and I will remain optimistic, but I want the Ukraine Government to know that we are going to hold them to the standards of democracy. They cannot imprison political opponents. You beat them in an election, move on to lead, and you are held accountable by the people who vote.

I hope a decision will be made in the near future to release Ms. Tymoshenko.

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 I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GRASSLEY. Mr. President, I ask to speak as if in morning business for 7 minutes.

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

IMMIGRATION REFORM

Mr. GRASSLEY. Mr. President, when I closed last night I posed nine questions to Secretary Napolitano about the immigration bill. She said that when confirmed, she would answer questions that Congress put before her. My questions came at the end of her hearing on the immigration bill, and we have not received an answer now in 49 or 50 days. I would appreciate answers to those questions.

I would like to speak about the entry-exit system in the legislation before us. One of the concerns that has been made about the immigration bill before us is that it weakens current law in several areas. Now, when I go to my town meetings, I invariably get somebody who says: We don't need more legislation; just enforce the laws that are on the books. Those very same constituents of mine would probably be really chagrined at the fact that we have legislation before us that would weaken current law.

Well, we had a lengthy discussion during the Judiciary Committee markup about provisions dealing with criminal activity and deterring illegal immigration in the future. I have found that many existing statutes in this legislation—1,175 pages—have been revised and watered down, which sends exactly the wrong signal that should be sent to the people who seek to intentionally break our laws.

The sponsors of the bill have claimed that the bill will make us safer. They insist that the people will ''come out of the shadows,'' thus allowing us to know exactly who is here, where they are, and whether they are a national security risk.

We have talked a lot about the need for border security in the last week. I think it is the most important thing we can do for our national security and to protect our sovereignty. Border security is what the people demand. This legislation has weak border security provisions.

Amazingly, when I bring up border security, I am told by proponents of the bill that we don't need to put our entire focus on the border. Well, tell that to the people of grassroots America. These authors remind me that about 40 percent of the people here illegally are visa overstays or people who never returned to their home country. I don't dispute that 40-percent figure. I couldn't agree more that visa overstays need to be dealt with as much as people who are here undocumented and did not come here on a visa. We need to know who is in our country and when they are supposed to depart, and then we need to know if they actually leave.

We realized this way back in 1996 when we created the entry-exit system. At that time, Congress—and still today—under the law, called for a tracking system to be created, and this followed the first bombing of the World Trade Center. We knew there were gaping holes in our visa system, and that is why the entry-exit system was set up. Unfortunately—and the people of this country probably don't believe this—we had legislation calling for this system to be in place and it still is not in place. Administration after administration—and that is Democratic, Republican, and now Democratic—dismissed the need to implement an effective entry-exit system, thumbing their noses at the laws on the books. So here we are today—17 years later—wondering when that system and mandate from Congress will be achieved.

When introduced, the bill before us did nothing to track people who left by land. It did nothing to capture biometrics of foreign nationals who departed. We approved an amendment in committee that made the underlying bill a little bit stronger, but it fell short of current law. Current law says we should track all people who come and go by using biometrics. It says the entry-exit system should be in place at all air, sea, and land ports. We already know that anything less than what is in current law will not be effective.

The Government Accountability Office has stated that a biographic exit system, such as the one set forth in the underlying legislation, will only hinder efforts to reliably identify overstays and that without a biometrics exit system, ''DHS cannot ensure the integrity of the immigration system by identifying and removing those who have overstayed their original period of admission—a stated goal of US-VISIT.'' If we don't properly track departures, we won't know how many people are overstaying their visas and we won't have any clue of who is in our country.

Some will say: We can't afford it. Some will say: Our airports aren't devised in such a way to capture biometrics before people board airplanes. They will find any excuse not to implement current law, and that is why this current law hasn't been executed in the last 17 years.

This is a border security and national security issue. Without this system in place, we are not in control of our immigration system.

Senator VITTER's amendment, which is pending, would ensure the current law is met before we legalize millions of people. I encourage my colleagues to understand how this bill weakens our ability to protect the homeland. I also encourage the adoption of the Vitter amendment when we vote at 3 o'clock.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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 assistant 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 air port 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 Vermont.

Mr. LEAHY. Mr. President, I am encouraged that later today the Senate will vote on four amendments to the

immigration bill. I hope it is an indication that the Senate is going to begin considering amendments in an orderly and efficient way. I would encourage Senators to file their amendments and come to the floor and offer them. I share the majority leader's wish to make progress on this important legislation. We know the immigration system is sorely in need of reform and now is the time to do it.

Last week we should have disposed of several amendments to the bill before us, but in the Senate, progress requires cooperation. Instead of going forward and actually having Senators take positions and vote up or down, we had objection after objection from the opponents of this legislation who put the Senate in the unenviable position of having the public see us as voting ''maybe.'' We know why people get discouraged with Congress. They don't realize that there is a small number of people blocking any voting. They expect us to vote for or against something. There are going to be political costs to voting for or voting against, but they expect us to vote. It comes with the job. And when people objected to proceeding to comprehensive immigration reform, that cost us several days. Again, the American public sees the Senate as voting ''maybe.''

Well, I am one Senator willing to take the consequences of voting for or against something and not voting ''maybe.'' I think most Senators would prefer voting yes or no and not maybe. In fact, when we finally ended the filibuster and were able to vote to proceed to the bill, 84 Senators stood up and said, Let's proceed. They voted in favor of doing so. They know they are going to risk some criticism for doing that, but at least they had the courage to do it.

We still have a tiny handful of Senators who keep on trying to say vote ''maybe.'' It is frustrating because that initial delay was not necessary. It didn't add to the debate. It simply hindered the Senate's consideration of the bill. In fact, opponents of the bipartisan legislation have even objected to adoption of the Judiciary Committee substitute bill despite widespread praise from both Republicans and Democrats for how we conducted our proceedings and our overwhelming bipartisan vote to get the bill to the full Senate. This was a bill where almost all of the amendments accepted in Committee were on a bipartisan vote. Additionally, over 40 amendments offered by Republicans were accepted by the Committee.

So the votes against even proceeding to this bill indicate that at least 15 Members of the minority are so dug in against comprehensive immigration reform that they are unalterably opposed. They want us to vote maybe to duck the issue. They want to duck the issue. That is not a profile in courage. Those few Senators should not further obstruct the 84 Senators who appear ready to go to work on this bill and vote for or against it. The question is whether the other Members of the Republican Party will follow those who seek to delay the Senate's consideration or whether they will work with us to pass a good bill.

More than 100 amendments have been filed to the comprehensive immigration reform bill, but over the last 2 weeks we have only voted once on the motion to table an amendment that already had been defeated in committee.

I began this process with a spirit of cooperation. I offered an amendment on behalf of myself and Senator HATCH, the senior member of the Republican Party, to strengthen our visa program for visiting foreign artists who come to perform with nonprofit arts organizations. I was then willing, following the procedures and the cooperation I have known here in the Senate for decades, to give consent to Senator GRASSLEY to set aside my amendment and offer his amendment relating to border security. Unfortunately, when we asked for the same courtesy so that other Senators, Republicans and Democrats alike, could call up additional amendments, there was an objection. I was expected to cooperate and follow this normal procedure, but the second we asked for the other side to do that, it was: Oh, no, we can't do it. The rules have to be different.

Then when the majority leader offered a unanimous consent request to have votes on the Grassley amendment and others in a manner that Senate Republicans, including the Senate Republican leader just a few days ago, had been insisting on with respect to amendments and legislation and nominations, the minority objected.

Then when the majority leader asked that a group of amendments offered by Senators on both sides of the aisle be allowed to be offered, again there was an objection.

So it is with great effort that we are trying to work through amendments. But like the minority's treatment of nominations, even consensus amendments are being objected to and delayed. We have been unable to get an amendment by the Republican Senator from Nevada pending because there is Republican objection to a Republican Senator offering an amendment which is probably going to pass with overwhelming support from both Republicans and Democrats. It is no wonder public approval of Congress in last week's Gallup poll is 10 percent. At a time when so many Americans are in favor of reforming the Nation's broken immigration system, we in the Senate should be working together to meet that demand and reflect what the people of America want.

The President spoke again last week about immigration reform and what is needed. The President had with him a broad cross-section of those supporting our efforts from business and labor to law enforcement, clergy, and from both sides of the aisle. Just as I worked with President Bush in 2006 when he supported comprehensive immigration reform, I urge Senate Republicans to work with us now. Senators from both sides of the aisle worked together to develop this legislation—Senators from both sides of the aisle.

Then Senators from the Judiciary Committee considered it and adopted more than 130 amendments to improve it, almost all of them with a bipartisan vote. Senators from both sides of the aisle need to come together now to defeat debilitating amendments and pass this legislation.

One of the procedural disputes that has delayed us is the application of what the Majority Leader has termed the ''McConnell rule'' to provide for 60-vote thresholds for adopting amendments. Senate Republicans are now objecting to their leader's own rule. That is why the Majority Leader on Thursday took the action left to him to move forward on the bill and moved to table Senator GRASSLEY's amendment, which I had worked with Senator GRASSLEY to allow him to offer and have pending. I am glad that we have now gotten agreement to treat Republican and Democratic amendments equally.

Though I am encouraged that we will begin voting on this legislation, I believe that the Senate should not have gone down the path insisted upon by the Republican leader when he demanded supermajority votes of 60 by the Senate on so many amendments and legislation. He has made everything subject to a filibuster standard. I have tried to have the Senate act by a majority vote, which is the practice I would favor. Unfortunately, the Republican leader has prevailed over and over again and Republicans have insisted on 60-vote thresholds for the adoption of amendments. That is the rule on which they have insisted. And late last week, the minority objected to its own rule when the Majority Leader asked for consent to set votes for the Senate. They cannot insist upon a rule for one side and not the other. They cannot have it both ways. I understand why the Majority Leader has asked for the same consents on which the Republican leader has insisted for years, following what the Majority Leader has termed the ''McConnell rule.''

What Republican Senators were insisting upon is a simple majority threshold for their amendments and a 60-vote barrier for Democratic Senators' amendments. That is not fair. I am ready to work with the Majority Leader, the Republican leader, the Chairman and ranking member of the Rules Committee, the ranking member of the Judiciary Committee and other interested Senators on reestablishing majority rule in the Senate except in special circumstances. That new arrangement will have to follow our work on this bill and not delay or be applied retroactively to undermine comprehensive immigration reform.

With respect to Senator GRASSLEY's amendment, which was tabled last

week, I note that it was tabled by a bipartisan majority of 57 votes. That included five Republican votes. Of course, this was an amendment, as most people knew on the floor, that had been considered by the Judiciary Committee. It was defeated by a bipartisan vote of two-thirds of the committee. It would have undermined and unfairly preempted the pathway to earn citizenship. It would have made the fates of millions seeking to come out of the shadows to join American life unfairly depend on circumstances way beyond any control they might have. I am troubled by proposals that contain false promises in which we promise citizenship, but it is always over the next mountain: We are going to give citizenship, but not quite yet. It is almost like Sisyphus pushing that rock up the hill. I want the pathway to be clear and the goal of citizenship attainable. It can't be rigged by some elusive precondition. We should treat people fairly and not have their fates determined by matters beyond their control. No undocumented American controls the border or is responsible for its security. The things that are being set up to kill this bill would have blocked my grandparents from coming to Vermont from Italy and would have blocked the parents and grandparents of many of the Senators now serving in the Senate. So I don't want people to move out of the shadows or to be stuck in some underclass. Just as we should not fault the DREAMers who were brought here as children, we should not make people's fates and future status dependent on border enforcement conditions over which they have no control.

This legislation is far too important to be subject to needless delay, and I hope the votes today signal an end to the delay we have experienced until this point. We should have a healthy and vigorous debate on the bill reported out of the Judiciary Committee. Central to that debate is considering and voting on amendments.

One of the bright moments so far during this debate, in the view of the American public, was the way Republicans and Democrats alike worked in the Senate Judiciary Committee to get this bill before us in the full Senate. The public debate was followed online by thousands of people. We brought up amendments, we debated them, and then we voted on them. Nobody voted maybe; they voted yes and they voted no. The American public responded overwhelmingly, saying this was the way to go, and I think Republicans and Democrats on the floor justly praised the way it was done in the Judiciary Committee. There were 18 of us working together, and I compliment the distinguished Senator from Iowa for working with us. Although he disagreed with the outcome, we worked together to get that debate finished. We went into the evenings and we worked all day for a couple of weeks and we got it done. But now all 100 of us should stand here and do the same thing. Demands for different voting standards for Republican and Democratic amendments are wrong.

A couple of weeks ago, the distinguished Republican leader spoke at an event. I was sitting there. He knew I was following him to speak. He said, On a matter of this importance, all amendments should be subject to a 60-vote threshold. Well, I have had a different view in the past, but I said, OK then, we will do that for both Democratic and Republican amendments, but let's get it done. Having different standards for Republicans and Democrats is not how the Judiciary Committee considered this legislation. It is also not how the majority of Americans expect us to conduct the debate. The tactics of last week undermine the Senate's work on this important bill. Those who have already decided to oppose this bill at the end of the Senate's consideration can vote against it, but they should not dictate the work of 84 Senators who are ready to go forward and vote.

I call on all Senators to please file their amendments to this bipartisan legislation by Thursday and work with us, if need be, on Friday and Saturday and through the weekend, so we can make much-needed progress on this legislation without further delay.

Mr. President, is there a division of time?

The PRESIDING OFFICER. The time is equally divided.

Mr. LEAHY. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I yield 10 minutes of my time to Senator THUNE.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 1197

Mr. THUNE. Mr. President, I think we all agree our immigration system is broken and it needs to be fixed. Unfortunately, every time Congress has tried to fix our immigration system, promises of a more secure border are never upheld. The bill we have in front of us today is following the same path as past immigration bills.

Under this bill it is certain that 12 million people in this country who are here illegally will receive legal status soon after the bill is enacted. However, the border security provisions of this bill are again nothing more than promises which, again, may never be upheld.

When I talk to the people I represent in the State of South Dakota, one of the questions I get over and over is, When is our Federal Government going to keep its promises when it comes to the issue of border security?

The second question is, Why do we need more laws when we are not enforcing the laws we currently have on the books?

It is time that we follow through on promises of a more secure border.

Actually, you have to go back to 1996, which is the first time Congress spoke on this issue. At that time Congress stipulated that we needed to have a double- and even triple-layered fence system on the border.

Well, you roll time forward to 2006—10 years later—with the Secure Fence Act. Congress again passed a law requiring a double-layered fence, this time indicating very specific locations, totaling around 850 miles—even above the current 700-mile requirement. Eighty Senators voted for that bill. Let me repeat that. Eighty Senators, Republicans and Democrats, in a bipartisan way voted in 2006, under the Secure Fence Act, for 850 miles of double-layered fence.

Well, you go again forward to 2008. As part of the Consolidated Appropriations Act, Congress specified this time that not less than 700 miles of fencing would be required. To date, of course, of this requirement, only about 40 miles of the double-layered fencing has been completed.

During debate on the Department of Homeland Security Appropriations Act in 2010, an amendment was offered to require the completion of at least 700 miles of reinforced fencing along the southwest border, and this time with a specific timeline, a specific date in mind: December 31, 2010. That amendment was agreed to on the Senate floor. There were 54 votes in favor of it, including 21 Democrats, 13 of whom are still here today. But the fence has still not been completed.

The amendment I have offered, amendment No. 1197, simply requires that we implement current law, completing 350 miles of double-layered fencing prior to RPI status being granted. The completion of this section of the fence would be a tangible, visible demonstration that we are serious about this issue of border security. After RPI status is granted, the remaining 350 miles required by current law would have to be constructed during the 10-year period before registered provisional immigrants can apply for green cards. So 350 miles before RPI status; 350 miles after. I think it is a reasonable way of approaching this issue.

People have gotten up and said: Well, this fence is old school. It is not the only answer. It requires a combination of technology and manpower and surveillance, but there is an important place for infrastructure to play in this. A double-layered fence, which was called for by Congress first in 1996, again in 2006, again in 2008—for which there was broad bipartisan support here in the Senate—should be something on which we follow through.

One of the other issues that has been raised is, well, there is not money to do this. There is money appropriated in this bill. Mr. President, $6.5 billion is appropriated, $1.5 billion of which is dedicated to infrastructure. If you look at what it would cost to build a double-layered fence, the estimates are about $3.2 million per mile. So the 350 miles we call for before RPI status is granted

would run in the range of $1 billion—sufficient within the money already allocated in the bill.

But my point, very simply, is this: We have made promises and commitments to the American people over and over and over again in a bipartisan way here in the Senate which have not been followed through on.

Now, the Senator from Alabama, who offered an amendment very similar to this at the Judiciary Committee markup, is here on the floor and has been a leader in terms of trying to secure our borders—an issue that I think most Americans, before we deal with any other aspect or element of the immigration debate, believe ought to be addressed.

I would simply ask the Senator, if I might through the Chair, does he think building 40 miles out of a 700-mile requirement is keeping the promise we made to build a border fence that is adequate to deter illegal crossings? Secondly, doesn't infrastructure, such as a double-layered fence, enhance the effectiveness of border control agents and surveillance technologies along the border—recognizing again that it is not the only answer; it is combined with, complemented by other forms of border security? But it is important, in my view, that we have a visible, tangible way in which we make it very clear that this is a deterrent to people coming to this country illegally.

We want people to come here legally. We are a welcoming nation. We are a nation of immigrants, but we are a nation of laws, and we have to enforce the laws. We have not been doing that, and we have not been keeping the promises we made to the American people when it comes to border security and more specifically when it comes to the building of the fence.

So I would ask my colleague from Alabama, through the Chair, about his views on this and whether we have followed through on a level that is anywhere consistent with what we promised to the American people. Secondly, doesn't the Senator think this infrastructure component is an important element when it comes to the border security part of this debate on immigration reform?

Mr. SESSIONS. Mr. President, I thank the Senator from South Dakota. He is exactly correct. This is a failure of Congress and the administration. As soon as some discretion was given to the administration to not build a fence, they quit building a fence, and we are so far behind what we promised the American people.

I say to Senator THUNE, I remember being engaged in the debate in both of those years, 2006 and 2008. We actually came up with a fund. We funded sufficiently the fence construction that needed to be done. We told the American people we were going to do it. We were proud of ourselves. Actually, I remember giving a hard time to my colleagues because in 2006 we authorized the fence but there was no money. So it was later that we finally forced the money to be appropriated because the issue was, you say you are for a fence, you go back home and say: I voted for fencing and barriers, and then you do not put up the money. So the money was even put up, and it still did not happen as required by law.

I say to Senator THUNE, I think you said it so clearly. That is why the American people are rightly concerned about amnesty first with a promise of enforcement in the future. Even when we pass laws that plainly say a fence shall be built, we put up money to build that fence, and it does not happen in the future.

So what we are asked to do with this legislation is to grant amnesty immediately. That will happen. That is the one thing in this bill that will happen. But we need to ask ourselves: What are the American people telling us?

A recent poll showed that by a 4-to-1 margin the American people said: We want to see the enforcement first. Then we will talk about the amnesty. Do your enforcement first.

The Senator's question is, How will it work? Well, we have discussed that over the years. The greatest example of how it works is in San Diego. That area was in complete disarray, with violence, crime, drugs. It was an economic disaster zone. There was a very grim situation in San Diego. There were all kinds of illegality at the border. They built a triple-layer secure fence, and across that entire area illegality ended totally, virtually. Almost no illegality is continuing at that stretch of the border today. Crime was dramatically reduced. Economic growth occurred on both sides of the border. It was highly successful.

So several things happen. First, you end the illegality with a good fence. Second, it reduces dramatically the number of Border Patrol officers needed to make sure illegal crossings are not occurring because there is a force multiplication of their ability. So you can save a lot of money by having fewer people. When people see a very secure fence, they decide it is not worth the attempt, so they don't even try to cross. That reduces the stress on the Border Patrol, the number of deportations, and the number of people who have to be sent back. Building a fence reduces costs and saves money in the long run and really achieves what I think the American people have asked us to achieve.

I say to Senator THUNE, I think your amendment is very reasonable. It certainly puts us on a path to completing the kind of barriers that are necessary. As the Senator said, it comes nowhere close to saying there is a fence across the entire border. It would just be at the areas where it would be most effective.

Mr. THUNE. I say to my colleague from Alabama—and, again, I thank him for his leadership on this issue, both past and present—what we are talking about here is something that is a part of the solution. This is not the totality. This is not the entirety.

People come down here and say: Well, you cannot just build a fence. People will tunnel under it. They will climb over it.

Of course they will. But coupled with additional Border Patrol agents, coupled with surveillance, coupled with modern technologies, it is a composite solution, if you will, but it still very clearly is a deterrent. It is a visible, tangible message and deterrent that we want people to come to this country legally, we want to discourage illegal immigration. I think the fence is part of the infrastructure component of that border security solution, and it is something we have all made commitments on in the past.

I think it is very hard to ask people to vote for an immigration reform bill that includes the legalization component to it if we are not going to follow through on the promises we have made because the American people have heard this before. Promises, promises is something they have heard plenty of in the past when it comes to this issue. We have yet to follow through on this with the exception of the 36 miles that I mentioned that have been built. But commitments were made in 1996, requirements to do this in 2006. As the Senator said, in 2008 the money was added. That was a 76-to-17 vote here in the Senate. Seventy-six Senators from both parties voted to fund this in 2008. In 2006, 80 Senators, including now-President Obama, who at that time was a Senator, now-Vice President BIDEN, who at that time was a Senator, and at that time Senator Hillary Clinton all voted for the Secure Fence Act in 2006.

So, again, I am not suggesting for a minute that it is the only solution, the cure-all, the panacea that is going to address this issue, but I think it is something that is very real, very tangible, very visible. It is something we have made a commitment on to the American people, and I think it is something on which we ought to follow through. It certainly ought to be a requirement—a condition, if you will—in this legislation before some of these other elements come to pass because if it is not, it will never get done, as we have already seen going back to 1996.

So I hope that on amendment No. 1197, when it is voted on this afternoon, we will have the same strong bipartisan support we have had in the past on this issue. I hope, again, as the Senator from Alabama and I have discussed, we will follow through on a commitment we made to the American people and do something really meaningful on the issue of border security.

With that, I say to my colleague from Alabama that, again, I appreciate his strong voice on this issue, and I hope he and I will be joined by many others today.

Mr. SESSIONS. I say to Senator THUNE, thank you for your leadership in offering a clear legislative proposal that will work. It is my observation

that things that get proposed around here that do not work often are passed; things that will actually work are difficult to get passed.

I say to Senator THUNE, I do not know if you realize that all of the sponsors of the legislation have talked a good bit about fencing that might occur, having a report on fencing. What we do know is that it did not require fencing anywhere in the bill. But in case anybody had any doubt about that, Senator LEAHY, the chairman of the Judiciary Committee, offered an amendment that explicitly stated that nothing in the bill shall require the construction of any fencing at the border. So despite what others have heard about this being the toughest bill ever and it is going to do more for enforcement than we have ever had, it, in fact, weakens and almost guarantees we will not have additional fencing, which would certainly be a component, in my mind, of a stronger, tougher enforcement mechanism.

Fencing barriers do, I believe, help the President, who should lead on this, who should say clearly to the world: Our border is secure. We are building fences and do not come. The number of people who would attempt to come would drop a lot if we made that clear statement.

I thank the Senator for his good work.

Mr. THUNE. Mr. President, I will say in closing, again, this is not—the border is 2,000 miles long. This requires 700 miles. So it would be put in those areas where, as the Senator from Alabama noted, it is most needed.

With that, I yield the floor and ask, when the time comes, for support on amendment No. 1197.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, last week I previewed an amendment I will be offering, hopefully, as early as this afternoon, on the underlying immigration bill. This is an amendment which the Democratic majority leader and at least one or two other Members of the Senate have called a poison pill.

I find that somewhat bizarre, especially in light of what others have said about this amendment, which I will talk about briefly. It strikes me as unusual that anytime anyone offers a different idea by way of an amendment that people do not like they call it a poison pill, as if that was the only option. You either take it without the amendment or you accept the amendment and it kills the legislation.

We know the truth is far different. In fact, several members of the so-called Gang of 8 who have been very much involved in negotiating the underlying bill have different opinions, which actually I find somewhat refreshing but not all that surprising.

Senator FLAKE, for example, from Arizona, said, ''I don't think it is a poison pill,'' on June 12. Senator RUBIO said of my results amendment, ''It's an excellent place to start.'' I am grateful for their comments. Senator BENNET, a Senator from Colorado, on the other side of the aisle and Senator FLAKE argued that ''they are not afraid of adding a requirement to nab 90 percent of would-be border crossers.'' That was at the Christian Science Monitor breakfast on June 12. Senator BENNET went on to say, ''I have every confidence that we are going to meet the mark well before the 10 years.'' He said that on June 12 as well.

The interesting point about this discussion is the very same measurement or standard that is in my amendment actually comes from the bill that was introduced by the Gang of 8: 100 percent situational awareness of the border and a 90-percent apprehension rate. All my amendment did is to say: OK, you set the standard, but we are going to make sure the Federal Government actually keeps its promises because, unfortunately, the history is littered—recent history, in particular—with broken promises by the Federal Government, particularly when it comes to immigration.

My amendment is necessary. My results amendment, which I will describe further, is necessary because in its current form, the underlying bill does not include a genuine border security trigger. You do not have to take my word for it. Last week, the assistant Democratic leader, Senator DURBIN of Illinois, himself said quite explicitly that while the original proposal—as he described it in January 2013, he said: ''A pathway to citizenship needs to be contingent upon securing the border.'' He said that in the context of the bipartisan framework for comprehensive immigration reform.

But later on he was quoted in the National Journal, on June 11, saying, ''The Gang of 8 bill has delinked the pathway to citizenship and border enforcement.'' The bill that is being sold today delinks the pathway to citizenship and border enforcement. My amendment would reestablish the very same linkage the gang themselves trumpeted in January 2013.

I think this is a remarkable admission, that the current bill delinks the pathway to citizenship and border security. I think most Members of the Senate believe that whatever we do in terms of the status of people who are currently here in undocumented status, that one thing we have to do is to make sure we do not ever deal with this issue again by failing to deal sensibly and responsibly with border security and enforcement.

Basically, the approach of the proponents of the underlying bill, as currently written, before my amendment, is: Trust us. Trust us. I have to say that you do not have to be a pollster to know there is not an awful lot of trust toward Washington and the Congress and the Federal Government. It is easy to understand why with all of the various scandals or things that have been represented one way that turn out to be another way.

There is a trust deficit in Washington, DC.

For those of us who believe that doing nothing on immigration reform is not an option, what I would like to do is to do something to make things better. But in order to get there, we are going to have to guarantee that border security and the interior enforcement provisions and the reestablishment of basic order to our broken immigration system is accomplished in this bill; otherwise, it is not going to happen.

In the words of Ronald Reagan, I think we should ask people to trust, but we should also verify that trust is justified. I am not sure some of my colleagues appreciate how essential border security is to immigration reform. For the past three decades, the American people have been given one hollow promise after another about the Federal Government's commitment to secure our borders.

The rhetoric from Washington has been impressive, but the results have been pathetic. The reality on the ground in Texas and in other border States has been quite different. Let me put it this way. A decade after the 9/11 terrorist attacks that killed 3,000 Americans in New York, the Department of Homeland Security has gained operational control of less than 45 percent of our southern border—45 percent. The Secretary of Homeland Security said: ''The border is secure.'' The President said: ''It is more secure than it has ever been''—45 percent secure. For that matter, it has been more than a decade since the 9/11 Commission recommended another important requirement that is contained in my amendment, which is a nationwide biometric entry-exit system.

It has been 17 years since President Clinton signed legislation mandating such a system. So we wonder why there has been such a lack of confidence and a trust deficit between the American people and Washington when it comes to immigration reform and fixing our broken immigration system. It is because they have been sold one hollow promise after another.

We still do not have a biometric entry-exit system that President Clinton signed into law 17 years ago, even though about half of illegal immigration occurs when people come into the country legally and overstay their visa and simply melt into the great American landscape. That is where 40 percent of our illegal immigration comes from. We are asking the American people to trust us again?

Until Congress acknowledges our credibility problem when it comes to enforcing our immigration laws, including border security, and until such time as we take serious action to fix it, we are never going to get true immigration reform, and we will never be able to pat ourselves on the back and say: You know what. This is not going to happen again.

My amendment goes beyond mere promises and platitudes. It demands results. It creates a mechanism for ensuring them. Under my amendment, probationary immigrants are not eligible for legalization until after the United States-Mexico border has been secured and until after we have a nationwide biometric entry-exit system at all airports and seaports and after we have a nationwide E-Verify system, which allows employers to verify the eligibility of individuals who apply for jobs to work legally in the country.

That is what a real border security trigger looks like. That is why it is so important. Because we need to incentivize everybody who cares passionately about border security and restoring the rule of law to our broken immigration system, on the one hand, and those who, on the other hand, more than anything else want an opportunity for people to eventually become American citizens, even if they have entered the country illegally, after they have paid a fine and proceeded down a tough but fair path to citizenship.

What we need to do is incentivize the executive branch, the legislative branch, and the entire bureaucracy to make sure we guarantee that those will happen. This is the only way I know of to do it. Unfortunately, many of our colleagues do not want a real trigger when it comes to border security. Above all, they want a pathway to citizenship. I am not convinced beyond that they have much concern for whether we keep our promises with regard to border security. They are hoping that once again the American people will put their faith in empty promises.

But the time for empty promises is over when it comes to our broken immigration system. If we are ever going to push immigration reform across the finish line, which I want to do, we need to guarantee results. My amendment does that. I would contend that rather than my amendment being the poison pill, the failure to pass a credible provision ensuring border security and interior enforcement will be the poison pill that causes immigration reform to die.

That is not a result I want. I want us to see a solution. I do not want the status quo because the status quo is broken. It serves no one's best interests. I am just amazed at some of my colleagues who are resisting this amendment. Why will they not take yes for an answer? Why will they not take yes for an answer on something that unites Republicans and Democrats, who are actually desperately interested in finding a solution and believe the status quo is simply unacceptable?

As I have repeatedly emphasized, my amendment simply uses the same border security standards as the underlying Gang of 8 bill. They are the ones who came up with the standard 100 percent situational awareness. They are the ones who came up with a 90-percent apprehension rate.

But their bill reiterates a promise but guarantees no results. We have had 27 years of input since the 1986 amnesty, and we still do not have secure borders. Now it is beyond time to guarantee not just more promises or inputs but real outputs.

I ask unanimous consent for an additional 2 minutes.

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

Mr. CORNYN. The latest data shows that U.S. authorities apprehended about 90,000 people along the United States-Mexico border between October of last year and March of this year. Given that we apprehend fewer than half of illegal border crossers, this means we still have hundreds of thousands of people coming into the country across our southern border every year.

The problem, it will not surprise the Presiding Officer, is particularly serious in my State because we have the largest common border with Mexico, 1,200 miles.

As the New York Times reported this last weekend: ''The front line of the battle against illegal crossings has shifted for the first time in over a decade away from Arizona to the Rio Grande Valley of South Texas.''

Indeed, on one day in the Rio Grande Valley Sector, the Border Patrol detained 700 people coming across the border; 400 of them were from countries other than Mexico—400 of them. During the fiscal year which began last October, the number of apprehensions in South Texas has increased by 55 percent, with more than 94,000 apprehensions just in the Rio Grande Valley.

I was in South Texas a few weeks ago meeting with property owners, ranchers, law enforcement officials, and others deeply concerned about the rising tide of illegal immigration. But not only is this a national security issue because people are coming from countries other than Mexico, including countries that are of special concern because they are state sponsors of terrorism, this is also a major humanitarian issue.

In Brooks County last year, 129 bodies were found, people coming across ranchland after suffering from exposure because they have come from Central America, they have come from China, and they have come from the Middle East. They have come from all over the world, and we have seen a sharp increase in the number of people die because they are trying to navigate our broken immigration system.

One final point about immigration reform. Whatever legislation we pass in this Chamber will necessarily have to go to the House of Representatives.

If we want the Senate bill to have any chance of passing in the House and becoming law, we need to include real border security measures and a real border security trigger. Our House colleagues have made that abundantly clear. In other words, my amendment is not a poison pill, it is the antidote because it is the only way we are ever going to truly have bipartisan immigration reform.

I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent that I be allocated 8 minutes and that the remaining Democratic time be under the control of the Senator from Connecticut, Mr. MURPHY.

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

Mr. REED. Mr. President, I rise to add my support to S. 744, the comprehensive immigration bill we have been debating over the past week.

I first wish to thank the eight Senators who came together to draft this bipartisan bill. They have done an extraordinary job. And I wish to particularly thank Senator LEAHY for his brilliant leadership as chairman of the Judiciary Committee.

Immigration reform is an important priority that for far too long has been left unaddressed. We all agree that the current system is broken. The bill before us is a realistic approach to fixing this broken system. That is certainly better than continuing the failed status quo.

I have long been an advocate for comprehensive and commonsense immigration reform that is tough but also fair. Standing here, addressing my colleagues, urging immigration reform, I cannot help but remember the 2006 and 2007 immigration debates and the many calls to pass immigration reform during that time.

Today, 6 years later, we still have not passed needed reform, responded to the overwhelming call to do so from the American people, and moved our immigration system into the 21st century. Today we once again have the chance to act and pass comprehensive immigration reform.

This bill includes strong border security measures to better protect our national security and to ensure that those trying to come to the United States for better opportunities do so legally. It calls for persistent surveillance of the entire border, for the apprehension of 90 percent of the illegal entries, and makes the investments in infrastructure and technology we need to meet these tough goals.

The Secretary of Homeland Security would be required to submit both a comprehensive southern border security strategy and a southern border fencing strategy to Congress, plans to achieve these goals, before the 11 million immigrants waiting in the shadows could even begin the very tough but fair earned path to citizenship. This rigorous path includes criminal background and national security checks; paying fines, fees, and taxes; learning civics and English; and going to the back of the immigration waiting line.

The bill before us also improves worksite enforcement to better protect

all workers and wages, and it makes changes to our immigration system that will help us retain the bright and talented leaders of today and tomorrow and reduce backlogs and inefficiencies.

As we continue this debate, I am hopeful the Senate will have the opportunity to consider three amendments I have filed.

In the 1990s, Liberian refugees fled a brutal civil war that killed more than 150,000 people and displaced more than half of the population. Since then, these individuals have been granted temporary protected status or deferred enforced departure, granted by the administration because the conditions in their home country of Liberia were too dangerous for them to return. Many of these individuals have now been legally residing—legally residing—in our country for more than 20 years, paying taxes, holding jobs, and being part of our communities.

Amendment No. 1224 would clarify one aspect of the merit-based track two system, ensuring that it makes eligible these Liberians and others who were granted TPS or DED due to dangerous or inhospitable conditions in their home countries and who meet the 10-year minimum requirement for long-term alien workers.

This bill intended to include these populations. However, the long-term alien section of the bill uses the term ''lawfully present.'' Since this term is not defined by statute and could be subject to interpretation, these Liberians and others in similar situations could be inadvertently excluded from this track. The intention was always to include these individuals. I ask my colleagues to work with me to correct this so these deserving individuals, whom four different Presidents have supported, are not left behind on a technicality.

The second amendment, No. 1223, recognizes the longstanding role that libraries have played in helping new Americans learn English, American civics, and integrate into our local communities. It ensures that they continue to have a voice in these critical efforts. Across the United States, libraries are the cornerstone of all sorts of educational activities. In fact, according to the Institute of Museum and Library Services (IMLS), more than 55 percent of new Americans use a public library at least once a week.

Libraries offer learning opportunities to new Americans in a trusted environment. We have to recognize the vital importance of libraries as we ask individuals to come forward to learn English, to learn civics, and to learn the skills that are required to participate fully in the life of the American people.

This amendment expands on the recent partnership between U.S. Citizenship and Immigration Services (USCIS) and IMLS, and ensures that libraries remain a keystone and a resource for new Americans. This amendment would add the IMLS as a member of the Task Force on New Americans to help direct integration policy and clarify the role that libraries will continue to play in facilitating these services.

I have also filed an amendment with Senators SCHUMER and CASEY, No. 1233 that would upgrade the immigration bar on expatriate tax dodgers. I authored an amendment to the 1996 immigration law that prohibits citizens who renounced their citizenship in order to avoid taxation from reentering the United States. I was prompted to act after hearing about a raft of wealthy U.S. citizens who gave up their citizenship to avoid paying taxes but would obtain reentry to the United States very easily and continue, effectually, to live their lives as Americans, even though they were for, tax purposes, foreigners.

One of the more egregious examples was Kenneth Dart, a billionaire who, in the early 1990s, renounced his American citizenship to avoid paying U.S. taxes. He became a citizen of Belize and then was appointed by the Government of Belize to be a consular officer in Sarasota, FL, Mr. Dart's hometown. This ruse and other ruses such as this must be stopped. My amendment would make it clear that the Department of Homeland Security must stop this flouting of the law by people who avoid taxes by changing their citizenship and then freely return to the United States.

I look forward to action on these amendments during this debate. This is an important debate. Indeed, the strong bipartisan vote that brought us to this moment procedurally captures the overwhelming recognition that we need to fix the system. We need to move forward.

This is a situation where we have a bipartisan bill that has overwhelming support in the United States. We must move it forward, amend it appropriately as I have suggested, pass it, and then send it to the House with the hope and the expectation that the President will sign this bill, opening a new era in this country for the millions who are seeking to be Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

SYRIA

Mr. MURPHY. Mr. President, there is so much good flowing through the veins of this country. We are, by and large, a compassionate, just people. It hurts us deeply to see pain and suffering in places that don't enjoy the relative safety and security of America.

We are, more so than ever before, a powerful people. We are the one remaining superpower with a military that dwarfs all others and a record of throwing our weight around in all corners of the globe.

Mixed correctly, this combination of goodness and power can be a transformation. It can lighten the load of oppressed peoples. It can lift the disenfranchised. It can cure diseases.

There is one fatal trap that comes with these defining characteristics of 21st century America, a tripwire that has ensnared our Nation too many times in recent history. This is the belief that there are no limits to what this combination of goodness and power can achieve. In a word, that trap is hubris. I rise because I fear we are on the verge of falling into this trap once again.

In April, the Presiding Officer and I, as well as several other Members of the Senate and the House, visited the Kilis refugee camps of Turkey and Syria. These were reportedly the best of the refugee camps set up to shelter Syrian families fleeing the blood and carnage of that country's civil war. It is not a place I would have wanted to stay for another hour.

We met a girl who had half her face scarred by a Syrian rocket attack. I met a little orphan boy whose parents had been felled by the ruthless tactics of Bashar al-Asad. We were there for an afternoon, but we didn't need to spend more than 10 minutes in that place to be deeply moved by the case of the refugees.

Of course, Syria presents not only a humanitarian imperative, Syria is of immense strategic importance to the United States. The Asad regime has been a thorn in our side for years, and now his refusal to step down has created a bloody conflict that is in real time destabilizing a region that is critical to our national security interests. Even worse, the fight has drawn in Islamist groups affiliated with al-Qaida. A failure to root out their influence and reduce their presence threatens to hand them a new base of operation with which to plot attacks against Americans.

It is easy to see why American intervention is so tempting. It is easy to see why President Obama has chosen to act: a humanitarian crisis, a strategic interest, a uniquely American blend of goodness and power tells us we can, that we must try to make things better.

Here is the rub. It is not enough for there to be a will. There also has to be a way.

Today in Syria I do not believe there is that way. I do not believe this Congress should give the President the ability to escalate America's role in the Syrian conflict without a clear set of goals and a clear sense that we can achieve these goals.

Let's start with the odds attached to our first objective, overthrowing Bashar al-Asad. The unfortunate reality is that the momentum is with the Asad regime. With the help of Hezbollah and Qasem Soleimani, a senior Iranian Quds Force commander, Asad has driven the rebels from the key town of Qusayr, and his forces are

now battering the rebels' positions in Aleppo.

American-supplied automatic weapons are not going to be enough to change this reality. While antitank and anti-aircraft weapons, along with armored vehicles, could give the advantage to the Syrian opposition, this would, frankly, invite another more sinister problem. The Syrian opposition is not a monolithic force. It is an interlocking, sometimes interdependently operating, sometimes independently operating, force.

Our favored faction is the Free Syrian Army, but they are currently far from the most effective fighting force of the opposition.

Today the most effective fighting unit of the rebels is Jabat al-Nusra, an Islamist extremist group with demonstrable ties to al-Qaida. If we give heavy weaponry to the FSA, there is virtually no guarantee these weapons will not find their way to Jabat al-Nusra, a group that represents the very movement we are fighting across the globe.

In fact, we have been down this road before. In the eighties, we gave powerful weapons to the mujahedin in Afghanistan, freedom fighters that we supported in their war against the Soviets. Of course, as we all know, after kicking out the Soviets, those fighters later formed the foundation of the Taliban, providing a staging ground in Afghanistan for al-Qaida's plans against the United States.

Let's take our second objective. Even if we are successful in toppling Asad, it matters to us greatly who takes the reins of Syria next. I can't imagine we are getting into this fight just to turn the country over to the al-Nusra front or another Iranian- or Russian-backed regime. But if we do care about which regime comes next, and we should, then we need to admit we aren't intervening in Syria for the short run. We are in this for the long haul. Why? Because as we all learned in history class, these upheavals run a pretty predictable course. There is first the revolution and then there is the civil war.

Iran nor Russia will allow a U.S.-backed Free Syrian Army to simply stand up a new government. Certainly, Jabat al-Nusra and other extremist groups are not going to do the lion's share of the early fighting and then just walk away with no role in the new government.

Then we have to admit we are in the medium and in the long term deciding to arm one side of what promises to be a very complicated multifront heavily proxied civil war.

One may say there is still an interest to negotiate the politics and the military logistics of this second conflict. To that I would ask, what is the evidence we have ever gotten this tightrope right in the past? Recent history tells us America is pretty miserable at pulling the strings of Middle Eastern politics. In Afghanistan, after 10 years of heavy military presence, many experts think that when we leave, the place is going to look pretty much like it did before we got there. If we can't effect change with tens of thousands of troops, how are we going to do it in Syria with just guns and cash?

There is a risk that our assistance could actually make things worse. Would it not embolden the Iranians, the Russians or the extremists to fight harder against the new regime if they know they are backed by American money and arms?

As we saw in our disastrous occupation of Iraq, American presence often attracts extremists, not repels them. Our money and arms become bulletin board material for extremist groups around the globe. Why would we want to help al-Qaida's recruitment by putting a big red, white, and blue target on Damascus for years to come?

The bottom line is this: Not everywhere where there is an American interest is there also a reason for American military action. In Syria, with a badly splintered opposition, a potential nightmare follow-on civil war, I believe the odds are slim that U.S. military assistance will make the difference that the President believes it will make. And I worry that our presence could harm, not advance, our national security interests.

There is, thankfully, another way. Given the atrocities occurring within Syria and the potential for further destabilization in the region, the United States cannot and should not simply walk away from Syria. We should dramatically increase our humanitarian aid—both inside and outside Syria. We should help improve conditions at the refugee camps in Turkey and Jordan, and help other nations bearing the burden of displaced persons, such as Lebanon and Iraq, deal with the influx of people. Put simply, we should concentrate our efforts on humanitarian help inside Syria and on making sure the conflict doesn't spill outside of Syria's borders.

At the very least, our Nation's role in Syria deserves a full debate in Congress before America commits itself to a course of action with such potentially huge consequences for our national interests. According to published press reports, the administration has indicated it does not intend to seek congressional approval before shipping arms to the Free Syrian Army—at a time, I would note with some irony, when the United States still officially recognizes the Asad government.

The Foreign Relations Committee has done its work here, and I commend Chairman MENENDEZ. We have had hearings, we have held a debate and a vote on a resolution, but now that the President has announced these new steps, it is incumbent upon the full Senate to ask questions of the administration's short-term and long-term goals, and to debate the consequences of American intervention fully. This is serious business, and the American public deserves a full debate.

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

The PRESIDING OFFICER (Mr. KAINE). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MCCAIN. 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. MCCAIN. I ask unanimous consent to address the Senate as if in morning business.

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

Mr. MCCAIN. I thank the Presiding Officer for these few extra minutes. I intend to speak until 12:45.

There is a lot to say about the immigration bill, and obviously there are amendments that are pending.

One, the Thune amendment would delay the process of bringing people out of the shadows until 350 miles of double-layer fencing is complete. This could have the impact of delaying the process for years. I note with some interest that the Senator from Texas, Senator CORNYN, believes there is no more fencing required in the State of Texas.

Fencing is important. Surveillance is more important. This bill alone as presently written includes $1.5 billion of fencing for the southern border as a trigger to begin adjustment of status for those in RPI status, but it doesn't arbitrarily dictate the number of miles of double-layer fencing that should be built. I think we should leave that to the best judgment of the Border Patrol.

I would point out that back in 2007, the Senators from Texas added an amendment to an appropriations bill that said: If the Secretary determines the use or placement of resources is not the most appropriate means to achieve and maintain operational control over the international border. We currently have 352 miles of pedestrian fencing, 298 miles of vehicle fencing along the southern border, which is where the Border Patrol said it is most effective.

The Vitter amendment has the same limitations. We agree, and in the bill an exit-entry system is created. The bill mandates that before anyone receives a green card, an entry-exit system must be in place in all air and sea capabilities.

I want to remind my colleagues who keep referring back to 1986—and I was around at that time—there was no real provision for border security there. There are provisions here. And I want to emphasize that we know exactly from the Border Patrol the technology that is needed in each sector in order to get 90-percent effective control of the border and 100-percent situational awareness, and these are detailed in important technology—which is the real answer to border security.

I am absolutely confident that with the implementation of this technology-based border security system, we can

absolutely guarantee the American people—but, more importantly, the head of the Border Patrol—I will have a statement from him early this afternoon, and he will say that if we implement the technology—which they gave us the detailed list of—he is confident we can have 90-percent effective control of our border and 100-percent situational awareness.

I hope my colleagues who are concerned about border security—and legitimately they are—will pay attention to the statement of the head of the Border Patrol who says unequivocally that if we adapt these specific enforcement capabilities and technology, we will be able to have control of our border. That is an important item in this debate and it is incredible detail.

Also in this legislation we need to give them the flexibility where there is the improved technology, et cetera. We do need more people to facilitate movement across our ports of entry, but we have 21,000 Border Patrol. Today, on the Arizona-Mexico border there are people sitting in vehicles in 120-degree heat. In 1986, we had 4,000 Border Patrol. We now have 21,000. What we need is the technology that has been developed in the intervening years.

I would be more than happy to say to my colleagues that if we have a provision that this strategy must be implemented and is providing 90-percent effective border control, that would serve as a trigger.

I hope my colleagues will reject the pending Vitter and Thune amendments and we will move on with the legislative process.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:43 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

The PRESIDING OFFICER. Under the previous order, the time until 3 p.m. will be equally divided and controlled between the two leaders or their designees for debate on the pending amendments.

The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I come to the floor today to ask my colleagues to join us in supporting the historic comprehensive immigration bill that is before us today.

We worked hard on the Judiciary Committee to craft a strong bipartisan bill that bolsters our economy, secures our borders and promotes opportunity for both businesses and families.

I thank all of those involved in the original bill—Senators SCHUMER, MCCAIN, DURBIN, GRAHAM, MENENDEZ, RUBIO, BENNET and FLAKE. I thank the members of the Judiciary Committee who all had a hand in changes to the bill. And I specifically want to thank Senator HATCH who worked with me on the I-Squared—Immigration Innovation—bill. The bill on the floor today contains many of the provisions from I-Squared that encourage more American innovation.

As you know, we passed this comprehensive immigration bill out of committee on a bipartisan vote of 13 to 5 and I am hopeful we can build that same kind of broad-based support on the Senate floor.

This is not going to be simple. It is not going to be easy. But the most important thing—the reason I am optimistic we can get something done—is the fact that we are all coming at this from the same basic starting point:

Democrats and Republicans, Senators from border States and Senators from inland States, we can all agree on this: Our current immigration system is broken. And changes must be made.

The question now is how those changes should come about, and that is why we are having this debate—to find that common ground and pass a bill that is ultimately stronger because it reflects the needs and priorities of both parties and all regions of the country.

Passing comprehensive immigration reform will be a vital step forward for our country. It will be vital to our immigrant communities, who have been separated their families for too long. It will be vital to our security. And its will be vital to our economy, to strengthening our workforce, addressing our long-term fiscal challenges and promoting innovation.

There are many strong and compelling arguments for immigration reform, but let me begin with the economic impact on our businesses and major industries.

Minnesota is a big agriculture State, just like the State of Wisconsin, Madam President, and I can't tell you how many farmers and agricultural businesses I have heard from who tell me they rely on migrant workers and other immigrants to keep their operations going. I have heard it from high-tech startups, too, as well as big technology companies like 3M, St. Jude and Medtronic. I have heard it from the homebuilders and the construction companies, even hospitals and health care providers.

These businesses represent a vast range of industries and interests. But when it comes to immigration reform, they all agree: It is critical to their operations, and it is a vital engine for growth and innovation.

In fact, history shows that immigrants have helped America lead the world in innovation and entrepreneurship for generations:

More than 30 percent of U.S. Nobel Laureates were born in other countries. Ninety of the Fortune 500 companies were started by immigrants, and 200 were started by immigrants or their children, including 3M, Medtronic, and Hormel in Minnesota.

Workers, inventors, scientists and researchers from around the world have built America. And in an increasingly global economy, they are a big part of keeping our country competitive today.

If we want to continue to be a country that thinks, invents and exports to the world, then we can not afford to shut out the world's talent. It doesn't make sense to educate tomorrow's inventors and then send them back home, so they can start the next Google in India or France.

That's why I introduced the I-Squared Act with Senator HATCH to make much needed reforms to allow our companies to bring in the engineers and scientists they need to compete on the world stage.

One of the things that bill would do is increase fees on employment-based green cards, so that we can also reinvest in or own homegrown innovation pipeline by funding more science, technology, engineering and math initiatives in our schools.

In my State the unemployment rate is at 5.4 percent. We actually have job openings for engineers, we have job openings for welders, and we want those jobs to be filled from kids who go to the University of Minnesota. We want those jobs filled by kids who get a degree at a tech school in Minnesota. But right now we have openings and we have to do a combination of things. We have to be educating our own kids and making sure if there is a doctor coming from another country who is willing to study at the University of Minnesota or in Rochester, MN, and then wants to do his or her residency right in America in an underserved area in a place such as inner-city Minneapolis or a place such as Deep River Falls, MN, we let them do that residency or internship there instead of sending them packing to their own country.

Much of the legislation that was in the I-Squared bill, as I mentioned, is included right here in the bill we are considering. The health care leaders' provision I mentioned originally, called the Conrad 30 bill, something I worked on with Senator HEITKAMP and Senator MORAN and others—that is also in this bill.

Here's something else that's just good sense: Bringing the roughly 11 million undocumented workers out of the shadows.

Immigrants who are ''off the grid'' can not demand fair pay or benefits, and there are those who seek to take advantage of that. It's a bad thing for the American workers whose wages are undercut. And it's a bad thing for the American families whose undocumented relatives are being exploited.

In addition to the economic implications, having millions of undocumented people living in our country poses a serious threat to both our national security and public safety.

This bill takes the only rational and feasible approach to bringing these