

AgJOBS is legislation that embodies the darkest and most disturbing elements of our immigration system; namely, illegal aliens being smuggled across our borders; unscrupulous employers taking advantage of undocumented workers; uncontrolled migration, black markets, and fraudulent documents used by terrorists to circumvent our border security.

The AgJOBS bill tarnishes the unanimous promise of a better life enshrined on the base of the Statue of Liberty. It cheapens the struggle of those immigrants who arrived on Ellis Island 100 years ago, and all of those who have come to this country and followed the rules to earn citizenship in this great Republic.

Amnesties beget more illegal immigration—hurtful, destructive, illegal immigration. Look at the statistics. After President Ronald Reagan signed his amnesty into law in 1986, 2.5 million illegal immigrants flooded into this country. Since the 1986 amnesty, the Congress has passed 6 additional amnesties, resulting in an explosion in the illegal immigrant population, with an estimated 900,000 new illegal aliens settling in the United States each year, hoping to be similarly rewarded. The last thing we need is another amnesty masquerading as immigration reform. Amnesties cheat—amnesties cheat—immigrants and U.S. citizens alike.

Our immigration system is already plagued with funding and staffing problems. It is overwhelmed on the borders, in the interior, and in its processing of immigration applications.

Senators need only go to the emergency rooms of the hospitals in this city and in the environs of this city. Go, see for yourselves. The infrastructure is already greatly overburdened. The infrastructure cannot handle the problems that are coming upon us.

I go to the emergency rooms. I have been to them many times, taking my own wife of almost 68 years of marriage, taking her. I see the emergency rooms. I see how they are overcrowded. I see how there are people waiting. I see how there are people out in the corridors, in the halls, lying on cots awaiting attention. The schools are overburdened. Health services, health facilities, just take a look at what is happening. It is too much for the infrastructure.

Now we are going to increase the problem. If the AgJOBS amnesty is enacted into law, it is going to get worse. My forebears were immigrants, too. They came to this country a long time ago. It is going to get worse for employers, worse for immigrants, worse for the security of the American people.

Following the passage of the 1986 amnesty for 2.7 million illegal aliens, the INS had to open temporary offices, hire

new workers, divert resources from enforcement areas. The result was chaos that produced rampant fraud, with many aliens, almost 20 years later, still disputing their amnesty claims in the courts. Today's backlog of immigration applications is even larger, with the stack of pending applications at 4 million and rising. The AgJOBS amnesty would dump countless more applications on an already overtasked immigration system. With resources so scarce, the process would literally break down, background checks would be missed, document verification would be ignored, and backlogs would grow, encouraging more and more fraud.

It only took 19 temporary visa holders to slip through the system to unleash the horror of the September 11 attacks. The AgJOBS proposal would shove 3 million illegal aliens, many of whom have never gone through a background check, through our border security system, in effect flooding a bureaucracy that is already drowning. It is a recipe for disaster.

It is not mere speculation to suggest that a terrorist would exploit an amnesty. It has already happened. Mahmud Abouhalima, a leader of the 1993 World Trade Center bombing, was legalized—legalized, I say—under the 1986 amnesty. Only after he was legalized was he able to travel outside of the country to the Afghanistan-Pakistan border where he received the terrorist training he used in the bombing.

A closer look at the details of the AgJOBS amnesty raises even more concern. The only way to secure amnesty under the AgJOBS proposal is to seek U.S. employment. That puts U.S. citizens in direct competition with illegal aliens. Even if U.S. workers are not displaced, illegal immigration depresses wages. It depresses benefits for American jobs.

Under the AgJOBS amnesty, an illegal alien, once achieving temporary status, becomes eligible to apply for permanent residency or even citizenship, which puts that alien ahead of every immigrant waiting to immigrate legally to the United States. That is not fair. When amnesty advocates evoke the image of Ellis Island and the Statue of Liberty, imagine those law-abiding immigrants being told to get back on the ship because an illegal alien had taken their spot. Is that right? Is that fair?

I hope Senators will take a close look at this proposal. I want to aid hard-working immigrants, but this is amnesty for illegal aliens. It is amnesty for the unscrupulous employers who exploit them. It is amnesty for potential terrorists seeking to circumvent our border defenses.

The AgJOBS bill is a sweeping, extreme proposal that will undermine our immigration system. It has no place on

this wartime supplemental appropriations bill, and the Senate ought to reject it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senator BYRD for his thoughtful remarks. As I have been doing some research on this AgJOBS bill myself, and have become increasingly concerned with it, I came upon a report in the early 1990s that reviewed the success of the 1986 amnesty, or lack of success. I wondered—the Senator was here during that time—whether the same arguments were made in favor of the bill in 1986 that are being made today; and further, whether he would agree with the official Commission's report that the 1986 amnesty was a failure?

Mr. BYRD. Well, I thank the distinguished Senator for his statement. I thank him for his attention to my remarks. I was here then. I am here now. I am concerned about the amnesty we are talking about, the AgJOBS amnesty. I have stated my feelings about it. I am going to leave it at that. I thank the distinguished Senator.

ADJOURNMENT UNTIL MONDAY,  
APRIL 18, 2005, at 1 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 1 p.m. on Monday, April 18, 2005.

Thereupon, the Senate, at 1:38 p.m., adjourned until Monday, April 18, 2005, at 1 p.m.

#### NOMINATIONS

Executive nomination received by the Senate April 15, 2005:

DEPARTMENT OF EDUCATION

RAYMOND SIMON, OF ARKANSAS, TO BE DEPUTY SECRETARY OF EDUCATION, VICE EUGENE HICKOK, RESIGNED.

#### CONFIRMATION

Executive nomination confirmed by the Senate Friday, April 15, 2005:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PAMELA HUGHES PATENAUDE, OF NEW HAMPSHIRE, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

#### DISCHARGED NOMINATION

The Senate Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of the following nomination and the nomination was confirmed:

PAMELA HUGHES PATENAUDE, OF NEW HAMPSHIRE, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.