



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 154

WASHINGTON, THURSDAY, MARCH 6, 2008

No. 38

## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. Warren W. Watts of Tri-County Pastoral Counseling Services, Martinsburg, WV.

### PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

Heavenly Spirit, eternal light of this world, who knows each of us and is with us always. As the Members of this Senate gather, may their hearts be open, their spirits willing, and their minds challenged by the business of this day.

We thank You, Lord, for the dedication shared by this elected body. While representing a variety of people from different professional settings, they all share a common goal of helping and guiding our people and this Nation we lovingly call the United States of America.

Heavenly Spirit, be for each Senator their strength, their armor and their shield in facing and overcoming the many challenges of operating an effective government.

Let these Senators serve with integrity and courage and bless each family and State represented. As our forefathers trusted in You, may this be the legacy of this Senate and of our great Nation. All that we have, all that we are, we owe to You, our God. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable BLANCHE L. LINCOLN, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 6, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mrs. LINCOLN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Madam President, following my remarks and those of the Republican leader, the Senate will be in a period of morning business for 1 hour. The time will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half, the Republicans controlling the final half.

Following morning business, the Senate will resume consideration of S. 2663, a bill to reform the Consumer Product Safety Commission. When the Senate resumes consideration of that measure, there will be 15 minutes for debate prior to a vote in relation to the Vitter amendment, amendment No. 4097. It relates to attorney's fees.

Senators should be prepared to vote sometime early this morning before 11 o'clock.

MEASURES PLACED ON THE CALENDAR—S. 2709, S. 2710, S. 2711, S. 2712, S. 2713, S. 2714, S. 2715, S. 2716, S. 2717, S. 2718, S. 2719, S. 2720, S. 2721, AND S. 2722

Mr. REID. Madam President, it is my understanding there are 14 bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the bills for the second time.

The assistant legislative clerk read as follows:

A bill (S. 2709) to increase the criminal penalties for illegally reentering the United States and for other purposes.

A bill (S. 2710) to authorize the Department of Homeland Security to use an employer's failure to timely resolve discrepancies with the Social Security Administration after receiving a "no match" notice as evidence that the employer violated section 274A of the Immigration and Nationality Act.

A bill (S. 2711) to improve the enforcement of laws prohibiting the employment of unauthorized aliens and for other purposes.

A bill (S. 2712) to require the Secretary of Homeland Security to complete at least 700 miles of reinforced fencing along the Southwest border by December 31, 2010, and for other purposes.

A bill (S. 2713) to prohibit appropriated funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

A bill (S. 2714) to close the loophole that allowed the 9/11 hijackers to obtain credit cards from United States banks that financed their terrorist activities, to ensure that illegal immigrants cannot obtain credit cards to evade United States immigration laws, and for other purposes.

A bill (S. 2715) to amend title 4, United States Code, to declare English as the national language of the Government of the United States, and for other purposes.

A bill (S. 2716) to authorize the National Guard to provide support for the border control activities of the United States Customs and Border Protection of the Department of Homeland Security, and for other purposes.

A bill (S. 2717) to provide for enhanced Federal enforcement of, and State and local assistance in the enforcement of, the immigration laws of the United States, and for other purposes.

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



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S1661

A bill (S. 2718) to withhold 10 percent of the Federal funding apportioned for highway construction and maintenance from States that issue driver's licenses to individuals without verifying the legal status of such individuals.

A bill (S. 2719) to provide that Executive Order 13166 shall have no force or effect, and to prohibit the use of funds for certain purposes.

A bill (S. 2720) to withhold Federal financial assistance from each country that denies or unreasonably delays the acceptance of nationals of such country who have been ordered removed from the United States and to prohibit the issuance of visas to nationals of such country.

A bill (S. 2721) to amend the Immigration and Nationality Act to prescribe the binding oath or affirmation of renunciation and allegiance required to be naturalized as a citizen of the United States, to encourage and support the efforts of prospective citizens of the United States to become citizens, and for other purposes.

A bill (S. 2722) to prohibit aliens who are repeat drunk drivers from obtaining legal status or immigration benefits.

Mr. REID. Madam President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the calendar.

#### IMMIGRATION

Mr. REID. Madam President, we had the opportunity last year to debate, at great length, immigration. We spent weeks of Senate time on immigration. I appreciate the concern of those interested in moving those bills we reported. We knew it was coming. There was a big press fanfare that these bills were coming.

What we tried to do last year, and there was bipartisan support, we could not get 60 votes, but we had bipartisan support. We wanted to make sure our northern and southern borders were secured. That was where we directed our first attention with our legislation.

We also recognized that all over the country there are issues relating to the need for temporary workers. There are people who would say: Well, why would someone from Nevada be concerned about temporary workers?

Well, the Presiding Officer comes from a State where agriculture is big. But agriculture in certain parts of the State of Nevada is big. We are the largest producer of white onions in America; we produce the largest amounts of garlic, and, of course, huge amounts of alfalfa.

With corn being used so much as it is for the production of alternative fuel, alfalfa is becoming a very high-quality, very important product. So we need temporary workers in the farm communities throughout Nevada, but we also need them, on occasion, with our resort industry.

So, No. 1, secure our borders, north and south. No. 2, we need to take a look at guest workers, not in Nevada but the whole country. There is a need to take a look at them.

Thirdly, our legislation said what are we going to do with the 11 or 12 million people who are here who are undocumented? Our legislation directed toward that, was it amnesty? Of course not. But what it did was set up a process that people who were in the country who were undocumented could come out of the shadows. Would they go to the front of the line? Of course not. They would go way to the back of the line.

After having paid penalties and fines, learned English, stayed out of trouble, paid taxes, it seems quite fair, after some 13 years or 14 years, they would be able to have their status readjusted. It is important we do that. It is very clear we cannot deport 12 million people. I am not sure—maybe some want to do that, but I think, realistically, that is not part of what this country is about.

Finally, what we need to do is take a look at what we did in 1986; that is, we established a new setup for immigration, and it was where we would have employer sanctions; we shifted it from the Government to employers. So we had four basic things in our immigration legislation: Border security, temporary workers, path to legalization, and do something about employer sanctions that was more meaningful.

This was a good, strong piece of legislation. There were other things in that. But those were the four main parts. So I would hope this legislation, which was supported by the President, is legislation we could move forward on at some time.

Everyone has a right to offer whatever legislation they wish to offer. I acknowledge that. But I would think that rather than trying to piecemeal this legislation with little bits and pieces here, as everyone knows, if anything to do with immigration comes to the floor, other people who are concerned about certain aspects of border security—temporary workers, pathway to legalization, employer sanctions—would offer amendments.

The difficulty we have had getting bills to the floor and having legislation proceed has been very difficult. So I wanted everyone to know this legislation which was brought to the Senate today, and as I repeat, with great fanfare, big press events, if people want to do something about legislation on immigration, I do not think this is the right way to go. I hope the American public sees this for what it is.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### AMT

Mr. MCCONNELL. Madam President, for the last few days, I have come to the floor to propose a number of potential remedies Congress could employ to

address the current housing downturn; remedies aimed at helping those who are struggling most and at creating new opportunities for others.

In this economy, Congress certainly has a role to play. And that role is to help those in urgent need, while at the same time taking a longer view of the economy and its future strength.

Taxes are an area where Congress can clearly play a helpful or a harmful role. So the debate over the looming AMT tax, which is set to hit millions of middle-class Americans with an average tax hike of about \$2,000 this year, is extremely important.

Last year, at a time when there was less concern about the economy overall, both parties agreed that a tax which was never meant to hit the middle class should be blocked. More than 170,000 families in my State are in danger of being hit with the AMT tax this year.

Nearly 900,000 taxpayers in Florida are in danger of getting hit by it. It is about the same number in Texas and Illinois, and Massachusetts, and Pennsylvania. In Ohio, nearly 900,000 taxpayers are expected to get hit. And then there is New York and California. In New York, more than 3 million families are in danger of getting hit with the AMT this year, and in California nearly 4½ million families and individuals are in danger of being stuck with this tax.

Last year, Republicans insisted that if we were going to protect people from a tax they were never meant to pay in the first place, this meant not raising some other tax on them somewhere else. Senate Democrats came to share that view as well.

This year, Senate Democrats wisely opted in their budget resolution to take the same approach that prevailed last year: No new taxes, no new taxes to cover the AMT patch.

House Democrats, on the other hand, have opted for a different approach. They want to raise taxes by more than \$60 billion to pay for the AMT. And they want to do it by circumventing the legislative process. They should know from the outset that Senate Republicans will oppose this stealth and unfair tax hike, and we fully expect it will fail.

As the Chairman of the Budget Committee, Senator CONRAD, has said: Raising taxes to pay for the AMT is "not the will of the Senate."

Republicans stood strong for two basic principles last year when it came to the budget: The tax burden is already too high for working families and the businesses that create jobs in this country. And spending needs need to be kept in check to the President's top line.

We not only insisted on these principles, we fought for them. And on behalf of the American taxpayer, we prevailed. I have no doubt we will have similar success this year.

Republicans fought hard for fiscal discipline last year at a time when the