As Civil Rights Commission Member Peter Kirsanow warned, our African-American citizens often are the ones who are hurt the most, as well as recent immigrant arrivals and working Americans. What about their rights? They have sweat and bled and died for this country, been called on to serve and responded, paid their taxes, raised their children, tried to do the right thing day after day. What about their rights? What about the right of every citizen to the protections our immigration laws afford? Will no one rise to their defense?

We need an immigration policy that helps all residents—including millions of immigrants who have come to America. We want to help them rise into the middle class and above. We need rising wages, not falling wages. We can't help those living here today if we keep bringing in record numbers of new workers to compete for their jobs, to drive up unemployment, and then pull down wages. That is just a fact.

After decades of large-scale immigration, and with large illegal immigration flows in addition, we need to get serious and establish a principled policy of immigration and consistently enforce it, a policy that is honorable, that we can be proud of, and that serves the interests of all Americans—especially working Americans. These are the people who have made our country great. They deserve our attention and compassion, too. Middle America has been decent and right on this issue from the beginning.

For 40 years American people have called on Congress and called on their Presidents to create a lawful immigration system they can be proud of that serves the national interests and serves their interests. But what have they gotten? Nothing but more illegality and more demands for amnesty. The leaders of their country have not listened to them, and they aren't listening now. It appears to me the leaders of this country are not very interested in what the American people think.

The President plans to dramatically exceed his powers. It is the latest example of rejecting what the American people have asked for and it is a breathtaking violation of congressional power. It cannot be allowed to happen. We need to defend our Constitution, we need to defend the rule of law, and we need to defend the powers of Congress—and, at bottom, to defend legitimate rights, interests, and desires of the people who sent us here.

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

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

Mr. SESSIONS. Mr. President, I know the Chair serves as a member of the Budget Committee, as I am the ranking Republican on that committee. We have gotten a CBO, Congressional Budget Office, analysis—our official scorekeeper of spending—on the part of the proposal the President has presented to spend $4.346 billion to deal with the Southwest border crisis. What CBO has done is provided its cost estimates of the President's recent supplemental request for the Southwest border.

Significantly, CBO's analysis suggests that only $25 million of the $4.346 billion request will be spent this year. This indicates clearly that the agencies are not in dire need of supplemental funding from this Congress, certainly not in the degree asked for.

Again, CBO's analysis suggests that only $25 million out of the $4.3 billion request will be spent this year. What does that mean? It means we ought to slow down. There is no basis to demand a $4.3 billion increase in emergency spending. Every dollar borrowed—because we are already in debt. To spend $4 billion more is to borrow every penny of it. We should not do that until we find out more about what is happening at our border.

Twenty-five million dollars is a lot of money in itself. The Homeland Security and other agencies, Health and Human Services, have monies they can apply to these problems.

I am not saying no money is needed now, because we want to treat children and be helpful and treat them in a humanitarian way and a compassionate way. But we don't need $4 billion. That is clear. And we are not to be doing that. Thank goodness, the House of Representatives is looking at it carefully. They need to reject this request out of hand.

Colleagues, the fundamental problem here is that when the President of the United States did his DACA bill, when he did his DREAM Act Executive order, what did he do? He basically said: We are not going to deport young people. Then we began to see this surge of young people coming to America, and we are not deporting them effectively. They are being taken in, turned over to HHS, found housing, turned over to whoever comes and picks them up even if they are not citizens and not lawfully here. They are not being deported. So more have come in record numbers.

I guess, first of all, the very idea that we would spend—I guess for that project—$3.7 billion is a stunning amount of money. It is a huge amount of money at a time when we don't need to be borrowing money more than we have to. So I believe and would say to our colleagues, this plan does not call for the expenditure of money this year except for $25 million, and therefore we are not in a crisis that demands us to produce billions of dollars in revenue for this President to continue to carry out policies that only encourage more people to come to America and cost us even more in the time to come.

Mr. President, I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

IMMIGRATION

Mr. CORNYN. Mr. President, from the beginning of our Nation we have had our challenges. We have had big challenges and little challenges, and somehow, some way, America has always risen to those challenges and addressed those in a way that was in the best interest not only of the present generation but future generations as well.

During those times, it was not true that our leaders always saw things the same way or agreed with each other 100 percent, but they saw greater value in trying to solve the Nation's problems rather than just saying: This is too hard; we can't agree, so we quit. That is not our tradition. That is not our heritage.

But looking at the present situation here in Washington, DC—and in particular the Senate—I find myself sometimes wondering whether those days have passed us by. I hope not, but I sometimes wonder whether the youth of America will witness in their lives some of the great attempts to address our Nation's challenges they read about in their history books.

Right now we know we have an urgent humanitarian crisis on the U.S.-Mexico border, more specifically in the State of Texas. I was back in McAllen, TX, on Friday, and I was grateful to see a number of our colleagues who were there: Senator HIRONO, Senator BLUMENTHAL, Senator MURKOWSKI, as well as a number of House Members, seeing for themselves what the crisis consists of and exploring what might be some of the possible solutions.

I was meeting with Congressman CUELLAR, who is from Laredo, TX, and with a number of local officials in the Rio Grande Valley. Many of them have expressed the same wish that I had expressed and Congressman CUELLAR had expressed. They wished the President would come down to the Rio Grande Valley and see for himself what we have seen. We know he had an opportunity to do that a couple weeks ago and chose not to do so, but they said the invitation is still outstanding. They would love to see him. The least you think the President might consider doing is congratulating the professional efforts of our Border Patrol and other law enforcement specialists who were down there doing an amazing job. Of course, FEMA and other Federal agencies are on the ground as well. That invitation is still outstanding, and I think the President would benefit from seeing this crisis for himself.

What I saw were children packed into detention facilities that were filled to overflowing, some with only a single toilet in the room, and conditions you would not want your children to be in. We learned even more about the horrific journey from Central America

through Mexico up to South Texas that many of these children had endured, and the truth is some of them didn't make it. Some of them who started this horrific journey from Central America simply died in the process. Those who did not die were subjected to horrific abuse, kidnapped, being held for ransom, women and girls being sexually assaulted enroute, because these corridors are controlled by transnational criminal organizations is what we call them—in other words, gangs, cartels—that view these children and migrants as commodities.

For a long time they have been selling drugs because drugs make them a lot of money. Now they realize they can transport children and adults because they make them a lot of money too. And if you just figure it out, if they can figure a way to move tens of thousands—or so far 57,000 children since October of last year—at $5,000 each, that is a lot of money. So these criminal organizations are reaping riches as a result of this sordid trafficking of human beings, and communities are being overrun and government resources are being strained.

The administration has said there is a humanitarian crisis, and I agree. They have also said—and this is Secretary Johnson among others—that a loophole in a law passed in 2008 is one source of the problem. Is it the only source of the problem? No, I don't think that is true. I think there is also an impression that somehow the United States and this administration are less than fully committed to enforcing our immigration laws.

If you read the intelligence gathered by the Department of Homeland Security from many of the migrants, including children who have been detained, many of them report being told there would be a permiso or basically a permission slip or visa issued to them if they were able to make it to the United States. So there is the combination of lack of detention facilities and the requirement of the Department of Homeland Security to turn these children and others over to Health and Human Services, but then they would be released based upon their promise to return at a future court date. This is what has been interpreted as permission to enter the country and stay.

So I know Secretary Johnson of the Department of Homeland Security understands the problem, although the President has a political problem. Many of the President's most ardent supporters are saying: We hope the President will just request money, but in the end we hope he will go even further with the deferred action Executive order that he issued in 2012 for the so-called DREAMers. Those are kids who obviously came into the United States at a young age with their parents but are boxed in; while they can get an education, they cannot get a job.

Rather than asking for a solution to this problem, the President has indeed asked for a blank check, and I for one am not for giving it to him. I am for doing what is compassionate. I am for treating these children and all immigrants and all human beings, for that matter, with the dignity and respect they deserve by virtue of their status as human beings. But we also need to realize that America cannot endlessly accept a flood of humanity from countries around the world who want to come to the United States, especially through an illegal smuggling system that does not respect their dignity as human beings or our laws. We simply cannot absorb or assimilate into America an uncontrolled flow of people from around the world.

Americans are the most generous people in the world when it comes to our immigration policies. We naturalize about 800,000 people a year, accept them into this great country and accept them as American citizens. But we simply cannot allow this sort of uncontrolled wave of humanity and expect to be able to deal with them in a dignified and appropriate way. We simply cannot continue to feed this business model of transnational criminal organizations and cartels that profit from their own criminality and for exploiting these children and other migrants.

I know in this political environment putting forth a solution is tough because usually what happens is you get attacked from the right and the left, which usually tells you that you are probably doing the right thing. But it is worth the effort to try to find a solution to this problem. It requires all of us to take our responsibilities when it comes to serving the public seriously; and it requires us to put forward solutions knowing that we are not going to come up with a perfect solution, but if we can come up with one that moves the ball 80 percent down the field, that is not bad. That is not a bad day's work. Certainly if we can help make somebody's life a little bit better or protect them from some of the horrific consequences of inaction, it is worth it.

I have—as the Presiding Officer knows—partnered with one of my colleagues in the House who happens to be a Democrat, HENRY CUELLAR, in a bipartisan, bicameral solution to this human crisis. If somebody has a better idea, we are all ears. But all I can hear is crickets. I don't hear a lot of other ideas. There are some and we ought to consider those, but mainly I haven't heard anybody come up with another solution to this loophole that is being exploited by these transnational criminal cartels other than the one that Congressman CUELLAR and I have proposed.

There have been some who have expressed concerns about the legislation. On the right there are some who have said this bill would make it easier for unaccompanied minors to achieve legal and asylum status. That is wrong. The HUMANE Act, which is what we call this legislation, would not change current law at all with regard to either a claim for asylum or achieving legal status. It would, however, make sure that current law is actually enforced by speeding up court dates and the removal process for unaccompanied children who don't satisfy some of these exceptions.

It is also worth reminding the American people that there are a number of fraud prevention measures in our current asylum laws that the HUMANE Act would not change, and—and this is important—more than 70 percent of those seeking asylum in the United States last year—more than 70 percent of those seeking asylum last year in the United States were ultimately not awarded that status. In other words, this is a rather narrow provision.

Some have also argued that the HUMANE Act would somehow expunge the removal orders that were issued to minors who came to the country illegally during the current surge and have already been released to State-based family members or sponsors. What our bill would actually do is allow the U.S. Government to replace those removal orders with new nonappealable orders that would allow for an expedited repatriation process for the children who were not qualified for asylum status or were not a victim of human trafficking.

On the left we have heard the claim that many of these children will not obtain the necessary legal representation they need. Wrong again. The HUMANE Act would not change current law which requires Health and Human Services to ensure to the greatest extent practicable that legal representation is provided for unaccompanied children.

I have not heard many of my friends on the other side of the aisle who actually supported the 2008 law unanimously complain about this aspect; in other words, what they are complaining about now in terms of inadequate legal representation they actually voted for in 2008.

Some worry that this bill would be a vehicle for comprehensive immigration reform, to which I would ask: Have you witnessed the dysfunction in the U.S. Senate? Do you actually think there is any real chance we will pass comprehensive immigration reform through both Houses of Congress this year?

Well, some have said there is also concern there are not enough protections in the bill for children. Yet we have added protections that don't already exist under current law, such as an expedited court hearing before a judge and for those credible claims, stronger safeguards to ensure children are not released in the hands of dangerous criminals or those who would abuse them. So after identifying a problem and a cause, one would think it would be easy for Republicans and Democrats, Congress and the White House, to come together on a solution. You would think that would be something we would do at a minimum in

fulfilling our job description. Sadly, the President has not seen fit to come forward to embrace the solution that is in front of him. Indeed, from press accounts we have learned that while he understands the nature of the problem, as does Secretary Johnson, and what would be necessary to fix it, the President simply does not want to disappoint some of the more radical activists who essentially say we ought to open the floodgates to people from anywhere around the world and let them come in at their will.

Well, I am discouraged to hear the remarks of the majority leader where he said he is not optimistic that we will be able to address this issue constructively and find a solution before we recess in August. I would think that would be a matter of some urgency because as we have seen since 2011, these numbers seem to double every year. In other words, they start out relatively low. They doubled from 2011 to 2012, from 2012 to 2013, and from 2013 to 2014. It is estimated there could be as many as 90,000 unaccompanied children detained at our southern border this year. So if it is 90,000 this year and we don't do anything about it, what will it be next year—180,000?

This is a bad situation that we have within our capacity to address if we can find a way somehow to do so, but it is going to take a President, it is going to take a majority leader, and it is going to take all of us who choose not to just take the easy way but to take the hard way, one that will lead to a solution to this humanitarian crisis. It won't happen just by throwing money at it without offering any real reforms that will actually fix what is broken in the 2008 law.

I close on this note, again, to plead with my colleagues: If you have a better idea, please come and tell us about it. We may want to embrace it. Is this perfect? No. Does this solve all that is broken in our immigration laws? No, it does not. This is a narrowly targeted solution to a national crisis and one that will, hopefully, positively impact thousands of children.

For those who want to see more, I would say this is a moment to do what we can, when we can and to show we are serious about the job of governing and coming up with responsible solutions.

If we can demonstrate to the American people we can actually do that on a bipartisan basis and fix this, relatively speaking, smaller but nevertheless urgent problem, maybe we can earn their trust enough to tackle some bigger problems in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

INFRASTRUCTURE

Mr. WYDEN. Mr. President, as the Senate begins debate on transportation funding this week, it is clear to me that all sides—Democrats and Republicans—agree that what is needed most is a long-term plan for rebuilding our country's infrastructure.

The reality is we simply cannot have big league economic growth with little league infrastructure. Unfortunately, all over our country, we have potholes and sinkholes, and one of the reasons we are not seeing them filled is because there is no long-term plan or a plan that provides certainty and predictability for all sides—local government and businesses and developers and others—to know the funding will be there.

As we start the discussion that is going to go through the week about a bipartisan plan to go forward on transportation funding—as Senator HATCH and I and the Finance Committee have brought before the Senate today—I want all sides to know it is our view that to get to the long-term road, you have to have a short-term path, and that short-term path is what Senator HATCH and I have pulled together on a bipartisan basis which we hope our colleagues will support before the week is out.

I think all of the Senators understand what is at stake here. Allowing the highway trust fund to run dry would slam the brakes on critical infrastructure projects across the land. Let's be clear: It is nonnegotiable that Congress will prevent that from happening. No Senator wants State and local governments to have to pick and choose which projects move forward and which ones are to be set apart because Congress didn't do its job before the August break.

The reality is a transportation shutdown would be horrendous news for tens of thousands of construction workers facing layoffs. The damages would ripple throughout our economy. Businesses would have a tougher time getting products to market and customers through their doors. Commuters would spend more time sitting in traffic and burning through gas. Car owners would have to fork over more cash to replace their tires and fix their broken suspensions.

With all Americans having something at stake, Congress must act, and that is why it is so important, in my view, to pass the bipartisan PATH Act—Preserving America's Transit and Highways Act—this week.

As I have indicated, the Finance Committee came together on a bipartisan basis to advance this legislation to the Senate floor. Senator HATCH and I met regularly on this matter throughout the spring to reach a solution. When I first proposed a draft of a chairman's mark and announced a committee markup, Senator HATCH and the Finance Committee's Republicans asked for more time to reach a bipartisan consensus, and I agreed. We continued to talk almost each day, with our staffs in constant contact. Every member of the committee pitched in. When the committee reconvened to consider the modified legislation, it passed with virtual unanimity. This is a truly bipartisan plan.

Our colleagues in the other body have offered their own legislation. I wish to take a brief moment to highlight some of the differences between the two bills that, in my view, are quite important. As part of our effort to reach a bipartisan agreement, the Finance Committee agreed to adopt several of the funding sources proposed by the Ways and Means Committee. Those sources included customs user fees and pension smoothing. The Finance Committee's bill leaves room for customs user fees to continue to support vital trade programs. In the committee's view, that is an important tradition to protect.

The Finance Committee's legislation also leaves room for revenue from the pension smoothing provision to help secure multi-employer pension plans that face insolvency.

Finally, the Finance Committee's legislation draws some revenue by improving the enforcement of tax laws that are now on the books. I bring this up because I have seen some inaccurate accusations about what these enforcement provisions would do. Let's be clear: These are not new taxes. They are not tax increases. In fact, the Finance Committee even received a letter from Grover Norquist and the group Americans for Tax Reform saying so. Mr. Norquist is not soft on the question of tax increases, and he has indicated that these provisions are not tax hikes. What these provisions do is crack down on tax cheats and ensure that mortgage lenders provide homeowners with more tax information than they are usually getting today.

By contrast, it is my view that the other body not only missed an opportunity to strengthen tax compliance, but also weakened the solvency of pension plans and leaves no funds in reserve to address that problem down the road. The House approach for paying for transportation funding creates another funding problem for pension plans that Congress will have to solve in the future. In effect, as one colleague indicated to me, we have one challenge on our hands in terms of transportation, and if we now take the House approach, we will have two challenges on our hands: transportation and pension.

The Finance Committee, on a bipartisan basis, decided through the PATH Act to come to the Senate floor as the transportation shutdown approaches with tens of thousands of jobs on the line and advance a bipartisan proposal.

What is needed next after this legislation has passed and is safely in the rearview mirror is what I touched on at the outset: a long-term plan that would rebuild America's infrastructure and end the cycle of stopgap funding. That will require more than the bare minimum of fixing the highway trust fund. Even in the best of times when there is no threat of a transportation shutdown—we are making a little league infrastructure investment of less than 2 percent of our gross domestic product.