

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 I ask unanimous consent that the order for the quorum call be rescinded.

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

#### IMMIGRATION

Mr. DURBIN. This was an historic day in the Senate. I was up after the vote on immigration with Senator KENNEDY. We had a little press conference to talk about what happened. We needed 60 votes to move the immigration bill forward, for more amendments, to final passage.

When the roll call was taken, there were 46 votes; it was far short of what was needed. The average person might ask: "Why would it take 60 votes to pass something in the Senate? I thought it was by majority vote." Well, not in the Senate, it is not. If it is a complicated issue, and many are, it takes 60 votes. It is just the nature of this place, the reason why the Senate was created. It is the reason why a Senator from a State such as Rhode Island would represent his State, along with one other Senator, and a Senator from a State such as Illinois would have two Senators. It is the nature of the Senate.

It is a guarantee that the minority always has protection and a voice in this political process. It leads to a lot of frustrations, as you can imagine, because bringing together 51 Senators ready to act and to solve a problem is not enough; around here, it never has been. And it leads to a lot of criticism from the outside about how we spend so much time talking and so little time doing. People look at us and say: "You know, how many years have you all been giving speeches about health care in America? When are you going to do something about it?" Well, the honest answer is, that is good criticism. We have not come up with a plan, nor have we had the political will to move a plan, and if we did, it would face its biggest hurdle probably right here on the floor of the Senate. This is the place where things slow down. George Washington said of the Senate: "This is the saucer that cools the tea."

I was lucky to serve in the House for 14 years. It is a great place. I loved it. I loved all of the people I worked with. We ran every 2 years. You had to be in touch with the folks in your district on a regular, constant basis. You reacted pretty quickly as things came along. Bills passed, resolutions passed, you would sit there and shake your head and say: "All of the things we do just seem to die in the Senate." Well, it is the nature of the process. It is a narrowing between the two Chambers that makes it difficult to move things through.

Well, today was a classic example. We know—everyone knows—the immigration system in America has failed. It has just plain failed. In 1986, the last time we addressed this issue, 21 years ago, President Reagan suggested an amnesty for those who were here illegally and that we do things to stop more from coming. It did not work. The amnesty was given; the enforcement did not take place. On average, about 800,000 new illegals came into the United States each year for 21 years; 600,000 stayed.

We have a rough estimate that about 12 million undocumented and illegal people are here today. What are we going to do about it? Well, first and obviously, stop illegals from coming into the United States. It won't be easy. Look at the risks people are willing to take to come to our country—walking across a desert knowing your life may be at stake, paying someone thousands of dollars to put you in the back of a truck where you might be asphyxiated, jumping on a railroad train where you could lose your life or a limb, just to get right here in our country. It is that desire to come to America that has been around for so long, and it is still there, and it will always be there.

But we know there are things we could do to make this border of ours better. We talked about things, sensible things—not a 2,000-mile wall or anything like that, but placing walls where they will help, placing fences where they will help, traffic barriers, new technology, more border enforcement, training, trying to reach cooperative agreements with the Mexicans and others—to slow illegal border crossings down. All of those things represent a positive step forward. We committed \$4 billion to that effort. It should be done.

Then the workplace—that is what brings people here. Anyone who comes to America and thinks they can just park themselves and wait for a comfortable life is wrong. They come to work. The jobs that immigrants take, they are jobs that most of us do not want. If you went to a restaurant in the great city of Chicago, which I am honored to represent today, and you took a look around at who took the plates off your table, my guess is many of them may be undocumented people. You don't see the folks back in the kitchen washing those dishes or those on the loading dock or perhaps tonight the ones who will clean the bathrooms—likely to be, many of them, undocumented people who are here doing those jobs every single day. They made your bed in the hotel room after you left; they were with your mom in the nursing home bringing her water and changing her sheets; they are the people who, incidentally, make sure they trim the greens for you so this weekend they will look picture perfect. Those are the folks out there every single day. They are in the packing houses, like the place where I used to work in college. That is no glamorous

job. They took it because no one else wants it. It is difficult, it is dirty, it is hot, it is a sweaty, nasty job, and they take it because they get paid to do it.

Most of them, when they get the paycheck, send half of it back home. There are many parts of Central America and South America which subsist because of the transfer payments from people working in America who are illegal, sending their checks back home to their families. These workers live in the barest of circumstances and try to get by in the hopes that some day, they will be Americans; some day, they will have family with kids who have a much better chance.

Their story is our story. It is a story of this Nation from its beginning. Today, we had a chance to address this problem, to deal with 12 million who are undocumented, to deal with border enforcement, workplace enforcement, and to talk about how many more people we need each year.

We cannot open our borders to everyone who wants to come to America. We cannot physically do it. It would not be good for our Nation, for those who are here, or for our economy. But there are some we need.

As a Congressman who represents downstate Illinois, there were times when I desperately begged foreign physicians to come to small towns. These towns did not have a doctor. They were going to lose their hospitals. Doctors came from India, from Pakistan, other places, from the Philippines, and they were greeted with cheer by people who had never been to their countries or knew anything about their land of origin. They came to the rescue. They opened that doctor's office. Many of the people in those small towns I represent in Illinois could not even pronounce that doctor's last name. He was "Dr. K," they would say, "I just don't know how to pronounce his name. I am glad he is here. Mom is feeling better, and we are glad he is here if we ever need him."

So we bring in folks each year, and we try in this bill to define how many we are going to need. Well, you know what happened once debate started, Mr. President. There is a sentiment in America which is as historic as our country. I say jokingly, because I have no way of knowing, that in 1911, when my mother came off the boat in Baltimore, having arrived as a 2-year-old little girl from Lithuania, and came down that ramp with my grandmother and her brother and sister, I am sure there were people looking up at this group coming in, saying: Please, not more of those people.

That has been the nature of America. We know we are almost all immigrants or the descendants of immigrants. Yet there is a resistance that is built into our country to more coming in: They are different, there may be too many of them, they may threaten our jobs—all of those things. And we saw that sentiment, not on the floor of the Senate or the House, but certainly we heard it on

television, on radio. It is a sentiment that goes from being critical to being dark and ugly.

My wife called me this morning from our home in Illinois. She told me the telephone calls that were overwhelming my office had reached our home and people were calling her all through the night. They got our home telephone number and decided to try to keep her awake all night. Well, that is part of this job. I am not asking for sympathy. I understand I am a public figure. I am sorry she had to put up with it. She has put with it for a long time. But that sentiment got carried away in many respects. It went beyond criticizing a bill and went into something else that doesn't speak well of us as a Nation.

So tomorrow morning, across America, many people—some 12 million of them—will get up and go to a job where they will work hard and they will come home and not be sure about what tomorrow will bring. They do not know if there will be a knock on the door and they will have to leave. They do not know if they will be separated from the family they love, they do not know whether their children will have any future at all. That uncertainty is because of the fact that we did not have the votes today in the Senate.

I think about some of them whom I know personally. I think about some of the characterizations of those people which I think are so unfair.

Last weekend, Pat Buchanan, who makes a living writing books and saying things that are controversial, was on "Meet the Press" and characterized the 12 million people as criminals, welfare recipients, called them the mass invasion of the United States. Perhaps a few of them might fit in that category, but not the ones I have met and know.

Among the people now whose lives are going to be left in uncertainty is a mother I know and know very well. Her husband was one of those lucky ones. He was a citizen from Mexico. In 1986, he was given amnesty by President Reagan. He works 14-hour days in a club in Chicago as a maitre'd, greeting people, bringing them to their tables. He and his wife have four children who are all American citizens. They were all born here. But his wife is undocumented. Several years ago, she was deported, 3 days before Mother's Day, back to Mexico. She was pregnant at the time and wanted to stay in the United States with her doctor until the baby was born but wasn't allowed. Eventually, I called the State Department. They gave her a humanitarian visa to come back to the United States. Now once each year I make a phone call to ask if she can stay with her family for another year. Luckily, she has been able to stay on what they call a humanitarian waiver. But she and her children never know from year to year whether mom is going to be deported to Mexico. Will it make America better if she leaves? Will it make

that family better? I don't think so. This is clearly a case where this great Nation can certainly absorb a loving mother who wants to make sure her kids have a good life.

There is another girl—she is now a young woman—I know from Chicago. She is Korean. She was an amazing young lady who had great musical talent. She was accepted at Juilliard School of Music, but when she applied she learned from her mother that when she was brought from Korea to the United States at the age of 2, no papers were filed. She had no status. She wasn't a citizen of anyplace. She called our office and said: "What should I do?" We checked, and we were told she had to go back to Korea. She had not been there since she was 2 years old. Her life is a life of uncertainty now. Where is she going to go? This is the only country she has ever known. She wants to use her musical talents right here in America, a place she calls home.

Then there is an attorney in the Loop in Chicago, a nice, attractive, young woman who graduated from law school. I met her at a gathering. She asked if I could talk to her afterward. She came up to me and said: "I have to talk to you in private. It is about my mom. My mom is Polish. She came to Chicago to visit some relatives years ago, overstayed her visa. She is not here legally. She got married, had a family. She lives in constant fear that she is going to be deported away from her children and grandchildren. What are we going to do, Senator?"

There will be no answer to these cases until we have a law that creates a mechanism, a formula, and a process that is reasonable. We tried to do that today without success. We can't give up. We can't give up on these cases, and we can't give up on this issue.

We have to understand that this great Nation of immigrants has to have laws. These laws have to be followed. There will be no more amnesties. What we suggested today was that anyone who is here and wants to try to make it to the finish line of legalization has to understand how tough it will be over 8 to 13 years before you can reach that goal. Go to the back of the line so everybody who applied legally comes before you, learn English, have no criminal record, have a history of work, pay your taxes, pay your fines, check in every year. Then, at some point, go back outside this country and apply to come in again. Those are not easy steps. Very few would have made it to the finish line, but we gave them that chance. That is what America is about, to give people a chance.

I hope we return to this issue. I doubt if it will be soon. But I hope we return because of the fact that we have left so many questions unresolved.

#### DARFUR

Mr. DURBIN. Mr. President, I come to the floor this evening to address an

issue which I have addressed every week for several months now. It is the ongoing genocide in Darfur. How long are we going to allow this genocide to continue? How long will we allow mass killings, rapes, torture and the torching of homes and entire villages? How long will we tolerate 200,000, maybe 400,000 deaths? How long will we tolerate 2.5 million people displaced from their homes, a refugee crisis in Chad and other nearby crises? How long will the global community tolerate such brutality in today's world.

In May, more than 4 years after the crisis in Darfur began, President Bush said:

For too long, the people of Darfur have suffered at the hands of a government that is complicit in the bombing, murder, and rape of innocent civilians. My administration has called these actions by their rightful name: genocide. The world has a responsibility to help put an end to it.

I agree with the President. I agree, and I call on the President to help America take action by use his upcoming visit with Russian President Vladimir Putin to demand a halt to Russian military sales to the Sudanese Government, sales that fuel the violence and are in violation of the U.N. arms embargo. My colleagues on both sides of the aisle—Senator SAM BROWNBACK, Republican of Kansas; RUSS FEINGOLD, Democrat of Wisconsin; GORDON SMITH, Republican of Oregon—have joined me in a bipartisan request. Together we wrote President Bush asking him to take action on this urgent issue when he meets with the President Putin. Russia can't claim to be a responsible leader in the global community and at the same time flaunt United Nations sanctions established to help end this ongoing genocide. Mr. Putin cannot have it both ways.

Amnesty International recently reported that Russia and China, two permanent members of the U.N. Security Council, are supplying the bulk of weapons to Sudan. That is right. Two permanent members of the U.N. Security Council are providing the weapons and ammunition being used by the Sudanese Government to perpetuate the genocide, killing innocent life. That is unacceptable. Mr. Putin must put an end to weapons sales. Weapons sold to the Sudanese Government contribute to the massive human misery and violence in Darfur. As I speak today, human rights violations, rapes, murders, attacks on humanitarian workers continue without end. The accounts are ongoing and widespread.

For example, the Associated Press recently reported a horrible story, one that is sadly too common in Darfur. Seven women at a refugee camp in Kalma, Darfur, pooled their money to rent a donkey and a cart. They ventured out of the camp to gather firewood, which they hoped they might be able to sell and use the proceeds to feed their families. A few hours away from the camp, they were attacked and robbed by the Janjaweed militia. They