

year's bill—let me say this on the terrorism question—specifically barred aliens with terrorism connections from having the required good moral character to enter the United States. That is one of the things we say. You cannot come here unless you have good moral character. You cannot come here if you are a felon, a thief, a drug dealer or a child molester. Surely, that would make sense. So this bill eliminated that.

Another example, surprisingly, of this bill being weaker even than last year's fatally flawed bill: The bill's drafters have ignored the Bush administration's request that changes be made to the asylum, cancellation of removal, and withholding of removal statutes in order to prevent aliens with terrorist connections from receiving relief. The bill drafters were told about this by the Bush administration and were urged to put different language in, and they refused to do so, for reasons I cannot fathom.

But it begins to show a certain mindset. I think that mindset is we are somehow here to represent people who want to come into our country and stay in our country instead of representing the American people and the interests of the United States.

Last year, we had good moral character as a requirement. Good moral character involved not being connected to terrorists. But according to current law, an alien cannot have good moral character if they are a habitual drunkard, a majority of their income comes from illegal gambling, giving false testimony for immigration benefit purposes, they have been in jail for 180 days, they have been convicted of an aggravated felony or they have engaged in genocide, torture, or extrajudicial killings. That is current law we have. But this year's bill is completely missing these new terrorism bars that were in last year's bill, and the bill no longer requires good moral character. That is a matter that leaves us at greater risk than we need to be. It concerns me.

Another example. Instead of ensuring that members of violent gangs, such as MS-13, are deported, the bill will allow violent gang members to get amnesty as long as they renounce their gang membership on their application. That is the current law. Under the bill, being in a violent gang is not going to prevent you from qualifying for amnesty. The bill requires amnesty applicants to list—to list—you are required to list that gang membership on your application. Then you get a blank that says "renunciation of gang affiliation." So if you check that blank and say you renounce it, then you get to stay in, perhaps.

So why don't we allow this: If an illegal alien has been a member of a violent international gang, such as Mara Salvatrucha 13, MS-13, why don't we say that blocks him or her from being eligible for the amnesty in the bill? Loyalty to the United States should be

the requirement, not loyalty to some outside gang that is violent.

The night before last, I happened to turn on C-SPAN and catch a National Press Club conference by a series of law enforcement officers involved in the Border Patrol, the former chairman of the Border Patrol. They were ferocious in their criticism of this bill. I was surprised how strongly they felt about it.

Hugh Brien, himself an immigrant, was Chief of the Border Patrol from 1986 to 1989. He called the bill a sellout, a complete betrayal of the Nation, a slap in the face to millions of Americans who have come here legally like he had done. In 1986, he recalled: "Our masters, our mandarins promised it would work." Of course, the 1986 bill did not. He also said, based on his experience in many years with the Border Patrol: "It's a disaster."

Kent Lundgren, the national chairman of the Association of Former Border Patrol Officers, said this: "There are no meaningful criminal or terrorist checks" in the legislation. He noted that the "screening will not happen." He added Congress is lying about it.

The PRESIDING OFFICER. The Senator has used his time.

Mr. SESSIONS. Madam President, I thank the Chair and support the Cornyn amendment.

The PRESIDING OFFICER. Who yields time?

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

The PRESIDING OFFICER. Thirty-one minutes.

Mr. KENNEDY. Madam President, I yield 5 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. SCHUMER. Thank you, Madam President.

First, I salute my colleague from Massachusetts for his undaunted, courageous, and effective leadership on this issue, which is one of the most difficult issues we face. I think he has the respect of everybody in this body for that—the Senator from Massachusetts does—whether they agree or disagree with the bill.

Now, I rise in opposition to the Cornyn amendment and in support of the Kennedy alternative amendment No. 1333. There certainly are attractive parts of the Cornyn amendment, but the good parts of the amendment are buried in complicated language that strikes at the heart of the comprehensive immigration bill many of us are working hard to pass. At a minimum, my colleague's amendment would have the effect of stripping the path to citizenship, one of the mainstays of the compromise—one of the two mainstays of the compromise—out of the bill altogether. This body has already rejected that approach outright. It ought not do it now by stealth. It is a Trojan horse—nothing short of an attempt to kill the whole bill in the guise of tough enforcement.

My colleagues know when it comes to tough enforcement, whether it is on immigrants, citizens, or anyone else, I don't yield to anybody. I am a tough-on-crime guy. I come from an area that was ravaged by crime, and the works of the Federal Government, State government, and city government helped make the communities I represent much safer.

What we do in the Kennedy amendment is keep the tough enforcement without killing the bill. Let me repeat that. What we do in this amendment is keep the tough enforcement—it is all there—but we don't kill the bill. We don't eliminate the path to citizenship which is, of course, what the Cornyn amendment does and may well be intended to do.

If we are serious about passing the best possible bill and passing a bill that makes good sense, we should support the Kennedy amendment and not throw out the baby with the bathwater. We all want a bill that is tough on people who have broken the law, and we all want a bill that keeps people who should not be let into the United States in the first place from coming here.

Senator KENNEDY's amendment is both tough and smart. It changes the law to prevent the worst criminals from getting into the country and kicks out people who shouldn't be here, and it picks out the best parts of the Cornyn amendment and leaves out the worst.

Like Senator CORNYN's amendment, Senator KENNEDY's amendment says any new immigrant who has participated in a criminal gang in any way, shape, or form can't come live in the United States, period. It doesn't wait for a felony conviction or anything else. If you are in a gang, you can't come in, and you can't become a citizen. Any immigrant in the United States who has been a member of a gang can be deported. That is how it should be. Also, Senator KENNEDY's amendment cracks down on gang members who violate our gun laws.

Under Senator KENNEDY's amendment, aliens who have committed the horrible crimes of domestic violence—stalking, child abuse, child neglect, or child abandonment, and who have been sent to jail for a year—are barred from moving to the country or from attempting to naturalize as citizens. The amendment provides that sex offenders who don't register can't immigrate or come work here, and convicted sex offenders who don't register get deported.

The amendment would keep drunk drivers from immigrating to the United States. Just one felony conviction for drunk driving and you are out. People who try to sneak into the country, illegally cross the border, or lie to immigration agents will face steep fines and jail time, as the bill provides, as this body ratified last week.

The amendment has tough penalties for repeat offenders. An alien who tries