

we can't vote on Friday; we are not going to vote this week. We fought that, and they backed off. We had a week's break and came back. We got back on the bill and proceeded with it and had some amendment votes and were moving along, and then Senator REID pulled the bill off the floor on a Thursday night. So we thought maybe that was the end of it.

But after working on it, they decided to bring it back up. It is going to be brought back tomorrow. The bill is filed. Cloture was filed. We now find ourselves prepared to vote tomorrow on whether to invoke cloture on the motion to proceed, go to this bill, and actually discuss it on the floor. We know there are probably 51 Senators who have committed to vote for final passage of the bill. I think they have made a mistake. Some probably didn't understand it fully. I am sure some are uneasy about that commitment. But more than 50, I am confident, are committed to voting for the legislation. Some really think anything is better than the current system. Maybe this is better, they say. They are prepared to vote for it. So by going to the bill, we are setting ourselves on a pathway that leads to final passage of legislation I believe is not worthy of the U.S. Senate.

More than that, I urge my colleagues to think about this. We have been told—and if I am mistaken, I ask the majority leader to tell me I am wrong—that an unprecedented procedure will be utilized to eliminate as much time of debate as possible and to completely control the amendment process to this legislation in a way that has never been done before in the history of the Senate. It has never been done this way. The majority leader is going to fill the tree. He is going to file a second-degree amendment. That amendment will be divisible into a number of different amendments so he can say which amendments will be voted on and which will not, and other amendments will not be allowed to be voted on. It is complete control of the process. They will say: We adopted some of your amendments, you complain. We have some of your amendments in that group.

This process has been prepared with the care and precision of the Normandy invasion. This has been prepared meticulously for weeks, how they are going to move this bill through and how they are going to control the amendments. The amendments that will be allowed, I am confident, will be amendments they are confident they have the votes to defeat or amendments they don't care if passed. But they will not allow amendments to go to the core of this agreement by those masters of the universe who put it together, anything that would actually threaten this legislation's agreement they put together.

Some have been told: Don't worry, Senator, vote for cloture tomorrow, and we will let your amendment be

voted on. If your amendment is selected, it is likely that they have the votes to vote it down or the crowd that put this bill together doesn't object if it passes. But anything that really goes at this mechanism, this special agreement they have put together in secret without committee hearings of any kind, will not be allowed to be voted on. That is a big mistake.

I say to my colleagues on the other side of the aisle, I have been in the Senate 10 years, most of which Republicans had the majority. This procedure was never used against the Democrats when Republicans were in the majority. This is the first time it has been used in the Senate. What if it is used against Senators in the future on both sides of the aisle? The great free debate this Senate is so proud of would be eroded.

So for two reasons I urge my colleagues tomorrow to vote against cloture. First, we need to have this bill pulled down. We need to go back and review what it is that has caused the American people to reject it so overwhelmingly. We need to find out why the Congressional Budget Office has concluded that it will reduce illegal immigration by only 13 percent. My goodness. We need to ask ourselves, do we really want to double on top of that the legal immigration into America?

What are we afraid of? Why is there this obsession to move this flawed piece of legislation through, utilizing the unprecedented procedural gambit to do so? I ask why?

Three weeks before we had the final vote and Senator REID pulled it down, after the debate continued a couple of weeks ago, a Rasmussen poll showed support for the bill in the high 20s. Then fell to 23 percent, and the last poll showed only 20 percent of Americans supported this bill. Only 20 percent of the American people said we should pass this bill. A decent respect for the opinions of the people who elect us, I suggest—if nothing else, maybe for our own self-interest—would call on us to say: What is it that people are worried about? Why don't we pull this bill and see if we can't make a decent piece of legislation that we could be proud of and move it forward? What possible reason is there to be obsessed with just ramming it through this Senate? I am amazed. It takes my breath away. There is every kind of reason to suggest that we should pull the bill down and work on it.

I will conclude with these thoughts. Let's don't go forward tomorrow. Let Members of the Senate say to those who are promoting the legislation—one former law officer called them mandarins; I jokingly called them the masters of the universe—this legislation will not work. They are good people. They think they were doing good. But the product they produced won't work, and the American people don't like it. I say vote against cloture tomorrow because a vote for cloture is a vote ultimately to move this bill passage.

No. 2, I say vote against cloture tomorrow because unless the majority leader declares otherwise, we will have to assume that what we have been hearing is correct, and he will use an unprecedented procedure—a procedure dubbed “the clay pigeon”—to completely control the amendment process and to bring this bill up for final vote with amendments only he has approved in a minimal amount of time that can be expended on such legislation. Any legislation this big deserves time. Any legislation this big or with this many flaws deserves a lot of work.

I urge my colleagues, in light of these factors and others they may personally care about—and there are many more problems—to reject cloture tomorrow. It would be a clear message to the leadership that is trying to move this legislation that we are not going to have it. We want better legislation, if you want us to pass it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, there is a widespread perception among the people of our country that things are getting worse, not better. Polls seem to indicate that people feel that life for the middle class in the last 10 years is not as good as it used to be. By very strong numbers, the people of our country believe the economy is getting worse, not better. We are the greatest country in the history of the world, but there is something wrong when, if current economic trends continue, the young people in our country will have a lower standard of living than their parents. We are moving in many respects in exactly the wrong direction, and it is our job as Members of the Senate to turn that around and to begin making government work for all people rather than just the wealthy and the powerful who have so much power over what goes on in this institution.

I rise in strong support of the Employer Free Choice Act. I commend Senator KENNEDY for his leadership on this issue.

Year after year, millions of American workers have been working longer hours for lower wages. In Vermont, it is not uncommon for people to work two jobs and on occasion work three jobs in order to cobble together an income in order to cobble together some health insurance.

Consider the facts: Since 2001, median household income has fallen by nearly \$1,300; wages and salaries now make up their lowest share of the economy in nearly six decades; the number of Americans who lack health insurance has grown by 6.8 million since 2001, to over 46 million Americans without any health insurance today; the number of Fortune 1,000 companies that have frozen or terminated their pension plans has more than tripled since 2001. Indeed, the middle class itself has shrunk. Over 5 million more Americans have slipped into poverty since the