

all the powers and duties of the Secretary until proceedings are terminated, or if a final order of deportation, exclusion, or removal is entered the Secretary shall resume all powers and duties delegated to the Secretary under this Act.

(b) **STAY OF REMOVAL OF CERTAIN ALIENS ENROLLED IN PRIMARY OR SECONDARY SCHOOL.**—The Attorney General shall stay the removal proceedings of any alien who—

- (1) meets all the requirements of subparagraphs (A), (B), (C), and (E) of section 4(a)(1);
- (2) is at least 12 years of age; and
- (3) is enrolled full time in a primary or secondary school.

(c) **EMPLOYMENT.**—An alien whose removal is stayed pursuant to subsection (b) may be engaged in employment in the United States consistent with the Fair Labor Standards Act (29 U.S.C. 201 et seq.) and State and local laws governing minimum age for employment.

(d) **LIFT OF STAY.**—The Attorney General shall lift the stay granted pursuant to subsection (b) if the alien—

- (1) is no longer enrolled in a primary or secondary school; or
- (2) ceases to meet the requirements of subsection (b)(1).

SEC. 8. PENALTIES FOR FALSE STATEMENTS IN APPLICATION.

Whoever files an application for relief under this Act and willfully and knowingly falsifies, misrepresents, or conceals a material fact or makes any false or fraudulent statement or representation, or makes or uses any false writing or document knowing the same to contain any false or fraudulent statement or entry, shall be fined in accordance with title 18, United States Code, or imprisoned not more than 5 years, or both.

SEC. 9. CONFIDENTIALITY OF INFORMATION.

(a) **PROHIBITION.**—Except as provided in subsection (b), no officer or employee of the United States may—

- (1) use the information furnished by the applicant pursuant to an application filed under this Act to initiate removal proceedings against any persons identified in the application;
- (2) make any publication whereby the information furnished by any particular individual pursuant to an application under this Act can be identified; or
- (3) permit anyone other than an officer or employee of the United States Government or, in the case of applications filed under this Act with a designated entity, that designated entity, to examine applications filed under this Act.

(b) **REQUIRED DISCLOSURE.**—The Attorney General or the Secretary of Homeland Security shall provide the information furnished under this section, and any other information derived from such furnished information, to—

- (1) a duly recognized law enforcement entity in connection with an investigation or prosecution of an offense described in paragraph (2) or (3) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), when such information is requested in writing by such entity; or
- (2) an official coroner for purposes of affirmatively identifying a deceased individual (whether or not such individual is deceased as a result of a crime).

(c) **PENALTY.**—Whoever knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than \$10,000.

SEC. 10. EXPEDITED PROCESSING OF APPLICATIONS; PROHIBITION ON FEES.

Regulations promulgated under this Act shall provide that applications under this Act will be considered on an expedited basis and without a requirement for the payment

by the applicant of any additional fee for such expedited processing.

SEC. 11. HIGHER EDUCATION ASSISTANCE.

Notwithstanding any provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), with respect to assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), an alien who adjusts status to that of a lawful permanent resident under this Act shall be eligible only for the following assistance under such title:

- (1) Student loans under parts B, D, and E of such title IV (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.), subject to the requirements of such parts.
- (2) Federal work-study programs under part C of such title IV (42 U.S.C. 2751 et seq.), subject to the requirements of such part.
- (3) Services under such title IV (20 U.S.C. 1070 et seq.), subject to the requirements for such services.

(3) Services under such title IV (20 U.S.C. 1070 et seq.), subject to the requirements for such services.

SEC. 12. GAO REPORT.

Not later than seven years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives setting forth—

- (1) the number of aliens who were eligible for cancellation of removal and adjustment of status under section 4(a);
- (2) the number of aliens who applied for adjustment of status under section 4(a);
- (3) the number of aliens who were granted adjustment of status under section 4(a); and
- (4) the number of aliens whose conditional permanent resident status was removed under section 5.

Mr. LEAHY. Mr. President, I am pleased to join Senator DURBIN once again to introduce the Development, Relief, and Education for Alien Minors Act, DREAM. This legislation has the potential to change the lives of many young people in an extraordinary and positive way and is an investment in America's future.

The Senate has attempted several times to pass the DREAM Act, but the bitter politics of immigration have stalled our best efforts in the past. I appreciate Senator DURBIN's persistence, and I share his commitment to the young people whose lives this bill would profoundly improve. Those who came to the U.S. as minors under the care of their parents are not guilty of their parents' transgressions. For many, the U.S. is the only home they know. We will further the Federal policy that supports educational opportunity and military service if we exercise the forbearance to defer rigid application of our laws upon those who have the potential to be citizens that will move our country forward. We all recognize the value of higher education and service to our country. To serve these Federal policy interests by giving legal stability and opportunity to young people caught in the limbo of our laws through no fault of their own is the right thing to do.

As Congress and the administration work through the immediate challenges that lie ahead, and begin to restore the faith of Americans in our economy and our government, I hope Congress will not shy away from other important issues such as immigration reform. When our Federal Government

confronts the issue of immigration, I hope we will see not only the opportunity to correct what is wrong, but also to improve and build upon what is good and just about the traditions of welcoming and refuge that define our immigration system. The promise this bill holds for so many young people will reinforce the spirit that underlies the history of American immigration and the diversity that has moved us so far.

I thank Senator DURBIN and hope all Senators will join us in support of this legislation.

By Mr. AKAKA (for himself, Mr. SPECTER, Mr. CARDIN, Mr. SCHUMER, Mr. VOINOVICH, Mr. BROWN, and Mr. CASEY):

S. 732. A bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams; to the Committee on Environment and Public Works.

Mr. SPECTER. Mr. President, I seek recognition to comment on my cosponsorship of the Dam Rehabilitation and Repair Act of 2009 and clarify my intent with respect to Davis-Bacon prevailing wage requirements under this bill.

This bill would establish a grant program within the Federal Emergency Management Agency to provide assistance to states for the rehabilitation of publicly-owned dams that fail to meet minimum safety standards. I am cosponsoring this bill because it is my understanding that there are at least 3,040 deficient dams in the United States, including 369 in Pennsylvania. These dams pose an unacceptable level of risk to the public and should be rehabilitated expeditiously.

I cosponsored similar legislation in the 110th Congress, however, I am advised that it was not considered by the Committee on Environment and Public Works due to concerns over language in the bill which would have required that dam repair work funded under the act adhere to Davis-Bacon locally prevailing wage requirements. As a result, this year's version of the bill, as introduced, does not contain Davis-Bacon prevailing wage requirements out of deference to the Ranking Member of the Committee. However, I am a strong supporter of Davis-Bacon, having voted in favor of preserving it 23 separate times on the Senate floor since 1982. Accordingly, it is my intention to work to reinsert Davis-Bacon requirements into the bill either in committee or on the Senate floor.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 86—DESIGNATING APRIL 18, 2009, AS "NATIONAL AUCTIONEERS DAY"

Mr. BROWNBACK (for himself and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 86

Whereas auctions have played an important role in the sale and exchange of goods for nearly 2,000 years;

Whereas auctions have been an integral part of the marketplace in the United States and around the world;

Whereas auctioneers sold nearly \$268,400,000,000 in goods and assets in 2008;

Whereas the National Auctioneers Association has 5,000 members and has its headquarters in Overland Park, Kansas;

Whereas, in 2008, members of the National Auctioneers Association raised \$16,000,000,000 for charity through benefit auctions;

Whereas auctions are growing in popularity and are used with increasing frequency in the marketplace;

Whereas, through competitive bidding, auctions demonstrate how the free enterprise system establishes fair market value;

Whereas trained professional auctioneers ensure that auctions are conducted in a manner that is fair to both buyers and sellers;

Whereas, in the past, Federal, State, and local governments have designated days and weeks to celebrate auctioneers; and

Whereas the designation by the Senate of April 18, 2009, as "National Auctioneers Day" will heighten awareness of the contributions made by auctions and auctioneers to the economy, culture, and way of life of the people of the United States: Now, therefore, be it

Resolved, That the Senate designates April 18, 2009, as "National Auctioneers Day".

SENATE RESOLUTION 87—EX-PRESSING THE SENSE OF THE SENATE THAT PUBLIC SERVANTS SHOULD BE COMMENDED FOR THEIR DEDICATION AND CONTINUED SERVICE TO THE NATION DURING PUBLIC SERVICE RECOGNITION WEEK, MAY 4 THROUGH 10, 2009

Mr. AKAKA (for himself, Mr. VOINOVICH, Mr. LIEBERMAN, Ms. COLLINS, Mr. LEVIN, and Mr. CARPER) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 87

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and honor the diverse men and women who meet the needs of the Nation through work at all levels of government;

Whereas millions of individuals work in government service in every city, county, and State across America and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas Federal, State, and local governments are responsive, innovative, and effective because of the outstanding work of public servants;

Whereas the United States of America is a great and prosperous Nation, and public service employees contribute significantly to that greatness and prosperity;

Whereas the Nation benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) defend our freedom and advance United States interests around the world;

(2) provide vital strategic support functions to our military and serve in the National Guard and Reserves;

(3) fight crime and fires;

(4) ensure equal access to secure, efficient, and affordable mail service;

(5) deliver social security and medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and the Nation's parks;

(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;

(9) defend and secure critical infrastructure;

(10) help the Nation recover from natural disasters and terrorist attacks;

(11) teach and work in our schools and libraries;

(12) develop new technologies and explore the earth, moon, and space to help improve our understanding of how our world changes;

(13) improve and secure our transportation systems;

(14) promote economic growth; and

(15) assist active duty service members and veterans;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight against terrorism and in maintaining homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent America's interests and promote American ideals;

Whereas public servants alert Congress and the public to government waste, fraud, abuse, and dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who provide support to their efforts, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the Nation and the world;

Whereas public servants have bravely fought in armed conflict in defense of this Nation and its ideals and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants;

Whereas May 4 through 10, 2009, has been designated Public Service Recognition Week to honor America's Federal, State, and local government employees; and

Whereas Public Service Recognition Week is celebrating its 25th anniversary through job fairs, student activities, and agency exhibits: Now, therefore, be it

Resolved, That the Senate—

(1) commends public servants for their outstanding contributions to this great Nation during Public Service Recognition Week and throughout the year;

(2) salutes government employees for their unyielding dedication and spirit for public service;

(3) honors those government employees who have given their lives in service to their country;

(4) calls upon all generations to consider a career in public service; and

(5) encourages efforts to promote public service careers at all levels of government.

Mr. AKAKA. Mr. President, today I rise to recognize America's public servants, who provide the essential services upon which this nation relies. As the chairman of the Senate Homeland Security and Governmental Affairs Subcommittee on Oversight of Government

Management, the Federal Workforce, and the District of Columbia, I am honored to introduce a resolution paying tribute to these employees in celebration of Public Service Recognition Week.

This is the 25th anniversary of Public Service Recognition Week, which always takes place the first full week of May. It is a time set aside each year to honor the men and women who serve America as Federal, State, and local government employees, and commend their dedication to serving others.

The contributions of hardworking, talented government employees maintain our quality of life. They protect our borders from drug and weapon trafficking; conduct research to prevent future epidemics; and bring hope to those who live in poverty. Public servants teach our children; protect our homes and communities; secure our public water systems and critical infrastructure; preserve our natural resources; and defend the principles of liberty and freedom that we hold dear.

The men and women who serve in the armed forces, and the civilian employees who support their missions, are prime examples of public service. They embody the spirit of service, characterized by a willingness to defend this nation. Despite the many hardships of serving through long conflicts, these men and women serve with bravery and unwavering devotion. They have sacrificed their lives so that we might continue to be free.

President Obama has called for action to "encourage a renewed spirit of national service for this and future generations." While Public Service Recognition Week provides the opportunity to honor and celebrate the works of federal employees, it also serves as an opportunity for all Americans to explore the various careers in public service. Through job fairs, agency sponsored events, and special exhibits, Public Service Recognition Week allows the American public to gain a deeper appreciation of the challenging and rewarding work available in the government. It is my hope that through these sponsored events, many young professionals will decide to embrace a career as a public servant.

I encourage my colleagues to recognize the hard work and the services provided by government employees in their states and join in this annual celebration.

SENATE RESOLUTION 88—HONORING THE LIFE OF DR. JOHN HOPE FRANKLIN

Mrs. HAGAN (for herself, Mr. BURR, Mr. KENNEDY, and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 88

Whereas Dr. John Hope Franklin was born on January 2, 1915 in Rentiesville, Oklahoma, the grandson of a slave and the son of Buck Colbert Franklin, one of the first African-American lawyers in the Oklahoma Indian Territory, and Mollie Parker Franklin, a schoolteacher and community leader;