

When we jeopardize our education, we jeopardize our economy. The Congressional Budget Office found that letting these men and women contribute to our society will reduce the deficit by more than \$1 billion. A UCLA study found that the DREAM Act would add as much as \$3.5 trillion to our economy—that is trillion with a “t.” That comes from the University of California at Los Angeles. This bill is not only the right thing to do, it is also a very good investment.

The Defense Department also knows it is good for national security. The Pentagon has said it will help it meet the recruitment goals of our All-Volunteer Force. That is why our military made it part of its 2010 to 2012 strategic plan. That is in their plan, the Pentagon’s plan.

Some Republicans are trying to demonize these young men and women, who love this country and want to contribute to it and fight for it. The real faces of the DREAM Act are the dreamers.

I was welcomed to Washington on Thursday. There was a beautiful child there with a graduation hat on, a four-cornered hat. She was a dreamer. She wants to be able to go to college. That is all she wants. And we have others who want to be able to join the military.

The real faces belong to people such as Astrid Silva, who wrote to me from Nevada to tell me this—and I have visited her on many occasions:

I am 22 and have never even stolen a piece of gum from a 7-11; yet, I feel as though my forehead says “felon.”

Ricardo Cornejo wrote to me from Las Vegas to tell me that young men like him “would love to fight and give our entire lives for our country.”

Opponents use the word “amnesty,” hoping to trick people into thinking this bill is something it is not. They are trying to play to people’s worst fears.

One Senator said in the presence of one of these dreamers that he could not vote for it because that law said one didn’t need to serve. All you need to do is sign up. I say to this U.S. Senator and anyone else suggesting such an absurdity: Read the bill. It takes 2 years of service in the military. It will be longer than 2 years because you have to sign up for more than 2 years. We certainly get our money’s worth in that regard. The DREAM Act could not be further from amnesty. It is an opportunity that gives nothing for free and demands a great deal of those who earn legal residency. It is not granting citizenship immediately; it puts them on the pathway to citizenship. It gives nobody incentives to break the law but to contribute to our Nation and its economy.

When it passes—Mr. President, I hope it passes, as my friend Senator DURBIN said today, but it is going to pass—millions of children who grew up in America as Americans will be able to get the education they need to contribute to

our economy. Many who have volunteered to defend our country will no longer have to fear being deported.

Democrats know this is good policy. Republicans know it too. That is why Senator ORRIN HATCH coauthored it 10 years ago, and that is why the Wall Street Journal’s very conservative editorial board called it a worthy immigration bill within the last few weeks. The only question is whether we will let good policy inform our votes or let partisan politics get in the way of so many futures—not just of these children but our own.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. CARDIN). Morning business is closed.

REMOVAL CLARIFICATION ACT OF 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 5281, which the clerk will report.

The legislative clerk read as follows:

Motion to concur in the House amendment to the Senate amendment No. 3 to H.R. 5281, an act to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate No. 3 to the bill.

Reid motion to concur in the amendment of the House to the amendment of the Senate No. 3 to the bill, with Reid amendment No. 4822 (to the House amendment to the Senate amendment No. 3), to change the enactment date.

Reid amendment No. 4823 (to amendment No. 4822), of a perfecting nature.

Reid motion to refer the message of the House on the bill to the Committee on the Judiciary, with instructions, Reid amendment No. 4824, to provide for a study.

Reid amendment No. 4825 (to (the instructions) amendment No. 4824), to change the enactment date.

Reid amendment No. 4826 (to amendment No. 4825), of a perfecting nature.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXIII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment No. 3 to H.R. 5281, the Removal Clarification Act [DREAM Act].

Joseph I. Lieberman, John D. Rockefeller, IV, Byron L. Dorgan, Sheldon Whitehouse, Jack Reed, Robert Menendez, Mark Begich, Benjamin L. Cardin, Bill Nelson, Michael F. Bennet, Amy Klobuchar, Patty Murray, Barbara A. Mikulski, Christopher J. Dodd, Richard J. Durbin, John F. Kerry

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 5281, an act to amend title 28, United States Code, clarifying and improving certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kentucky (Mr. BUNNING), the Senator from New Hampshire (Mr. GREGG), and the Senator from Utah (Mr. HATCH).

Further, if present and voting, the Senator from Kentucky (Mr. BUNNING) would have voted “nay,” and the Senator from Utah (Mr. HATCH) would have voted “nay.”

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 55, nays 41, as follows:

[Rollcall Vote No. 278 Leg.]

YEAS—55

Akaka	Franken	Murkowski
Bayh	Gillibrand	Murray
Begich	Harkin	Nelson (FL)
Bennet	Inouye	Reed
Bennett	Johnson	Reid
Bingaman	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Specter
Carper	Leahy	Stabenow
Casey	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	Lincoln	Warner
Dodd	Lugar	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	
Feinstein	Mikulski	

NAYS—41

Alexander	DeMint	McConnell
Barrasso	Ensign	Nelson (NE)
Baucus	Enzi	Pryor
Bond	Graham	Risch
Brown (MA)	Grassley	Roberts
Brownback	Hagan	Sessions
Burr	Hutchison	Shelby
Chambliss	Inhofe	Snowe
Coburn	Isakson	Tester
Cochran	Johanns	Thune
Collins	Kirk	Vitter
Corker	Kyl	Voinovich
Cornyn	LeMieux	Wicker
Crapo	McCain	

NOT VOTING—4

Bunning	Hatch
Gregg	Manchin

The PRESIDING OFFICER. Are there any other Senators in the Chamber who wish to vote or change their vote?

The Chair reminds the galleries that expressions of approval or disapproval are not permitted.

On this vote, the yeas are 55, the nays are 41. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. KYL. Mr. President, I move to reconsider the vote.

Mr. SESSIONS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRASSLEY. Mr. President, I would like to take a moment to discuss my vote today against ending debate on the Dream Act, a bill that would provide legal status to millions of people in this country who are illegally present. Before I discuss the substance of the bill, I want to express my frustration on the process of how this bill was brought to the floor for a vote. This bill has been around for nearly 10 years. In 2003, the Senate Judiciary Committee considered and debated the bill, and voted to send it to the full Senate for consideration. It didn't pass at that time, and since then, not one hearing has taken place on the legislation.

The bill we considered today was the sixth version of the Dream Act that we have seen in the last 2 months. Five of the six versions were introduced and immediately put on the calendar, bypassing the committee process. The Judiciary Committee, of which I am a member, didn't have the opportunity to debate it or make it better. Instead, the full Senate was asked to consider the bill as written, without the ability to amend it. You see, the majority leader used his ability to block all amendments through a process known as "filling the tree." This procedure means that no amendments could be in order. No improvements could have been made. The democratic process was effectively blocked.

Now, allow me to express some concerns that I have had about this version of the bill. The Dream Act would legalize an unlimited number of people who are here illegally, including the relatives of the alien that applies. It would put millions of individuals not just young people on a path to citizenship. The bill also leaves the door open to more fraud and abuse of our immigration system. It leaves a lot of discretion to the Secretary of Homeland Security, including authority to waive bars of inadmissibility. This latest version of this legislation provides very few assurances that criminal aliens would be barred from applying. The Dream Act, according to the Congressional Budget Office has a \$5 billion price tag, and could require hard-working Americans to foot the bill for this amnesty program. The bill fails to require individuals to graduate from college or to complete their military service, even though proponents claim that this is the sole mission of the bill. Finally, one of the most alarming provisions of the bill allows aliens who apply, no matter how frivolous their claim, to be granted safe harbor from enforcement officials by prohibiting the Secretary of Homeland Security from removing an alien who has a pending application.

I agree that we should take a hard look at protecting the youth who are forced to come here illegally, unaware

of the consequences. However, we also need to be conscious of those people standing in line, all around the world, who follow the law and wait their turn to come here legally. This bill just wouldn't be fair to those people.

Congress and this administration must come to terms with the immigration problems we have. We need true reform of our immigration laws, starting with border security and enforcement of the laws already on the books. We need to consider changes to our legal immigration system, including expanding or improving visa programs, to make sure people are incentivized to come in legally rather than illegally. These reforms will make the system better for future generations because a short term amnesty program as proposed by the Dream Act—doesn't solve the underlying problem.

I voted against ending debate today because I believe this bill required serious deliberation. I thought we deserved to have amendments considered. It is unfortunate that the majority attempted to push this bill through at the final hour, circumventing the democratic process that allows for amendments and serious debate on an issue that would dramatically undermine our rule of law.

#### SBIR/STTR REAUTHORIZATION ACT OF 1999—RESUMED

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill.

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 4827 (to the House amendment to the Senate amendment), to change the enactment date.

Reid amendment No. 4828 (to amendment No. 4827), to change the enactment date.

Reid motion to refer the message of the House on the bill to the Committee on Armed Services, with instructions, Reid amendment No. 4829, to provide for a study.

Reid amendment No. 4830 (to (the instructions) amendment No. 4829), of a perfecting nature.

Reid amendment No. 4831 (to amendment No. 4830), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided. The Senate will be in order. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I rise to ask my colleagues on both sides of the political aisle to support this cloture motion. The fact is that removing a form of legalized discrimination from our books, allowing people to serve our military regardless of sexual orientation, is not a liberal or conservative idea; it is not a Republican or Democratic idea; it is an American idea consistent with American values. We have come to a point in our history, I hope, where neither race nor religion, ethnicity nor gender nor sexual orientation should deprive Americans of serving our country as the patriots that they are. This measure would ac-

complish that result in an orderly way to be determined by the leaders of our military when they decide that the military is ready to implement the change, repeal don't ask, don't tell, without negative effect on military effectiveness, unit cohesion, and military morale. It is time to right a wrong and put the military in line with the best of American values.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Today is a very sad day. The Commandant of the U.S. Marine Corps says: When your life hangs on the line, you don't want anything distracting. Mistakes and inattention and distractions cost marines' lives. I don't want to permit that opportunity to happen and I will tell you why. You go up to Bethesda Naval Hospital, marines are up there with no legs, none. We have marines in Walter Reed with no limbs.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 2965, the SBIR/STTR Reauthorization Act.

Joseph I. Lieberman, Barbara Boxer, Ron Wyden, Michael F. Bennet, Robert Menendez, Robert P. Casey, Jr., Frank R. Lautenberg, Debbie Stabenow, Mark R. Warner, Tom Udall, Jeff Merkley, Benjamin L. Cardin, Amy Klobuchar, Christopher J. Dodd, Tom Carper, Al Franken.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 2965, the SBIR/STTR Reauthorization Act, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN) is necessarily absent.

I further announce that if present and voting, the Senator from West Virginia (Mr. MANCHIN) would vote "nay."

Mr. KYL. The following Senators are necessarily absent: the Senator from Kentucky (Mr. BUNNING), the Senator from New Hampshire (Mr. GREGG), and the Senator from Utah (Mr. HATCH).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "nay," and the Senator from Kentucky (Mr. BUNNING) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 63, nays 33, as follows: