The nomination was confirmed.

The PRESIDING OFFICER (Ms. BALDWIN). Under the previous order, the question is, Will the Senate advise and consent to the nomination of Jeffrey L. Schmehl, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania?

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 149 Ex.]

YEAS—100

| | | |
|---|---|---|
| Alexander | Flake | Murkowski |
| Ayotte | Franken | Murphy |
| Baldwin | Gillibrand | Murray |
| Barrasso | Graham | Nelson |
| Baucus | Grassley | Paul |
| Begich | Hagan | Portman |
| Bennet | Harkin | Pryor |
| Blumenthal | Hatch | Reed |
| Blunt | Heinrich | Reid |
| Boozman | Heitkamp | Risch |
| Boxer | Heller | Roberts |
| Brown | Hirono | Rockefeller |
| Burr | Hoeven | Rubio |
| Cantwell | Inhofe | Sanders |
| Cardin | Isakson | Schatz |
| Carper | Johanns | Schumer |
| Casey | Johnson (SD) | Scott |
| Chambliss | Johnson (WI) | Sessions |
| Chiesa | Kaine | Shaheen |
| Coats | King | Shelby |
| Coburn | Kirk | Stabenow |
| Cochran | Klobuchar | Tester |
| Collins | Landrieu | Thune |
| Coons | Leahy | Toomey |
| Corker | Lee | Udall (CO) |
| Cornyn | Levin | Udall (NM) |
| Cowan | Manchin | Vitter |
| Crapo | McCain | Warner |
| Cruz | McCaskill | Warren |
| Donnelly | McConnell | Whitehouse |
| Durbin | Menendez | Wicker |
| Enzi | Merkley | Wyden |
| Feinstein | Mikulski | |
| Fischer | Moran | |

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are made and laid on the table, and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, Senate resumes legislative session.

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

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. TESTER. Madam President, I ask unanimous consent that I be recognized to speak for up to 5 minutes in order to call up my amendment, that Senator VITTER then be recognized for up to 8 minutes in order to call up his amendment, and then Senator HIRONO be recognized to speak for up to 20 minutes.

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

AMENDMENT NO. 1198

Mr. TESTER. Madam President, I call up amendment No. 1198.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Montana [Mr. TESTER] proposes an amendment numbered 1198.

The amendment is as follows:

(Purpose: To modify the Border Oversight Task Force to include tribal government officials)

On page 922, line 13, insert ''and tribal'' after ''border''.

On page 923, line 9, strike ''29'' and insert ''33''.

On page 923, line 15, strike ''12'' and insert ''14''.

On page 923, between lines 20 and 21, insert the following:

(III) 2 tribal government officials;

On page 924, line 7, strike ''17'' and insert ''19''.

On page 924, between lines 12 and 13, insert the following:

(III) 2 tribal government officials;

On page 925, line 8, strike ''14'' and insert ''16''.

Mr. TESTER. Madam President, I am proud to be joined by Senators MURKOWSKI, CRAPO, and MURRAY in offering this bipartisan amendment. Border security is one of the most important aspects of this bill, and on both sides of the border, especially the northern border, the only way to secure the border is to involve State, local, and tribal law enforcement in that effort. Native-American lands and people are a vital but, unfortunately, an often overlooked part of our border security plan. A chain is only as strong as its weakest link. Right now, drug smuggling and trafficking in persons is happening on Indian reservations on our border, moving virtually unnoticed into America. The problem, as the GAO told me in a recent report on this very topic, is a lack of communication and coordination between tribal and U.S. border officials.

This amendment adds four tribal voices to the Department of Homeland Security Task Force, two from the northern border region and two from the southern border region. As drafted, this task force included border security experts from various government entities and is responsible for solving problems related to border security. But somehow the tribal perspective was left out. Yet in Montana, the Blackfeet Reservation is bigger than the entire State of Delaware and it directly borders Canada for 50 miles. The Fort Peck Reservation sits less than 30 miles from the Canadian border. This amendment will increase communication and improve coordination between the Federal and tribal governments that it relies on to secure these borders. Adding a tribal representative to that task force is the right thing to do and it is just plain common sense.

I urge my colleagues to support it, and I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Louisiana.

AMENDMENT NO. 1228

Mr. VITTER. Mr. President, I call up to my pending amendment No. 1228.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 1228.

Mr. VITTER. I ask unanimous consent to waive reading of the amendment.

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

The text of the amendment is printed in the RECORD of June 12, 2013, under ''Text of Amendments.''

Mr. VITTER. Mr. President, this amendment was in the group of four that was the subject of the previous unanimous consent so I look forward to an ongoing debate and vote on this amendment, hopefully early next week, because we need to start voting on this topic and on amendments to this bill. The amendment is simple and in my opinion very important. It would mandate finally that we have an operational US-VISIT system to track visas coming into the country and exiting the country to guard against visa overstays.

This is an important part of security and enforcement, but one that is not talked about enough. We always talk about the border, as we should. We often talk about workplace enforcement, as we should. That is extremely important. This is the third leg of the stool that we do not talk about enough but we need to focus on because this goes to our national security as well as border security.

The 9/11 terrorists all were individuals who came into this country legally, with a visa, but what happened? They overstayed their visa by a lot and they plotted to kill and destroy, which unfortunately they successfully did on 9/11. Because of that, one of the top recommendations of the 9/11 Commission was to implement this visa entry-exit system using biometric data. We call the system that has been developed the US-VISIT system. The problem is full implementation of the US-VISIT system has never come close to occurring as the 9/11 Commission recommended that it be executed.

This amendment says simply we are finally going to do it. We have talked about it for years. We have lived through actual terrorist attacks that go to the heart of this need. The 9/11 Commission has rated it as a top recommendation, so we are finally going to do it. We are not going to move on to changing the legal status of current illegals in this country under this bill until we do it and until we verify that it has been done. That is a very simple idea.

I look forward to a continuing debate on this need, on this amendment, and a vote on this amendment early next week.

Second, I also want to mention a point of order I will be making on this underlying bill as soon as possible, hopefully also early next week. The point of order is simple. It is a point of order against the emergency designation provision contained in the bill in

section (d)(1). It is pursuant to section 403(e) of the fiscal year 2010 budget resolution.

We all consider spending and debt a big problem in this country. We put enormous focus and energy and debate and discussion on that issue. The problem is so often, after we set budget caps, after we set these limits with the very serious spending and debt issue in mind, whenever a big bill comes up they bust the caps. We put a so-called emergency designation on the spending and all of a sudden, like that, with that simple phrase we exempt that entire bill from the spending caps, from the provisions we have put in place to try to get spending and debt under control.

This immigration reform bill is another example of that because it would spend $8.3 billion and it calls all of that spending emergency spending. That is a sleight of hand. That is avoiding the caps and the limits we have tried to put in place to begin to rein in spending and debt.

This is not an emergency in any reasonable sense of the term. This is not an unforeseen storm. This is not an unpredicted earthquake. This is not an unpredicted attack on our country from a foreign power. This is a problem, for sure, but we have annual spending bills and a whole department of government that is supposed to be about this problem—the Department of Homeland Security. We have an annual Department of Homeland Security appropriations bill, so this is not something unforeseen, a true emergency. To call this $8.3 billion emergency spending is a pure sleight of hand to avoid the discipline of the spending caps.

At least on my side of the aisle, when this exact same point of order has been made before on many other bills, we have upheld it. We have said: You are right, this is a sleight of hand. You are right, this is an end run around those budget provisions. You are right, this is just busting the budget cap by another name.

We should do the same here. We should respect the budget law. We should not do an end run around the budget caps. We should not essentially lie to the American people and say this is unforeseen, this is a true emergency, when it is not.

I will be raising this very important budget point of order regarding the emergency designation of $8.3 billion of spending in the bill at the earliest possible opportunity, when it is in order. I expect that to be early next week as well.

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

The PRESIDING OFFICER. Will the Senator withhold his suggestion?

Mr. VITTER. Yes, I withhold the quorum call.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I believe hope and fairness lie at the core of what makes our country great. Fifty years ago, President Kennedy called on the country to embrace civil rights legislation that would end the unfair treatment of millions of people as second-class citizens. Congress responded, and the country is better for it. This week, we in the Senate are debating comprehensive immigration reform legislation that gives hope to the millions of undocumented people who live in this country that they will be able to emerge from the shadows and live full lives. It is our time to act. We should pass this important legislation.

I thank the Gang of 8, and their staff, for their hard work negotiating the bill and getting it through committee and onto the floor. They have set an example of bipartisanship on a tough issue that is all too rare these days.

I also thank Senator LEAHY, and his staff, for his able leadership during the markup. It was a remarkably open and fair process, full of principled debate. That is how the Senate should work.

Their hard work, and that of others, has produced the bill that is before us.

Many senators have already spoken about what is in the bill: the billions of dollars for border security, the tough employment eligibility verification requirements, the pro-tourism policies, and the path to citizenship.

Rather than cover that ground again, I want to talk about two problems with the bill that I hope can be fixed: first, the system designed for future immigration is unfair to women; and second, the pathway to citizenship is unfair to immigrant taxpayers.

The new merit-based point system for allocating visas to future immigrants is the first problem. Simply put, the point system inadvertently makes it harder for women than for men to come to this country.

The new point system is based on an attractive economic idea, but unfortunately one that clearly disadvantages women. The idea is if we want a stronger economy, then we should give immigration preferences to people who hold advanced degrees or work in high-skill jobs.

This idea ignores the discrimination women endure in other countries. Women in too many other countries do not have the same education or career advancement opportunities available to men in those countries. In practice, the bill's new point system takes that discriminatory treatment abroad and cements it into our immigration laws, making it harder for women to come to our country than for men.

While unintentional in this case, the idea that we want to attract the most educated and skilled people but they just happen to be mostly men is the same argument used for generations to protect gender discrimination in our work places. We all want a stronger economy, but we should not sacrifice the hard-won victories of the women's equality movement to get it.

By contrast, the current family immigration system treats men and women equally. The current system is based on keeping families together. That system reflects our shared values about the social importance of family. My family and millions of others also know the family system makes good economic sense.

Anyone, whether an immigrant or natural-born citizen, has a better chance of being successful if they are surrounded by a strong family that can pool its resources to help start a business or to help one another during tough times. In many families aunts and uncles, parents and grandparents, even brothers and sisters, use part of their paychecks every week to help a young man or a young woman in their family pay for college and take one step closer to that American dream. That is how it worked in my family.

My mother brought my brothers and me to this country to escape an abusive marriage at the hands of my father. My mother raised me and my brothers as a single parent, and times were tough for us. But with the help of my grandparents, who later joined us, I was able to learn English and succeed in school. The amazing thing about this country is millions of families have stories like mine.

If I had not been able to come to this country, who knows where I would be today. But I know I would never have had the kind of opportunities given to me by this great country of ours. I want other women to have those chances too.

The biggest losers in this bill's new point system will be unmarried sisters of U.S. citizens. Why? Because the new system not only makes it harder for women to immigrate here, but it eliminates visas for siblings of U.S. citizens while allowing new immigrants to bring their spouses. What this means is a woman who aspires to live with her family and work in the greatest country in the world should not have to get married to do that.

The future immigration system in the bill needs to be modified to give unmarried women more opportunities to come here. There is more than one way to fix this problem. One solution could be to restore the sibling category. I will file an amendment to do that. Another solution could be to modify the point system in the bill. I am working with other Senators on an amendment to do that, which I hope will be ready soon.

The second problem in this bill that needs to be fixed is how it treats immigrant taxpayers. Make no mistake, immigrants pay taxes. A study released in May by researchers at Harvard and the City University of New York found that immigrants contributed $115.2 billion more to Medicare than they took out between 2002 and 2009.

Even undocumented immigrants pay taxes. A 2006 survey by UC-San Diego showed that 75 percent of undocumented immigrants had taxes withheld from their paychecks, filed tax returns, or both. The Social Security Administration estimates undocumented immigrants have contributed between $120

and $240 billion to the Social Security trust fund.

I have a fact sheet with citations of several studies about immigrant taxpayers, and I ask unanimous consent that this fact sheet be printed in the RECORD following my remarks.

The bill makes clear that immigrants on the pathway to citizenship have to continue working, paying taxes and other penalties, and meeting other requirements. In fact, they have to do all of this before they can even start on the path to citizenship.

The Social Security Administration estimates the tax requirements in this bill will raise more than $300 billion in payroll taxes alone. The general fund will also receive more in tax revenues. Although we have not yet seen CBO's official score, in all likelihood the Treasury Department will collect billions more in revenue for the general fund from these immigrants.

In his written testimony to the Senate Judiciary Committee on April 22, 2013, Grover Norquist pointed out that once immigrants have lawful status and work authorization, they will be able to get better jobs and contribute even more to the funding of Federal programs. He wrote that after the 1986 immigration law was enacted, ''their incomes rose by an average of 15 percent just by gaining legal status. Those immigrants today are making much more than they did then and, as a result, paying more in taxes.''

My point is immigrant taxpayers contribute to the funding of not only Medicare and Social Security, but of all Federal programs. No one disputes that it should be this way. Immigrants on the pathway must pay taxes, just like everyone else. The strict tax requirements in the bill are the right policy.

What is wrong are the policies in the bill that prohibit immigrant taxpayers who are on the pathway from being able to use Federal safety net programs for at least 13 years. Their taxes pay for these programs, but they cannot use these programs; that is profoundly unfair. Imagine a person buys homeowner's insurance, but the policy won't cover their house if it catches fire until 13 years after they started paying their premiums. That is obviously not fair, but that is exactly the situation in which we are putting immigrants who are on the pathway to citizenship.

Yesterday, the senior Senator from Utah spoke on the floor about several amendments he filed to further restrict immigrant taxpayers' access to the programs their tax dollars pay for. He said:

> I don't want to punish these immigrants. I simply want to make sure they are treated no better or no worse than U.S. citizens and resident aliens with respect to federal benefits and taxes.

I have the greatest respect for the senior Senator from Utah. I agree with him that these immigrants should be treated no worse than U.S. citizens and resident aliens, but they are not being treated that way. They are being treated worse because of the restrictions in this bill.

Under current law, immigrant taxpayers who are resident aliens cannot use the Federal safety net programs they pay into for 5 years. Their taxes are paid into the system for 5 years, but they get no help during that time if their kids get sick or if they lose their jobs. That is already unfair, but the bill treats immigrants on provisional status even worse. They have to pay taxes for 13 years before they can use the programs they are paying for.

The 13-year-long pathway to citizenship will be hard enough. If they lose their job, they risk losing their legal status and being deported, work hard to save up money, not just for the kids' school supplies but to pay the penalties under this bill. The restrictions on Federal safety net programs make their pathway even more treacherous.

We are saying to these immigrants: Pay your taxes, but if your kids get sick, don't come to us for help. We are saying: Pay your taxes, but if you have to work part time because of a recession, don't come to us if you need some help putting food on the table. We are saying: Pay your taxes, but we are not going to help you. That is not fair.

I want to be clear: I am talking only about immigrants who will be lawfully present. Undocumented immigrants are not eligible for these programs at all and no one is proposing to change that, but the pathway provides a way for certain people to earn lawful status. Let's treat lawfully present taxpayers fairly, including those on the pathway. Let's do as the Senator from Utah suggests and at the very least make sure they are treated no worse than U.S. citizens or resident aliens.

Finally, not only are the prohibitions in the bill unfair to immigrant taxpayers, they are also bad economics. Both Republican and Democratic Senators say they want immigrants to be successful, start businesses, and continue contributing to the economy. We all do. But few people would use their life savings to start a business if they think their children will go hungry or go without health care if their business fails. The safety net programs exist so people can take risks to improve their economic circumstances.

Immigrants come to this country to work. They don't come to get handouts. They come here to work. Two papers from the Cato Institute show that immigrants are more likely to be working or looking for work than natural-born citizens. Immigrants are less likely to use Federal safety net programs.

The title of one Cato article sums it up nicely: ''Evidence Shows Immigrants Come to Work, Not to Collect Welfare.''

Mr. President, I ask unanimous consent that these two papers be printed in the RECORD following my remarks.

Both political parties should be able to support the idea that taxpayers who are lawfully present, working, and paying taxes should be able to use the programs their taxes are paying for. That is only fair. I will file an amendment that says precisely that.

In closing, during the debates on immigration reform, I hope we remember who undocumented immigrants are. Like other immigrants, they had the courage and aspiration to leave their hometowns and all they knew to find work elsewhere in order to give their kids better lives than they could dream for themselves.

The undocumented should pay penalties for the laws they broke by coming here, but we should remember that our Founding Fathers were willing to break up an empire to achieve their dreams.

We are a Nation of immigrants. Let's treat immigrants how we would have wanted our immigrant ancestors to be treated—with dignity and forgiveness.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FACT SHEET ABOUT IMMIGRANT TAXPAYERS AND THE HIRONO AMENDMENT

Imagine you buy homeowner's insurance, but the policy won't cover your house if it catches fire until 13 years after you start paying premiums.

That's the situation that millions of immigrants will find themselves under the immigration bill. Immigrants pay hundreds of billions of dollars in taxes that contribute to the funding of federal safety net programs like Medicaid, CHIP, and SNAP, but they are prohibited from using them. Current law prohibits legal immigrants from using these programs for five years. And the immigration bill prohibits immigrants on the path to citizenship from using these programs for at least 13 years. Thirteen years is an entire childhood.

It is unfair that immigrants pay for these programs but are prohibited from using them if they lose their job or if their kids get sick. If they pay for it, they should be able to use it. We should not treat immigrants as second class citizens.

The Hirono amendment simply states that a person who is lawfully present, working, and paying taxes, shall not be prohibited from using any federal programs or tax credits because of their immigration status.

Here are some facts about immigrant taxpayers:

Immigrants pay taxes. A study released in May by researchers at Harvard and the City University of New York found that immigrants are paying billions in taxes. (''Immigrants Contributed An Estimated $115.2 Billion More to the Medicare Trust Fund Than They Took Out in 2002–2009,'' Health Affairs, May 2013)

Undocumented immigrants also pay taxes, both payroll taxes and income taxes. A 2006 study by UC San Diego found that ''75 percent of undocumented immigrants had taxes withheld from their paychecks, filed tax returns, or both.'' (CBO report, ''The Impact of Unauthorized Immigrants on the Budgets of State and Local Governments,'' December 2007). The Social Security Administration estimated that undocumented immigrants contributed a net $12 billion to the Social Security Trust Fund in 2010.

The path to citizenship will increase federal tax revenue. Immigrants will have to continue paying taxes, and legal status will allow them to move out of the shadows into

higher paying jobs. Grover Norquist's written testimony to the Senate Judiciary Committee on April 22, 2013: ''After the legalization of immigrants during the Reagan amnesty, their incomes rose by an average 15 percent just by gaining legal status. Those immigrants today are making much more than they did then and, as a result, paying more in taxes.'' In a letter to Senator Rubio dated May 8, 2013, the Social Security Administration's Chief Actuary estimated the immigration reform bill will increase payroll tax collection by more than $300 billion between 2014–2024.

Immigrants use federal safety net programs less often than natural born citizens, and when they use them their average costs are less than for natural born citizens. Immigrants are also more likely to be working or looking for work. See Cato Institute papers ''Poor Immigrants Use Public Benefits at a Lower Rate than Poor Native-Born Citizens,'' March 2013 and ''Evidence Shows Immigrants Come to Work, Not to Collect Welfare,'' August 2010.

Even Grover Norquist warns against believing ''Baseless Criticisms'' in flawed analyses about the costs of immigrants use of safety net programs. His written testimony cited above cautions against analyses that ''exaggerat[e] public benefit costs by citing household costs, rather than individual immigrant costs'' or ''portray[] impossible levels of welfare use.''

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[From the Cato Institute, Mar. 4, 2013]

POOR IMMIGRANTS USE PUBLIC BENEFITS AT A LOWER RATE THAN POOR NATIVE-BORN CITIZENS

(By Leighton Ku and Brian Bruen)

Low-income immigrants use public benefits like Medicaid or the Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamp Program) at a lower rate than low-income native-born citizens.[1] Many immigrants are ineligible for public benefits because of their immigration status. Nonetheless, some claim that immigrants use more public benefits than the native born, creating a serious and unfair burden for citizens.[2] This analysis provides updated analysis of immigrant and native-born utilization of Medicaid, SNAP, cash assistance (Temporary Assistance for Needy Families and similar programs), and the Supplemental Security Income (SSI) program based on the most recent data from the Census Bureau's March 2012 Current Population Survey (CPS).

Low-income (family income below 200% of poverty line) non-citizen children and adults utilize Medicaid, SNAP, cash assistance, and SSI at a generally lower rate than comparable low-income native-born citizen children and adults, and the average value of public benefits received per person is generally lower for non-citizens than for natives. Because of the lower benefit utilization rates and the lower average benefit value for low-income non-citizen immigrants, the cost of public benefits to non-citizens is substantially less than the cost of equivalent benefits to the native-born.

BACKGROUND ON IMMIGRANTS IN THE UNITED STATES

About 40 million immigrants reside in the United States, comprising 12.9 percent of the total population.[3] Of those immigrants, 43.8 percent are naturalized citizens and 56.3 percent are non-citizens—including undocumented immigrants.[4] Immigrants are more likely to participate in the labor force,[5] lack a high school degree,[6] and to have incomes below the poverty line than the native-born.[7] Immigrants begin with lower earnings but over time their incomes improve as they remain here.[8]

IMMIGRANT ELIGIBILITY FOR PUBLIC ASSISTANCE BENEFITS

Immigrants' eligibility for public benefits is based on specific aspects of their immigration status and state policies.[9] Some key elements of the rules are:

Citizenship. Naturalized citizens and U.S.-born children in non-citizen families are citizens. They are fully eligible for public benefits like Medicaid, the Children's Health Insurance Program (CHIP), SNAP, cash assistance, and SSI, if they meet other program eligibility criteria.[10]

Refugees and Asylees. Immigrants granted refugee or asylee status are generally eligible for public benefits if they meet program eligibility criteria.

Lawful Permanent Residents. Lawful permanent residents (LPRs) must wait at least five years before they are eligible for benefits, but states have the option of providing them earlier.[11] After five years, LPRs are eligible for federal benefits if they meet the program eligibility criteria. As exceptions, LPR children have been eligible for SNAP benefits since 2003 and states have been able to restore Medicaid benefits for children and pregnant women since 2009.

Temporary/Provisional Immigrants. Temporary immigrants (e.g., work or student visa holders) are generally ineligible for public benefits, including the youth who are categorized as ''Deferred Action for Childhood Arrivals.''

Undocumented Immigrants. Undocumented immigrants are generally ineligible for the public assistance programs mentioned above.[12]

Immigrant-related eligibility restrictions do not apply to some programs, such as the National School Lunch Program, the Women, Infants and Children Nutrition Program (WIC), and Head Start.

The unit of assistance (benefits received on an individual or family basis) and eligibility varies across programs. For Medicaid, CHIP, and SSI, benefits are provided to individuals and eligibility is individually determined. Thus many U.S.-born children in immigrant families receive health insurance through Medicaid or CHIP, but their non-citizen parents do not. SNAP and cash assistance provide household-level benefits. In many immigrant families, some family members are ineligible non-citizen immigrants, so the household SNAP allotment or cash assistance check is reduced. For example, if a very poor three-person family is composed of two LPR parents who have been here for two years and an American-born child, the benefit level is computed only using the child, not the ineligible parents.

RESULTS

Medicaid/CHIP. Figure 1 shows that more than one-quarter of native citizens and naturalized citizens in poverty receive Medicaid, but only about one in five non-citizens do so. Figure 2 shows that about two-thirds of low-income citizen children receive health insurance through Medicaid or CHIP, while about half of non-citizen children do so. Low-income non-citizen immigrants are the least likely to receive Medicaid or CHIP.

A major reason for these gaps is strict benefit eligibility barriers for many immigrants. Benefit use by poor immigrants was low even before the 1996 welfare reform, suggesting that eligibility factors are not the only reason for low levels of benefit use by non-citizen immigrants.[13]

Figure 3 shows that immigrants who receive Medicaid or CHIP tend to have lower per beneficiary medical expenditures than native-born people, reducing the government cost of their benefits.[14] Immigrant adults who received Medicaid or CHIP benefits in 2010 had annual expenditures about a quarter lower than adult natives. Immigrant children had average annual Medicaid expenditures that were less than one-half those of native-born children. Generally, immigrants have lower per capita medical expenditures than the native-born, regardless of type of insurance.[15]

Supplemental Nutrition Assistance Program (SNAP). Figure 4 shows that among low-income adults, 33 percent of native citizens, 25 percent of naturalized citizens, and 29 percent of non-citizens received SNAP benefits in 2011.[16] Figure 5 shows that about half of poor citizen children in citizen households receive SNAP, compared to about one-third of non-citizen children and two-fifths of citizen children in non-citizen-headed families. It is likely that the actual percentage of SNAP eligible non-citizen immigrants is even lower, but the gaps in the CPS data prevent us from knowing how large the gap is. Figure 6 shows that the average annual SNAP benefits per household member are about one-fifth lower for non-citizens than native adults or citizen children with citizen parents.

Cash Assistance and Supplemental Security Income (SSI). Figure 7 shows that the SSI receipt was higher for native and naturalized citizens than non-citizen immigrants.[17] Figure 8 shows that children in households with non-citizen family members are less likely to be in house-holds receiving cash assistance or SSI than citizen children living in full-citizen households.

Figure 9 shows that average annual cash assistance and SSI benefits for the native-born, naturalized, and non-citizens were very similar. In contrast, Figure 10 shows that the value of these benefits per household member was lowest for children living in non-citizen households. The cash assistance benefit for citizen children in non-citizen families was 13 percent lower, and the cash assistance for non-citizen children was 22 percent lower compared to citizen children with citizen parents. The average SSI benefit was 30 percent to 33 percent lower for children in non-citizen families and non-citizen children than for citizen children in citizen families.

COMPARING STUDIES

A study by the Center for Immigration Studies (CIS) found that immigrant-headed households with children used more Medicaid than native-headed households with children and had higher use of food assistance, but lower use of cash assistance.[18] The CIS study did not examine the average value of benefits received per recipient.

There are several reasons why our study differs from CIS's study. First, CIS did not adjust for income, so the percent of immigrants receiving benefits is higher in their study in part because a greater percent of immigrants are low-income and, all else remaining equal, more eligible for benefits. Non-citizens are almost twice as likely to have low incomes compared with natives.[19] We focus on low-income adults and children because public benefit programs are means-tested and intended for use by low-income people. It is conventional in analyses like these to focus on the low income because it reduces misinterpretations about benefit utilization.

Second, CIS focused on households headed by immigrants while we focus on individuals by immigration status. Our study focuses on individuals because immigrant-headed households often include both immigrants and citizens. Since citizen children constitute the bulk of children in immigrant-headed households and are eligible for benefits, CIS's method of using the immigrant-headed household as the unit of analysis systematically inflates immigrants' benefit usage. For example, 30 percent of U.S children receiving Medicaid or CHIP benefits are

children in immigrant-headed families and 90 percent of those children are citizens.[20]

Third, CIS focused on immigrants in general, including naturalized citizens, while we also included non-citizen immigrants. Naturalized citizens are accorded the same access to public benefits as native-born citizens and are more assimilated, meaning their opinions of benefit use are more similar to those of native born Americans. Separating non-citizens from naturalized Americans gives a clearer picture of which immigrant groups are actually receiving benefits.

CONCLUSION

Low-income non-citizen adults and children generally have lower rates of public benefit use than native-born adults or citizen children whose parents are also citizens. Moreover, when low-income non-citizens receive public benefits, the average value of benefits per recipient is almost always lower than for the native-born. For Medicaid, if there are 100 native-born adults, the annual cost of benefits would be about $98,400, while for the same number of non-citizen adults the annual cost would be approximately $57,200. The benefits cost of non-citizens is 42 percent below the cost of the native-born adults. For children, a comparable calculation for 100 non-citizens yields $22,700 in costs, while 100 citizen children of citizen parents cost $67,000 in benefits. The benefits cost of non-citizen children is 66 percent below the cost of benefits for citizen children of citizen parents.

The combined effect of lower utilization rates and lower average benefits means that the overall financial cost of providing public benefits to non-citizen immigrants and most naturalized immigrants is lower than for native-born people. Non-citizen immigrants receive fewer government benefits than similarly poor natives.

END NOTES

This is a condensed version of Leighton Ku and Brian Bruen, ''The Use of Public Assistance Benefits by Citizens and Non-citizen Immigrants in the United States,'' Cato Working Paper, February 19, 2013, http://www.cato.org/publications/working-paper/usepublic-assistance-benefits-citizens-non-citizen-immigrants-united.

1. R. Capps, M. Fix, and E. Henderson, ''Trends in Immigrants' Use of Public Assistance after Welfare Reform,'' in Immigrants and Welfare:The Impact of Welfare Reform on America's Newcomers, M. Fix, ed. (New York: Russell Sage Foundation, 2009), pp. 123–52; and L. Ku, ''Changes in Immigrants' Use of Medicaid and Food Stamps: The Role of Eligibility and Other Factors,'' in Immigrants and Welfare: The Impact of Welfare Reform on America's Newcomers, M. Fix, ed. (New York: Russell Sage Foundation, 2009), pp. 152–92.

2. S. Camarota, Welfare Use by Immigrant Households with Children: A Look at Cash, Medicaid, Housing, and Food Programs (Washington: Center for Immigration Studies, 2011); S. Camarota, Immigrants in the United States: A Profile of America's Foreign-Born Population (Washington: Center for Immigration Studies, 2012); and Office of Senator Jim DeMint, ''Pickpocket: How Big Government Bureaucracy, Regulations, Taxes and Out-of-Control Spending Rob Taxpayers: One-third of Immigrants Households Use Welfare,'' October 12, 2012, http://www.demint.senate.gov/public/index.cfm?p=pickpocket&contentrecord_id=c81c7eb2-3d1a-42a1_a3e5-a5c913f4fd23. Because Senator DeMint has resigned from the Senate to become President of the Heritage Foundation, this website has since been closed.

3. An immigrant is a foreign born person, except those born to American citizens living abroad.

4. The Census Bureau does not ask about non-citizen immigrant legal status.

5. Ibid.

6. Q. Ji and J. Batalova, ''College-Educated Immigrants in the United States,'' Migration Policy Institute, December 2012, http://www.migrationinformation.org/Feature/ display. cfm?ID=927.

7. E. Grieco et al., ''The Foreign-Born Population in the United States: 2010, '' U.S. Census Bureau American Community Survey Reports (ACS–19), May 2012.

8. H. Duleep and M. Regets, ''Immigrants and Human-Capital Investment,'' American Economic Review 89, no. 2 (1999): 186–91; and H. Duleep and D. Dowhan, ''Insights from Longitudinal Data on Earnings Growth of U.S. Foreign Born Men,'' Demography 39, no. 3 (2002): 485–506.

9. Many of the key federal rules were established in 1996 by the Personal Responsibility and Work Opportunity Reconciliation Act, as amended by the Illegal Immigration Reform and Immigrant Responsibility Act, although there have been subsequent amendments in a variety of laws. For primary federal rules, see Office of the Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, ''Summary of Immigrant Eligibility Restrictions under Current Law as of 2/25/2009,'' http://aspe.hhs.gov/hsp/immigration/ restrictions-sum.shtml. For a more comprehensive review, including state variations in policies, see National Immigration Law Center (NILC), Guide to Immigrant Eligibility for Federal Programs, 4th ed. (Los Angeles: National Immigration Law Center, 2002). In particular, see the NILC's updates of laws and state options at http://www.nilc.org/guideupdate.html.

10. The Fourteenth Amendment to the U.S. Constitution begins: ''All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.''

11. See the NILC updates for more detail about state choices at http://www.nilc.org/guideupdate.html.

12. In Medicaid, payments to health care providers for emergency services are rendered to undocumented immigrants who otherwise meet Medicaid eligibility criteria (e.g., income, category, age). Emergency rooms, because of the Emergency Medical Treatment and Active Labor Act, are required to treat undocumented immigrants like other patients regardless of insurance status. The Medicaid provision helps ensure that reimbursement is available to the emergency care providers.

13. R. Capps, M. Fix, and E. Henderson, ''Trends in Immigrants' Use of Public Assistance after Welfare Reform,'' pp. 123–52.

14. MEPS does not have information about citizenship, so we compare native-born vs. foreign-born low-income children and adults.

15. L. Ku, ''Health-Insurance Coverage and Medical Expenditures for Immigrants and Native-Born Citizens in the United States,'' American Journal of Public Health 99, no. 7 (2009): 1322–28; and S. Mohanty et al., ''Health CareExpenditures of Immigrants in the United States: A Nationally Representative Analysis,'' American Journal of Public Health 95, no. 8 (2005): 1431–38.

16. CPS data do not indicate which particular household members receive SNAP benefits, so all that can be determined is that a household received SNAP and that some members of the household are immigrants and some are not. If two citizen children are eligible for SNAP but their two immigrant parents are not, Census data only reveal that all four are part of a household receiving SNAP.

17. The CPS does not enumerate which children receive cash assistance and SSI benefits because the Census Bureau uses these data to compute adults' incomes, but it does not compute income for children. The CPS data indicate which individual adults report receiving cash assistance and SSI but does not reveal which children received these benefits; we only know if they are members of households that received cash assistance or SSI. Thus, some immigrant children may be in families getting TANF or SSI benefits, but they may not be recipients.

18. S. Camarota, Immigrants in the United States: A Profile of America's Foreign-Born Population (Washington: Center for Immigration Studies, 2012); and S. Camarota, Welfare Use by Immigrant Households with Children: A Look at Cash, Medicaid, Housing, and Food Programs (Washington: Center for Immigration Studies, 2011).

19. C. DeNavas-Walt, B. Proctor, and J. Smith, Current Population Reports, P60–243, Income, Poverty, and Health Insurance Coverage in the United States: 2011, U.S. Census Bureau (Washington: U.S. Government Printing Office, 2012).

20. Ibid.

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[From the Cato Institute, Aug. 2010]

EVIDENCE SHOWS IMMIGRANTS COME TO WORK, NOT TO COLLECT WELFARE

(By Stuart Anderson)

Some oppose immigration because they believe immigrant use of welfare demonstrates immigrants do not assimilate in America. Others argue the immigrant work ethic remains strong and that immigrants do not come here to get on the dole. Examining data and eligibility rules provides an answer as to who is right on this issue.

Welfare and immigration is a combustible topic. In many ways, the issue is less fiscal than emotional. Americans treat the concept of newcomers arriving in America and immediately receiving government handouts as akin to an in-law moving into their basement and refusing to look for a job. It's not so much the cost as the principle of the thing. The good news is there is little evidence that immigrants come to America to go on welfare, rather than to work, flee persecution or join family members in the United States.

To evaluate whether immigrants come here to be on the dole one has to examine several aspects of the issue. First, it is necessary to look at the eligibility rules for immigrants, which are complicated and were overhauled in 1996. Second, one should evaluate their level of workforce participation, since if immigrants are working, then they are not bursting the welfare rolls. And third, we should compare native and immigrant use of welfare programs. Similar benefit use rates would indicate immigrants are not becoming fiscal burdens on other residents of the country.

ELIGIBILITY RULES ARE TIGHT FOR ARRIVING IMMIGRANTS

Upon first arriving in the country, immigrants are generally ineligible for federal means-tested benefits programs. With the exception of refugees, eligibility for programs usually requires immigrants to have been in the United States for 5 years or more in a lawful immigrant status.

In 1996, Congress changed the rules for immigrant benefit eligibility as part of a broader reform of the nation's welfare laws. The tighter regulations resulted in a decrease in immigrant welfare use. ''There were substantial declines between 1994 and 1999 in legal immigrants' use of all major benefit programs: TANF or Temporary Assistance for Needy Children (down 60 percent), food stamps (down 48 percent), SSI (down 32 percent), and Medicaid (down 15 percent),'' according to a 2003 report by the Urban Institute.[1]

Even before the changes in the law, there was little support for the view that individual immigrants were more likely to be on welfare than natives.[2] One of the difficulties in measuring welfare use is that eligibility for some benefits are geared toward individuals and others are based on family, and families may live in households that go beyond two spouses and their children. If one labels a household as ''using welfare'' even when only one person in a house is receiving benefits, then it is likely to inflate the data on welfare use for immigrants, since the foreign-born tend to maintain larger households. On the other hand, such a calculation could capture data on a U.S. citizen child born to immigrant parents.

At the state level, eligibility rules differ and can be less restrictive than federal rules. Moreover, a child born in America is a U.S. citizen and can receive benefits if he or she meets a program's eligibility criteria, regardless of a parent's immigration status.

If immigrants have been seeking states with lenient benefit eligibility, then they're not doing a good job. Author and Wall Street Journal editorial writer Jason Riley notes many states with recent large increases in their immigrant populations, such as Arkansas, North Carolina, South Carolina, Utah and Georgia, are primarily states with low and below average social spending.[3]

Prior to the 1996 reforms, there was concern that non-citizen parents were making excessive use of SSI (Supplemental Security Income). With the exception of refugees and other ''humanitarian immigrants,'' veterans, active duty military and their families, and certain Native Americans born abroad, Congress enacted a complete ban on SSI for non-citizens who enter the United States after August 22, 1996.[4] Lawful permanent residents with credit for 40 quarters of work history in the U.S. can receive SSI once they have been in ''qualified'' status for 5 years or more.

In 1995, 3.2 percent of non-citizens used SSI, compared to 1.3 percent in 2006. Similarly, Congress barred most non-citizens arriving after August 22, 1996, from using food stamps, although this was modified in 2002 to allow non-citizen children and certain other lawfully residing immigrants to use food stamps. In general, a sponsor of an immigrant can be ''required to reimburse the government for any means-tested public benefit the alien has received,'' notes attorney Susan Fortino-Brown.[5]

WORKFORCE PARTICIPATION RATES: IMMIGRANTS AND NATIVES

Immigrant men, ages 18 to 64, are more likely to work than native-born Americans. According to 2004 Census data analyzed by the Pew Hispanic Center, the labor force participation rate for legal immigrant males in that age group is 86 percent, compared to 83 percent for native-born males (see Table 1.) The rate is even higher—92 percent—for illegal immigrant males. Immigrant women are more likely to be married and have children, according to Census data, and this leads to a lower labor force participation rate—64 percent for legal immigrant women vs. 73 percent for native-born women.[6]

NATIVE VS. IMMIGRANT USE OF WELFARE

An analysis of Census data released by the House Ways and Means Committee indicate the proportion of natives, non-citizens and naturalized citizens who use AFDC/TANF (Aid to Families with Dependent Children/Temporary Assistance for Needy Children), Medicaid and food stamps is similar for the three groups. More important, the data show the vast majority of immigrants are not receiving these types of public benefits. Less than 1 percent of naturalized citizens and non-citizens in 2006 received benefits under TANF.[7]

The data tell the story:

In 2006, 0.6 percent of natives used AFDC/TANF, compared to 0.3 percent of naturalized citizens and 0.7 percent for non-citizens.

For Medicaid: 13.1 percent of natives used Medicaid, compared to 10.8 percent of naturalized citizens and 11.6 percent of non-citizens.

For SSI, which most natives would not use because they are eligible for Social Security benefits, 1.6 percent of natives used SSI (Supplemental Security Income) in 2006, compared to 3.0 percent of naturalized citizens and 1.3 percent of non-citizens. (See Table 7.1.)

And 7.7 percent of natives used the Food Stamp program, compared to 3.9 percent of naturalized citizens and 6.2 percent of non-citizens.

CONCLUSION

Concerns about immigrant welfare use do not represent valid grounds for supporting reductions in legal immigration. Nor is it reasonable to oppose a better approach to addressing illegal immigration, such as by instituting new temporary visa categories. Historically, immigrants have come to America not for a handout, but in search of opportunity. There is no reason to think this will change.

ENDNOTES

1. Walter A. Ewing, Not Getting What They Paid For (Washington, DC: Immigration Policy Center, June 2003), 1.

2. In research for the Urban Institute in 1994, Rebecca L. Clark wrote, ''Among immigrants, high rates of welfare use are limited to one group of immigrants—those who entered as refugees—and one type of welfare—SSI. For other types of welfare, immigrants who did not enter as refugees are no more likely to use welfare than natives.'' From Rebecca L. Clark, ''The Costs of Providing Public Assistance and Education to Immigrants'' (Washington, DC: The Urban Institute, May 1994), 18, as cited in Julian L. Simon, Immigration, The Demographic and Economic Facts, (Washington, DC: The Cato Institute and the National Immigration Forum, 1995), 35–36.

3. Jason Riley, Let Them In (New York, NY: Gotham Books, 2008), 108.

4. Thank you to Jonathan Blazer and Tanya Broder of the National Immigration Law Center for their assistance.

5. Susan Fortino-Brown, ''Family-Sponsored Immigration, in Navigating the Fundamentals of Immigration Law: Guidance and Tips for Successful Practice, 2007–08 Edition, ed., Grace E. Akers, (Washington, DC: American Immigration Lawyers Association, 2007), 326.

6. Jeffery S. Passel, Unauthorized Migrants: Numbers and Characteristics, (Washington, DC: Pew Hispanic Center, June 14, 2005), 25.

7. House Ways and Means Committee, 2008 Green Book, Appendix H, Table H–9—Estimated Benefit Usage by Citizenship Categories: 1995, 19998, 2001, 2006.

Ms. HIRONO. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELLER. 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. HELLER. I ask unanimous consent to speak as in morning business.

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

REMEMBERING BARBARA VUCANOVICH

Mr. HELLER. Mr. President, Monday was a sad day for my home State of Nevada. This week we learned that Congresswoman Barbara Vucanovich passed away in Reno just a few weeks after her 92nd birthday. As the first woman elected to represent Nevada in Congress, Barbara was a dedicated and effective legislator, admired by her colleagues on both sides of the aisle. As the first person to represent Nevada's 2nd Congressional District—a district I was privileged to represent in the House of Representatives—Barbara was a role model to countless Nevadans. She exemplified the highest standards of public service. Moreover, Barbara was a dear friend.

When I came to Washington for the very first time, Barbara invited me to join her for lunch, even though I was a total stranger. It was a kind and considerate gesture I will never forget. Even today, when constituents come to Washington to visit, I tell them the story about Barbara and how I aspire to the high standards she set.

During her seven terms in Congress, she was a vigorous advocate for important issues, including breast cancer research and was herself a breast cancer survivor. As chairwoman of the House Subcommittee on Military Construction—at the time one of only two women ever to serve as chairman of an appropriations subcommittee—she was a strong and effective voice for America's men and women in uniform, and she played a pivotal role in protecting Nevada's vast resources while serving on the House Interior Committee, helping to create the Great Basin National Park.

Barbara served in Congress at a time when Members of different parties could come together and find solutions for the American people. She served at a time when compromise and common sense guided decisionmaking, when results were more important than petty partisanship, and the same was certainly true of Barbara.

Barbara was a devoted mother, grandmother, and great-grandmother. She was an admired and beloved public servant, a patriot, a proud Nevadan, and a dear friend.

My heart goes out to her family and friends during this difficult time. My wife Lynne and I join our fellow Nevadans in remembering the inspirational life and legacy of Barbara Vucanovich.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I take this time to speak in strong support of the immigration bill currently on the floor of the Senate.

First and foremost, we need an immigration system that is fair. We are a nation of immigrants. My grandparents came to this country seeking a new life for their family. Our story is similar to the story of millions of other families in this country.

Immigration is very important for our country. It is important for our

economy. We need highly skilled workers who can innovate, create, and move our country forward. All of our workers should be protected under our laws and not just some.

We also need strong border security. We need to know who is coming into this country, and we must make sure we have a legal system that protects the homeland.

So we need a balance. For immigration reform we need a balance between border security and lawful employment and a pathway to citizenship and the ability to lawfully remain in this country for those who are currently undocumented. The legislation before us creates that balance. I wish to compliment my colleagues on both sides of the aisle who have brought forward this package. It is not what any one of us would have written, but it does balance the security of our country with border security and a lawful system for employment with the realities of 11 million people currently living in the shadows who will have an opportunity to remain in this country in a lawful way, to be able to work and ultimately become citizens of America. But those individuals have to earn their way. They have to pay taxes, learn English, be law-abiding, and they cannot break into the line. They have to go to the end of the line.

This is a fair bill. This is a bill that at long last fixes the broken system we have in this country.

Over the past months, I have held a number of immigration roundtables throughout the State of Maryland. At the Lutheran Immigration and Refugee Service in Baltimore we discussed the importance of streamlining the process in refugee and asylum cases and eliminating barriers to family unification.

We discussed the need for strong provisions to prevent human trafficking and to make sure the U.S. labor protections apply to all immigrant workers. We talked about making sure we have a realistic 10-year pathway to citizenship that can be both started and finished in a workable manner by undocumented immigrants. All those issues have been addressed in the bipartisan bill that is currently before the Senate.

I held this similar discussion at CASA of Maryland in Hyattsville. We discussed the DREAM Act recently approved by the voters in Maryland and the DREAM Act provisions that are pending in the bill before the Senate. The group stressed the importance of family reunification and the need to create a workable pathway to citizenship for undocumented immigrants. We discussed the need to clear up and eliminate the backlog of legal immigrants waiting in the system so the undocumented immigrants do not have to jump ahead in line.

That is what this bill does. It provides the resources so we can process those who are currently in the system in a fair manner, which is in the best interests of this country and the best interests of those who are currently caught in this backlog. The bill provides for an orderly way to consider legal immigration and to deal with those who are currently undocumented as they come into our system.

These roundtables were important for me to hold to hear directly from Marylanders who are affected by the immigration policy decisions we make in the Senate. Maryland, as well as the United States, has a long and proud tradition of welcoming immigrants, and our Nation is truly a nation of immigrants. According to the Immigration Policy Center and U.S. Census Bureau statistics, foreign-born immigrants make up roughly 1 in 7 Marylanders—14 percent of our population. More than a quarter of Maryland's scientists were foreign born, as were roughly one-fifth of our health care practitioners, mathematicians, and computer specialists. According to the Migration Policy Institute, the number of immigrants in Maryland with a college degree increased nearly 70 percent between 2000 and 2011.

My point here is that immigrants contribute to the growth of America. They help us develop the innovations of tomorrow that will create the jobs of tomorrow. They help solve the problems we have today. They help our economy grow. That is what has made America strong.

According to the Urban Institute, immigrant households paid nearly one-fifth—or $4 billion—of all taxes collected in Maryland, including Federal income taxes, Social Security, and Medicare taxes; State income, sales, and auto taxes; and local property, income, sales, auto, and utility taxes.

I hope we can keep these facts and statistics in mind as we enter into this historic debate on how to overhaul our Nation's immigration laws. We should avoid stereotypes and generalizations in this debate.

But more importantly, I want to put a human face on these facts and statistics, so I am going to share two stories of individuals who came in contact with our office. These two are representative of literally millions of people. We hear the numbers, but when we listen to the stories and look at the faces of people involved, we know we have to act.

The first is about Yves Gerald Gomes, 20 years of age, who was originally from India. I quote him:

My own story started in 1994, when I came to this country in the arms of my parents. I was only a year and a half. My parents came from India and Bangladesh, hoping to provide me with opportunities, something they didn't have growing up in poverty in their homes. My earliest memories in life are growing up in MD in the basement of my great aunt and great uncle's house and learning English from their children (my older cousins) by watching Fresh Prince of Bel Air and Full House. Soon after, in 1995, my brother was born.

My parents had an ongoing asylum case, which was denied in 2006. But over that 12 year span, my father worked hard as a hotel server in order to help my mother pay for her college education and for us to live comfortably; growing up I felt as though I was just like any of my middle-class, American peers from school. But in 2006, we became ''undocumented.'' Our work permits could no longer be renewed, so my father was forced to quit his job at the hotel, and my mother had to resign her tenure as a college professor, and surrender her PhD studies in computer sciences. In 2008, our home was raided by ICE, a few days after my dad was pulled over one night for driving with a busted taillight in Baltimore. Ultimately both of my parents were deported in 2009. I faced my own deportation in 2010, but was able to remain in the US because of the [hard] work of my lawyer . . . the support of my friends, church community, [and] the media. . . .

It will be 5 years since my brother and I have last seen our parents. Currently my brother and I live with the same great aunt, great uncle and cousin with whom we resided when my family first came to US. It was disheartening when my parents missed my own high school graduation, and it will again be disheartening when they will miss my younger brother's high school graduation. . . .

Moreover, the pain of separation resonates to our extended family too. My mother treated my great-aunt and great-uncle, naturalized US citizens for 40+ years, like her own parents, and she cannot be here to take care of them in their old age. Their son, my cousin (a US citizen) has a degenerative muscle disease which prevents him from traveling. If immigration reform does not happen, it's possible he will never get to see my father, whom he treats like his older brother, ever again.

I will graduate from the University of Maryland College Park in 3 semesters with my undergraduate degree in Biochemistry, and I really hope that my parents will be there to see me walk across the stage. For myself and millions of others, immigration reform means a pathway to pursue our dreams and give back to American society, our home; personally, I want to enter into the field of medical research or pharmacy. Moreover, for myself and so many others, immigration reform means the hope of being reunited with family members, and also it means no longer having to wake up every morning with the constant fear of deportation.

I have lived in the United States since I was a year old. This is the only country I have ever known as my home. Despite all the challenges my family has faced, I still love the United States, and have always considered myself to be American at heart. I hope that after this year, I can be an American on paper too.

Let me tell one more story. I could read from other letters we have received. I am sure the Presiding Officer has the same situation. We have all heard from people in our communities.

Let me talk about Raymond, who was originally from the Philippines. I quote him:

My family and I came to the United States in hopes and dreams of a better life; we left everything behind in the Philippines in pursuit of the ''American Dream.'' At the age of nine, assimilating to the American culture was not difficult; naturally I felt as though I was just like everyone else. Or so I thought. The harsh reality of being undocumented hit me my senior year of high school when I came home from an invitational track meet where I was scouted and offered scholarships. I was so excited to tell my parents the great news; to this day I still remember the proud look on my father's face. My mother on the other hand suddenly broke

down in tears. . . . I was confused as to why she was asking for forgiveness, she began to explain that we were undocumented and due to my immigration status I would not be able to accept the scholarships. Finally hitting that wall made me realize that all my hard work would amount to nothing.

For as long as I could remember my family has constantly faced financial struggles, but somehow we always found a way to make ends meet. My father, who was once a successful businessman, was forced to work odd jobs such as landscaping, delivery, and driving a taxi. My mother, who was once a nurse practitioner, works multiple jobs from cleaning houses, babysitting, and taking care of the elderly. My sister who is only two years older than me, made the sacrifice of not going to college so that I would be able to, and she works any job that comes her way. They all work day in and day out to make sure there's food on the table, clothes on my back, and a roof over our heads. I know that if my parents were able to work legally in the US in business and nursing, we would not struggle as much, and we would be able to contribute much more to the US economy. Yet, because of our current broken immigration system, our hard work does not pay dividends.

In 2011, I became involved in the campaign for the Maryland DREAM Act . . . which involved grassroots organizing. At this point I realized that no longer would I stay silent in the shadows, I had to let my voice be heard and take a stand against this injustice that my community and I faced. Throughout the campaign I realized that even as youth we can still bring forth change, which is why to this day I continue to fight for my family and all 11 million undocumented immigrants in the US.

In this year's push for Comprehensive Immigration Reform, no one will be left behind; we must stand united and battle this suppression. In the words of Martin Luther King Jr. ''Injustice anywhere is a threat to justice everywhere.''

I could bring up many other stories, put faces on these numbers, because I think we need to do that. This immigration bill is for the two persons whom I just talked about, their families, and the 11 million. It is for this Nation.

There is bipartisan agreement that our Nation's immigration and border security system is broken and must be fixed. We must ensure our borders are secure and that we know who is coming and going from the Nation. At the same time we must find a tough but fair process that allows the estimated 11 million undocumented immigrants in the United States to come out of the shadows and sets reasonable requirements if they want to stay in this country.

This legislation creates a fair path to citizenship for undocumented immigrants currently living in the United States. This path to citizenship must be earned and would require individuals to register with the government, submit biometric data, learn English, pass criminal background and national security checks, and pay taxes and penalties before they would be eligible for a provisional legal status. This pathway to citizenship requires individuals to earn their legal status over a period of no fewer than 10 years.

In addition, the legislation addresses the need for improved border security and requires a 90-percent effectiveness rate for apprehensions and returns in high-risk border sections before individuals in provisional legal status can adjust to permanent residence. It also creates an effective employment verification system—using the E-Verify system—that will prevent identity theft, end the hiring of unauthorized workers, and help stop future waves of illegal immigration. And finally, this legislation establishes an improved process for future legal immigration that is responsive to the needs of American businesses and supports reunification of families.

Despite fears that immigrants will take jobs from Americans, numerous studies show that immigrants and U.S.-born workers generally do not compete for the same jobs. In fact, a 2009 study by the Cato Institute, a conservative think tank, found that immigrants have a positive effect on the workforce.

The business sector strongly supports comprehensive immigration reform. That is because our economy is in need of highly skilled workers who can help stimulate growth and keep our Nation at the forefront of innovation and invention. From 1990 to 2005, foreign-born nationals founded more than 25 percent of the technology startups in the United States.

Immigration reform is about keeping families together and ensuring that immigration laws are respected. I want to commend my colleagues from both parties for coming together in crafting a bipartisan bill that creates a workable framework for comprehensive reform. Now the Senate needs to move forward in passing legislation that is both comprehensive and fair.

This legislation enjoys broad support from a diverse coalition of labor, business, civil rights, and religious groups. Polls indicate broad support across party lines for comprehensive immigration reform, with most Americans agreeing that immigration is a net positive for the United States. Most Americans want Congress to take action to fix our broken immigration system. While this legislation is not perfect—it is not what I would have drafted—I believe it is a strong step forward and a vast improvement over our current laws, and I urge my colleagues to support this balanced approach to immigration reform.

Article I, section 8 of the Constitution provides that ''Congress shall have power . . . to establish a uniform rule of naturalization.'' Congress last enacted a major overhaul of immigration policy in 1986 during President Reagan's administration, over a quarter century ago. The time is now for Congress to act.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Alabama.

TRIBUTE TO MARCUS PEACOCK

Mr. SESSIONS. Madam President, I wish to take a moment to do something special. This week, the Senate community will say goodbye to Marcus Peacock, my staff director on the Senate Budget committee.

During his tenure with the committee, he has been a constant warrior for sound finances and this country that he so loves. I am going to miss his exemplary service, and the Nation will miss his service.

Marcus has been with me since I became ranking member on the Budget Committee. During that time, he has helped my staff and me negotiate and navigate the intricacies, quirks, and arcana of the budget process, which, as anyone with budget experience will tell you, can be a most daunting and frequently frustrating task, even for the most savvy budgeteer. He has approached every task and every challenge with his trademark sunny disposition, remarkable unflappability, and can-do attitude.

During his tenure with the Budget Committee, Marcus was instrumental in crafting the Honest Budget Act—we need that around here—legislation that I introduced in 2011 that exposed some of the most egregious budget gimmicks, gimmicks that are often utilized to get around budget requirements. Together we have achieved a string of victories on budget points of order. I think as many as maybe seven consecutive times the Senate has failed to proceed with spending bills that exceeded our budget limits. That is a very significant achievement. He has been able to therefore expose, and frustrate, some of Washington's spendthrift ways.

I was very glad to have him at my side when the Senate finally produced its first budget in 3 years. It had been so long since the last budget that everyone was a little rusty, and I was grateful to have his counsel.

Marcus brought invaluable experience to his leadership of the Budget Committee staff because he's spent his professional career creating and implementing ways to measure and improve the effectiveness and efficiency of government programs. Whether he was managing oversight efforts on the House Committee on Transportation and Infrastructure, leading the Performance Improvement Initiatives at the Office of Management and Budget under President Bush, or ferreting out waste and inefficiency as the Deputy Administrator at the Environmental Protection Agency, Marcus has always been a careful steward of taxpayers' dollars. It is their money. It comes to us in trust. We have an absolute duty to show fidelity to it.

Marcus imposed those same principles at the helm of the Senate Budget Committee, turning back 15 percent of his staff budget every year, coming in 15 percent below the allocated amount—something I was very proud of.

I would be remiss if I also did not thank Marcus' wife Donna and their two lovely daughters, Iona and Mey,

for loaning his time to public service. Hours on the Hill can be long and I know he's missed a recital or sports match here and there, and probably several ''date nights'' too. So thank you Donna, Iona, and Mey.

Truly, Marcus Peacock is one of the finest public servants I have ever had the honor to work with. His character and integrity are sterling. He honors his family. Surely he is a role model for a high public servant.

Marcus, I know I speak on behalf of the entire staff of your Budget Committee when I say that we will miss your wit, your leadership, and your dedication to good government. I wish you the very best of luck. I know our paths will cross again.

The PRESIDING OFFICER. The majority leader.

ORDER FOR RECESS

Mr. REID. Madam President, a number of people have said they did not know what was going on with the intelligence situation that has developed in the country. The programs have been around for 7 years. We have had a number of briefings, both classified and unclassified. We are having another one at 2:30. General Alexander will be there. He has some new stuff he wants to lay out for us. Everyone should go. If you do not go, you have no excuse for saying you do not know what is going on. This meeting has been scheduled all week.

Having said that, I ask unanimous consent that the Senate recess from 2:30 to 3:30 p.m. I do not want anyone to have an excuse for why they are not going there.

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

The Senator from Massachusetts.

UNANIMOUS CONSENT REQUEST—S. 953

Ms. WARREN. Madam President, in less than 3 weeks the interest rates on subsidized student loans will double if Congress fails to act. This is not only wrong, it is unnecessary. Senator HARKIN and Senator REED have proposed a plan to hold the interest rate steady at 3.4 percent for 2 years. This will give Congress time to develop a long-term plan to address the rising burden of student loan debt, a long-term plan that keeps interest rates low and that addresses rising college costs.

Two weeks ago a majority of Senators in this body voted to approve this temporary extension to provide a measure of relief to our families. Unfortunately, Republicans have decided to filibuster this bill, blocking the measure that has majority support. That is not the way our democracy should work.

I met with students in Massachusetts earlier this week. They told me we need to fix this problem. They said to me: Do not double my rate. Do not double my rate. Dozens of Massachusetts universities have asked us to step in and help their students. Petitions urging us to stop interest rates from doubling on July 1 have collected more than 1 million signatures. Students, parents, families are asking for help. They do not have time for politics.

I ask unanimous consent that at a time to be determined by the majority leader, following consultation with the Republican leader, the Senate proceed immediately to the consideration of Calendar No. 74, S. 953, the Student Loan Affordability Act, and that the bill be read a third time, the Senate proceed to vote on passage of the bill, and the motion to reconsider be considered made and laid upon the table, with no intervening objection or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. Madam President, reserving the right to object, my good friend and colleague from Massachusetts stated that students in Massachusetts have come up and said: Senator, fix the student loan program. Fix it. She said that what Republicans have done is they have filibustered it. The fact is that what Republicans offered was a fix.

What the Senator comes to the floor today to do is to have a 2-year extension of a student loan program that the Secretary of Education admits does not fix the problem. As a matter of fact, in a Washington paper today, Secretary of Education Duncan is very clear and implores the Senate and the Congress: Fix it. Find a long-term solution.

Let me state for my colleagues that what the Senator from Massachusetts is here to do is to extend a preferred interest rate of 3.4 percent for 2 years on 39 percent of the student loans that are taken out. Current law is that for subsidized student loans, they are subsidized at 3.4 percent. That preferred half, 50-percent cut, is effective until the end of June. But under current law, the unsubsidized Stafford loans are at 6.8 percent. The parent and graduate PLUS loans are at 7.9 percent. My colleague's amendment only covers the subsidized Stafford loans that are 39 percent of all of the loans that are administered. So what her proposal says is that we are not going to fix it, we are going to kick the can down the road for 2 more years. To the parents and to those who do not get subsidized Stafford loans, we are going to continue to charge you double what we charge other students. If we look at the math, where we are is unsustainable.

I understand that when we voted on a Republican alternative last week, it was the Alexander-Coburn-Burr bill where we actually wanted to tie the interest rate on an annual basis to the rate of the 10-year Treasury bond. The advantage was that if you locked that in in any given year, that was your interest rate for the entire life of the loan.

What students want is predictability. What they want to do is understand how much is it going to cost them for their education, not this year but over the life of having to pay it off. Well, you know what. We put a proposal on the table. It was routinely rejected even though it was a solution. It was a fix. It was what the President has called for. It is what the Secretary of Education called for.

The President also proposed a fix. The President's—I do not agree with all aspects of it, but it is a start. It is the nucleus of a compromise. In the President's bill, he ties everything to the 10-year Treasury bond—very similar to the fix Republicans came up with. Here is the difference: The President ties subsidized loans to the price of the Treasury bill plus .93. Ours was 3.0. On unsubsidized Stafford loans, it was 10-year Treasury bill plus 2.93—almost identical to the Republican proposal. For parents and graduates, the President's bill called for a 10-year bond rate plus 3.93 percent. So if you do the math and you look at 60 percent of it not being subsidized and 40 percent being subsidized, what Republicans laid on the table and what the President laid on the table are very similar. As a matter of fact, both the Republican proposal and the President's proposal said: Let's fix the rate for the life of the loan.

So not only am I being asked today to agree to a unanimous consent request to take up a bill that does not fix the problem, I am being asked to grant unanimous consent to a bill that does not even extend the same rate for the life of the loan for the students who are borrowing it. Imagine where we would be in the marketplace if we wanted to buy a home, and when we walked in, our lender looked at us and said: I am going to lend you the $300,000, but I have a right to readjust the rate every year. Some people take a risk at doing that. They are called mortgages that are fixed with ARMs—adjustable rate mortgages. After the downturn, they were not very popular. As a matter of fact, many of those were the ones that were foreclosed on.

Here is the challenge: We have to present something that is understandable and that is predictable and something that is financially sustainable for the American people. Some have come to the floor and they have been brave enough to say that these bills actually produce savings. Let me squash that. The Congressional Budget Office has projected that direct student loans issued between 2013 and 2023 will cost $95 billion based upon a fair value basis, in contrast with a projected savings of $184 billion using questionable fuzzy math.

So make no mistake about it, there are no savings that can be claimed from any of the proposals that are out there. It is a cost to the American taxpayer, one that I think is a justifiable investment in education if we applied it to everybody. But this is not applied to everybody. It is a unanimous consent request for 39 percent of the individuals who take out student loans. To the other 61 percent, it says: Hey, you live with 6.8 or 7.9.

So I am not in a position today to agree to the unanimous consent request that has been made, but I am in

a position to do this: I ask unanimous consent that the Senate proceed to the immediate consideration of the bill that is at the desk, which is the proposal of the President of the United States on student loan issues. I further ask that there be 1 hour of debate equally divided in the usual form and that at the expiration of time, the bill be read a third time and the Senate proceed to a vote on passage of the bill.

Let's put this to bed now. Let's not wait until the end of June, when we have used a couple of more weeks, to say to kids: You ought to be concerned because rates are going to go up. Let's lock it down. I will not argue with the rates the President set even though I do not agree with it all. It starts to fix the problem. It is a solution in the right direction, where just assuming that we extend what is currently broken, does not fix it, and is not cost-sustainable, I believe is the wrong thing.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

The Senator from Massachusetts.

Ms. WARREN. Reserving the right to object, I would like to focus on three words Senator BURR discussed, and they are ''unsustainable,'' ''everybody,'' and ''fix.''

I heard all three, and I think all three are very important words here. Let's go through this and figure out what it is the Senator is proposing and what it is we need to do.

Right now we have a student loan program that produces $51 billion in profits this year off the backs of our students, $51 billion. Yes, I think that is unsustainable. We must find a way to deal with that.

In fact, Republicans did put a proposal on the table. Their proposal would have increased profits to the Federal Government from the student loan program by another $16 billion.

The Republicans' plan was to say let's take a debt load that is already too difficult for students to deal with and let's make it harder. That is, in my view, completely unsustainable. We have to do better than that.

The question the Senator also raises is one about everybody: We need to fix this problem for everybody. I agree with the Senator. We do, indeed, need to fix this problem for everybody. Let's think about what this is.

What we are talking about is student interest rates that are about to double. What the Democrats have proposed, what I propose in the original request for a UC, is that we not let those interest rates double. We use that time to try to develop a comprehensive way to deal with the rising costs of college and with the trillion dollars of college loan debt that is outstanding.

In other words, we recognize this is a narrow slice. This is to prevent our students from facing a double interest rate, a doubling of their interest rates on July 1. We say we would use this time in order to get a comprehensive answer for all of our students.

What the Senator has proposed and what he has asked for unanimous consent on is not that. It is only a narrow slice of the question of how we are going to deal with interest rates on loans going forward. It doesn't deal with the interest of the loans outstanding, and it certainly doesn't deal with the rising costs of college. They want to put this problem to bed by saying that one problem we will deal with and we will move on. Let's keep in mind we have seen what the Republican plan will do. The Republican plan will cost our students an additional $16 billion. That is the plan. Take a problem and make it worse but not something that is sustainable and not something that fixes it for everyone.

The third point he raised is he used the question of fix. I think fix is exactly what we are talking about.

We have three different kinds of problems we need to solve. We have the problem of $1 trillion of outstanding student loan debt that is crushing our students. We have the problem of rising costs for college. We must deal with this. We have the immediate problem of interest rates about to double for our students.

We can fix one of those problems in the next 2 weeks. We could fix it today. We could fix it by unanimous consent right now.

Then we could agree to sit down, on a bipartisan basis, and we could work together to try to solve the larger problems. That is what our students are asking for. That is what we need to do.

One last point I wish to make, I notice that Senator BURR cites the Congressional Budget Office study. Let's just be clear what that same study decided right from the beginning. The Congressional Budget Office projects the total cost to the Federal Government of student loans disbursed between 2013 and 2023—I believe that is what the Senator was referring to—will be negative; that is, the student loan program will produce savings that reduce the debt. Don't let anyone be confused by what that language means—produce savings that reduce the debt—meaning our kids have become a profit center for the Government. Right now this government will lend to large financial institutions at less than 1 percent interest, but the plan has continued to produce profits off the backs of our kids, and not small profits, tens of billions of dollars of profits.

There is $51 billion projected this year. The Republicans are asking for another $16 billion. We can't do that.

We need a sustainable answer. We need a fix that encompasses all of our students, all of our families.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request from the Senator from Massachusetts?

Mr. BURR. Madam President, continuing my objection, I am appalled. I am, frankly, appalled. Out of the student loan program, the Democrats push $8.7 billion to the Affordable Care Act; $8.7 billion of student loan-designated money is going to pay for ObamaCare.

I realize the Senator wasn't here when the vote was made, but it is $8.7 billion. To suggest that trying to be fiscally responsible is an insult to this generation of students when they are sending $8.7 billion to a health care plan out of the student loan fund is incredible.

Let me go a step further. The Senator quoted from the Congressional Budget Office. Let me quote from the Congressional Budget Office as well:

> Taking account the cost of market risk significantly reduces or eliminates the savings estimated for student loans under the FCRA approach, making student loans costly to the Federal government in most years during the coming decade.

Maybe you can pick these out that say we can make money off this, but I am not sure it says it any clearer than that it costs the American taxpayers money. Let me say I am fine with subsidizing student loans. I am not objecting to that. I didn't object to the President's proposal. I offered the President's proposal.

I am sure the President is going to be shocked to find out it doesn't solve the problem because the Secretary of Education surely believes it does.

Here is what I object to. I object to the fact that we are going to give some kids a preferred rate, and we are going to sock it to the 61 percent of kids, parents, and postgrads. Why should they be denied the same rate? Why are only 39 percent going to get a cut of 3.4?

Why? Because it is hard to do. It gives away a political tool.

You see, we are here arguing this because of politics, not because of affordability of higher education. Thank goodness the President in his budget proposal laid something on the table.

Quite frankly, I am sick and tired of waiting until the deadline. We are going to come out here every week, and we are going to hear in 3 weeks: This is going to happen; in 2 weeks: This is going to happen; and in 1 week: This is going to happen. We are going to come down to the last day and we are going to dare each other not to do it.

I don't know what is going to happen on the last day, but I can tell you what is going to happen every day until the last day. I am going to come out and object to anything that does not solve the problem long term. I don't want to go home and look at kids and tell them the rate they agreed to this year is not the rate for the entirety of the loan, period.

That is not the case under this bill. I am not going to go home and look at two different students whom we have put in two different categories and tell one: You have to pay 3.4 percent, but you have to pay 6.8 percent.

That is wrong. It is not our role to pick winners and losers.

I would turn to my good friend from Massachusetts and ask, Have I in any

way, shape or form misstated what her proposal does, which is extend the 3.4 percent which is limited only to subsidized Stafford loans?

If the Senator thinks that is wrong, I would ask her to speak now.

Ms. WARREN. I believe, if I understand this correctly, what we are trying to do is protect the subsidized Stafford loans. What I understand the Republicans have tried to do is protect all the new loans so no one is dealing with all the loans that already have been issued and are at much higher interest rates. This is how I understand it. If the Senator is talking about wanting——

Mr. BURR. Reclaiming my time——

Ms. WARREN. Then I assume the Senator means all the students with student loan debt, and that is not my proposal.

Mr. BURR. Reclaiming my time, clearly, the Senator said her bill only deals with the subsidized Stafford loan.

Under current law, let me state it again, unsubsidized Stafford loans, current law, 6.8 percent; parent and graduate PLUS loans, 7.9 percent. Somehow, somebody thinks this is fair.

I, personally, participated in coming up with something that treats everybody the same, that ties it to a 10-year Treasury, that fixes the rate above a 10-year Treasury that sets that number once a year, lets students know exactly what their exposure is going to be, and provides them the certainty of that interest rate for the life of the loan——

Ms. WARREN. Will the Senator yield for a question?

Mr. BURR. Let me finish—which this unanimous consent request doesn't incorporate.

In essence, the unanimous consent request says we are not going to deal with this 61 percent; we are only going to deal with 39 percent. Because they have received the preferred rate up to this point, we want to protect the preferred rate.

Some people think it is the role of Congress. I don't think that is the role of Congress.

I yield to the Senator for a question through the Chair.

Ms. WARREN. I wish to make sure I understand. Have the Republicans put any proposal on the table that will deal with all of the outstanding student loan debt?

Mr. BURR. I would be happy to address the Senator's question.

No, we haven't. The President's proposal—and I said there are parts of it I don't agree with—makes loan forgiveness tax free.

Maybe what we ought to debate is whether we are going to make college tuition free, because this is a race for who can make it the cheapest on the backs of the American taxpayer—when we are $1 trillion out of balance, $1 trillion we spend.

Excuse me, we have new numbers: $646 billion this year, projected to go up next year. We are accruing debt on this country's books at a rate nobody ever dreamed. We are still talking about constructing programs that financially are unsustainable because we are using somebody else's checkbook.

This is the definition of insanity. Therefore, I would object to the Senator's original request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

Ms. WARREN. I just wanted to return to this question, since the Senator has raised it, about the Congressional Budget Office. Let's all be clear about what the current student loan interest rates produce for the government.

The CBO, the agency in charge of estimating these costs for the government, maintains that this year the government will make $51 billion in profits from the student loans. Their most recent report on this—I read the language earlier—is clear and direct. We will make a profit.

The CBO uses this accounting method because it reflects reality. It is the reality of how these loans affect the Federal budget. The CBO's method takes into account the cost of lending money from the Treasury and the projected money that will be returned to the Treasury.

It takes into account the risk that some students will default; in other words, it is basic math.

Some people don't like the idea that the government is profiting from the student loans. Their approach is to try to change the accounting rules to treat the government as if it were a private bank rather than the Federal Government, which it is.

The government is not a bank in a private market. If we want to reduce the profits from student loans, then we should actually reduce the profits from the student loans, not change the map, not bury our heads in the sand and pretend those profits don't exist.

Let's go back to what the Senator has proposed. The Republicans propose that we take $51 billion in profits that will currently be made from the backs of our students and add another $16 billion in profits off the backs of our students. This is fundamentally wrong. It is not sustainable.

I think the larger point the Senator makes is one that says we have a big problem. We need to talk about the debt that is outstanding. We need to talk about how we are going to pay for college over time. We can't do that in the next 2 weeks.

We need to make sure interest rates don't double, and then we need to address this problem. I am pleased to work with people on both sides of the aisle.

Mr. BURR. Will the Senator yield for a question?

The PRESIDING OFFICER. The Senator should be aware we have a previous order to recess.

Mr. BURR. I ask unanimous consent to ask one question of my colleague from Massachusetts.

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

Mr. BURR. Does the Senator from Massachusetts agree that out of the student loan fund $8.7 billion is diverted to the Affordable Care Act?

Ms. WARREN. No.

Mr. BURR. The Senator is not aware of that?

Ms. WARREN. Look, we can go back over the CBO numbers, but what is clear right now is what the CBO has made clear. We will make $51 billion in profits off the backs of our students. The Republicans propose to make another $16 billion off the backs of our students. We can't do that. It is unsustainable. Our students are asking for more.

Mr. BURR. I thank my colleague for not answering.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 3:30 p.m.

Thereupon, at 2:31 p.m., the Senate recessed until 3:30 p.m. and reassembled when called to order by the Presiding Officer (Ms. WARREN).

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

The PRESIDING OFFICER. The Senator from Connecticut.

### GUN VIOLENCE EPIDEMIC

Mr. BLUMENTHAL. Madam President, today we mark the 6-month anniversary of a date that none of us will ever forget because it transformed our lives, it transformed America, and it certainly transformed Connecticut and the community of Newtown.

We commemorate the 6-month anniversary of that unspeakable, unimaginable tragedy that cut short the lives of 20 beautiful, innocent children and six dedicated, courageous educators.

It transformed America in so many ways. It changed our lives irrevocably and, I hope, put us on a trajectory toward changes in our laws that will prevent this kind of horrific, unimaginable tragedy from ever happening again. Our challenge right here in this body, on this floor, is to make sure we learn from it, that we act on it, and that we keep faith with those families, as well as the Newtown community and all of our country that lost so much that day.

December 14 began like so many other days for the parents of Newtown, CT. They took their children to school, kissed them goodbye, and went about their day with plans for play dates, Hanukkah and Christmas holiday parties, and presents that they would give to those children for those holidays. They planned snack breaks and holiday parties. They wrapped presents. Just hours later, I stood with them and saw them emerge from the Sandy Hook firehouse having learned that those children would not be coming home that night.

I arrived in Newtown as a public official within hours of that shooting. But