for a foreign worker. They come here, they work in agriculture for a couple years, they move out, and they move on to the service industry, the construction industry, the homebuilding industry.

In part, with our borders now tightening and the nearly $2 billion a year we are spending on that security and that increasing security, they have moved out of agriculture and there is no one to move in. Also, the displacement occurred after Katrina when many of that level of worker left the fields of agriculture and went south into Mississippi and Louisiana to help with the cleanup down there. In fact, many Mississippians and Louisianans will tell you that if it hadn’t been for migrant workers and, in this instance, illegal workers, we wouldn’t be as far along with the cleanup and the beginning of the rehabilitation of what has gone on in the tragic area affected by Katrina.

Mr. President, when we proceed to the fence bill, I am going to attempt to bring up AgJOBS. I am going to ask unanimous consent that the Senate allow us to do that. I don’t know that it will happen. It probably won’t, but I think it is important that for American agriculture to see we are trying. Because one of the quotes I handed in earlier when I asked unanimous consent for some material to go into the Record, along with the letter Senator Frist and I sent out to our colleagues, was, I thought, a necessary and appropriate headline from an article that talks about the impact of what is going on across agricultural America. It says: “Pickers are Few, and Growers Blame Congress.” And the growers ought to blame Congress. They ought to blame a government that has been dysfunctional in the area of immigration for decades.

That is why I began to work on this issue back in 1999 when American agriculture came to me and said: Senator, we have a problem, and we know it is a problem. We don’t like it. We want to be legal. We want our workers to be legal, and we want to treat them justly. But the workers, by their effort to get here, are being treated unjustly. We know they are not legal, and yet we are nearly wholly dependent upon them.

I had hopes that we could keep the cart and the horse connected appropriately. There is now a very real disconnect occurring—a disconnect between the security of the border, which is critical and necessary, and a legal process by which those workers can move through that secured border to the farms and fields of American agriculture. I don’t know what it is going to end up like at the end of the harvest season across America, but my guess is—and it is now being predicted—we could lose $4 billion or $6 billion or $8 billion in economic value, and of course there is the multiplier then beyond the farm gate to the processing, to the distribution, and to the supermarket. We all know what happens when it gets to the supermarket and there is less of it: the American consumer is going to pay double the price for that produce that simply was left in the fields to rot.

Now, that is what is going on now. When I was in November, we will have accurate figures—this Congress isn’t going to deal with it—and we will know whether it was $3 billion or $4 billion or $5 billion or $6 billion, and shame on us, because the Senator from California deals with it today. The bill has been well heard. The bill has been appropriately vetoed. It has been around a long time. It has been accepted by 60 Members of this body. But we are now politically bound up until after the American people speak in the election, and then we will find out how much further we can move on this issue.

So we will know in November about the harvest of September and October. What about the winter months? What about the farmer who is now going to go out into the field in January to plant for a February or March fresh vegetable crop across Florida, parts of the South, certainly Arizona, the Imperial Valley of California, where last year we left over $1 billion of fresh green vegetables in the field? I will tell my colleagues what the farmers are telling me, and it is a tragedy if it happens, but it probably is going to happen. Senator, they say, if we can plant that fresh vegetable crop that requires hand labor, we will plant winter grain. We will simply go to the fields and plant a crop of phenomenally less value than the American agricultural market, in the intensive sense, because we know it isn’t going to require hand labor. One farmer told me: If I can’t have the labor come to me, I will go where the labor is. So he is moving his operations out of California. He is headed to Brazil. He is headed to Argentina. There goes that economy, there goes those jobs, because this Congress could not understand and function in an appropriate fashion.

So be it. That is the tragedy of it. I had hoped we could think differently. We need a legal workforce. We need a reformed H-2A program. We need a guest worker program. We worked out those differences amongst ourselves. Some have agreed, some have not agreed, but we have attempted to resolve the problem.

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. CRAIG of Idaho, in closing, I am going to give the Senate one more opportunity to say no because it is important that the Record show where we are because history and this month will dictate where we need to go in November.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

BIOTERRORISM

Mr. KENNEDY. Mr. President, a short while ago on the floor of the U.S. Senate, my friends and colleagues on the Health, Education, Labor and Pensions Committee, our chairman, Senator ENZI, and Senator Burr brought to the Senate’s attention what we call the bioterrorism BARDA legislation, S. 3678. I am a strong supporter of that legislation. I believe that legislation provides a rather unique process by which outstanding opportunities for breakthroughs in vaccines and other medical technologies can be developed and furthered. This can be enormously valuable and helpful in guarding against bioterrorist threats, pandemic flu or other kinds of diseases or pandemics we might face in the future.

There are several of our colleagues who want to have an opportunity to improve and strengthen that legislation. Obviously, they are entitled to do so. But I want to underscore the strong work that has been done to date by our chairman, Senator ENZI, and also by Senator Burr in developing this legislation. The BARDA Act is very close to what was done a number of years ago with DARPA, the Department of Defense’s advanced research program, which has demonstrated enormous success in finding new technologies that are used by the military. It is a very commendable concept and offers us great hope down the line.

This legislation also recognizes that we are going to develop capacity to contain whatever danger there may be in local communities by strengthening support for hospitals and local communities, and the public health infrastructure. Prevention, detection, containment, and support for the health facilities, are all interrelated—they are enormously important.

So I hope that as soon as we return in the lame duck session, this will be the first order of business. I have talked with our leader about this issue. I look forward to, in the course of these next few weeks, talking to some of our colleagues who have improvements they want to see how we might be able to proceed, even in this limited amount of time, to ensure that we have effective legislation.

SECURE FENCE ACT

Mr. KENNEDY. Mr. President, on a second matter, the issue which is currently before the Senate—I know we are in a period of meaningful business, but the underlying issue is the Secure Fence Act of 2006.

I listened to my friend and colleague from Idaho speak very eloquently about the AgJOBS bill. I enjoyed the opportunity to work with him in helping to fashion that legislation. We worked very closely together and were able to convince our colleagues on the Democratic and Republican side of the value of this legislation.

It demonstrates very clearly a problem we are facing with the underlying bill, which is called the Secure Fence Act of 2006. Rather than focusing on comprehensive legislation to deal with
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the immigration ordeal with the AgJOBS bill, as the Senator has mentioned, which would be valuable and very important in terms of the agriculture industry and also providing important protections for the workers therein. Compromise has been worked out over a period of years—we are effectively saying no, we are not going to deal with that. We are just not going to deal with it. The leadership has decided they won’t have an opportunity to deal with it, even though there are 60 Members. Republicans and Democrats alike, who would like to deal with it.

I join comments that have been made by the Senator from Idaho, but also by my friends Senator Boxer, Senator Feinstein, and others. We are going to have the time here this afternoon. As Senators pointed out, this is legislation which is understood and which is very important. One cannot pick up the newspapers without reading the adverse results of our failing to act. This is something we should be addressing as an amendment—I think it is much more valuable than the underlying legislation, but we certainly should have had the opportunity as an amendment.

On the Floor of the Secure Fence Act, immigration reform is one of the most pressing issues we face today. It is a security issue, an economic issue, and a moral issue. President Bush told us that it was a top domestic priority.

Moreover, what the Senate understood the importance of the issue and devoted an unprecedented number of weeks to hearings, markups and extensive floor debate to this priority. In May, the Senate passed a historic bipartisan bill supported by 64 Senators.

The House however passed a different bill last December one that has been roundly condemned as cruel and ineffective by religious leaders, Latino leaders, and immigration and security experts alike on our borders and makes it a felony for any Good Samaritan to help immigrants. As one religious leader described it this week, you could go to jail for giving an undocumented immigrant a cup of water in Jesus’ name.

What’s more, the bill does nothing about the 12 million undocumented immigrants who are here already, and it does nothing about the Nation’s future immigration needs both vital ingredients to an effective immigration policy.

Common sense tells us that enforcement alone is not the solution to today’s complex immigration challenges. We can build fences, but people will come around them. We can put high tech devices on our borders and they will deter some people, but we all know that many others will still find a way to come. We can make criminals of the pastors and priests who help immigrants, but that is not only contrary to our values, it will have little impact on immigration.

The logical next step would have been for Congress to appoint conference so we could begin negotiating a compromise. That is what we do—pass a Senate bill and pass a House bill. Then conferees are appointed from both Houses to reconcile their differences on the bill. That is what Congress does on critical legislation.

But, instead of rolling up their sleeves and doing the work necessary to get legislation to the President’s desk that deals with the key elements of the immigration problem—that will bolster national security, ensure economic prosperity, and protect families—the Republican leadership in the House frittered away the summer, preferring to embark on a political road show—featuring 60 cynical one-sided hearings, and wasting millions of precious taxpayer dollars. And after the bunting came down and the klieg lights were removed, after all the political hoopla and hot rhetoric, what did they produce? A fence.

Did they do anything about the million undocumented immigrants who come here on airplanes with visas, and stay here illegally after their visas expire? No. Just a fence.

Did they do anything to ensure that employers don’t hire people who are here illegally? No. Just a fence.

Did they do anything about the 12 million undocumented immigrants who are here already, living in the shadows while working hard to support their families? No. Just a fence.

Yes, Senator Boxer, Republican leaders wasted time, opportunity, and your money. For a $9 billion fence that won’t do the job.

That is just a bumper sticker solution for a complex problem. It’s a feel good plan that will have little effect in the real world.

We all know what this is about. It may be good politics, but it’s bad immigration policy.

That is not what Americans want. They deserve something better than a fence.

Over and over and over again, the American people have told us that they want our immigration system fixed, and fixed now. They have told us that this complex problem requires a comprehensive solution. The American people want tough but fair laws that will strengthen our borders and crack down on employers who hire undocumented workers, but at the same time provide a practical solution that will allow undocumented immigrants to become taxpayers and help perform tasks needed by our economy.

Today or tomorrow, this Republican Congress will recess for the elections, and leave this issue still unresolved.

I hope that we can use the next few weeks, productively to work together on compromises that can be adopted when we return in November.

What is the solution? How do we control our borders effectively? How do we restore the rule of law and make sure that immigrants come to this country with a visa, not with a smuggler?

The bipartisan bill passed by the Senate is the only practical way to cure what ails us. The only way we can truly bring illegal immigration under control and achieve border security is to combine enforcement and border protection with a realistic framework for legal immigration.

Furthermore, that there have insufficient legal avenues for immigrant workers and families to come to this country, and no path to citizenship for the 12 million undocumented workers and families already here. The problem is fueling a black market of smugglers and fake document-makers, to the peril of citizens and immigrants alike.

Rather than saber-rattling, chest-thumping, and ranting, the American people would like to see both parties and both Houses of Congress come together to negotiate a realistic and enforceable policy for immigration.

Piecemeal proposals won’t work.

They will only make a bad situation worse. Those who are here illegally will not leave, but will go deeper underground and those seeking legal status will take even more dangerous routes and be less likely to survive. Employers will have an unstable workforce of men and women who are afraid to speak up when abused. The dysfunctions and waste of our broken and failed system will continue to worsen.

On this specific proposal for a fence, let’s consider the facts:

Never mind that months ago the Senate voted to approve a 370-mile fence with no money. Never mind that the Senate has voted to fund the fence Secretary Chertoff requested. It is in the appropriations bill for the Department of Homeland Security that we will pass this afternoon.

Never mind that DHS has not requested additional fencing. Last week, in promoting his “Secure Border Initiative”, Secretary Chertoff said he needed for targeted urban areas.

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maintenance costs, which could be as high as $1 billion a year.

Never mind that fences don’t work. Undocumented immigrant entries have increased tenfold since the strategy of fencing was introduced in the mid-1990s. Since that time, the probability of apprehending an unauthorized border crosser fell from 20 percent to 5 percent. The United States now spends $1700 per border apprehension, up from $300 in 1992. San Diego’s wall has been a boon for the smuggling industry, and increased the loss of immigrant lives by shifting entry to the desert.

Never mind that fencing will do nothing to stop the 40–50 percent of the people currently in the United States who entered the country with legal visas and have now overstayed their visas.

Never mind that fences won’t keep out criminals or terrorists. The 9/11 terrorists didn’t come across the Mexican border illegally—they entered the U.S. with visas.

Never mind that fences won’t stop immigrants from coming here to work. As Governor Napolitano of Arizona recently said:

“You show me a 50-foot wall and I’ll show you a 51-foot ladder at the border to get over it.”

Narrow, shortsighted, enforcement-only proposals like a fence will never fix our broken immigration system.

We should listen to Tom Ridge, former Secretary of Homeland Security, who recently said:

“Trying to gain operational control of the border is impossible unless our enhanced enforcement efforts are coupled with a robust Temporary Guest Worker program and a means to entice those now working illegally out of the shadows into some type of legal status. A group of former high-ranking government officials has said unequivocally:

‘The reality is that stronger enforcement and a guest worker program are inextricably interrelated. One cannot succeed without the other.’

President Bush agreed. In May, he got it right when he declared:

‘An immigration reform bill needs to be comprehensive because all elements of this problem must be addressed together, or none of them will be solved at all.’

What the Republican leadership doesn’t seem to get, is that comprehensive immigration reform is all about security: Homeland security; economic security; family security.

That is what the vast majority of our people want. They want realistic solutions that effectively protect our Nation. They don’t want piecemeal, feel-good measures that will waste billions of precious taxpayer dollars and do nothing to correct the serious problems.

What can we expect in the next month?

The Republican leadership has two choices. They can bring us together to work out effective compromises for a comprehensive bill.

Or they can continue to use hard working immigrants as political pawns for November’s elections.

I hope that they will not choose the politically expedient choice—to embark on another slanderous campaign, featuring more political stunts, misleading statements, and misleading campaign ads about how tough they are on the border.

The Chicago Tribune editorial page understands this tactic. Earlier this week they wrote that “Immigrant-bashing is much easier than immigration reform.”

Sacrificing good immigration policy for political expediency and hateful rhetoric is not just shameful—it is cowardly.

We have the bill to solve this problem now.

We owe the American people a serious answer on the issue, and our Republican leadership should be held accountable for their inaction and their inability to address this pressing issue facing our Nation.

Let’s stop this farce. Let’s stop playing politics with immigration. We know they are wrong. Their scheme will leave us weaker and less secure. We can’t allow them to derail our strong bipartisan reforms.

I urge my colleagues to choose good policy over political expediency and oppose this bill.

Mr. President, I ask unanimous consent to have printed a document that reflects the 50 organizations that are in opposition to this particular proposal. They include the LUCA, MALDEF, La Raza, a great number of the religious organizations and others that have expressed their views about it.

Mr. President, I further ask unanimous consent to have printed a document that includes a number of editorials in the newspapers, editorials about the fence from the Atlanta Journal Constitution (Editorial), ‘Big fence’ blunder: Immigration bill won’t root out ills, but it’ll fail voters. Put focus on jobs and legalization, as well as security, September 28, 2006.

The only immigration proposal that stands a reasonable chance of clearing Congress this year is a sham aimed at deceiving voters in November. The “big fence” bill—its centerpiece is 700 miles of real and virtual fences—is a law-enforcement-only approach that ignores the economic underpinnings that have led 12 million to 14 million to live and work in this country illegally. The bill won’t fix anything.

Frist believes there is a chance for a lame-duck session that might give some of the Senate’s ideas for more comprehensive reform. But his position, and that of the chamber he leads, have been irreparably harmed by voting along with the House insistence that immigration is more about security than it is economics.

Tucson Citizen (Editorial): Our Opinion: Latest chapter in silly saga of border wall—A wall on the U.S.-Mexico border is meant to secure only one thing: the re-election of Members of Congress, September 28, 2006.

The congressional pre-election ploy of pushing construction of a border fence to make voters believe something is being done about immigration reform is a farce.

“It’s not going to deter people from coming in, or those looking for good work,” said T.J. Bonner, president of the union that represents most Border Patrol agents.

Time, effort and money should instead be spent on something that will work—a comprehensive immigration reform plan that includes a guest worker program and a way to deal with the estimated 12 million people already in the country illegally.

Legislation passed by the Senate earlier this year deals with those issues. It’s the best we can do with this 109th Congress.


Before President Bush agrees to the border security measures Congress is rushing to put on his desk, he should make sure of one thing—that House and Senate leaders are committed to taking up the other critical part of the immigration solution after the November elections.

Without that agreement, which can be struck in private if that’s the only way Congress can get bipartisan support, Republicans will sign it. Americans won’t get a better answer to what to do about the 12 million illegal immigrants living here and 400,000 coming annually.

Otherwise, Congress will build all the fences in the world and place agent on top of agent, and still not stop illegal immigration.
The president is right: America can’t solve its immigration challenge without a comprehensive answer. He’s not going to get it unless he plays hardball.

Hartford Courant (Editorial): Immigration Policy, September 28, 2006

Senate and House Republican leaders might as well forget about immigration legislation before adjourning for the November election. The numbers just don’t add up, and the illegal immigration doesn’t constitute an imminent national threat. The issue deserves dispassionate consideration that’s absent in this election season.

Chicago Tribune: Border bashing, September 27, 2006

Many of the bits and pieces are already included in last December’s bill, but they need to be balanced by measures that address the country’s dependence on immigrant labor. Take that $2 billion border fence. Arizona Gov. Janet Napolitano has no confidence it would stop immigrants from crossing into her state illegally in search of jobs. “Show me a 50-foot wall, and I’ll show you a 51-foot ladder,” she has said.

The Senate’s comprehensive plan is rooted in reality. It would open channels through which the country’s millions could arrive legally, and it would offer a way for many of the 12 million who are already here to stay.

The House is having none of that, at least until the midterms. Immigrant legalization is so much easier than immigration reform.

Orlando Sentinel: Barrier to success Our position: Building a fence along the Mexican border is not the answer to immigration reform, September 27, 2006

With the Senate considering a proposal to build a 700-mile fence along the southern border, the symbolism is obvious. Our leaders are playing a restricted free-for-all. Republicans and Democrats alike denounce the idea of its effectiveness, yet their legislation does not even come close to what the Secure Fence Act. They hope voters will hold lawmakers accountable for their embarrassing performance. Voters should not be swayed by tough talk that doesn’t even come with the spending commitments needed to back it up.

Yet, as Congress gets ready to adjour for the year—and return home for the November election—the centerpiece of immigration reform is adrift. And the Senate bill, which appears to be an ad hoc immigration reform, will not be forgotten.

Idaho Statesman: Our View: Fence is hardly immigration “reform”, September 26, 2006

If Congress fails to pass meaningful and realistic immigration reform this session, voters will hold lawmakers accountable for their embarrassing performance. Voters should not be swayed by tough talk that doesn’t even come with the spending commitments needed to back it up.

St. Petersburg Times: Fence failacies: On immigration, Congress can’t get beyond simplistic solutions, September 26, 2006

Beware of members of Congress offering simplistic solutions to complex problems days before leaving town and just weeks before an election. That’s what is happening on illegal immigration.

While a fence on certain stretches of border might be part of an overall security plan, to suggest that it solves any significant portion of the immigration problem would be wishful thinking. Congress doesn’t have the backbone to address the real issues and honestly negotiate the differences between a narrow House bill that adds 800 miles of barrier fencing and a comprehensive Senate bill that also provides an avenue to citizenship for some of the illegal immigrants who are already here.

A recent poll found that 1 person in 4 approves of the way Congress is handling its job. Is that person paying attention?

Boston Globe: Good fences make bad law, September 26, 2006

Yes, border security must be improved. But building more than 1,200 miles and more enforcement happens before November, then both the Senate and House, and...
President Bush, must start over on meaningful immigration reform in 2007.

The real answer is to provide people who want to work a way to get to America, even to start jobs that need workers. Providing for such immigrants is an American value that should be a campaign issue.

San Diego Union-Tribune: Running scared GOP leadership seeks to avoid voters' verdicts, September 25, 2006

Predictably, lawmakers are focused like lasers on getting over that hurdle and either keeping it or taking it. That's not what they should be concerned about. The public is furious and frustrated with the folks they hired to represent them. And, it seems to us, public opinion is going to be responsive to that and make it a point to do things differently from here on. Not because it would spare them one vote or another in six weeks, but because the demands of leadership require it.

Above all, they should learn the real lesson in all this—that it's better to roll up your sleeves and do something and try to make it work than to do nothing and hope for no one notices. Because someone always does.

Miami Herald: Wanted: effective, comprehensive reform of immigration laws, September 24, 2006

The resurgence of these measures only confirms that the bipartisan push for comprehensive reforms, led by the Senate, is dead this year. What's left is a misguided move by Republican House leaders trying to maintain their position. Their goal is to gain political capital in November elections by passing punitive immigration laws.

Yet both parties risk a voter backlash by not passing a comprehensive immigration issue: that the U.S. economy creates more jobs than natives can fill. When Americans see unfilled crops rotting (as has happened with Florida oranges, California pears and Idaho potatoes), restaurants stacked-up dirty dishes and unlagged construction sites, they should hold Congress accountable. These objectionable bills will make matters worse.

LA Daily News: Inde-fence-ible: Fixing immigration problem requires a lot more than a fence, September 24, 2006

While it's too late for comprehensive immigration reform before the midterm elections, a fence can't be the last word on immigration reform. U.S. lawmakers must not be allowed to let this issue fade because of its political difficulty.

Of course, the safety and security of Americans means that we must have some sort of control over the borders, and have a reasonable knowledge of who is in the country. But we also need a sane system of bringing workers to the United States for agriculture and other jobs traditionally held by immigrants, as well as a way to bring the illegal immigrants here out of the shadows.

The (Nashville) Tennessean: Fence sign of failure, September 24, 2006

With no practical use, the fence will be a constant, costly reminder of Congress' failure on immigration. And so this nation's lie will continue: As politicians vow to take measures to prevent illegal immigration, U.S. businesses and farms will keep hiring needed workers.

Senators seem to believe that a fence is better than no immigration legislation at all. But if we pass this bill, they give away all their leverage to the lawmakers—and there are plenty of them—who only want the fence because it allows them to brag about being tough on immigration without enraging the businesses that benefit from the dysfunctional system.

The border fence is called the Secure Fence Act; a better name would be the Whitewash Bill.

Palm Beach Post: A fence, but no solution, September 24, 2006

Arizona Gov. Janet Napolitano understands better than anyone in Washington the limits of fences. "You show me a 50-foot wall," she says, "and I'll show you a 51-foot ladder at the border." Last week, Boeing won a $67 million government contract to supplement the metal fence with a high-tech "virtual fence," sensors and unmanned planes. Eventually, someone is sure to invent the 51-foot virtual ladder.

Voters won't be allowed to have an honest debate on comprehensive immigration reform until Congress reconvenes after the election, which is the only time House Republicans want for themselves.

Washington Post: Immigration Unility Without objection from the president, September 22, 2006

The cynical immigration endgame of the 109th Congress isn't particularly surprising. But after a session in which the Senate actually managed to produce a bipartisan, comprehensive measure to overhaul the existing system, the latest, enforcement-only developments are nonetheless disappointing and dangerous...

Yesterday, the House passed another batch of immigration measures, the worst of which would deputize state and local law enforcement officers to enforce federal immigration laws. The measure would permit, but not require, state and local police to arrest and detain illegal immigrants for even civil violations of federal immigration law. This would undermine the ability of law enforcement officers to do their job.

The real answer is to provide people who could have information about criminals—including potential terrorists—to be afraid to go to the police?


The 700-mile fence that the Republicans plan to build on the Mexican border at a cost of billions has a place on the immigration to-do list. But now they appear on their way to converting "enforcement first" reform into a policy of enforcement only. Some of their ideas are just plain awful.

True immigration reform—as President Bush proposed—would offer more opportunities for legal entry, even as the government gets tough with those who trespass. That means creating guest worker programs and guest visas already in the country the opportunity to come out of the shadows, pay a fine and eventually earn citizenship. Only by relieving the pressure for more legal immigration can we ever hope to regain control of our borders.

If Congress fails to revisit immigration after Election Day, we'll be stuck with the illusion of reform. Millions of hardworking immigrants will be treated as criminals rather than as future citizens. And millions more will join them, fence or no fence.

Arizona Republic: House jumbles re-forms, September 22, 2006

But lawmakers get no prize for resurrecting—piecemeal—some of the elements of the enforcement-only House passed late last year. That bill sparked national protests in the spring.

If House leadership believed that approach was the way to go, it shouldn't have joined in conference this summer to resolve differences with the Senate's comprehensive immigration reform bill. That's how Congress handles its business.

Instead, the House rejected the hard and politically risky work of negotiation, and held a series of lopsided presentations around the country. In Arizona, the so-called hearings were highly staged, excluded real debate and relegated the public to the status of spectators.

Now we get a flurry of enforcement-only bills that let House members crow about doing "something." It is the wrong "something.

Wall Street Journal: The Great Wall of America, Review & Outlook, September 21, 2006

The only real way to reduce the flow of illegal Mexican immigration is to provide a legal, orderly process for American jobs with workers who want to fill them. Mr. Bush is for that, and so is the Senate, but House Republicans have declined to hold their vote. When Ronald Reagan spoke of America being a "shining city on a hill," he wasn't thinking of one surrounded by electrified barbed-wire fences.

Los Angeles Times: Year Down This Wall Bill, A 700-mile fence without comprehensive reform does nothing to address the root causes of illegal immigration, September 21, 2006

A wall is fine, but not by itself. Addressing border security alone won't fulfill the economy's need for a legal supply of labor, and it will leave millions of illegal immigrants alone and hidden in the shadows. And fence or no fence, the 45% of illegal immigrants who overstayed legal visas instead of returning across the border would continue to come.

If the Senate passes piecemeal enforcement measures, it will erode its ability to negotiate a more comprehensive approach with House leaders who myopically insist on treating immigration solely as a law enforcement issue.

San Antonio Express-News: Fence along border or half a solution, September 20, 2006

But until the House is willing to work out its impasse with the Senate—and the White House—over a comprehensive immigration overhaul, any suggestion that a fence alone will stop the bleeding is merely wishful election-year thinking.


Real immigration security means separating the harmful from the hard-working. It means imposing the rule of law on the ad hoc immigrant economy. It means freeing up resources so that our enforcement agencies can restore order at the border and in the workplace. It means holding employers, not just workers, responsible for obeying the law. And it means tapping the energy of vast numbers of immigrants who dream of becoming citizens and who can make the country stronger.

These are huge changes and the anti-immigrant forces have nothing to contribute. They are out of ideas, except about getting re-elected. Their calculated inaction and half-measures mock Americans' desperate need for comprehensive reform, which has been repeatedly confirmed in opinion polls.

Tucson Citizen: Our Opinion: No remedy for im-migration woes this year, September 19, 2006

if, U.S. representatives believe a 700-mile fence will shut down immigration along our 2,000-mile border, we have a swell bridge we'd like to sell them. How much would that cost? At least $2.2 billion—enough to add 2,500 Border Patrol agents for five years, or to invest that same amount in U.S. spending on economic development in Mexico over the next five years. . .

The push for a fence is political, not pro-ductive.

We urge House members to forget about appealing to voters and focus on a realistic,
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effective and comprehensive approach to reform our illegal immigration policy. Nothing will improve until they do.


There has been much nonsensical talk around the matter of illegal immigration. And now there’s been an extraordinarily nonsensical agreement with all that blather. Waco (TX) Tribune: Border fence more stilt than solution, September 18, 2006

On a vote of 283-138, the House passed a Republican-written bill authorizing the construction of 700 miles of fence along the 2,000-mile border with Mexico.

That’s it. Shell out more than a billion tax dollars to build a partial fence along the U.S.-Mexico border. This legislation doesn’t come within shouting distance of meaningful.

Voters should consider the unfunded partial-fence bill passed last week by the House as little more than an election-year stunt. San Francisco Chronicle: Border fences—and fantasies, September 17, 2006.

So when House Speaker Dennis Hastert, R-III, said few of his fellow “Republicans believe we can have a no-penetration border” and that “if we build a fence, they will no longer come illegally,” he was operating in the realm of politics, not reality.

What’s needed is a far more sophisticated response to the immigration problem. A fence is likely to exacerbate the problem rather than solve it.

Orlando Sentinel: Stall game, September 17, 2006.

It’s time the House and Senate tear down the partisan fencing that keeps America divided, and find a solution to a problem that is the opposite of what the two parties—told it.

Inland Valley Daily Bulletin (Ontario, CA): Border policies review welcome, but fence is not, September 17, 2006.

The fence strikes us as pre-election pandering so that lawmakers can go home to their districts and say they’re cracking down on illegal immigration. But a wall won’t cut it, if history is any guide.

East Valley Tribune (Scottsdale/Mesa, AZ): A meeting at the fence, September 17, 2006.

Just as the 1986 reforms failed to stop illegal immigration because promised border and workplace enforcement didn’t follow, a single-minded approach to this complex problem would drive illegal immigrants and human smugglers to take even greater risks to scale fences and sneak past border agents, while leaving a huge shadow underclass of people living and working among us.

Arizona and all Americans deserve better from Washington.


The House had an opportunity to achieve real reform on immigration, but the hard business of negotiating a compromise with the Senate doesn’t make for a pithy campaign slogan. Easier to say “I voted in favor of a fence along the border. Twice.”


Congress has had plenty of time to address this issue, but has chosen to use it as a political football in the upcoming elections. Now the GOP leadership says it wants changes approved by its bases.

Piecemeal approaches, however, are what stymied immigration reform in the first place.

Lompoc (CA) Record: Immigration, long fences and workers, September 15, 2006.

This nation needs immigration reform and secure borders, but it needs a law that makes sense. Building a new fence doesn’t make sense, and will only line the pockets of fencing contractors, while having little or no effect on the flow of illegal immigrants.


Leaders from both parties vowed that 2006 would be the year for immigration reform. Yet by their inaction, members of Congress have made 2006 only as the year for immigration rhetoric.

The House and Senate have passed vastly different versions of immigration reform. Leaders now say the differences are too great to reconcile.

That’s not true. Both bills include serious provisions about border security. Those provisions create a common ground for Congress to reach compromise on other elements, including a guest worker program.

Mr. KENNEDY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY. Mr. President, could I ask for 2 minutes?

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

NATIONAL INTELLIGENCE ESTIMATE—IRAQ

Mr. KENNEDY. Mr. President, to bring to the attention of the Senate, during the consideration of the DOD appropriations, I offered an amendment that I proposed restrictively about an NIE for Iraq. We have not had an NIE—National Intelligence Estimate—just for Iraq. The one that has been printed in the newspapers, or the reports in the newspapers have an NIE about global terrorism, of which Iraq was a part, but we have not had an NIE on Iraq in the last 2½ years. This was accepted in the conference report.

Yesterday I sent a letter to Mr. Negroponte, with Senator ROCKEFELLER, Senator LEVIN, Senator FORD, Senator REED, and Senator REED, urging him to move forward. It outlines the areas to be covered in the assessment. I had that letter printed in the RECORD.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, we have four unanimous consent requests that I think have been cleared. I also have four unanimous consent requests from Texas.

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. KENNEDY. Mr. President, could I ask for 2 minutes?

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

WRIGHT AMENDMENT REFORM ACT OF 2006

Mrs. HUTCHISON. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 563, S. 3661.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislation is as follows:

A bill (S. 3661) to amend section 29 of the International Air Transportation Competition Act of 1979 relating to air transpor-