best options for preventing illness and reducing medical costs. At a time when the U.S. Government is not looked upon with a lot of favor by the American people, I think it is very interesting to note that a recent Gallup poll identified the CDC as the most trusted Federal Government agency with the American people. I think that is something to which we owe a tip of the hat.

Mr. BROWN. I thank Senator ISAKSON. I am so appreciative of the work the Senator has done with the Centers for Disease Control in his home State of Georgia. There is no Federal agency that is quite like the CDC in this country or across the world.

Our Nation's fiscal health cannot be strengthened at the expense of our Nation's public health. In the 21st century it is easy to overlook this country's public health safety net. Too often we take for granted that our children are not being crippled by polio or dying from whooping cough because we have immunizations. We take for granted that we have stronger teeth and less tooth decay because of water fluoridation in many of our communities. We take for granted that few people in this country now die of infectious diseases such as cholera and tuberculosis because we have made the kind of remarkable progress we have in sanitation, in hygiene, antibiotics, and disease surveillance. We take these advancements for granted because for over six decades the CDC has been doing an extraordinary job of ensuring Americans have basic health protections.

The CDC's work, along with that of other public health advocates and researchers, is credited with increasing the average American's life expectancy over the last many decades, increasing the average American's life expectancy by 25 years—25 years, a quarter of a century longer because of our investment in public health.

The CDC's reach and responsibility, as intimated by Senator ISAKSON, is not limited by our country's borders. Due to globalization it matters a great deal how other countries respond to health threats. The CDC plays an essential role in helping its international partners react to these threats.

The CDC is the gold standard, the global leader in disease prevention and public health preparedness. Other nations follow our lead. Yet the CDC's leadership is not guaranteed. Even with its topnotch facilities and world-class staff, the CDC faces challenges to this continued leadership. The CDC's base budget authority is at its lowest level in a decade.

The fiscal year 2013 budget is about $600 million below its fiscal year 2012 level. This reduction undercuts the health security of all Americans, even those who never once think of the existence of the Centers for Disease Control. The reduction in the CDC budget has harmful, immediate, and long-term consequences across the United States and around the world. This reduction affects the ability of our State and local health departments to provide on-the-ground services.

As my friend from Georgia explained during his discussion of the deadly fungal meningitis outbreak, funding the CDC is critical to the foundation of our public health. When we invest in CDC, we invest in the health of families in Lorain, OH, and Cuyahoga Falls, OH. When we invest in CDC, we support programs such as the Epidemiology Laboratory Capacity Program which addresses infectious disease threats.

When we invest in the CDC, we ensure that our State and local health departments on the frontlines are able to detect the first signs of outbreak. Without this critical funding, we leave ourselves vulnerable to the initial spread of health threats, such as fungal meningitis and emerging new diseases such as the MERS coronavirus and the novel H7N9 avian flu virus, which we read about. Unfortunately, public health departments across the Nation have already lost thousands of jobs and will lose more if our support of CDC continues to dwindle.

Before turning it back over to Senator ISAKSON, I would like to emphasize a point he made. The CDC responds to long-term health threats as well as to urgent immediate health dangers. These threats don't make the headlines. So much of CDC's work you never hear about, you never read about

because of its name, Centers for Disease Control and Prevention. Prevention is such an important part of this. CDC continues a longstanding tradition of working in partnership with many international organizations and global partners to ensure that our country takes the lead in stopping these threats.

I have had the pleasure of seeing CDC's dedicated, expert staff working in Africa, in Atlanta, in communities such as Medina County, OH, and all over the world, working to keep these countries and our communities healthier, safer, and helping to keep all Americans safe as well.

Mr. ISAKSON. Would the Senator from Ohio yield for a moment?

Mr. BROWN. I yield to the Senator.

Mr. ISAKSON. I ran a company for 20 years, and a healthy workforce that was ready, willing, and able to go to work every single day made a big difference.

A lot of times when we think of CDC, we think of outbreaks in Africa, we think of ebola, and we think of salmonella. In fact, it is also an advocate for wellness, better health habits, and health care for Americans. Does the Senator think that is important for the productivity of the American people and the American worker?

Mr. BROWN. I thank the Senator from Georgia. I think that is exactly the point. While perhaps those who know CDC—obviously in the State of Georgia people know it more intimately than in my State. They more likely think of CDC doing something in Africa or Asia, not so much what it means locally. We know that our hospitals, for instance, are sometimes havens for high health care costs and unnecessary illnesses due to infections acquired in the hospital and antibiotic-resistant superbugs such as CRE—a family of germs with high levels of resistance to antibiotics. I wonder if my friend is familiar with CDC's work in these areas and if he would expand on that.

Mr. ISAKSON. I appreciate the focus on that. My friend from Ohio is exactly correct. Antimicrobial resistance is a serious threat to our Nation's health. Many bacteria become resistant to multiple classes of antibiotics.

I might add a personal note at this point. Three years ago I developed a MRSA infection in a hospital in Atlanta and almost lost my life to an antibiotic-resistant disease and infection. I know how important it is to have a research facility such as the CDC that can constantly stay one step ahead of the evolution of defenses these microbes bring up themselves.

As a recent example, a recent outbreak of drug-resistant CRE where one in two patients affected with bacteria unfortunately passed away—CDC must have resources to quickly track and stop outbreaks and give health care providers timely information. Without that, there is the risk of contagion.

Mr. BROWN. That is certainly right. It seems there are new emerging and potentially dangerous health threats. We obviously know of the disease—the acquired infection you just mentioned. We know now of the H7N9 bird flu and MERS. How does the Senator see CDC's unique role in tracking and attempting to prevent the spread of these threats before they reach our shores, before we in American hospitals such as Grady Memorial or at MedCentral of Ohio might be victims of that?

Mr. ISAKSON. Well, the Senator makes a great point because CDC is kind of the crucible where all the partners in health care in the country come together. You might remember when we were here on 9/11/01, shortly after the attack on the Trade Center in New York. Then the anthrax letters started to be mailed to Capitol Hill. It was CDC that within days tracked down the anthrax and helped us develop the defenses so we didn't have a problem with the anthrax infection. We got the Cipro distributed to those who were exposed to keep them from succumbing to that disease. That is the kind of timely effort we need for an agency like the CDC to be able to quickly respond.

Public health security is a component of our national security, as is evidenced by the anthrax case. With the potential threat of engineered biological weapons, CDC remains vigilant and ready to act with experts and countermeasures to protect the American people. With emerging diseases such as MERS and H7N9, CDC has sent CDC teams around the globe to investigate their origin, develop and ship laboratory diagnostic kits to the affected areas, and save lives day in and day out around the world.

Mr. BROWN. If the Senator would yield for a moment, MERS was identified recently, and CDC scientists developed and shipped a diagnostic kit to be used in the field. To talk about one—when I talk to people about public health and certainly the importance of NIH but especially the focus on public health by CDC, we talk about polio and what CDC did to address and not quite yet wipe out but in our country certainly wipe out—and in most of the rest of the world—the polio virus. Give us a little bit of history on how important that was and what we learned from that, if you would, Senator ISAKSON.

Mr. ISAKSON. When I grew up in the fifties, I remember taking the sugar cube, the anti-polio vaccine, the Jonas Salk vaccine, for the first time ever. Polio has been a dread disease that has affected the American people and people around the world for many years, but now it is almost totally eradicated. Why? Because of a worldwide effort by many organizations—not the least of which is the CDC—to see to it that the inoculations are made available. In fact, polio now only resides in three countries: Afghanistan, Pakistan, and Nigeria. We are close to closing the door and having a polio-free world, just as we are getting closer and closer to eradicating measles, which now primarily still has an outbreak in Nigeria.

CDC's readiness and ability to deploy at a moment's notice makes all the difference in the world. I don't wish to sell here, but I have to make one note. One of the reasons CDC is in Atlanta and that is such a good location is they can be anywhere in the world in a matter of a day by the Hartsfield International Airport.

Not a day goes by but somewhere around the world a country or a community calls and says: We need help. We have a problem. We don't know what it is, but it has to be identified.

CDC scientists and doctors are put on the planes to fly around the world to diagnose, identify, and provide the cure so the disease does not become an outbreak that takes thousands of lives.

Mr. BROWN. I wish to close with a personal story about polio. My brother, born in 1947—there are three of us, three boys. My brother is the oldest, my brother Bob. When he was in about the first, second, or maybe the third grade, my father, who was a local family physician in Mansfield, was asked by—if not the CDC, some national health organization to give polio vaccines in Mansfield, OH. There were doctors in other communities who were asked to do that. They chose my father in part because he was a good doctor. They also chose him because he had son, he had a child who was in second or third or fourth grade at the time.

People were afraid. They weren't sure about injecting that vaccine into their arm because a lot of families thought that actually could cause polio. There was always that fear. Scientists didn't believe that, but an awful lot of people did.

There was a picture on the front page of the Mansfield News Journal in the 1950s of my brother getting a polio vaccine. I believe his was Salk. Sabin came later with the cube. He got the Salk vaccine, administered by my dad. CDC or one of the other public health groups—I apologize, I don't know which—made sure that happened all over the country so people could be more reassured. That was really the beginning, with Salk and then Sabin, of the eradication of polio in this country.

It is hard to think back—the Presiding Officer is not old enough—Senator ISAKSON and I can remember with our parents the fear, until the end of the 1950s, of parents that their child would go swimming and might come back, as Franklin Roosevelt did, with a case of polio. Whatever the causes, that virus spreading scared so many people.

In these days of hyper-partisanship consuming Washington, I appreciate the work of Senator ISAKSON, working together with CDC because this is far and above, far and away more important than any kinds of political differences that we might have.

I will let Senator ISAKSON close.

Mr. ISAKSON. I appreciate very much the Senator's focus on CDC. I think it is ironic that we close talking about Franklin Delano Roosevelt because in the 1940s, as our President, he

suffered from polio. He would take the train to Georgia to go down to Warm Springs to get the therapy of those warm springs, which then was the only mechanism of treating polio.

Today in Georgia, because of the CDC, we have a mechanism of eradicating polio. That is the type of evolution we want to see in health care not just for our country but for the world.

CDC is the best investment of American tax dollars we could possibly make. I support it wholeheartedly, and I thank Senator BROWN for his participation in the colloquy today.

I yield back the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. UDALL of New Mexico. I ask to speak as in morning business.

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

SYRIA

Mr. UDALL of New Mexico. Madam President, like many others, I am deeply disturbed by the current situation in Syria, the appalling atrocities, the tragic loss of life, the reported use of chemical weapons. This deserves the clear condemnation of the international community.

I am also concerned by the push for intervention in this war, by the rush to judgment for the United States to yet again become entangled in a civil war. The President has decided to send arms to the rebels to fight the government of the Bashar al-Asad. The full scope of this intervention is not yet clear, but this path is dangerous and unnecessary.

The Asad regime is cruel and corrupt. We can all agree on that point. Many of the groups fighting against him do not share our values and could be worse. They may pose long-term risks to us and our allies. Asad's enemies may very well be America's enemies. The fact is that we do not know. A number of experts, including our military brass, have sounded alarms warning that the options to intervene in Syria range from bad to worse and could prove damaging to America's strategic interests. By flooding Syria with weapons, we risk arming those who ultimately may seek to do us harm.

We have been down this road before. Recent history tells a cautionary tale. In the 1980s the United States supported a rebel insurgency to repel the Soviet occupation of Afghanistan. Back then as now, many Members of Congress pushed for arming these rebels. The United States supplied weapons, intelligence, and training, with the goal to defeat the Soviets in Afghanistan.

Our short-term victory had tragic consequences for the future. Radical members of the insurgency formed the Taliban regime, giving safe haven to terrorist training camps, providing material support to Osama bin Laden and his fledgling al-Qaida movement. Through state-sponsored terrorism in Afghanistan, al-Qaida thrived and perpetrated attacks on the USS *Cole* and the World Trade Center on 9/11. The aftermath has been more than a decade of war, with tragic loss of American lives and treasure.

This is history to learn from, not repeat, and yet many who advocated for previously disastrous Middle East interventions are leading the charge to arm groups we know little about and to declare war through air strikes on another Middle Eastern country.

What little we do know about the Syrian rebels is extremely disturbing. The opposition is fractured. Some are sympathetic to the enemies of the United States and our allies, including Israel and Turkey. There are reliable reports that some of the rebels even include Iraqi Sunni insurgents—the same groups who killed many U.S. troops and still target the current Iraqi Army and Government.

We know American law currently considers some of the rebel elements to be terrorist groups. The United States has designated one of the key opposition factions, the Nursa Front, as a terrorist organization for being an al-Qaida-affiliated group.

The Syrian opposition is very unorganized. They lack a chain of command, they are subject to deadly infighting, and if they are able to defeat Asad, they may turn on each other or worse the United States or our allies.

Simply put, once we have introduced arms, neither we nor their fighters may be able to guarantee control over them. Such weapons could end up in the hands of groups and people who do not represent our interests, possibly including terrorists who target the United States, our allies, such as Israel and Turkey, and the Iraqi Army and Government—an Iraq that we spent billions of dollars and thousands of American lives to establish.

Given this reality, those who are pushing for military intervention should answer three basic questions: Can arms be reasonably accounted for and kept out of the hands of terrorists and extremist groups? Can they assure us those arms will not become a threat to our regional allies and friends, including Israel, Turkey, and the Government of Iraq? And if the answer to the two previous questions is no, can they then explain why transferring our weapons to the rebels, whose members may themselves be affiliated with terrorist and extremist groups, is a sensible option for the American people? What national interest does this serve?

I do not believe those questions have been answered. I think the majority of the American people agree. They do not see the justification of our intervention in this civil war. We need to slow down this clamor for more weapons to Syria and war and take a step back from this plunge into very muddy and dangerous waters.

Stopping radicalism and protecting our allies is of vital importance; however, we come to the ultimate question, one that has not been adequately answered: Will this hasty march to intervene in another Middle East conflict achieve these goals or will it ultimately harm the interests of the United States, leading to yet another bloody, costly, overseas conflict and, ironically, worsening the terrorist threat?

We should listen to the lessons of history. After over a decade of war overseas, now is not the time to arm an unorganized, unfamiliar, and unpredictable group of rebels. Now is not the time to rush headlong into another Middle Eastern civil war. The winds of war are blowing yet again, and we should be ever vigilant before we venture into another storm.

Madam President, I yield the floor.

UNANIMOUS CONSENT AGREEMENT—S. 744

Mr. REID. Madam President, I ask unanimous consent that when the Senate resumes consideration of S. 744, which is the immigration bill, on Tuesday, June 18, the time until 12:30 p.m. and the time from 2:15 to 3 p.m. be equally divided between the two leaders or their designees for debate on the pending amendments listed below in the following order: Thune No. 1197, Landrieu No. 1222, Vitter No. 1228, and Tester No. 1198; that there be no second-degree amendments in order prior to the votes; that all the amendments be subject to a 60-affirmative-vote threshold; that there be 2 minutes equally divided between the votes; and that all after the first vote be 10-minute votes.

Madam President, I have spoken with my friend, the ranking member of the Judiciary Committee, the senior Senator from Iowa, because I wanted to add the Heller amendment; however, I understand the Republicans want to pick their own amendments. They do not want me picking them. I understand that, so I haven't included that one in the consent request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

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

The legislative clerk read as follows:

A bill (S. 744) to provide for comprehensive immigration reform and for other purposes.

Pending:

Leahy/Hatch amendment No. 1183, to encourage and facilitate international participation in the performing arts.

Thune amendment No. 1197, to require the completion of the 350 miles of reinforced, double-layered fencing described in section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 before registered provisional immigrant status may be granted and to require the completion of 700 miles of such fencing before the status of registered provisional immigrants may be adjusted to permanent resident status.

Landrieu amendment No. 1222, to apply the amendments made by the Child Citizenship Act of 2000 retroactively to all individuals adopted by a citizen of the United States in an international adoption and to repeal the pre-adoption parental visitation requirement for automatic citizenship and to amend section 320 of the Immigration and Nationality Act relating to automatic citizenship for children born outside of the United States who have a United States citizen parent.

Tester amendment No. 1198, to modify the Border Oversight Task Force to include tribal government officials.

Vitter amendment No. 1228, to prohibit the temporary grant of legal status to, or adjustment to citizenship status of, any individual who is unlawfully present in the United States until the Secretary of Homeland Security certifies that the US–VISIT System (a biometric border check-in and check-out system first required by Congress in 1996) has been fully implemented at every land, sea, and airport of entry and Congress passes a joint resolution, under fast track procedures, stating that such integrated entry and exit data system has been sufficiently implemented.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, at every confirmation hearing of every Cabinet position, and probably a lot of other positions as well, a Cabinet nominee is invariable asked a question similar to this: Will you come when you are called to a committee meeting for a hearing, and will you answer inquiries made by members of the committee to certain questions you might be asked? Invariably—and I don't know an exception to this—we get the answer that, yes, they will respond to our communiques.

Well, I come to the Senate today to ask why Secretary Napolitano of the Department of Homeland Security hasn't answered inquiries we have made that ought to have been answered by now. And the answers ought to have been made by now because we are dealing with the legislation to which the questions refer.

On April 23, the Judiciary Committee held a hearing to discuss immigration reform and the bill presented by the Gang of 8. Secretary Napolitano was the only witness. The hearing lasted 2 hours and 20 minutes, and most members were able to ask her 5 to 10 minutes' worth of questions. We also submitted questions for the record, which means we submitted questions to her in writing for her to answer. Committee members were given just 24 hours to turn around those questions to present to her. But it has been over 7 weeks—that is more than 49 days—since we submitted those questions to Secretary Napolitano, and we have yet to get answers to those questions.

The questions I asked were genuine and related to the implementation of the bill if it were to be signed into law. I asked questions of the Secretary because she will be responsible for carrying out Congress's intentions. I wanted to know about costs and feasibility, and I asked for data and specifics. So I am concerned I have yet to receive responses.

Keeping information from Congress and the American people is not helpful to ensuring we have the best product coming out of the Senate. Since this bill is right now before the Senate, it is important for Members of this body to have the answers to the questions I am going to describe that I submitted to her.

I will take this opportunity to discuss some of the questions I asked of Secretary Napolitano, although not all of them. Right now I will focus on nine questions I asked about border security because border security is an issue before the Senate as part of this 1,175-page bill. I may discuss other questions later in the week.

Question No. 1 to Secretary Napolitano: You have emphasized that apprehensions at the border are down and in doing so praised the administration's record on border security; however, Customs and Border Protection has just released numbers showing that apprehensions increased 13 percent over the last year. Does the fact that border apprehensions are up mean that the border is becoming less secure?

That was question No. 1 to Secretary Napolitano.

Obviously, is the border more secure or isn't the border more secure? That was the whole basis of the debate over the last week in this body.

Question No. 2 to Secretary Napolitano: The bill only calls for establishing an entry-exit system for air and seaports before implementing the path to citizenship. Aside from cost, what impediments are there to instituting the system at land ports?

Question No. 3: The bill requires your department to establish a strategy to identify where fencing should be deployed along the southern border. During the hearing, you indicated the administration believes that sufficient fencing is in place and that you would prefer not to increase fencing along the southern border. So my question: Do you anticipate that your study will call for any additional physical fencing?

Now that seems to me to be a pretty important question at this time when border security is very basic to whether there will be any legalization. We have not received an answer yet.

Question No. 4: During the hearing we discussed the fact that the northern border was not part of the trigger and did not need to be secured before green cards are distributed. You said the northern border is a different border but that it is a part of the discussion. Can you elaborate? Can you describe how the northern border is ''different''? Please provide a list of ''other than Canadians'' who have crossed the northern border illegally in the last 10 years, including their country of origin.

Question No. 5. Section 1102 of S. 744 requires the Secretary to increase the number of CBP officers by 3,500; however, it does not specify how many of those agents will be used to secure the physical border versus customs enforcement and other mission requirements. How do you envision this section being implemented and how would the Department make decisions with regard to determining how many agents are hired to secure the physical borders?

Talking about border security, that seems to me to be a legitimate question that ought to have been answered by the Secretary a long time before we even started debate on this bill but surely before we get done with it.

The sixth question: Section 1104 provides funding for only the Tucson sector of the southwest border region. Does the administration support only resources to this sector? Are there other sectors that should be included? If so, please provide details.

Seventh question: Section 1105 relates solely to the State of Arizona. Should this provision be expanded to all of the southwest border States?

Question No. 8: Section 1107 provides for a grant program in which individuals who reside or work in the border region and are ''at greater risk of border violence due to the lack of cellular service'' can apply to purchase phones with access to 911 and equipped with GPS. Does the administration believe the Southwest border region is safe and secure, rendering this grant program unnecessary?

Question No. 9, and my last question I will discuss tonight, does the administration have any views on section 1111 on the use of force, including the requirement that the Department collaborate with the Assistant Attorney General for the Civil Rights Division of the Department of Justice?

Those are the nine questions that I think are very pertinent to just the part of the bill we spent the last week debating and we are going to spend a few more days debating. Is the border secure? That is very basic to everything else that goes on in this piece of legislation.

As I said, the questions I have asked the Secretary are meant to ensure that we pass the best bill possible. We ought to know how she will carry out the bill if it is signed into law. I hope she will provide answers to these and the other questions I submitted on April 24.

I yield the floor.

Mrs. BOXER. Madam President, on June 12 and 13, 2013, I filed two amendments, Nos. 1258 and 1282, to S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act. The name of Senator HIRONO

was inadvertently omitted as a cosponsor of both amendments. I have asked that Senator HIRONO be added as a cosponsor to amendment No. 1258 and amendment No. 1282.

MORNING BUSINESS

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

REMEMBERING FRANK R. LAUTENBERG

Mr. CASEY. Madam President. I am honored to join my fellow Senators as we remember our friend and colleague Senator Frank Lautenberg. A dedicated public servant, Frank proudly represented New Jersey almost continuously from 1982 until his death.

Long before reaching the Senate, Frank Lautenberg had proven himself a patriot. Following his high school graduation, Frank enlisted in the Army and served his country in Europe as a member of the Army Signal Corps during the Second World War. A member of the ''Greatest Generation'' and the last World War II veteran to serve in the Senate, Frank was a true public servant.

Motivated by the desire to give back to the country that provided him with so much, Frank's work in the Senate improved the lives of all Americans and left a lasting impact on our Nation. Through his legislative efforts, Senator Lautenberg helped to safeguard our Nation's transportation infrastructure, increase access to quality healthcare, and ensure that the brave men and women who serve our country today will have access to the same benefits and opportunities that Frank frequently credited with his success.

Frank's strong moral character often made him a leader on some of the most pressing issues of the day, and his efforts will undoubtedly leave a lasting legacy. Having cast more than 9,000 votes on the floor—more than any previous Senator from New Jersey—Frank played an influential role in shaping important policies, directing funding, and helping people in need.

On a personal note, I will always recall what a privilege it was to travel to Israel and Turkey with Frank in 2009 as part of a Congressional delegation. I admired his strong support of Israel and he will certainly be remembered as a tireless friend and advocate.

In closing, I am reminded of a quotation from President Kennedy. Senator Frank Lautenberg truly was ''someone who looks ahead and not behind, someone who welcomes new ideas without rigid reactions, someone who cares about the welfare of the people—their health, their housing, their schools, their jobs, their civil rights and their civil liberties.'' We will miss him in this Chamber but our country and our children have a brighter future because of his dedicated service.

ADDITIONAL STATEMENTS

CORNISH, NEW HAMPSHIRE

● Ms. AYOTTE. Madam President, today I wish to recognize and honor the town of Cornish, NH as it celebrates the 250th anniversary of its founding.

Established in 1763 and incorporated in 1765 by Colonial Gov. Benning Wentworth, Cornish was named for Sir Samuel Cornish, a distinguished vice-admiral of the Royal Navy.

This area, located in Sullivan County, was once known as Mast Camp because it was the shipping point for the tall masts floated down the river by the English for use by the Royal Navy. Forestry and agriculture continue to be important components of Cornish's economy and lifestyle.

Cornish is known as a summer resort for artists and writers. In 1885, sculptor Augustus Saint-Gaudens sought a summer studio away from the heat of New York City and found himself in Cornish. Maxfield Parrish and other artists soon followed Saint-Gaudens, transforming the area into a popular artists' colony. In 1964, Saint-Gaudens' home and studio were named a national historic site. Famous authors Winston Churchill and J.D. Salinger wrote at homes in Cornish.

Cornish is home to four covered bridges, all of which are on the National Register of Historic Places. The Cornish-Windsor Covered Bridge built in 1866 is the longest two-span covered bridge in the world. The Cornish-Windsor Covered Bridge has been designated a National Civil Engineering Landmark by the American Society of Civil Engineers and still carries daily automobile traffic.

Whether it is the Cornish Fair or a summer concert at Saint-Gaudens National Historic Site, Cornish has contributed so much to the rich heritage of New Hampshire during its first 250 years. I am pleased to join the citizens across New Hampshire in celebrating this special milestone for the people of Cornish, whose accomplishments, love of country, and spirit of independence have enriched our State.●

RECOGNIZING QUEST AIRCRAFT

● Mr. RISCH. Madam President, a cornerstone of the American dream has always been the belief that those individuals with a good idea and a strong work ethic can become successful. In these tough economic times, it is inspiring to hear the stories of small businesses that have risen above the challenges they have faced and are making their dreams come true. That is why during National Small Business Week, I rise today to honor Quest Aircraft located in Sandpoint, ID

Quest Aircraft was founded in 2001 by Tom Hamilton and David Voetmann. These men saw the need for development of a plane that could be used for humanitarian work in remote areas of the world. Tom and David brought on Bruce R. Kennedy to chair Quest's board of trustees. Bruce was a man who had a noteworthy aviation career, holding the positions of chairman, chief executive officer, and president of Alaska Airlines. Bruce helped bring Tom Hamilton's and David Voetmann's vision to fruition, chairing Quest's board of trustees until his tragic death in 2007. That same year, Quest started its first production run of the KODIAK airplane.

The KODIAK airplane is a rugged short takeoff and landing, STOL, turboprop aircraft that requires only 1,000 feet of runway, making it ideally suited for the demanding nature of global humanitarian work. The KODIAK is currently in use around the world. While principally marketed for humanitarian missions, purchasers of the KODIAK include the U.S. Park Service, foreign governments, and private citizens.

Despite the impact the global recession has had on the airplane industry, Quest Aircraft has persevered and expanded their company in recent years. Quest Aircraft has expanded from a staff of 14 in 2001 to currently employing nearly 200 people. Shortly after the first year of business, Quest Aircraft moved into its 27,000-square-foot facility at the Sandpoint, ID, Municipal Airport. By May 2007, the KODIAK received FAA type certification and began global deliveries that year. Keeping in line with the mission put forward by the founders of Quest Aircraft, approximately every 10th plane produced is subsidized by the profits the company brings in. This aircraft is then donated to a participating not-for-profit humanitarian organization. This is testament to the good that can be spread from a success story such as this, and serves as an inspiration to many who wish to find the successful intersection of humanitarian work and financial success.

Small businesses like Quest Aircraft are on the cutting edge of technology and innovation. These businesses are often at the forefront of groundbreaking advances that provide much-needed solutions to the marketplace. Small businesses are the economic engines of our economy and critical to the national economic recovery. I have faith in the many small businesses that spring up in Idaho and around the United States today, and success stories such as Quest Aircraft should serve as inspiration for the future generation of innovators and entrepreneurs.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Foreign Relations.

(The messages received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13219 OF JUNE 26, 2001, WITH RESPECT TO THE WESTERN BALKANS—PM 13

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, is to remain in effect beyond June 26, 2013.

The crisis constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the Republic of Macedonia and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, related to Kosovo, which led to the declaration of a national emergency on June 26, 2001, in Executive Order 13219 and to the amendment of that order in Executive Order 13304 of May 28, 2003, to include acts obstructing implementation of the Ohrid Framework Agreement of 2001 in Macedonia, has not been resolved. The acts of extremist violence and obstructionist activity outlined in Executive Order 13219, as amended, are hostile to U.S. interests and continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared with respect to the Western Balkans.

BARACK OBAMA.

THE WHITE HOUSE, *June 17, 2013.*

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 394. A bill to prohibit and deter the theft of metal, and for other purposes.

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. MORAN (for himself, Mr. KING, Ms. STABENOW, Mr. COCHRAN, Mr. GRASSLEY, Mr. BARRASSO, Mr. ENZI, and Mrs. GILLIBRAND):

S. 1171. A bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BLUNT:

S. Res. 172. A resolution designating the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'' and raising awareness and understanding of polycystic kidney disease; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 109

At the request of Mr. HELLER, his name was added as a cosponsor of S. 109, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 153

At the request of Mr. BEGICH, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 153, a bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

S. 170

At the request of Mr. FLAKE, his name was added as a cosponsor of S. 170, a bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities.

S. 234

At the request of Mr. REID, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 272

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 272, a bill to promote research, monitoring, and observation of the Arctic and for other purposes.

S. 313

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 337

At the request of Ms. STABENOW, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 337, a bill to provide an incentive for businesses to bring jobs back to America.

S. 395

At the request of Mr. BENNET, his name was added as a cosponsor of S. 395, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 463

At the request of Mr. PRYOR, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 463, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term ''biobased product''.

S. 511

At the request of Ms. LANDRIEU, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 511, a bill to amend the Small Business Investment Act of 1958 to enhance the Small Business Investment Company Program, and for other purposes.

S. 520

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 520, a bill to strengthen Federal consumer protection and product traceability with respect to commercially marketed seafood, and for other purposes.

S. 596

At the request of Mr. THUNE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 596, a bill to establish

pilot projects under the Medicare program to provide incentives for home health agencies to furnish remote patient monitoring services that reduce expenditures under such program.

S. 602

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 602, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 718

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 718, a bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes.

S. 723

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 723, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 769

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 772

At the request of Mr. NELSON, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 772, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 789

At the request of Mr. BAUCUS, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 810

At the request of Mr. DONNELLY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 810, a bill to require a pilot program on an online computerized assessment to enhance detection of behaviors indicating a risk of suicide and other mental health conditions in members of the Armed Forces, and for other purposes.

S. 815

At the request of Mr. MERKLEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 824

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 824, a bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 909

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 909, a bill to amend the Federal Direct Loan Program under the Higher Education Act of 1965 to provide for student loan affordability, and for other purposes.

S. 913

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 913, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 916

At the request of Mr. KAINE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 916, a bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

S. 917

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 918

At the request of Mr. COONS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 918, a bill to award grants in order to establish longitudinal personal college readiness and savings online platforms for low-income students.

S. 967

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor 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 North Carolina (Mrs. HAGAN) and the Senator from Mississippi (Mr. COCHRAN) 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. 1046

At the request of Mr. SCHATZ, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1046, a bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994.

S. 1068

At the request of Mr. BEGICH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1068, a bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes.

S. 1072

At the request of Ms. KLOBUCHAR, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1072, a bill to ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry, and for other purposes.

S. 1086

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 1086, a bill to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

S. 1088

At the request of Mr. FRANKEN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1088, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 1104

At the request of Mr. NELSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1104, a bill to measure the progress of recovery and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

S. 1117

At the request of Ms. STABENOW, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1117, a bill to prepare disconnected youth for a competitive future.

S. 1123

At the request of Mr. CARPER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of 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.

S. CON. RES. 15

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. Con. Res. 15, a concurrent resolution expressing the sense of Congress that the Chained Consumer Price Index should not be used to calculate cost-of-living adjustments for Social Security or veterans benefits, or to increase the tax burden on low- and middle-income taxpayers.

S. RES. 157

At the request of Ms. KLOBUCHAR, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Res. 157, a resolution expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas.

AMENDMENT NO. 1197

At the request of Mr. THUNE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 1197 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1198

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of amendment No. 1198 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1199

At the request of Mrs. BOXER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 1199 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1209

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1209 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1225

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1225 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1237

At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 1237 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1242

At the request of Mr. UDALL of New Mexico, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1242 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1258

At the request of Mrs. BOXER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 1258 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1278

At the request of Mr. BLUMENTHAL, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 1278 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1282

At the request of Mrs. BOXER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 1282 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1286

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 1286 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MORAN (for himself, Mr. KING, Ms. STABENOW, Mr. COCHRAN, Mr. GRASSLEY, Mr. BARRASSO, Mr. ENZI, and Mrs. GILLIBRAND):

S. 1171. A bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I am pleased to join Senators MORAN and KING in reintroducing the Veterinary Medicine Mobility Act of 2013. This legislation comes in response to a Drug Enforcement Administration, DEA, interpretation of the Controlled Substances Act, which requires veterinarians to treat animals with controlled substances at the location in which they are registered. This interpretation of the law is very burdensome to both farmers and veterinarians, and it shows a lack of common sense by the DEA. In many cases a sick animal such as a horse, cow or pig cannot be transported to the veterinarian's office, and has to be treated on the farm or even in the pasture. When a larger animal is ill and needs treatment it has been common practice for the veterinarian to make a house call to treat the affected animal. The ability for veterinarians to make house calls is a key component in the ability to effectively treat livestock animals.

I am very concerned about the problems we face in the diversion of controlled substances especially powerful narcotics. However, efforts to control the diversion of controlled substances need to take into account the needs of legitimate patients whether human or livestock. Forcing a farmer to load a sick animal into a trailer for a trip to the veterinarian's office is not a practical solution to ward off the diversion of controlled substances. Rules governing the use and transportation of controlled substances must be practical and not overly burdensome. In the case of veterinary medicine the Veterinary Medicine Mobility Act of 2013 strikes the right balance.

This legislation allows a veterinarian to transport a controlled substance ''in the usual course of veterinary medicine practice at a site other than the registrants registered principal place of business or professional practice.'' The bill also requires the veterinarian to only dispense controlled substances in a State where they are licensed to practice veterinary medicine, which will help to eliminate the transportation of controlled substances across State lines. I have heard from numerous veterinarians and other stakeholders that this bill is needed in order to provide certainty that our veterinarians will be able to use the necessary tools available to them without interference from the DEA. Overly burdensome regulations can have a detrimental impact on businesses in this country. This is an instance of the Federal Government not using common sense, and causing unnecessary problems for the people responsible for maintaining the health of our Nation's livestock herds. I urge my colleagues to join us in supporting this commonsense bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 172—DESIGNATING THE FIRST WEDNESDAY IN SEPTEMBER 2013 AS ''NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS DAY'' AND RAISING AWARENESS AND UNDERSTANDING OF POLYCYSTIC KIDNEY DISEASE

Mr. BLUNT submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 172

Whereas National Polycystic Kidney Disease Awareness Day will raise public awareness and understanding of polycystic kidney disease, one of the most prevalent, life-threatening genetic kidney diseases;

Whereas National Polycystic Kidney Disease Awareness Day will also foster understanding of the impact polycystic kidney disease has on patients and their families;

Whereas polycystic kidney disease is a progressive, genetic disorder of the kidneys that causes damage to the kidneys and the cardiovascular, endocrine, hepatic, and gastrointestinal organ systems;

Whereas polycystic kidney disease has a devastating impact on the health and finances of people of all ages, and equally affects people of all races, genders, nationalities, geographic locations, and income levels;

Whereas, of the people diagnosed with polycystic kidney disease, approximately 10 percent have no family history of the disease, with the disease developing as a spontaneous (or new) mutation;

Whereas there is no treatment or cure for polycystic kidney disease, which is one of the 4 leading causes of kidney failure in the United States;

Whereas the vast majority of patients with polycystic kidney disease reach kidney failure at an average age of 53, causing a severe strain on dialysis and kidney transplantation resources and on the delivery of health care in the United States as the largest segment of the population of the United States, the ''baby boomers'', continues to age;

Whereas polycystic kidney disease instills in patients fear of an unknown future with a life-threatening genetic disease and apprehension over possible discrimination, including the risk of losing their health and life insurance, their jobs, and their chances for promotion;

Whereas countless friends, loved ones, spouses, and caregivers must shoulder the physical, emotional, and financial burdens that polycystic kidney disease causes;

Whereas the severity of the symptoms of polycystic kidney disease and the limited public awareness of the disease cause many patients to live in denial and forego regular visits to their physicians or avoid following good health management, which would help avoid more severe complications when kidney failure occurs;

Whereas people who have chronic, life-threatening diseases like polycystic kidney disease have a predisposition to depression and its resultant consequences of 7 times the national average because of their anxiety over pain, suffering, and premature death; and

Whereas the PKD Foundation and its more than 60 volunteer chapters around the United States are dedicated to conducting research to find treatments and a cure for polycystic kidney disease, fostering public awareness and understanding of the disease, educating patients and their families about the disease to improve their treatment and care, and providing support and encouraging people to become organ donors, including by sponsoring the annual ''Walk for PKD'' to raise funds for polycystic kidney disease research, education, advocacy, and awareness: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'';

(2) supports the goals and ideals of National Polycystic Kidney Disease Awareness Day to raise public awareness and understanding of polycystic kidney disease;

(3) recognizes the need for additional research to find a cure for polycystic kidney disease; and

(4) encourages all people in the United States and interested groups to support National Polycystic Kidney Disease Awareness Day through appropriate ceremonies and activities to promote public awareness of polycystic kidney disease and to foster understanding of the impact of the disease on patients and their families.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1287. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1288. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1289. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1290. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1291. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1292. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1293. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1294. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1295. Mr. CRUZ (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1296. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1297. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1298. Mr. PRYOR (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1299. Mr. GRASSLEY (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1300. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1301. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1302. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1303. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1304. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1305. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1306. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1307. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1308. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1309. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1310. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1311. Mr. BROWN (for himself, Mr. GRASSLEY, Mr. MANCHIN, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1312. Mr. SANDERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1313. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1314. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1315. Mr. KING (for Mr. GRASSLEY) proposed an amendment to the bill S. 330, to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

TEXT OF AMENDMENTS

SA 1287. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 855, strike line 24 and all that follows through page 856, line 9, and insert the following:

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—

(A) IN GENERAL.—Not earlier than the date on which the Secretary submits a certification to Congress stating that the Department has maintained effective control of high-risk border sectors along the Southern border for a period of not less than 6 months, the Secretary may commence processing applications for registered provisional immigrant status pursuant to section 245B of the

Immigration and Nationality Act, as added by section 2101 of this Act.

(B) HIGH-RISK BORDER SECTOR DEFINED.—In this paragraph, the term ''high-risk border sector'' means a border sector in which more than 30,000 individuals were apprehended by the Department during the most recent fiscal year.

SA 1288. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1583, line 19, before ''to conduct'' insert '', in addition to for-profit entities,''.

SA 1289. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ELIGIBILITY FOR CHILD TAX CREDIT.

(a) REQUIRED SUBMISSION OF TAXPAYER IDENTIFICATION NUMBERS.—

(1) IN GENERAL.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by striking ''under this section to a taxpayer'' and all that follows and inserting ''under this section to any taxpayer unless—

''(1) such taxpayer includes the taxpayer's valid identification number (as defined in section 6428(h)(2)) on the return of tax for the taxable year, and

''(2) with respect to any qualifying child, the taxpayer includes the name and taxpayer identification number of such qualifying child on such return of tax.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

(b) REPORT BY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Not later than 90 days after the end of the first fiscal year following the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall submit a report to the relevant committees of Congress that includes the total amount of credits allowed under section 24 of the Internal Revenue Code of 1986 for the preceding fiscal year to individuals who—

(1) were unlawfully present in the United States; or

(2) were not citizens or lawful permanent residents of the United States and filed a tax return without a valid identification number for the taxpayer or the qualifying child.

SA 1290. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, add the following:

SEC. 3722. UNLAWFUL VOTING.

(a) AGGRAVATED FELONY.—Paragraph (43) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended—

(1) in subparagraph (T), by striking ''and'' at the end;

(2) in subparagraph (U), by striking the period at the end and inserting a semicolon and ''and''; and

(3) by adding at the end the following:

''(V) an offense described in section 611 of title 18, United States Code, committed by an alien who is unlawfully present in the United States.''.

(b) DEPORTABLE OFFENSE.—Paragraph (2) of section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a)), as amended by sections 3701 and 3702, is further amended by adding at the end the following:

''(I) VOTING OFFENSES.—Any alien who is unlawfully present in the United States and who knowingly commits a violation of section 611 of title 18, United States Code.''.

SA 1291. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF FEDERAL FUNDS IN CONTRAVENTION OF SECTION 642(A) OF THE ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996.

No funds made available under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) or under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

SA 1292. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1300, between lines 11 and 12, insert the following:

CHAPTER 5—BIRTHRIGHT CITIZENSHIP

SEC. 2561. SHORT TITLE.

This chapter may be cited as the ''Birthright Citizenship Act of 2013''.

SEC. 2562. CITIZENSHIP AT BIRTH FOR CERTAIN PERSONS BORN IN THE UNITED STATES.

(a) IN GENERAL.—Section 301 (8 U.S.C. 1401) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The following'';

(2) by redesignating subsections (a) through (h) as paragraphs (1) through (8), respectively, and indenting such paragraphs, as redesignated, an additional 2 ems to the right; and

(3) by adding at the end the following:

''(b) DEFINITION.—Acknowledging the right of birthright citizenship established by section 1 of the 14th Amendment to the Constitution of the United States, a person born in the United States shall be considered 'subject to the jurisdiction' of the United States for purposes of subsection (a)(1) only if the person is born in the United States and at least 1 of the person's parents is—

''(1) a citizen or national of the United States;

''(2) an alien lawfully admitted for permanent residence in the United States whose residence is in the United States; or

''(3) an alien performing active service in the armed forces (as defined in section 101 of title 10, United States Code).''.

(b) APPLICABILITY.—The amendment made by subsection (a)(3) may not be construed to affect the citizenship or nationality status of any person born before the date of the enactment of this Act.

SA 1293. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1829, between lines 20 and 21, insert the following:

''(C) SET ASIDE.—

''(i) IN GENERAL.—Of the registered positions authorized under each of clauses (i), (ii), and (iii), 5,000 shall be set aside for W nonimmigrants who will be employed in areas of Alaska designated by the Alaska Department of Labor and Workforce Development in an occupation in the seafood processing industry that has been designated by the Commissioner as a shortage occupation.

''(ii) RELEASE OF VISAS.—Any visas set aside in a program year pursuant to clause (i) that are not issued by July 1st of such year, shall be made available for W nonimmigrants not described in clause (i).

SA 1294. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 969, beginning on line 15, strike ''employment'' and insert ''employment, community service, or education''.

On page 969, line 24, strike ''EMPLOYMENT OR EDUCATION'' and inserting ''EMPLOYMENT, EDUCATION, OR COMMUNITY SERVICE''.

On page 970, line 7, insert ''or engaged in community service'' after ''regularly employed''.

On page 986, line 3, insert ''or engaged in community service'' after ''regularly employed''.

On page 987, beginning on line 6, strike ''employment or education'' and insert ''employment, education, or community service''.

On page 987, line 11, strike ''employment or education,'' and insert ''employment, education, or community service,''.

On page 987, between lines 18 and 19 insert the following:

''(V) records of a faith-based or nonprofit organization recognized as such, pursuant to section 501(c) of the Internal Revenue Code 16 of 1986;''.

SA 1295. Mr. CRUZ (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1626, between lines 12 and 13, insert the following:

Subtitle ____—PROTECTING VOTER INTEGRITY

SEC. 3901. STATES PERMITTED TO REQUIRE PROOF OF CITIZENSHIP FOR VOTER REGISTRATION.

Section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) is amended by adding at the end the following new subsection:

''(e) PROOF OF CITIZENSHIP.—Nothing in subsection (a) shall be construed to preempt any State law requiring evidence of citizenship in order to complete any requirement to register to vote in elections for Federal office.''.

SA 1296. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for

other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE V—MISCELLANEOUS

SEC. 5001. REPORT ON VISA PROCESSING AT UNITED STATES EMBASSIES AND CONSULATES.

(a) INITIAL REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on visa processing at United States embassies and consulates that—

(1) assesses the efforts of the Department of State to expand its visa processing capacity in the People's Republic of China and Brazil;

(2) provides recommendations, if warranted, for improving the effectiveness of those efforts;

(3) identifies the challenges to meeting staffing requirements with respect to visa processing at United States embassies and consulates, including staffing shortages and foreign language proficiency requirements;

(4) discusses how those challenges affect the ability of the Department of State to carry out visa operations;

(5) describes what actions the Department of State has taken to address those challenges; and

(6) provides recommendations, if warranted, for improving the efforts of the Department of State to meet staffing requirements at United States embassies and consulates.

(b) SUBSEQUENT REPORT.—Not later than 2 years after submitting the report required by subsection (a), the Comptroller General shall submit to Congress a report assessing the progress made by the Department of State with respect to the matters included in the report required by subsection (a) since the submission of that report.

SA 1297. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1226, line 3, strike ''Section'' and insert the following:

(a) IN GENERAL.—Section

On page 1226, after line 25, add the following:

(b) EFFECT OF ADOPTION DOCUMENTATION.—

(1) IN GENERAL.—For purposes of all immigration laws of the United States, the Director of U.S. Citizenship and Immigration Services, the Secretary of State, and all other Federal agencies shall accept adoption documentation presented on behalf of a child as evidence that the child satisfies the requirements set forth in section 101(b)(1)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)(E)), regardless of whether the child has been in the legal custody of, and has resided with, the adopting parent or parents for 2 years, if the documentation includes—

(A) a Hague Adoption Certificate, certifying that the adoption of the child was granted in compliance with the Convention, affixed to an adoption decree issued by the Central Authority (as such term is used in the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, done at the Hague on May 29, 1993) of the child's sending country to the adoptive parents,; or

(B) a Hague Custody Declaration, certifying that the custody of the child was granted in compliance with the Convention, affixed to a custody or guardianship decree issued by the Central Authority of the child's sending country to the adoptive parents, and a final adoption decree, verifying that the adoption of the child was later finalized outside the United States by the adoptive parents.

(2) SUBSTANTIAL COMPLIANCE WITH HAGUE CONVENTION.—Paragraph (1) shall not apply unless, on the date on which the underlying adoption, custody, or guardianship decree was issued by the child's sending country, that country's adoption procedures substantially complied with the requirements of the Convention.

SA 1298. Mr. PRYOR (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1102, add the following:

(e) RECRUITMENT OF FORMER MEMBERS OF THE ARMED FORCES AND MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—

(1) REQUIREMENT FOR PROGRAM.—The Secretary, in conjunction with the Secretary of Defense, shall establish a program to actively recruit members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, to serve in United States Customs and Border Protection and United States Immigration and Customs Enforcement.

(2) RECRUITMENT INCENTIVES.—

(A) STUDENT LOAN REPAYMENTS FOR UNITED STATES BORDER PATROL AGENTS WITH A THREE-YEAR COMMITMENT.—Section 5379(b) of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(4) In the case of an employee who is otherwise eligible for benefits under this section and who is serving as a full-time active-duty United States border patrol agent within the Department of Homeland Security—

''(A) paragraph (2)(A) shall be applied by substituting '$20,000' for '$10,000'; and

''(B) paragraph (2)(B) shall be applied by substituting '$80,000' for '$60,000'.''.

(B) RECRUITMENT AND RELOCATION BONUSES AND RETENTION ALLOWANCES FOR PERSONNEL OF THE DEPARTMENT OF HOMELAND SECURITY.—The Secretary of Homeland Security shall ensure that the authority to pay recruitment and relocation bonuses under section 5753 of title 5, United States Code, the authority to pay retention bonuses under section 5754 of such title, and any other similar authorities available under any other provision of law, rule, or regulation, are exercised to the fullest extent allowable in order to encourage service in the Department of Homeland Security.

(3) REPORT ON RECRUITMENT INCENTIVES.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Secretary of Defense shall jointly submit to the appropriate committees of Congress a report including an assessment of the desirability and feasibility of offering incentives to members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, for the purpose of encouraging such members to serve in United States Customs and Border Protection and Immigration and Customs Enforcement.

(B) CONTENT.—The report required by subparagraph (A) shall include—

(i) a description of various monetary and non-monetary incentives considered for purposes of the report; and

(ii) an assessment of the desirability and feasibility of utilizing any such incentive.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives.

SA 1299. Mr. GRASSLEY (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3701 and insert the following:

SEC. 3701. CRIMINAL GANGS.

(a) DEFINITION OF CRIMINAL GANG.—Section 101(a) (8 U.S.C. 1101(a)) is amended by inserting after paragraph (51) the following:

''(52)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons—

''(i) that has as 1 of its primary purposes the commission of 1 or more of the criminal offenses described in subparagraph (B); and

''(ii) the members of which engage, or have engaged within the past 5 years, in a continuing series of offenses described in subparagraph (B).

''(B) The offenses described in this subparagraph are the following, whether in violation of Federal or State law or in violation of the law of a foreign country:

''(i) A felony drug offense (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) A felony offense involving firearms or explosives or in violation of section 931 of title 18, United States Code (relating to purchase, ownership, or possession of body armor by violent felons).

''(iii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iv) A felony crime of violence (as defined in section 16 of title 18, United States Code).

''(v) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary

''(vi) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title(relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title(relating to interstate transportation of stolen motor vehicles or stolen property).

''(vii) Conspiracy to commit an offense described in specified in clauses (i) through (vi).''.

(b) INADMISSIBILITY.—Section 212(a)(2) (8 U.S.C. 1182(a)(2)) is amended by inserting after subparagraph (I) the following:

''(J) ALIENS IN CRIMINAL GANGS.—Any alien is inadmissible who—

''(i) is a member of a criminal gang unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

''(ii) is determined by an immigration judge to be a danger to the community.''.

(c) GROUNDS FOR DEPORTATION.—Section 237(a)(2) (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) ALIENS IN CRIMINAL GANGS.—Any alien is removable who—

''(i) is a member of a criminal gang unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

''(ii) is determined by an immigration judge to be a danger to the community.''.

(d) GROUND OF INELIGIBILITY FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—An alien who is 18 years of age or older is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

(1) is a member of a criminal gang (as defined in section 101(a)(52) of the Immigration and Nationality Act, as amended by subsection (a)) unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

(2) has been determined by the Secretary to be a danger to the community.

SA 1300. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. IDENTITY THEFT.

(a) FRAUD.—Section 1028 of title 18, United States Code, is amended—

(1) in subsection (a)(7), by striking ''of another person'' and inserting ''that is not his or her own''; and

(2) in subsection (b)(3)—

(A) in subparagraph (B), by striking ''or'' at the end;

(B) in subparagraph (C), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(D) to facilitate or assist in harboring or hiring unauthorized workers in violation of section 274, 274A, or 274C of the Immigration and Nationality Act (8 U.S.C. 1324, 1324a, 1324c);''.

(b) AGGRAVATED IDENTITY THEFT.—Section 1028A(a) of such title is amended by striking ''of another person'' both places it appears and inserting ''that is not his or her own''.

SA 1301. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 3704 through 3707 and insert the following:

SEC. 3704. ILLEGAL ENTRY.

(a) IN GENERAL.—Section 275 (8 U.S.C. 1325) is amended to read as follows:

''SEC. 275. ILLEGAL ENTRY.

''(a) IN GENERAL.—

''(1) CRIMINAL OFFENSES.—An alien shall be subject to the penalties set forth in paragraph (2) if the alien—

''(A) enters, attempts to enter, or crosses the border into the United States at any time or place other than as designated by the Secretary of Homeland Security;

''(B) eludes examination or inspection by an immigration officer, or a customs or agriculture inspection at a port of entry; or

''(C) attempts to enter or obtains entry to the United States by means of a knowingly false or misleading representation or the concealment of a material fact.

''(2) CRIMINAL PENALTIES.—Any alien who violates any provision under paragraph (1)—

''(A) shall, for the first violation, be fined under title 18, United States Code, imprisoned not more than 12 months, or both;

''(B) shall, for a second or subsequent violation, or following an order of voluntary departure, be fined under such title, imprisoned not more than 3 years, or both;

''(C) if the violation occurred after the alien had been convicted of 3 or more misdemeanors or of a felony, shall be fined under such title, imprisoned not more than 10 years, or both; and

''(D) if the violation occurred after the alien had been convicted of a felony for which the alien was sentenced to a term of imprisonment, shall be fined under such title, imprisoned not more than 15 years, or both.

''(3) PRIOR CONVICTIONS.—The prior convictions described in subparagraphs (C) and (D) of paragraph (2) are elements of the offenses described in that paragraph and the penalties in such subparagraphs shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(A) alleged in the indictment or information; and

''(B) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

''(b) IMPROPER TIME OR PLACE; CIVIL PENALTIES.—Any alien who is apprehended while knowingly entering, attempting to enter, or crossing or attempting to cross the border to the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty, in addition to any criminal or other civil penalties that may be imposed under any other provision of law, in an amount equal to—

''(1) not less than $250 or more than $5,000 for each such entry, crossing, attempted entry, or attempted crossing; or

''(2) twice the amount specified in paragraph (1) if the alien had previously been subject to a civil penalty under this subsection.

''(c) FRAUDULENT MARRIAGE.—An individual who knowingly enters into a marriage for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined not more than $250,000, or both.

''(d) COMMERCIAL ENTERPRISES.—Any individual who knowingly establishes a commercial enterprise for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined in accordance with title 18, United States Code, or both.''.

(b) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 275 and inserting the following:

''Sec. 275. Illegal entry.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

SEC. 3705. REENTRY OF REMOVED ALIEN.

Section 276 (8 U.S.C. 1326) is amended to read as follows:

''SEC. 276. REENTRY OF REMOVED ALIEN.

''(a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 2 years, or both.

''(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection—

''(1) was convicted for 3 or more misdemeanors before such removal or departure, the alien shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

''(2) was convicted for an aggravated felony before such removal or departure, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(3) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(4) was convicted for 3 felonies before such removal or departure, the alien shall be fined under such title, imprisoned not more than 20 years, or both, unless the Attorney General expressly consents to the entry or reentry, as the case may be, of the alien; or

''(5) was convicted, before such removal or departure, for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, the alien shall be fined under such title, imprisoned not more than 20 years, or both.

''(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, or deported and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both, unless the Attorney General expressly consents to the entry or reentry, as the case may be, of the alien.

''(d) PROOF OF PRIOR CONVICTIONS.—The prior convictions described in subsection (b) are elements of the offenses described in that subsection, and the penalties in such subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(1) alleged in the indictment or information; and

''(2) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

''(e) AFFIRMATIVE DEFENSES.—It shall be an affirmative defense to a violation of this section that—

''(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

''(2) at the time of the prior exclusion, deportation, removal, or denial of admission alleged in the violation, the alien had not yet reached 18 years of age and had not been convicted of a crime or adjudicated a delinquent minor by a court of the United States, or a court of a state or territory, for conduct that would constitute a felony if committed by an adult.

''(f) LIMITATION ON COLLATERAL ATTACK ON UNDERLYING DEPORTATION ORDER.—In a criminal proceeding under this section, an alien may not challenge the validity of the deportation order described in subsection (a) or subsection (c) unless the alien demonstrates that—

''(1) the alien exhausted any administrative remedies that may have been available to seek relief against the order;

''(2) the deportation proceedings at which the order was issued improperly deprived the alien of the opportunity for judicial review; and

''(3) the entry of the order was fundamentally unfair.

''(g) REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Any alien removed pursuant to section 241(a)(4) who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release. Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

''(h) LIMITATION.—It is not aiding and abetting a violation of this section for an individual to provide an alien with emergency medical care and food or to transport the alien to a location where such medical care or food can be provided without compensation or the expectation of compensation.

''(i) DEFINITIONS.—In this section:

''(1) FELONY.—The term 'felony' means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

''(2) MISDEMEANOR.—The term 'misdemeanor' means any criminal offense punishable by a term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

''(3) REMOVAL.—The term 'removal' includes any denial of admission, exclusion, deportation, or removal, or any agreement by which an alien stipulates or agrees to exclusion, deportation, or removal.

''(4) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

SEC. 3706. PENALTIES RELATED TO REMOVAL.

(a) PENALTIES RELATING TO VESSELS AND AIRCRAFT.—Section 243(c) (8 U.S.C. 1253(c)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(2) by striking ''Commissioner'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(3) in paragraph (1)—

(A) in subparagraph (A), by striking ''$2,000'' and inserting ''$5,000'';

(B) in subparagraph (B), by striking ''$5,000'' and inserting ''$10,000''; and

(C) by inserting at the end the following:

''(D) EXCEPTION.—A person, acting without compensation or the expectation of compensation, is not subject to penalties under this paragraph if the person is—

''(i) providing, or attempting to provide, an alien with emergency medical care or food or water; or

''(ii) transporting the alien to a location where such medical care, food, or water can be provided without compensation or the expectation of compensation.''.

(b) DISCONTINUATION OF VISAS TO NATIONALS OF COUNTRIES DENYING OR DELAYING ACCEPTING ALIEN.—Section 243(d) (8 U.S.C. 1253(d)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(2) by striking ''notifies the Secretary'' and inserting ''notifies the Secretary of State''.

SEC. 3707. REFORM OF PASSPORT, VISA, AND IMMIGRATION FRAUD OFFENSES.

(a) TRAFFICKING IN PASSPORTS.—Section 1541 of title 18, United States Code, is amended to read as follows:

''§ 1541. Issuance of passports without authority

''(a) IN GENERA.—Subject to subsection (b), any person who knowingly—

''(1) and without lawful authority produces, issues, or transfers a passport;

''(2) forges, counterfeits, alters, or falsely makes a passport;

''(3) secures, possesses, uses, receives, buys, sells, or distributes a passport, knowing the passport to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority; or

''(4) completes, mails, prepares, presents, signs, or submits an application for a United States passport, knowing the application to contain any materially false statement or representation,

shall be fined under this title, imprisoned not more than 20 years, or both.

''(b) USE IN A TERRORISM OFFENSE.—Any person who commits an offense described in subsection (a) to facilitate an act of international terrorism (as defined in section 2331) shall be fined under this title, imprisoned not more than 25 years, or both.

''(c) PASSPORT MATERIALS.—Any person who knowingly and without lawful authority produces, buys, sells, possesses, or uses any official material (or counterfeit of any official material) to make a passport, including any distinctive paper, seal, hologram, image, text, symbol, stamp, engraving, or plate, shall be fined under this title, imprisoned not more than 20 years, or both.''.

(b) FALSE STATEMENT IN AN APPLICATION FOR A PASSPORTS.—Section 1542 of title 18, United States Code, is amended to read as follows:

''§ 1542. False statement in an application for a passport

''(a) IN GENERAL.—Any person who—

''(1) knowingly makes any false statement or representation in an application for a United States passport, or mails, prepares, presents, or signs an application for a United States passport knowing the application to contain any false statement or representation and with intent to induce or secure the issuance of a passport under the authority of the United States, either for the person's own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

''(2) knowingly uses or attempts to use, or furnishes to another for use, any passport the issuance of which was secured in any way by reason of any false statement,

shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), or 15 years (in the case of any other offense), or both.

''(b) VENUE.—

''(1) IN GENERAL.—An offense under subsection (a) may be prosecuted in any district—

''(A) in which the false statement or representation was made or the application for a United States passport was prepared or signed; or

''(B) in which or to which the application was mailed or presented.

''(2) OFFENSES OUTSIDE THE UNITED STATES.—An offense under subsection (a) involving an application prepared and adjudicated outside the United States may be prosecuted in the district in which the resultant passport was or would have been produced.

''(c) SAVINGS CLAUSE.—Nothing in this section may be construed to limit the venue otherwise available under sections 3237 and 3238 of this title.''.

(c) MISUSE OF A PASSPORT.—Section 1544 of title 18, United States Code, is amended to read as follows:

''§ 1544. Misuse of a passport

''Any person who knowingly—

''(1) uses or attempts to use any passport issued or designed for the use of another;

''(2) uses or attempts to use any passport in violation of the conditions and restrictions specified in the passport or any rules or regulations prescribed pursuant to the laws regulating the issuance of passports; or

''(3) secures, possesses, uses, receives, buys, sells, or distributes any passport knowing the passport to be forged, counterfeited, altered, falsely made, procured by fraud, or produced or issued without lawful authority,

shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)) or 15 years (in the case of any other offense), or both.''.

(d) SCHEMES TO PROVIDE FRAUDULENT IMMIGRATION SERVICES.—Section 1545 of title 18, United States Code, is amended to read as follows:

''§ 1545. Schemes to provide fraudulent immigration services

''(a) IN GENERAL.—Any person who knowingly executes a scheme or artifice, in connection with any matter that is authorized by or arises under any Federal immigration law or any matter the offender claims or represents is authorized by or arises under any Federal immigration law, to—

''(1) defraud any person; or

''(2) obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, or promises,

shall be fined under this title, imprisoned not more than 10 years, or both.

''(b) MISREPRESENTATION.—Any person who knowingly and falsely represents that such person is an attorney or an accredited representative (as that term is defined in section 1292.1 of title 8, Code of Federal Regulations (or any successor regulation)) in any matter arising under any Federal immigration law shall be fined under this title, imprisoned not more than 15 years, or both.''.

(e) IMMIGRATION AND VISA FRAUD.—Section 1546 of title 18, United States Code, is amended by amending the section heading to read as follows:

''§ 1546. Immigration and visa fraud''.

(f) ALTERNATIVE IMPRISONMENT MAXIMUM FOR CERTAIN OFFENSES.—Section 1547 of title 18, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''(other than an offense under section 1545)'';

(2) in paragraph (1), by striking ''15'' and inserting ''20''; and

(3) in paragraph (2), by striking ''20'' and inserting ''25''.

(g) AUTHORIZED LAW ENFORCEMENT ACTIVITIES.—Chapter 75 of title 18, United States Code, is amended by adding after section 1547 the following:

''§ 1548. Authorized law enforcement activities

''Nothing in this chapter may be construed to prohibit—

''(1) any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or an intelligence agency of the United States; or

''(2) any activity authorized under title V of the Organized Crime Control Act of 1970 (Public Law 91–452; 84 Stat. 933).''.

(h) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 75 of title 18, United States Code, is amended to read as follows:

''Sec.
''1541. Trafficking in passports.
''1542. False statement in an application for a passport.
''1543. Forgery or false use of a passport.
''1544. Misuse of a passport.
''1545. Schemes to provide fraudulent immigration services.
''1546. Immigration and visa fraud.
''1547. Alternative imprisonment maximum for certain offenses.
''1548. Authorized law enforcement activities.''.

SA 1302. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1572, beginning on line 23, strike ''abandonment, provided the alien served at least 1 year imprisonment for the crime, or provided the alien was convicted of offenses constituting more than 1 such crime, not arising out of a single scheme of criminal misconduct,'' and insert ''abandonment''.

On page 1574, lines 9 and 10, strike ''constitutes criminal contempt of'' and insert ''violates''.

SA 1303. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3717, relating to procedures for bond hearings and filing of notices to appear.

SA 1304. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1490, strike line 8 and all that follows through ''(d)'' on page 1491, line 4, and insert the following:

(a) IMMIGRATION COURT JUDGES.—The Attorney General may increase the total number of immigration judges to adjudicate current pending cases and process future cases, in a cost-effective manner, to the extent that such increase is consistent with the findings in the report prepared by the Comptroller General of the United States pursuant to subsection (d).

(b) NECESSARY SUPPORT STAFF FOR IMMIGRATION COURT JUDGES.—The Attorney General may address the shortage of support staff for immigration judges by ensuring that each immigration judge has the assistance of the necessary support staff to the extent recommended in the report prepared by the Comptroller General of the United States pursuant to subsection (d).

(c) ANNUAL INCREASES IN BOARD OF IMMIGRATION APPEALS PERSONNEL.—The Attorney General may increase the number of Board of Immigration Appeals staff attorneys and support staff to the extent that such increase is consistent with the findings in the report prepared by the Comptroller General of the United States pursuant to subsection (d).

(d) STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study of—

(A) the workload at the Executive Office for Immigration Review of the Department of Justice (referred to in this paragraph as the ''EOIR'') during the 1-year period beginning on the date of the enactment of this Act;

(B) the change in the workload at the EOIR from the 1-year period ending on the date of the enactment of this Act to the period described in subparagraph (A);

(C) the potential impact of this Act on the workload at the EOIR during the 15-year period beginning on the date of the enactment of this Act; and

(D) the number of judges, attorneys, and support staff needed at the EOIR to cost-effectively manage the workload described in subparagraph (A).

(2) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the results of the study conducted under paragraph (1), including any staffing recommendations.

(e)

SA 1305. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1498, line 3, strike ''a 3-judge panel of''.

On page 1498, beginning on line 14, strike ''a written opinion.'' and all that follows through ''discretion.'' on line 21, and insert ''an opinion.''.

SA 1306. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1491, strike line 11 and all that follows through ''(d)'' on page 1494, line 18, and insert the following:

(a) APPOINTMENT OF COUNSEL FOR UNACCOMPANIED ALIEN CHILDREN AND ALIENS WITH A SERIOUS MENTAL DISABILITY.—Section 292 (8 U.S.C. 1362) is amended by adding at the end the following: ''The Attorney General may appoint counsel to represent an alien in a removal proceeding who has been determined by the Secretary to be an unaccompanied alien child or is incompetent to represent himself or herself due to a serious mental disability such that the appointment of counsel is necessary to help ensure fair resolution and efficient adjudication of the proceedings.''.

(b)

SA 1307. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1494, strike line 23 and all that follows through page 1496, line 25.

SA 1308. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. VIRGIN ISLANDS VISA WAIVER PROGRAM.

(a) IN GENERAL.—Section 212(l) of the Immigration and Nationality Act (8 U.S.C. 1182(l)) is amended—

(1) by amending the subsection heading to read as follows: ''GUAM, NORTHERN MARIANA ISLANDS, AND VIRGIN ISLANDS VISA WAIVER PROGRAMS.—''; and

(2) by adding at the end the following:

''(7) VIRGIN ISLANDS VISA WAIVER PROGRAM.—

''(A) IN GENERAL.—The requirement of subsection (a)(7)(B)(i) may be waived by the Secretary of Homeland Security, in the case of an alien who is a national of a country described in subparagraph (B) and who is applying for admission as a nonimmigrant visitor for business or pleasure and solely for entry into and stay in the United States Virgin Islands for a period not to exceed 30 days, if the Secretary of Homeland Security, after consultation with the Secretary of the Interior, the Secretary of State, the Governor of the United States Virgin Islands, determines that such a waiver does not represent a threat to the welfare, safety, or security of the United States or its territories and commonwealths.

''(B) COUNTRIES.—A country described in this subparagraph is a country that—

''(i) is a member or an associate member of the Caribbean Community (CARICOM); and

''(ii) is listed in the regulations described in subparagraph (D).

''(C) ALIEN WAIVER OF RIGHTS.—An alien may not be provided a waiver under this paragraph unless the alien has waived any right—

''(i) to review or appeal under this Act an immigration officer's determination as to the admissibility of the alien at the port of entry into the United States Virgin Islands; or

''(ii) to contest, other than on the basis of an application for withholding of removal under section 241(b)(3) of this Act or under the Convention Against Torture, or an application for asylum if permitted under section 208, any action for removal of the alien.

''(D) REGULATIONS.—All necessary regulations to implement this paragraph shall be promulgated by the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, on or before the date that is 1 year after the date of enactment of the Virgin Islands Visa Waiver Act of 2013. The promulgation of such regulations shall be considered a foreign affairs function for purposes of section 553(a) of title 5, United States Code. At a minimum, such regulations should include, but not necessarily be limited to—

''(i) a listing of all member or associate member countries of the Caribbean Community (CARICOM) whose nationals may obtain, on a country by country basis, the waiver provided by this paragraph, except that such regulations shall not provide for a listing of any country if the Secretary of Homeland Security determines that such country's inclusion on such list would represent a threat to the welfare, safety, or security of the United States or its territories and commonwealths; and

''(ii) any bonding requirements for nationals of some or all of those countries who may present an increased risk of overstays or other potential problems, if different from such requirements otherwise provided by law for nonimmigrant visitors.

''(E) FACTORS.—In determining whether to grant or continue providing the waiver under this paragraph to nationals of any country, the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, shall consider all factors that the Secretary deems relevant, including electronic travel authorizations, procedures for reporting lost and stolen passports, repatriation of aliens, rates of refusal for nonimmigrant visitor visas, overstays, exit systems, and information exchange.

''(F) SUSPENSION.—The Secretary of Homeland Security shall monitor the admission of nonimmigrant visitors to the United States Virgin Islands under this paragraph. If the Secretary determines that such admissions have resulted in an unacceptable number of visitors from a country remaining unlawfully in the United States Virgin Islands, unlawfully obtaining entry to other parts of the United States, or seeking withholding of removal or asylum, or that visitors from a country pose a risk to law enforcement or security interests of the United States Virgin Islands or of the United States (including the interest in the enforcement of the immigration laws of the United States), the Secretary shall suspend the admission of nationals of such country under this paragraph. The Secretary of Homeland Security may in the Secretary's discretion suspend the United States Virgin Islands visa waiver program at any time, on a country-by-country basis, for other good cause.

''(G) ADDITION OF COUNTRIES.—The Governor of the United States Virgin Islands may request the Secretary of the Interior and the Secretary of Homeland Security to add a particular country to the list of countries whose nationals may obtain the waiver provided by this paragraph, and the Secretary of Homeland Security may grant such request after consultation with the Secretary of the Interior and the Secretary of State, and may promulgate regulations with respect to the inclusion of that country and any special requirements the Secretary of Homeland Security, in the Secretary's sole discretion, may impose prior to allowing nationals of that country to obtain the waiver provided by this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) DOCUMENTATION REQUIREMENTS.—Section 212(a)(7)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(7)(iii)) is amended to read as follows:

''(iii) SPECIAL VISA WAIVER PROGRAMS.—For a provision authorizing waiver of clause (i) in the case of visitors to Guam, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands, see subsection (l).''.

(2) ADMISSION OF NONIMMIGRANTS.—Section 214(a)(1) of such Act (8 U.S.C. 1184(a)(1)) is amended by inserting before the final sentence the following: ''No alien admitted to the United States Virgin Islands without a visa pursuant to section 212(l)(7) may be authorized to enter or stay in the United States other than in United States Virgin Islands or to remain in the United States Virgin Islands for a period exceeding 30 days from date of admission to the United States Virgin Islands.''.

SA 1309. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1740, between lines 14 and 15, insert the following:

(c) ARTISTS PERFORMING SPECIALIZED OR UNIQUE SKILLS IN SUPPORT OF AMERICAN CREATIVE INDUSTRIES.—Section 101(a)(15)(P) (8 U.S.C. 1101(a)(15)(P)) is amended—

(1) in clause (iii), by striking ''or'' at the end;

(2) by redesignating clause (iv) as clause (v);

(3) by inserting after clause (iii) the following:

''(iv) performs work that requires the attainment of specialized or unique skills within the arts or creative industries to be performed solely for an American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the United States, which shall include the production or distribution of the arts for international display or distribution, including motion pictures or television productions; or''; and

(4) in clause (v) (as so redesignated) by striking ''or (iii)'' and inserting ''(iii), or (iv)''.

(d) EMPLOYMENT AUTHORIZATION FOR SPOUSES.—Section 214(e)(6) (42 U.S.C. 1184(e)(6)) is amended by inserting ''101(a)(15)(O), or 101(a)(15)(P)'' after ''101(a)(15)(E),''.

SA 1310. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1207, line 24, insert after ''equivalent'' the following: '', or who are required to submit health-care worker certificates pursuant to section 212(a)(5)(C) or certified statements pursuant to section 212(r),''.

On page 1824, between lines 14 and 15, insert the following:

''(iii) CERTIFIED HEALTH-CARE WORKERS.—An occupation for which an alien is required to have a health-care worker certificate pursuant to section 212(a)(5)(C) or certified statement pursuant to section 212(r) may not be an eligible occupation.

SA 1311. Mr. BROWN (for himself, Mr. GRASSLEY, Mr. MANCHIN, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1679, strike lines 12 through 17 and insert the following:

''(iii) has offered the job to any United States worker who applies and is equally or better qualified for the job for which the nonimmigrant or nonimmigrants is or are sought.''.

SA 1312. Mr. SANDERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1920, after line 13, add the following:

TITLE V—JOBS FOR YOUTH

SEC. 5101. DEFINITIONS.

In this title:

(1) CHIEF ELECTED OFFICIAL.—The term ''chief elected official'' means the chief elected executive officer of a unit of local government in a local workforce investment area or in the case in which such an area includes more than one unit of general government, the individuals designated under an agreement described in section 117(c)(1)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2832(c)(1)(B)).

(2) LOCAL WORKFORCE INVESTMENT AREA.—The term ''local workforce investment area'' means such area designated under section 116 of the Workforce Investment Act of 1998 (29 U.S.C. 2831).

(3) LOCAL WORKFORCE INVESTMENT BOARD.—The term ''local workforce investment board'' means such board established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832).

(4) LOW-INCOME YOUTH.—The term ''low-income youth'' means an individual who—

(A) is not younger than 16 but is younger than 25;

(B) meets the definition of a low-income individual provided in section 101(25) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(25)), except that States and local workforce investment areas, subject to approval in the applicable State plans and local plans, may increase the income level specified in subparagraph (B)(i) of such section to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 5103; and

(C) is in one or more of the categories specified in section 101(13)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(13)(C)).

(5) POVERTY LINE.—The term ''poverty line'' means a poverty line as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), applicable to a family of the size involved.

(6) STATE.—The term ''State'' means each of the several States of the United States, and the District of Columbia.

SEC. 5102. ESTABLISHMENT OF YOUTH JOBS FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account that shall be known as the Youth Jobs Fund (referred to in this title as ''the Fund'').

(b) DEPOSITS INTO THE FUND.—Out of any amounts in the Treasury not otherwise appropriated, there is appropriated $1,500,000,000 for fiscal year 2014, which shall be paid to the Fund, to be used by the Secretary of Labor to carry out this title.

(c) AVAILABILITY OF FUNDS.—Of the amounts deposited into the Fund under subsection (b), the Secretary of Labor shall allocate $1,500,000,000 to provide summer and year-round employment opportunities to low-income youth in accordance with section 5103 .

(d) PERIOD OF AVAILABILITY.—The amounts appropriated under this title shall be available for obligation by the Secretary of Labor until December 31, 2014, and shall be available for expenditure by grantees (including subgrantees) until September 30, 2015.

SEC. 5103. SUMMER EMPLOYMENT AND YEAR-ROUND EMPLOYMENT OPPORTUNITIES FOR LOW-INCOME YOUTH.

(a) IN GENERAL.—From the funds available under section 5102(c), the Secretary of Labor shall make an allotment under subsection (c) to each State that has a modification to a State plan approved under section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822) (referred to in this section as a ''State plan modification'') (or other State request for funds specified in guidance under subsection (b)) approved under subsection (d) and recipient under section 166(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2911(c)) (referred to in this section as a ''Native American grantee'') that meets the requirements of this section, for the purpose of providing summer employment and year-round employment opportunities to low-income youth.

(b) GUIDANCE AND APPLICATION OF REQUIREMENTS.—

(1) GUIDANCE.—Not later than 20 days after the date of enactment of this Act, the Secretary of Labor shall issue guidance regarding the implementation of this section.

(2) PROCEDURES.—Such guidance shall, consistent with this section, include procedures for—

(A) the submission and approval of State plan modifications, for such other forms of requests for funds by the State as may be identified in such guidance, for modifications to local plans approved under section 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2833) (referred to individually in this section as a ''local plan modification''), or for such other forms of requests for funds by local workforce investment areas as may be identified in such guidance, that promote the expeditious and effective implementation of the activities authorized under this section; and

(B) the allotment and allocation of funds, including reallotment and reallocation of such funds, that promote such implementation.

(3) REQUIREMENTS.—Except as otherwise provided in the guidance described in paragraph (1) and in this section and other provisions of this title, the funds provided for activities under this section shall be administered in accordance with the provisions of subtitles B and E of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq., 2911 et seq.) relating to youth activities.

(c) STATE ALLOTMENTS.—

(1) IN GENERAL.—Using the funds described in subsection (a), the Secretary of Labor shall allot to each State the total of the amounts assigned to the State under subparagraphs (A) and (B) of paragraph (2).

(2) ASSIGNMENTS TO STATES.—

(A) MINIMUM AMOUNTS.—Using funds described in subsection (a), the Secretary of Labor shall assign to each State an amount equal to ½ of 1 percent of such funds.

(B) FORMULA AMOUNTS.—The Secretary of Labor shall assign the remainder of the funds described in subsection (a) among the States by assigning—

(i) 33⅓ percent on the basis of the relative number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in each State, compared to the total number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in all States;

(ii) 33⅓ percent on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States; and

(iii) 33⅓ on the basis of the relative number of disadvantaged young adults and youth in each State, compared to the total number of disadvantaged young adults and youth in all States.

(3) REALLOTMENT.—If the Governor of a State does not submit a State plan modification or other State request for funds specified in guidance under subsection (b) by the date specified in subsection (d)(2)(A), or a State does not receive approval of such State plan modification or request, the amount the State would have been eligible to receive pursuant to paragraph (1) shall be allocated to States that receive approval of State plan modifications or requests specified in the guidance. Each such State shall receive a share of the total amount available for reallotment under this paragraph, in accordance with the State's share of the total amount allotted under paragraph (1) to such State.

(4) DEFINITIONS.—For purposes of paragraph (2), the term ''disadvantaged young adult or youth'' means an individual who is not younger than 16 but is younger than 25 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(A) the poverty line; or

(B) 70 percent of the lower living standard income level.

(d) STATE PLAN MODIFICATION.—

(1) IN GENERAL.—For a State to be eligible to receive an allotment of funds under subsection (c), the Governor of the State shall submit to the Secretary of Labor a State plan modification, or other State request for funds specified in guidance under subsection (b), in such form and containing such information as the Secretary may require. At a minimum, such State plan modification or request shall include—

(A) a description of the strategies and activities to be carried out to provide summer employment opportunities and year-round employment opportunities, including linkages to training and educational activities, consistent with subsection (f);

(B) a description of the requirements the State will apply relating to the eligibility of low-income youth, consistent with section 5101(4), for summer employment opportunities and year-round employment opportunities, which requirements may include criteria to target assistance to particular categories of such low-income youth, such as youth with disabilities, consistent with subsection (f);

(C) a description of the performance outcomes to be achieved by the State through the activities carried out under this section and the processes the State will use to track performance, consistent with guidance provided by the Secretary of Labor regarding such outcomes and processes and with section 5104(b);

(D) a description of the timelines for implementation of the strategies and activities described in subparagraph (A), and the number of low-income youth expected to be placed in summer employment opportunities, and year-round employment opportunities, respectively, by quarter;

(E) assurances that the State will report such information, relating to fiscal, performance, and other matters, as the Secretary may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section;

(F) assurances that the State will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 5104(a); and

(G) if a local board and chief elected official in the State will provide employment opportunities with the link to training and educational activities described in subsection (f)(2)(B), a description of how the training and educational activities will lead to the industry-recognized credential involved.

(2) SUBMISSION AND APPROVAL OF STATE PLAN MODIFICATION OR REQUEST.—

(A) SUBMISSION.—The Governor shall submit the State plan modification or other State request for funds specified in guidance under subsection (b) to the Secretary of Labor not later than 30 days after the issuance of such guidance.

(B) APPROVAL.—The Secretary of Labor shall approve the State plan modification or request submitted under subparagraph (A) within 30 days after submission, unless the Secretary determines that the plan or request is inconsistent with the requirements of this section. If the Secretary has not made a determination within that 30-day period, the plan or request shall be considered to be approved. If the plan or request is disapproved, the Secretary may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Secretary shall allot funds to the State under subsection (c) within 30 days after such approval.

(3) MODIFICATIONS TO STATE PLAN OR REQUEST.—The Governor may submit further modifications to a State plan modification or other State request for funds specified under subsection (b), consistent with the requirements of this section.

(e) WITHIN-STATE ALLOCATION AND ADMINISTRATION.—

(1) IN GENERAL.—Of the funds allotted to the State under subsection (c), the Governor—

(A) may reserve not more than 5 percent of the funds for administration and technical assistance; and

(B) shall allocate the remainder of the funds among local workforce investment areas within the State in accordance with clauses (i) through (iii) of subsection (c)(2)(B), except that for purposes of such allocation references to a State in subsection (c)(2)(B) shall be deemed to be references to a local workforce investment area and references to all States shall be deemed to be references to all local workforce investment areas in the State involved.

(2) LOCAL PLAN.—

(A) SUBMISSION.—In order to receive an allocation under paragraph (1)(B), the local workforce investment board, in partnership with the chief elected official for the local workforce investment area involved, shall submit to the Governor a local plan modification, or such other request for funds by local workforce investment areas as may be specified in guidance under subsection (b), not later than 30 days after the submission by the State of the State plan modification or other State request for funds specified in guidance under subsection (b), describing the strategies and activities to be carried out under this section.

(B) APPROVAL.—The Governor shall approve the local plan modification or other local request for funds submitted under subparagraph (A) within 30 days after submission, unless the Governor determines that the plan or request is inconsistent with requirements of this section. If the Governor has not made a determination within that 30-day period, the plan shall be considered to be approved. If the plan or request is disapproved, the Governor may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Governor shall allocate funds to the local workforce investment area within 30 days after such approval.

(3) REALLOCATION.—If a local workforce investment board and chief elected official do not submit a local plan modification (or other local request for funds specified in guidance under subsection (b)) by the date specified in paragraph (2), or the Governor disapproves a local plan, the amount the local workforce investment area would have been eligible to receive pursuant to the formula under paragraph (1)(B) shall be allocated to local workforce investment areas that receive approval of their local plan modifications or local requests for funds under paragraph (2). Each such local workforce investment area shall receive a share of the total amount available for reallocation under this paragraph, in accordance with the area's share of the total amount allocated under paragraph (1)(B) to such local workforce investment areas.

(f) USE OF FUNDS.—

(1) IN GENERAL.—The funds made available under this section shall be used—

(A) to provide summer employment opportunities for low-income youth, with direct linkages to academic and occupational learning, and may be used to provide supportive services, such as transportation or

child care, that is necessary to enable the participation of such youth in the opportunities; and

(B) to provide year-round employment opportunities, which may be combined with other activities authorized under section 129 of the Workforce Investment Act of 1998 (29 U.S.C. 2854), to low-income youth.

(2) PROGRAM PRIORITIES.—In administering the funds under this section, the local board and chief elected official shall give priority to—

(A) identifying employment opportunities that are—

(i) in emerging or in-demand occupations in the local workforce investment area; or

(ii) in the public or nonprofit sector and meet community needs; and

(B) linking participants in year-round employment opportunities to training and educational activities that will provide such participants an industry-recognized certificate or credential (referred to in this title as an ''industry-recognized credential'').

(3) ADMINISTRATION.—Not more than 5 percent of the funds allocated to a local workforce investment area under this section may be used for the costs of administration of this section.

(4) PERFORMANCE ACCOUNTABILITY.—For activities funded under this section, in lieu of meeting the requirements described in section 136 of the Workforce Investment Act of 1998 (29 U.S.C. 2871), States and local workforce investment areas shall provide such reports as the Secretary of Labor may require regarding the performance outcomes described in section 5104(b)(5).

SEC. 5104. GENERAL REQUIREMENTS.

(a) LABOR STANDARDS AND PROTECTIONS.—Activities provided with funds made available under this title shall be subject to the requirements and restrictions, including the labor standards, described in section 181 of the Workforce Investment Act of 1998 (29 U.S.C. 2931) and the nondiscrimination provisions of section 188 of such Act (29 U.S.C. 2938), in addition to other applicable Federal laws.

(b) REPORTING.—The Secretary of Labor may require the reporting of information relating to fiscal, performance and other matters that the Secretary determines is necessary to effectively monitor the activities carried out with funds provided under this title. At a minimum, recipients of grants (including recipients of subgrants) under this title shall provide information relating to—

(1) the number of individuals participating in activities with funds provided under this title and the number of such individuals who have completed such participation;

(2) the expenditures of funds provided under this title;

(3) the number of jobs created pursuant to the activities carried out under this title;

(4) the demographic characteristics of individuals participating in activities under this title; and

(5) the performance outcomes for individuals participating in activities under this title, including—

(A) for low-income youth participating in summer employment activities under section 5103, performance on indicators consisting of—

(i) work readiness skill attainment using an employer validated checklist;

(ii) placement in or return to secondary or postsecondary education or training, or entry into unsubsidized employment; and

(B) for low-income youth participating in year-round employment activities under section 5103, performance on indicators consisting of—

(i) placement in or return to postsecondary education;

(ii) attainment of a secondary school diploma or its recognized equivalent;

(iii) attainment of an industry-recognized credential; and

(iv) entry into, retention in, and earnings in, unsubsidized employment.

(c) ACTIVITIES REQUIRED TO BE ADDITIONAL.—Funds provided under this title shall only be used for activities that are in addition to activities that would otherwise be available in the State or local workforce investment area in the absence of such funds.

(d) ADDITIONAL REQUIREMENTS.—The Secretary of Labor may establish such additional requirements as the Secretary determines may be necessary to ensure fiscal integrity, effective monitoring, and the appropriate and prompt implementation of the activities under this title.

(e) REPORT OF INFORMATION AND EVALUATIONS TO CONGRESS AND THE PUBLIC.—The Secretary of Labor shall provide to the appropriate committees of Congress and make available to the public the information reported pursuant to subsection (b).

SEC. 5105. VISA SURCHARGE.

(a) COLLECTION.—

(1) IN GENERAL.—Subject to paragraph (2), and in addition to any fees otherwise imposed for such visas, the Secretary shall collect a surcharge of $10 from an employer that submits an application for—

(A) an employment-based visa under paragraph (3), (4), (5), or (6) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)); and

(B) a nonimmigrant visa under subparagraph (C), (H)(i)(b), (H)(i)(c), (H)(ii)(a), (H)(ii)(B), (O), (P), (R), or (W) of section 101(a)(15) of such Act (8 U.S.C. 1101(a)(15)).

(2) EXPIRATION.—The Secretary shall suspend the collection of the surcharge authorized under paragraph (1) on the date on which the Secretary has collected a cumulative total of $1,500,000,000 under this subsection.

(b) DEPOSIT.—All of the amounts collected under subsection (a)(1) shall be deposited in the general fund of the Treasury.

SA 1313. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1743, strike lines 1 through 4, and insert the following:

SEC. 44081. J VISA ELIGIBILITY.

(a) SPEAKERS OF CERTAIN FOREIGN LANGUAGES.—Section 101(a)(15)(J) (8 U.S.C. 1101(a)(15)(J)) is amended to read as follows:

On page 1744, between lines 16 and 17, insert the following:

(c) REFORM OF SUMMER WORK TRAVEL PROGRAM.—

(1) PROHIBITION ON EMPLOYMENT.—Notwithstanding any other provision of law or regulation, including section 62.32 of title 22, Code of Federal Regulations, the Secretary of State may not implement the Summer Work Travel program described in such section 62.32 in a manner that permits an alien who is admitted under section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), as amended by subsection (a), as part of a cultural exchange to be employed in the United States.

(2) REGULATIONS.—The Secretary of State shall issue regulations that modify the Summer Work Travel program so that such program—

(A) permits cultural exchanges as described in such section 62.32; and

(B) does not permit participants to be employed in the United States.

SA 1314. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REQUIREMENTS TO ENSURE LEGAL VOTING.

(a) SHORT TITLE.—This section may be cited as the ''Secure the Vote Act of 2013''.

(b) RESTRICTIONS.—

(1) AFFIDAVIT REQUIRED.—Any individual in registered provisional immigrant status, blue card status, asylum status, refugee status, legal permanent resident status, or any other permanent or temporary visa status who intends to remain in the United States in such status for longer than 6 months shall submit to the Secretary, during the period specified by the Secretary, a signed affidavit that states that the alien—

(A) has not cast a ballot in any Federal election in the United States; and

(B) will not register to vote, or cast a ballot, in any Federal election in the United States while in such status.

(2) PENALTY.—If an alien described in paragraph (1) fails to timely submit the affidavit described in paragraph (1) or violates any term of such affidavit—

(A) the Secretary shall immediately—

(i) revoke the legal status of such alien; and

(ii) deport the alien to the country from which he or she originated; and

(B) the alien will be permanently ineligible for United States citizenship.

(3) BARS TO LEGAL STATUS.—Any individual in registered provisional immigrant status, blue card status, asylum status, refugee status, legal permanent resident status, or any other permanent or temporary visa status who illegally registers to vote or who votes in any Federal election after receiving such status or visa—

(A) shall not be eligible to apply for permanent residence or citizenship; and

(B) if such individual has already been granted permanent residence, shall lose such status and be subject to deportation pursuant to section 237(a)(6) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(6)).

(c) RESPONSIBILITIES OF THE SECRETARY OF HOMELAND SECURITY.—

(1) ELIGIBILITY DETERMINATION.—In determining whether an individual described in subsection (a)(1) is eligible for legal status, including naturalization, under the Immigration and Nationality Act, the Secretary shall verify that the alien has not registered to vote, or cast a ballot, in a Federal election in the United States.

(2) VERIFICATION OF CITIZENSHIP.—The Secretary shall provide the election director of each State, and such local election officials as may be designated by such State directors, with access to relevant databases containing information about aliens who have been granted registered provisional immigrant status, asylum, refugee status, blue card status, and any other permanent or temporary visa status authorized under this Act or the Immigration and Nationality Act, for the sole purpose of verifying the citizenship status of registered voters and all individuals applying to register to vote.

(3) ANNUAL REPORT.—The Secretary shall submit an annual report to Congress that identifies all jurisdictions in the United States that have registered individuals who are not United States citizens to vote in a Federal election.

(d) RESPONSIBILITIES OF STATES.—

(1) PROOF OF CITIZENSHIP.—Notwithstanding the Voting Rights Act of 1965 (42

U.S.C. 1973 et seq.), the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), and any other Federal law, all States and local governments—

(A) shall require individuals registering to vote in Federal elections to provide adequate proof of citizenship;

(B) may not accept an affirmation of citizenship as adequate proof of citizenship for voter registration purposes; and

(C) may require identification information from all such voter registration applicants.

(2) COOPERATION WITH DEPARTMENT OF HOMELAND SECURITY.—All States and local governments shall provide the Department with the registration and voting history of any alien seeking registered provisional status, naturalization, or any other immigration benefit, upon the request of the Secretary.

(3) CONSEQUENCE OF NONCOMPLIANCE.—

(A) FIRST YEAR.—If any State is not in compliance with the proof of citizenship requirements set forth in paragraph (1) on or before the date that is 1 year after the date of the enactment of this Act, the Secretary of Transportation shall reduce the apportionment calculated under section 104(c) of title 23, United States Code, for that State for the following fiscal year by 10 percent.

(B) SUBSEQUENT YEARS.—For each subsequent year in which any State is not in compliance with the proof of citizenship requirements set forth in paragraph (1), the Secretary of Transportation shall reduce the apportionment calculated under section 104(c) of title 23, United States Code, for that State for the following fiscal year by an additional 10 percent.

SA 1315. Mr. KING (for Mr. GRASSLEY) proposed an amendment to the bill S. 330, to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV); as follows:

Strike section 3 and insert the following:

SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.

Section 1122(a) of title 18, United States Code, is amended by inserting ''or in accordance with all applicable guidelines and regulations made by the Secretary of Health and Human Services under section 377E of the Public Health Service Act'' after ''research or testing''.

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, I would like to announce that the Committee on Small Business and Entrepreneurship will meet on June 17, 2013, at 5:30 p.m. in the Mansfield Room of the Capitol (S–207) to hold a markup on Committee legislation.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, I would like to announce that the Committee on Small Business and Entrepreneurship will meet on Thursday, June 20, 2013, at 10 a.m. in room 428A Russell Senate Office building to hold a roundtable entitled ''Sequestration: Small Business Contractors Weathering the Storm in a Climate of Fiscal Uncertainty.''

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 17, 2013, at 5:30 p.m. in the Mansfield Room, S–207 of the Capitol.

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

HIV ORGAN POLICY EQUITY ACT

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 75, S. 330.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 330) to amend the Public Health Service Act to establish safeguards and standards for research and transplantation of organs infected with human immunodeficiency virus (HIV).

There being no objection, the Senate proceeded to consider the bill (S. 330) to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV), which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''HIV Organ Policy Equity Act''.

SEC. 2. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) STANDARDS OF QUALITY FOR THE ACQUISITION AND TRANSPORTATION OF DONATED ORGANS.—

(1) ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.—Section 372(b) of the Public Health Service Act (42 U.S.C. 274(b)) is amended—

(A) in paragraph (2)(E), by striking '', including standards for preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome''; and

(B) by adding at the end the following:

''(3) CLARIFICATION.—In adopting and using standards of quality under paragraph (2)(E), the Organ Procurement and Transplantation Network may adopt and use such standards with respect to organs infected with human immunodeficiency virus (in this paragraph referred to as 'HIV'), provided that any such standards ensure that organs infected with HIV may be transplanted only into individuals who—

''(A) are infected with HIV before receiving such organ; and

''(B)(i) are participating in clinical research approved by an institutional review board under the criteria, standards, and regulations described in subsections (a) and (b) of section 377E; or

''(ii) if the Secretary has determined under section 377E(c) that participation in such clinical research, as a requirement for such transplants, is no longer warranted, are receiving a transplant under the standards and regulations under section 377E(c).''.

(2) CONFORMING AMENDMENT.—Section 371(b)(3)(C) of the Public Health Service Act (42 U.S.C. 273(b)(3)(C); relating to organ procurement organizations) is amended by striking ''including arranging for testing with respect to preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome'' and inserting ''including arranging for testing with respect to identifying organs that are infected with human immunodeficiency virus (HIV)''.

(3) TECHNICAL AMENDMENTS.—Section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)) is amended by—

(A) striking subparagraph (E);

(B) redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(C) striking ''(H) has a director'' and inserting ''(G) has a director''; and

(D) in subparagraph (H)—

(i) in clause (i) (V), by striking ''paragraph (2)(G)'' and inserting ''paragraph (3)(G)''; and

(ii) in clause (ii), by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(b) PUBLICATION OF RESEARCH GUIDELINES.—Part H of title III of the Public Health Service Act (42 U.S.C. 273 et seq.) is amended by inserting after section 377D the following:

''SEC. 377E. CRITERIA, STANDARDS, AND REGULATIONS WITH RESPECT TO ORGANS INFECTED WITH HIV.

''(a) IN GENERAL.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, the Secretary shall develop and publish criteria for the conduct of research relating to transplantation of organs from donors infected with human immunodeficiency virus (in this section referred to as 'HIV') into individuals who are infected with HIV before receiving such organ.

''(b) CORRESPONDING CHANGES TO STANDARDS AND REGULATIONS APPLICABLE TO RESEARCH.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, to the extent determined by the Secretary to be necessary to allow the conduct of research in accordance with the criteria developed under subsection (a)—

''(1) the Organ Procurement and Transplantation Network shall revise the standards of quality adopted under section 372(b)(2)(E); and

''(2) the Secretary shall revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).

''(c) REVISION OF STANDARDS AND REGULATIONS GENERALLY.—Not later than 4 years after the date of the enactment of the HIV Organ Policy Equity Act, and annually thereafter, the Secretary, shall—

''(1) review the results of scientific research in conjunction with the Organ Procurement and Transplantation Network to determine whether the results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to the safety of transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV;

''(2) if the Secretary determines under paragraph (1) that such results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV, direct the Organ Procurement and Transplantation Network to revise such standards, consistent with section 372 and in a way that ensures the changes will not reduce the safety of organ transplantation; and

''(3) in conjunction with any revision of such standards under paragraph (2), revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).''.

SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.

Section 1122 of title 18, United States Code, is amended by adding at the end the following:

''(d) EXCEPTION.—An organ donation does not violate this section if the donation is in accordance with all applicable criteria and regulations

of the Secretary made under section 377E of the Public Health Service Act.''.

Mr. KING. I further ask that the committee-reported substitute be considered; the Grassley amendment, which is at the desk, be agreed to; the substitute, as amended, be agreed to; the bill, as amended, be read a third time and passed; and the motions to reconsider be made and laid upon the table, with no intervening action or debate.

The amendment (No. 1315) was agreed to, as follows:

AMENDMENT NO. 1315

Strike section 3 and insert the following:

SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.

Section 1122(a) of title 18, United States Code, is amended by inserting ''or in accordance with all applicable guidelines and regulations made by the Secretary of Health and Human Services under section 377E of the Public Health Service Act'' after ''research or testing''.

The committee amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 330

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 ''HIV Organ Policy Equity Act''.

SEC. 2. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) STANDARDS OF QUALITY FOR THE ACQUISITION AND TRANSPORTATION OF DONATED ORGANS.—

(1) ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.—Section 372(b) of the Public Health Service Act (42 U.S.C. 274(b)) is amended—

(A) in paragraph (2)(E), by striking '', including standards for preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome''; and

(B) by adding at the end the following:

''(3) CLARIFICATION.—In adopting and using standards of quality under paragraph (2)(E), the Organ Procurement and Transplantation Network may adopt and use such standards with respect to organs infected with human immunodeficiency virus (in this paragraph referred to as 'HIV'), provided that any such standards ensure that organs infected with HIV may be transplanted only into individuals who—

''(A) are infected with HIV before receiving such organ; and

''(B)(i) are participating in clinical research approved by an institutional review board under the criteria, standards, and regulations described in subsections (a) and (b) of section 377E; or

''(ii) if the Secretary has determined under section 377E(c) that participation in such clinical research, as a requirement for such transplants, is no longer warranted, are receiving a transplant under the standards and regulations under section 377E(c).''.

(2) CONFORMING AMENDMENT.—Section 371(b)(3)(C) of the Public Health Service Act (42 U.S.C. 273(b)(3)(C); relating to organ procurement organizations) is amended by striking ''including arranging for testing with respect to preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome'' and inserting ''including arranging for testing with respect to identifying organs that are infected with human immunodeficiency virus (HIV)''.

(3) TECHNICAL AMENDMENTS.—Section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)) is amended by—

(A) striking subparagraph (E);

(B) redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(C) striking ''(H) has a director'' and inserting ''(G) has a director''; and

(D) in subparagraph (H)—

(i) in clause (i) (V), by striking ''paragraph (2)(G)'' and inserting ''paragraph (3)(G)''; and

(ii) in clause (ii), by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(b) PUBLICATION OF RESEARCH GUIDELINES.—Part H of title III of the Public Health Service Act (42 U.S.C. 273 et seq.) is amended by inserting after section 377D the following:

''SEC. 377E. CRITERIA, STANDARDS, AND REGULATIONS WITH RESPECT TO ORGANS INFECTED WITH HIV.

''(a) IN GENERAL.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, the Secretary shall develop and publish criteria for the conduct of research relating to transplantation of organs from donors infected with human immunodeficiency virus (in this section referred to as 'HIV') into individuals who are infected with HIV before receiving such organ.

''(b) CORRESPONDING CHANGES TO STANDARDS AND REGULATIONS APPLICABLE TO RESEARCH.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, to the extent determined by the Secretary to be necessary to allow the conduct of research in accordance with the criteria developed under subsection (a)—

''(1) the Organ Procurement and Transplantation Network shall revise the standards of quality adopted under section 372(b)(2)(E); and

''(2) the Secretary shall revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).

''(c) REVISION OF STANDARDS AND REGULATIONS GENERALLY.—Not later than 4 years after the date of the enactment of the HIV Organ Policy Equity Act, and annually thereafter, the Secretary, shall—

''(1) review the results of scientific research in conjunction with the Organ Procurement and Transplantation Network to determine whether the results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to the safety of transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV;

''(2) if the Secretary determines under paragraph (1) that such results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV, direct the Organ Procurement and Transplantation Network to revise such standards, consistent with section 372 and in a way that ensures the changes will not reduce the safety of organ transplantation; and

''(3) in conjunction with any revision of such standards under paragraph (2), revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).''.

SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.

Section 1122(a) of title 18, United States Code, is amended by inserting ''or in accordance with all applicable guidelines and regulations made by the Secretary of Health and Human Services under section 377E of the Public Health Service Act'' after ''research or testing''.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 111–5, appoints the following individual to the Health Information Technology Policy Committee: Dr. Aury Nagy of Nevada, vice Dr. Frank Nemec of Nevada.

ORDERS FOR TUESDAY, JUNE 18, 2013

Mr. KING. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, June 18, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 744, the comprehensive immigration reform bill, under the previous order; and finally that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

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

PROGRAM

Mr. KING. There will be up to four rollcall votes at 3 p.m. in relation to the amendments to the immigration bill tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. KING. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:15 p.m., adjourned until Tuesday, June 18, 2013, at 10 a.m.