

Mr. KENNEDY. Mr. President, I will not take much time. I commend and thank the good Senator from California. This is an extraordinary humanitarian need. I have listened to the Senator from California on the floor, I have listened to her in committee, and I have listened to her at hearings. This is a matter of enormous importance. It relates to minors, children, vulnerable people, and the record of exploitation. This amendment is well thought out. She has had strong bipartisan support for it. In the past, there has not been objection to this amendment. I know of no objection to it. It is an extremely worthwhile amendment.

I have spent a good deal of time commending her and talking about the amendment, but she has done an excellent job in its presentation. I certainly hope we will accept this amendment. I believe we are prepared to accept it.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I have 1 minute of comments to make on the amendment of the Senator from South Carolina, and then I wonder if we can proceed with the possibility of three amendments being disposed of in quick order so that then the Senator from New Hampshire can begin with his amendment.

Let me make my comments about the amendment offered by Senator GRAHAM. I support this amendment because it provides a deterrent to future illegal immigration. While there are a great deal of statistics I would like to cite, in the interest of time, let me make this point.

There is a very interesting operation going on right now in the Del Rio, TX, sector, in something called Operation Streamline in which they actually have the jail space available to detain, for up to 180 days, illegal immigrants caught coming across the border. This has been in operation now since 2005. Anyone caught entering the United States illegally faces prosecution under this particular operation unless for humanitarian reasons they need to be released. It has proven very effective in reducing the number of crossings in that area. The word has spread very quickly to people in Mexico that if they try to cross in this sector and they are caught, they are not just going to be returned home, they are going to spend time in jail. That totally disrupts their lives. They cannot afford not to be back working someplace, either in their own country or in the United States. As a result, the word has spread quickly: Don't try to cross in that sector or you are going to go to jail.

As a result, I think the amendment of the Senator from South Carolina is very well taken. It will provide a deterrent for future illegal crossings into the United States. And that is what this legislation should be all about, the stopping of illegal immigration. So I support his amendment.

Mr. President, if I may address the Senator from Massachusetts, would it

be possible at this point to address three amendments that have been offered and dispense with them?

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, if the Senator will yield, I ask unanimous consent that the previous incomplete voice vote on amendment No. 1173 be vitiated and the amendment be agreed to. This is the Graham amendment.

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

The amendment (No. 1173) was agreed to.

Mr. KENNEDY. I had hoped we could voice vote the amendment of the Senator from California. I have been notified that we cannot voice vote it, so we will have to have a rollcall vote on that amendment. I believe the Senator from California is prepared to go ahead.

Mr. GREGG. Mr. President, will the Senator from Massachusetts yield for a question?

Mr. KENNEDY. Yes, I will be glad to yield for a question.

Mr. GREGG. I understand I am next in order to offer an amendment.

Mr. KENNEDY. Yes.

Mr. GREGG. If the Senator from Massachusetts is not ready to go to Senator FEINSTEIN's amendment at this time, I suggest I offer mine and then we do the two amendments in sequence.

Mr. KENNEDY. That is an excellent suggestion, if the Senator from Pennsylvania thinks it is a good idea.

Mr. SPECTER. Mr. President, I think it is an excellent idea. Do we have Senator GRASSLEY's amendment to voice vote?

Mr. KENNEDY. I think we ought to do that in a few minutes. I am hopeful we will be able to do it. I hope that request will be made either during or after the debate on the amendment of the Senator from New Hampshire.

Mr. SPECTER. Mr. President, that is satisfactory.

Mr. KENNEDY. So, Mr. President, just before the Senator from New Hampshire begins, we are moving along. We are going to take up the amendment of the Senator from New Hampshire, and then it will come back to our side. We have several Senators who have indicated a desire to offer an amendment. Then I believe it will go back to the other side, and I believe Senator CORNYN has an amendment. That is how we will proceed. We intend to go back and forth. We have quite a list here. We are making progress. I am grateful for all the cooperation we have had.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

AMENDMENT NO. 1172 TO AMENDMENT NO. 1150

Mr. GREGG. Mr. President, I ask unanimous consent to set aside the pending amendment, and I call up my amendment, which is No. 1172.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] proposes an amendment numbered 1172 to amendment No. 1150.

Mr. GREGG. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To ensure control of our Nation's borders and strengthen enforcement of our immigration laws)

Strike section 1 and insert the following:

SECTION 1. EFFECTIVE DATE TRIGGERS.

(a) IN GENERAL.—With the exception of the probationary benefits conferred by section 601(h) of this Act, the provisions of subtitle C of title IV, and the admission of aliens under section 101(a)(15)(H)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)), as amended by title IV, the programs established by title IV, and the programs established by title VI that grant legal status to any individual or that adjust the current status of any individual who is unlawfully present in the United States to that of an alien lawfully admitted for permanent residence, shall become effective on the date that the Secretary submits a written certification to the President and the Congress, based on analysis by and in consultation with the Comptroller General, that each of the following border security and other measures are established, funded, and operational:

(1) OPERATIONAL CONTROL OF THE INTERNATIONAL BORDER WITH MEXICO.—The Secretary of Homeland Security has established and demonstrated operational control of 100 percent of the international land border between the United States and Mexico, including the ability to monitor such border through available methods and technology.

(2) STAFF ENHANCEMENTS FOR BORDER PATROL.—The United States Customs and Border Protection Border Patrol has hired, trained, and reporting for duty 20,000 full-time agents as of the date of the certification under this subsection.

(3) STRONG BORDER BARRIERS.—There has been—

(A) installed along the international land border between the United States and Mexico as of the date of the certification under this subsection, at least—

- (i) 300 miles of vehicle barriers;
- (ii) 370 miles of fencing; and
- (iii) 105 ground-based radar and camera towers; and

(B) deployed for use along the along the international land border between the United States and Mexico, as of the date of the certification under this subsection, 4 unmanned aerial vehicles, and the supporting systems for such vehicles.

(4) CATCH AND RETURN.—The Secretary of Homeland Security is detaining all removable aliens apprehended crossing the international land border between the United States and Mexico in violation of Federal or State law, except as specifically mandated by Federal or State law or humanitarian circumstances, and United States Immigration and Customs Enforcement has the resources to maintain this practice, including the resources necessary to detain up to 31,500 aliens per day on an annual basis.

(5) WORKPLACE ENFORCEMENT TOOLS.—In compliance with the requirements of title III of this Act, the Secretary of Homeland Security has established, and is using, secure and effective identification tools to prevent unauthorized workers from obtaining employment in the United States. Such identification tools shall include establishing—