

that judges will follow, and then let the individual men and woman who sit on the bench make the decision.

#### IMMIGRATION REFORM

Mr. LEAHY. Mr. President, as we continue yet another week debating S. 744, the bipartisan immigration bill, I hope we can start making some progress on this vital legislation. The American people know what some of us have to realize: our immigration system is broken; it has to be fixed. If we are going to have an effective solution to this complex problem, we cannot focus simply and effectively on one border or any single aspect of our immigration system. We have to address all parts of our immigration system.

Of course, we all agree we have to secure our borders, but we must also reduce the incentives people have to come here illegally or to overstay their visas. It means we have to implement E-Verify so employers stop hiring those who are not authorized to work here. We also have to eliminate the extensive backlogs that tear so many families apart.

We have to respond to the needs of American farmers and technology companies and investors who create jobs in this country. We also need to remember that our history and the future of the Nation is based on immigrants when we are considering the legalization process provided in this bill.

Almost 4 weeks ago the Judiciary Committee voted to report this immigration reform bill with a strong bipartisan vote of 13 to 5. I understand the Congressional Budget Office's task is a difficult one, with complex, comprehensive measures such as this. We expected their score today. I hope they are able to get the official score early tomorrow so we can move forward and complete consideration of this bill. As we closed out each title during our extended mark ups, we forwarded the text to the CBO, so they have had the border security title and the non-immigrant visa title for well over a month. I look forward to reviewing their analysis when we receive it.

In addition to the CBO score we are awaiting, we should also credit the extensive testimony the Judiciary Committee received from former CBO Director Douglas Holtz-Eakin. He testified that immigration reform "will increase the productivity growth in the U.S. economy, the fundamental building block of higher standards of living, and generate larger economic growth numbers than we have seen in recent years."

Specifically, he estimated reform of this nature would increase growth so that "the overall growth rate and real GDP would rise from 3 percent to 3.9 percent, on average annually, over the first 10 years. The upshot of GDP after 10 years would be higher—a difference of \$64,700 per capita versus \$62,900 per capita. This higher per capita income of \$1,700 after 10 years is a core benefit of immigration reform."

According to Holtz-Eakin this increase in growth would also help lower our deficit. In fact, he testified that "Over 10 years an additional 0.1 percentage in average economic growth will reduce the federal deficit by a bit over \$300 billion. In this context, the rules imply that over the first 10 years of the benchmark immigration reform the federal deficit would be reduced by a cumulative amount of \$2.7 trillion."

Also, the Judiciary Committee received powerful testimony from Grover Norquist. He was asked repeatedly by those who oppose this bill whether legalizing immigrants would lead to a drain on our safety net. His response was that just the opposite would occur. He testified that "immigrants come at the beginning of their working lives, which means they will have years to pay taxes and contribute to the economy before being eligible for entitlements." Furthermore, Mr. Norquist testified that "Some argue that the fiscal burden of America's entitlement programs make more immigration cost prohibitive. That is a false choice. That our entitlement systems are broken is not an argument for less immigration; it is an argument to fix our entitlement systems."

It is not every day that I agree with these very conservative commentators and advocates, but I was happy to invite them to testify before the committee and commend their analysis to Members who are concerned about the approximate 'cost' of reforming our broken immigration system. All the valid testimony—all the valid testimony we received says that fixing the broken immigration system adds to our bottom line in a beneficial way.

One of the hallmarks of this country is how we have historically treated those who have sought shelter and refuge on our shores. America protects the most vulnerable among us. This includes survivors of domestic violence and human trafficking, as well as pregnant women and children. I am proud to report that there are strong protections in this bill for the treatment of children caught in the broken immigration enforcement system.

In the Judiciary Committee we added to those protections for domestic violence and human trafficking victims. But the Judiciary Committee also considered and rejected, as it should, several amendments that sought to take away protections in our safety net programs for immigrants who need them. I know some may want to punish the 11 million undocumented people currently living here in the shadows. The bill specifically contains a steep financial penalty for that purpose. The undocumented also need to go to the back of the line and take classes to learn English, but even these tough steps are not enough for those who oppose this bipartisan bill.

While some may want to look like they are being even tougher on the undocumented population, we all need to consider how further punitive measures

may deter people from coming out of the shadows. When children and pregnant women are put at risk by an urge to punish millions of people who are trying to make a better life for their families, as my grandparents did, we do not live up to our American values and we do not make this a safer country. Last week, Senator HATCH filed several amendments to deny or delay protections for the millions of people who apply for registered provisional immigrant status. I will oppose all of those amendments. They are not fair. They deter people from coming forward to register. That makes us all less safe.

It is a cruel irony when my friends on the other side of the aisle talk about border security, the high cost of implementing their proposed measures is always absent from the discussion. But when we are talking about programs that help children who live near the poverty line, well, then suddenly fiscal concerns are paramount.

So if we are talking about a specific type of fencing, or a new expensive exit program, our concern is supposed to trump any hesitancy about government spending. Spend whatever it takes. Spend whatever it takes, and at the same time dramatically increase the boon that their proposals give to the government contracting firms that make money off of them.

However, if we are talking about programs literally to feed the hungry or provide vaccinations to children, vaccinations which make us all healthier because of the disease it stops, then we hear lectures as to how we cannot afford those programs in the current fiscal environment. Maybe some of these contractors with their lobbyists ought to be covering those programs. Maybe we will hear more need for them.

I would say from a moral point of view, as an indication of how great a country we are, we ought to be saying: Hungry children, children who can be saved from childhood illnesses, it is in our moral core as a Nation, the most wealthy, powerful Nation on Earth to help them. The bill we are considering prohibits immigrants in registered provisional immigrant status from accessing Federal means-tested public benefit programs throughout their time in provisional status.

In addition, as a result of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, even qualified legal permanent resident immigrants must wait an additional 5 years after they are legalized to receive any safety net protections. We have already put all kinds of barriers up here.

So including the 5-year bar, most immigrants who are working their way through the path to legalization will have to wait anywhere from 13 to 15 years before having any access to safety net programs. Given the penalties and the fines they have to pay, it is wrong to further deny these low-income families protection that some may desperately need.

We have seen amendments that try to designate an immigrant a “public charge” and thus deportable simply because the individual’s child received health or nutrition benefits. If a child is an American citizen, would we really want that child’s parents deported simply because the child needed food stamps while the parent was in provisional status?

We should protect the children of immigrants and their families. In 2009, President Obama signed the Children’s Health Insurance Reauthorization Act (CHIPRA). Under Senator ROCKEFELLER’s strong leadership, CHIPRA included a provision which allowed states the option to waive the five-year bar to the Children’s Health Insurance Program (CHIP) and Medicaid for lawfully residing immigrant children and pregnant women. Today, 25 states offer this safety net for children and 20 states offer it to pregnant women. My own state of Vermont offers this protection to both pregnant women and children. I commend my friend, Chairman ROCKEFELLER, for allowing states the option to immediately provide CHIP and Medicaid for immigrant children and pregnant women.

Like so many harsh amendments that have been filed with respect to the safety net, I have seen similarly harmful amendments on the issue of the earned income tax credit, the EITC, or the child tax credit, CTC, which were designed to help hard-working families pay their taxes.

The earned income tax credit is available only to families who are working and paying payroll taxes, not some kind of giveaway. They have to be working and paying taxes. EITC is a core part of the Tax Code like any other tax credit that adjusts Federal tax liability, based on family circumstances. It is not, and it has never been, considered a “public benefit.” But some amendments have been filed seeking to deny the EITC for all registered immigrants for eternity, even after they have obtained legal status. One of these amendments was offered during the committee process, and was rejected.

Similarly, the Child Tax Credit was enacted in 1998 for the benefit of U.S. citizens or U.S. resident alien children under the age of 17. In practice, it first requires that an individual work and pay her taxes. If the person meets this basic requirement, undocumented or otherwise, the Child Tax Credit may be claimed for the benefit of the U.S. citizen or U.S. resident alien child. Undocumented immigrants who use an Individual Taxpayer Identification Number are able to benefit from the Child Tax Credit since they work and pay taxes. However, there are numerous workers who are lawfully present that also use Individual Taxpayer Identification Numbers to pay taxes. During the Committee markup, one senator proposed an amendment that would have denied the Child Tax Credit to low-wage workers who pay their taxes

using an Individual Taxpayer Identification Number. This overreach would have harmed numerous U.S. citizen children and their families. Fortunately, this unduly harsh amendment was rejected by the Committee as well.

I would strongly oppose any amendment to deny hard-working families from participating in these tax credits when they are paying payroll taxes. We know that these credits are vital to working families and we have a moral obligation not to harm children in our communities and their families by denying their families these credits.

We give huge tax benefits and loopholes to millionaires. Yet a hard-working family, should they not be entitled to these tiny benefits? They are dwarfed by what we give to millionaires. Let’s start paying attention to the people who need our help.

Some who oppose comprehensive immigration reform have raised the false alarm this immigration bill would drain the Social Security trust fund and bankrupt our Medicare system. Nothing could be further from the truth. The Wall Street Journal and Commentary are two publications that almost never agree with my positions. In fact, the opposite is true. In an editorial dated June 2, 2013, entitled, “A \$4.6 Trillion Opportunity,” the Wall Street Journal states unequivocally that “Immigration reform will improve Social Security’s finances”—not take away from it, but will improve it. In fact, it notes that

The Senate bill raises immigration quotas by about 500,000 a year over the next decade (to reduce backlogs) and by about 150,000 a year after that. Thus the net effect of the immigration bill on the long-range Social Security trust fund “actuarial balance will be positive.” Mr. Goss recently wrote in a letter to Senator MARCO RUBIO. These higher post-reform levels of immigration would mean an extra \$600 billion into the trust fund to about \$4.6 trillion over 75 years.

It is true that “Immigration won’t solve all of Social Security’s financial problems.” However, it said “immigrants unquestionably narrow the funding gap. More generous immigration is a wise step toward solving the entitlement crisis in Washington.”

I ask unanimous consent to have the editorial printed in the RECORD.

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

[From the Wall Street Journal, June 2, 2013]

**A \$4.6 TRILLION OPPORTUNITY  
IMMIGRATION REFORM WILL IMPROVE SOCIAL  
SECURITY’S FINANCES**

The Senate immigration bill has ignited a debate over the fiscal costs of reform, with some conservatives claiming costs far exceed the benefits. We think that’s wrong, and one place to look for evidence is the costliest of all federal programs, Social Security. As some 75 million baby boomers prepare to retire, immigrants will be crucial to keeping the federal pension program afloat.

As too few Americans understand, Social Security is not a pre-funded retirement system and there is no “lock box” with money set aside for each worker’s retirement. It operates as a pay-as-you-go system.

Benefits paid out each year roughly match payroll tax revenues collected, at least until the program goes into annual deficit in a few more years, and the so-called trust fund only contains IOUs that the government owes itself. Those IOUs don’t help. The Social Security Administration estimates that the present discounted value of the 75-year shortfall of promised benefits beyond the taxes expected to be collected is \$8.6 trillion.

The crux of the problem is that the ratio of workers to retirees is falling fast. While there were 16 workers for every retiree in 1950, the ratio now stands at a little under 3 to 1 and within 20 years when the baby boomers are age 65 or older the ratio will fall to about 2.5 to 1.

Immigrants help ease this demographic problem in three ways. First, most come here between the ages of 18 and 35, near the start of their working years. Second, few come with elderly parents (only about 2.5% of immigrants are over age 65 when they arrive), and the seniors who do come aren’t eligible for Social Security because they have no U.S. work history. Third, immigrants tend to have more children than do native-born Americans and their offspring will also pay into the system.

These facts are confirmed in the latest report of the Social Security trustees released last week. They conclude that the program’s long-term funding shortfall “decreases with an increase in net immigration because immigration occurs at relatively young ages, thereby increasing the numbers of covered workers earlier than the numbers of beneficiaries.”

How big a bonus are we talking about? Enormous. We asked Stephen Goss, Social Security’s chief actuary, to estimate the value of the 1.08 million net new legal and illegal immigrants that currently come to the U.S. each year. He calculates that over 25 years the trust fund is enriched in today’s dollars by \$500 billion and the surplus from immigration mushrooms to \$4 trillion over 75 years.

“The numbers get much larger for longer periods,” Mr. Goss explains, “because that is when the additional children born to the immigrants really help.”

The Senate bill raises immigration quotas by about 500,000 a year over the next decade (to reduce backlogs) and by about 150,000 a year after that. Thus the net effect of the immigration bill on the long-range Social Security trust fund “actuarial balance will be positive,” Mr. Goss recently wrote in a letter to Senator Marco Rubio. These higher post-reform levels of immigration would mean an extra \$600 billion into the trust fund to about \$4.6 trillion over 75 years.

The reason is that most immigrant workers pay into the program for 20 to 40 years before they collect any benefits, and they don’t have parents who collect benefits while they pay in. Once the immigrants retire and collect benefits, their children are making tax payments roughly covering the payments to their parents.

All of this offsets the cost of legalizing currently illegal immigrants. Illegal workers are especially beneficial to Social Security because millions pay into the system—for example, by using fake Social Security numbers when they apply for a job. But since they are illegal, they don’t qualify for benefits when they get old. Legalizing their status means they will qualify for future benefits based on their work from now on, but the fiscal impact of the Senate bill is still positive, says Mr. Goss.

The relative skills and earnings of immigrants and their children also matter a great deal in measuring their financial contributions. More skilled immigrants have higher earnings, so they pay more in payroll taxes.

And because of the progressive benefit structure of Social Security, those with higher incomes collect less per dollar paid in.

This underscores an under-appreciated bonus of the Senate immigration bill. The bill shifts U.S. immigration policy somewhat more toward skills-based entry rather than family unification. It also increases green cards for foreigners who graduate from American schools in science and engineering, thus raising the education and skills of new immigrants. This means the future fiscal immigration windfall is likely to exceed \$4.6 trillion.

Immigration won't solve all of Social Security's financial problems. The program still needs reform in its benefit formula and to allow private accounts. But immigrants unquestionably narrow the funding gap. More generous immigration is a wise step toward solving the entitlement crisis in Washington.

Mr. LEAHY. Likewise, an article dated June 6, 2013 in *Commentary* debunks the myth that immigration would bankrupt the Medicare trust fund. The title of the article is notable: "Message to Congress: Immigrants Pay More Than Their 'Fair Share' of Medicare." According to the article, "it turns out that closing the borders would deplete Medicare's trust fund." In fact, "over a seven-year period, immigrants paid in \$115.2 billion more than they took out. Meanwhile, native-born Americans drained \$28.1 billion from Medicare. In other words, immigrants are keeping Medicare afloat. And it's non-citizen immigrants who make the biggest contribution. On average, each one subsidizes Medicare by \$466 annually." It concludes that "Scare-mongering about the cost of immigration has become a staple of political debate . . . But our findings indicate that economic fairness, not just morality, argues for immigrants' rights to care."

The goal in this bill is to encourage undocumented immigrants to come out of the shadows so we can bring them into our legal system and then do what all Vermonters tell me, what Americans everywhere tell me: Play by the same rules. I mean, that is a sense of fairness we should agree to. If we create a reason for people not to come out and register, this is going to defeat the purpose of this whole bill. It makes all of this work: the hearings, the hours and days and weeks of markups and consideration, makes it for naught. Amendments that seek to further penalize the undocumented would just encourage them to stay in the shadows. These steps are not going to make us safer and they are not going to spur our economy.

One of the many reasons we need immigration reform is to ensure there is not a permanent underclass in this Nation. As part of this effort, we need to continue the vital safety net programs that protect children, pregnant women, and other vulnerable populations.

Too often immigrants have been unfairly blamed and demonized as a drain on our resources. Facts prove the opposite.

We are a nation of immigrants. As I have said many times before, my ma-

ternal grandparents came from Italy to Vermont seeking a better life. They created many jobs when they did that. They sent their children to college and saw their grandson become a Senator.

My wife's parents came from the Province of Quebec, speaking French. She was born here. Her family contributed to the economy of Vermont, and our whole region, with the jobs they created. They raised three wonderful children at the same time.

We are a nation of immigrants. Let's fight to maintain our tradition of protecting the vulnerable. Let's allow the American dream to be a reality for all those who are in this country because they want to be in this country.

Time is not now divided from one side to the other, is it?

The PRESIDING OFFICER. It is not.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### TRIBUTE TO DOUG BAILEY

Mr. ALEXANDER. Mr. President, I come to the floor to talk about Doug Bailey. Doug Bailey died last week at age 79. The *New York Times* reported on Tuesday that Doug Bailey helped define the role of political consultant in the 1960s and 1970s and that he founded the Hotline. He was much more than that to me and to countless others for whom he was an example of how to live a public life.

I am aware that when offering a eulogy it is good form to speak more of the deceased than of oneself, but that is hard to do with Doug because he cared so much about everyone he met and everyone he worked with. I first met Doug Bailey in Washington, DC, in the spring of 1977. I was here for a few months working with Howard Baker, the former Senator from Tennessee, who had just been elected to be the Republican leader of this body. He asked me to come work for him. I think part of that was to console me, to let me lick my wounds for having lost the Governor's race a couple years earlier in Tennessee. There wasn't much prospect for a political future for me then because the Nashville Tennessean had written that there wouldn't be a Republican Governor in Tennessee for another 50 years.

So I was here in Washington, and while I was here I became energized by the Republican Senators. It looked to me as though Jimmy Carter was already in trouble, and my friend Wyatt Stewart introduced me to Doug Bailey. The reason I thought it was an important meeting was because at that time he and his partner John Deardourff represented 7 of the 12 Republican Gov-

ernors in the country who were still in office after the Watergate debacle of 1974.

Doug came to Nashville. He sat down with my wife Honey, Tom Ingram, and me, and we talked about the idea of another Governor's race—this time in 1978. Doug's view was that I had lost, among other things, because I wasn't a very interesting candidate, that I campaigned in a blue suit and talked to Republicans and to rotary clubs. So the talk was about what would be authentic, what did I really like to do.

To make a long story short, I ended up walking 1,000 miles across Tennessee over 6 months in a red-and-black plaid shirt, followed by a group of four University of Tennessee band members in a flatbed truck. And several times a day we would get up on the truck and play in Alexander's washboard band. Doug put all that on television, and I won the election.

Now, to some, that would seem like an ultimate political gimmick, but if you think about it, the idea of the walk across Tennessee was a good deal more authentic than the photo-ops and the press releases and the 5-second sound bites that are often what we end up with in politics today. But let me just say it this way: I would have never been elected Governor if it hadn't been for Doug Bailey.

He also did something else I had never seen anybody else do—no other political consultant. He actually wrote a plan and we actually followed it during the campaign.

The important thing for me to say today is that political consulting was not the end of Doug Bailey's help. He came to Nashville once a week during my first term as Governor not so much to talk about politics, but to talk about how to be a better Governor, which was his idea of how to be a political success. Our conversations were usually not about how to follow, but how to lead, and how to deal with the political implications, for example, of wanting to have three big road programs and do it on a pay-as-you-go basis so we could attract the auto industry to our State without running up debt and persuade all the Republican Members to vote for three gas tax increases, which every single one of them did.

Doug's advice was that a good tactic was to do the right thing because it would confuse your opponents; they wouldn't understand what you were up to.

His advice about recruiting people to work in the cabinet, for example, was not to just invite someone who might take the job, but to make a list of the four or five best persons to do the job and then ask the best one. He said: You might be surprised—that person might be waiting for an opportunity to serve the public. That was some of the best advice I ever got because some of the best persons were waiting for the right opportunity for public service.

All this sounds hopelessly naive, especially today, in a time when there is