McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rahall
Reed
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (OH)
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Space
Stearns
Stupak
Stutzman
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Berry
Bilbray
Blunt
Cohen
Delahunt
Fallin
Granger
Griffith
Kilpatrick (MI)
Kirkpatrick (AZ)
Marchant
McMorris Rodgers
Mollohan
Radanovich
Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1844

Mr. MINNICK changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CRIMINAL HISTORY BACKGROUND CHECKS PILOT EXTENSION ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (S. 3998) to extend the Child Safety Pilot Program.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. YARMUTH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 401, noes 2, not voting 30, as follows:

[Roll No. 624]

AYES—401

Ackerman
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Stutzman
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Yarmuth
Young (FL)

NOES—2

Paul
Young (AK)

NOT VOTING—30

Aderholt
Berry
Bilbray
Bishop (UT)
Blunt
Cardoza
Cohen
Cole
Davis (AL)
Delahunt
Ehlers
Fallin
Gordon (TN)
Granger
Griffith
Gutierrez
Kaptur
Kilpatrick (MI)
Kirkpatrick (AZ)
Marchant
McMorris Rodgers
Mollohan
Owens
Pomeroy
Radanovich
Rohrabacher
Serrano
Tiberi
Woolsey
Wu

□ 1851

Mr. JOHNSON of Illinois changed his vote from ''no'' to ''aye.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEVELOPMENT, RELIEF, AND EDUCATION FOR ALIEN MINORS ACT OF 2010

Mr. CONYERS. Mr. Speaker, pursuant to House Resolution 1756, I call up the bill (H.R. 5281) 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, with the Senate amendments thereto, and I have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. DRIEHAUS). The Clerk will designate the Senate amendments.

The text of the Senate amendments is as follows:

Senate amendments:

(1) On page 2, strike lines 8 through 18 and insert the following:

United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by inserting ''that is'' after ''or criminal prosecution'';

(B) by inserting ''and that is'' after ''in a State court''; and

(C) by inserting ''or directed to'' after ''against''; and

(2) by adding at the end the following:

''(c) As used in subsection (a), the terms 'civil action' and 'criminal prosecution' include any proceeding (whether or not ancillary to another proceeding) to the extent that in such proceeding a judicial order, including a subpoena for testimony or documents, is sought or issued. If removal is sought for a proceeding described in the previous sentence, and there is no other basis for removal, only that proceeding may be removed to the district court.''.

(2) On page 3, strike lines 4 through 19 and insert the following:

''(g) Where the civil action or criminal prosecution that is removable under section 1442(a) is a proceeding in which a judicial order for testimony or documents is sought or issued or sought to be enforced, the 30-day requirement of subsections (b) and (c) is satisfied if the person or entity desiring to remove the proceeding files the notice of removal not later than 30 days after receiving, through service, notice of any such proceeding.''.

(3) On page 3, strike line 23 and all that follows through page 4, line 6, and insert the following:

SEC. 3. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

MOTION TO CONCUR

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. CONYERS moves that the House concur in Senate amendments numbered 1 and 2, and concur in Senate amendment numbered 3 with an amendment.

The text of the amendment is as follows:

Amendment:

At the end of the matter proposed to be inserted by the Senate amendment numbered 3, add the following:

SEC. 4. SHORT TITLE.

Notwithstanding section 1, sections 5 through 16 of this Act may be cited as the ''Development, Relief, and Education for Alien Minors Act of 2010'' or the ''DREAM Act of 2010''.

SEC. 5. DEFINITIONS.

In this section and sections 6 through 16 of this Act:

(1) IN GENERAL.—Except as otherwise specifically provided, a term used in this section and section 6 through 16 of this Act that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) ARMED FORCES.—The term ''Armed Forces'' has the meaning given the term ''armed forces'' in section 101(a) of title 10, United States Code.

(3) CONDITIONAL NONIMMIGRANT.—

(A) DEFINITION.—The term ''conditional nonimmigrant'' means an alien who is granted conditional nonimmigrant status under this Act.

(B) DESCRIPTION.—A conditional nonimmigrant—

(i) shall be considered to be an alien within a nonimmigrant class for purposes of the immigration laws;

(ii) may have the intention permanently to reside in the United States; and

(iii) is not required to have a foreign residence which the alien has no intention of abandoning.

(4) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(5) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), except that the term does not include an institution of higher education outside the United States.

SEC. 6. CANCELLATION OF REMOVAL OF CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.

(a) SPECIAL RULE FOR CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.—

(1) IN GENERAL.—Notwithstanding any other provision of law and except as otherwise provided in this section and sections 7 through 16 of this Act, the Secretary of Homeland Security may cancel removal of an alien who is inadmissible or deportable from the United States, and grant the alien conditional nonimmigrant status, if the alien demonstrates by a preponderance of the evidence that—

(A) the alien has been physically present in the United States for a continuous period of not less than 5 years immediately preceding the date of the enactment of this Act and was younger than 16 years of age on the date the alien initially entered the United States;

(B) the alien has been a person of good moral character since the date the alien initially entered the United States;

(C) subject to paragraph (2), the alien—

(i) is not inadmissible under paragraph (1), (2), (3), (4), (6)(E), (6)(G), (8), (10)(A), (10)(C), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(ii) is not deportable under paragraph (1)(E), (1)(G), (2), (4), (5), or (6) of section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a));

(iii) has not ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; and

(iv) has not been convicted of—

(I) any offense under Federal or State law punishable by a maximum term of imprisonment of more than 1 year; or

(II) 3 or more offenses under Federal or State law, for which the alien was convicted on different dates for each of the 3 offenses and sentenced to imprisonment for an aggregate of 90 days or more;

(D) the alien—

(i) has been admitted to an institution of higher education in the United States; or

(ii) has earned a high school diploma or obtained a general education development certificate in the United States;

(E) the alien has never been under a final administrative or judicial order of exclusion, deportation, or removal, unless the alien—

(i) has remained in the United States under color of law after such order was issued; or

(ii) received the order before attaining the age of 16 years; and

(F) the alien was younger than 30 years of age on the date of the enactment of this Act.

(2) WAIVER.—With respect to any benefit under this section and sections 7 through 16 of this Act, the Secretary of Homeland Security may waive the ground of inadmissibility under paragraph (1), (4), or (6) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) and the ground of deportability under paragraph (1) of section 237(a) of that Act (8 U.S.C. 1227(a)) for humanitarian purposes or family unity or when it is otherwise in the public interest.

(3) PROCEDURES.—The Secretary of Homeland Security shall provide a procedure by regulation allowing eligible individuals to apply affirmatively for the relief available under this subsection without being placed in removal proceedings.

(4) SURCHARGE.—The Secretary of Homeland Security shall charge and collect a surcharge of $525 per application on all applications for relief under this subsection. Such surcharge shall be in addition to the otherwise applicable application fee imposed for the purpose of recovering the full costs of providing adjudication and processing services. Notwithstanding any other provision of law, including section 286 of the Immigration and Nationality Act (8 U.S.C. 1356), any surcharge collected under this paragraph shall be deposited as offsetting receipts in the General Fund of the Treasury and shall not be available for obligation or expenditure.

(5) DEADLINE FOR SUBMISSION OF APPLICATION.—An alien shall submit an application for cancellation of removal and conditional nonimmigrant status under this subsection no later than the date that is 1 year after the later of—

(A) the date the alien earned a high school diploma or obtained a general education development certificate in the United States; or

(B) the effective date of the interim regulations under subsection (d).

(6) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary of Homeland Security may not cancel the removal of an alien or grant conditional nonimmigrant status to the alien under this subsection unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for applicants who are unable to provide such biometric or biographic data because of a physical impairment.

(7) BACKGROUND CHECKS.—

(A) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary of Homeland Security shall utilize biometric, biographic, and other data that the Secretary determines is appropriate—

(i) to conduct security and law enforcement background checks of an alien seeking relief available under this subsection; and

(ii) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for such relief.

(B) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement background checks required by subparagraph (A) shall be completed, to the satisfaction of the Secretary, prior to the date the Secretary cancels the removal of the alien under this subsection.

(8) MEDICAL EXAMINATION.—An alien applying for relief available under this subsection shall undergo a medical observation and examination. The Secretary of Homeland Security, with the concurrence of the Secretary of Health and Human Services, shall prescribe policies and procedures for the nature and timing of such observation and examination.

(9) MILITARY SELECTIVE SERVICE.—An alien applying for relief available under this subsection shall establish that the alien has registered under the Military Selective Service Act (50 U.S.C. App. 451 et seq.), if the alien is subject to such registration under that Act.

(b) TERMINATION OF CONTINUOUS PERIOD.—For purposes of this section, any period of continuous residence or continuous physical presence in the United States of an alien who applies for cancellation of removal under subsection (a) shall not terminate when the

alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(c) TREATMENT OF CERTAIN BREAKS IN PRESENCE.—

(1) IN GENERAL.—An alien shall be considered to have failed to maintain continuous physical presence in the United States under subsection (a) if the alien has departed from the United States for any period in excess of 90 days or for any periods in the aggregate exceeding 180 days.

(2) EXTENSIONS FOR EXCEPTIONAL CIRCUMSTANCES.—The Secretary of Homeland Security may extend the time periods described in paragraph (1) if the alien demonstrates that the failure to timely return to the United States was due to exceptional circumstances. The exceptional circumstances determined sufficient to justify an extension should be no less compelling than serious illness of the alien, or death or serious illness of a parent, grandparent, sibling, or child.

(d) REGULATIONS.—

(1) INITIAL PUBLICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall publish regulations implementing this section.

(2) INTERIM REGULATIONS.—Notwithstanding section 553 of title 5, United States Code, the regulations required by paragraph (1) shall be effective, on an interim basis, immediately upon publication but may be subject to change and revision after public notice and opportunity for a period of public comment.

(3) FINAL REGULATIONS.—Within a reasonable time after publication of the interim regulations in accordance with paragraph (1), the Secretary of Homeland Security shall publish final regulations implementing this section.

(e) REMOVAL OF ALIEN.—The Secretary of Homeland Security may not remove any alien who—

(1) has a pending application for conditional nonimmigrant status under this Act; and

(2) establishes prima facie eligibility for cancellation of removal and conditional nonimmigrant status under subsection (a).

SEC. 7. CONDITIONAL NONIMMIGRANT STATUS.

(a) LENGTH OF STATUS.—Conditional nonimmigrant status granted under section 6 shall be valid for an initial period of 5 years, subject to termination under subsection (c) of this section.

(b) TERMS OF CONDITIONAL NONIMMIGRANT STATUS.—

(1) EMPLOYMENT.—A conditional nonimmigrant shall be authorized to be employed in the United States incident to conditional nonimmigrant status.

(2) TRAVEL.—A conditional nonimmigrant may travel outside the United States and may be admitted (if otherwise admissible) upon return to the United States without having to obtain a visa if—

(A) the alien is the bearer of valid, unexpired documentary evidence of conditional nonimmigrant status; and

(B) the alien's absence from the United States was not for a period exceeding 180 days.

(c) TERMINATION OF STATUS.—

(1) IN GENERAL.—The Secretary of Homeland Security shall terminate the conditional nonimmigrant status of any alien if the Secretary determines that the alien—

(A) ceases to meet the requirements of subparagraph (B) or (C) of section 6(a)(1);

(B) has become a public charge; or

(C) has received a dishonorable or other than honorable discharge from the Armed Forces.

(2) RETURN TO PREVIOUS IMMIGRATION STATUS.—Any alien whose conditional nonimmigrant status is terminated under paragraph (1) shall return to the immigration status the alien had immediately prior to receiving conditional nonimmigrant status.

(d) EXTENSION OF STATUS.—

(1) ELIGIBILITY.—The Secretary of Homeland Security shall extend the conditional nonimmigrant status of an alien for a second period of 5 years if the following requirements are met:

(A) The alien has demonstrated good moral character during the entire period the alien has been a conditional nonimmigrant.

(B) The alien is in compliance with section 6(a)(1)(C).

(C) The alien has not abandoned the alien's residence in the United States. For purposes of this subparagraph—

(i) the Secretary shall presume that the alien has abandoned such residence if the alien is absent from the United States for more than 365 days, in the aggregate, during the period of conditional nonimmigrant status, unless the alien demonstrates that the alien has not abandoned the alien's residence; and

(ii) an alien who is absent from the United States due to active service in the Armed Forces has not abandoned the alien's residence in the United States during the period of such service.

(D) The alien—

(i) has acquired a degree from an institution of higher education in the United States or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States; or

(ii) has served in the Armed Forces for at least 2 years and, if discharged, has received an honorable discharge.

(E) The alien has provided a list of each secondary school (as that term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) that the alien attended in the United States.

(2) SURCHARGE.—The Secretary of Homeland Security shall charge and collect a surcharge of $2,000 per application on all applications for an extension under this subsection. Such surcharge shall be in addition to the otherwise applicable application fee imposed for the purpose of recovering the full costs of providing adjudication and processing services. Notwithstanding any other provision of law, including section 286 of the Immigration and Nationality Act (8 U.S.C. 1356), any surcharge collected under this paragraph shall be deposited as offsetting receipts in the General Fund of the Treasury and shall not be available for obligation or expenditure.

(3) HARDSHIP EXCEPTION.—The Secretary of Homeland Security may, in the Secretary's discretion, extend the conditional nonimmigrant status of an alien if the alien—

(A) satisfies the requirements of subparagraphs (A), (B), and (C) of paragraph (1);

(B) demonstrates compelling circumstances for the inability to complete the requirements described in paragraph (1)(D); and

(C) demonstrates that the alien's removal from the United States would result in exceptional and extremely unusual hardship to the alien or the alien's spouse, parent, or child who is a citizen or a lawful permanent resident of the United States.

SEC. 8. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—A conditional nonimmigrant may file with the Secretary of Homeland Security, in accordance with subsection (c), an application to have the alien's status adjusted to that of an alien lawfully admitted for permanent residence. The application shall provide, under penalty of perjury, the facts and information so that the Secretary may make the determination described in subsection (b)(1).

(b) ADJUDICATION OF APPLICATION FOR ADJUSTMENT OF STATUS.—

(1) IN GENERAL.—If an application is filed in accordance with subsection (a) for an alien, the Secretary of Homeland Security shall make a determination as to whether the alien meets the requirements set out in paragraphs (1) through (4) of subsection (d).

(2) ADJUSTMENT OF STATUS IF FAVORABLE DETERMINATION.—If the Secretary determines that the alien meets such requirements, the Secretary shall notify the alien of such determination and adjust the alien's status to that of an alien lawfully admitted for permanent residence, effective as of the date of approval of the application.

(3) TERMINATION IF ADVERSE DETERMINATION.—If the Secretary determines that the alien does not meet such requirements, the Secretary shall notify the alien of such determination and terminate the conditional nonimmigrant status of the alien as of the date of the determination.

(c) TIME TO FILE APPLICATION.—An alien shall file an application for adjustment of status during the period beginning 1 year before and ending on either the date that is 10 years after the date of the initial grant of conditional nonimmigrant status or any other expiration date of the conditional nonimmigrant status as extended by the Secretary of Homeland Security in accordance with this Act. The alien shall be deemed to be in conditional nonimmigrant status in the United States during the period in which such application is pending.

(d) CONTENTS OF APPLICATION.—Each application for an alien under subsection (a) shall contain information to permit the Secretary of Homeland Security to determine whether each of the following requirements is met:

(1) The alien has demonstrated good moral character during the entire period the alien has been a conditional nonimmigrant.

(2) The alien is in compliance with section 6(a)(1)(C).

(3) The alien has not abandoned the alien's residence in the United States. For purposes of this paragraph—

(A) the Secretary shall presume that the alien has abandoned such residence if the alien is absent from the United States for more than 730 days, in the aggregate, during the period of conditional nonimmigrant status, unless the alien demonstrates that the alien has not abandoned the alien's residence; and

(B) an alien who is absent from the United States due to active service in the Armed Forces has not abandoned the alien's residence in the United States during the period of such service.

(4) If previously granted a hardship exception under section 7(d)(3) from the requirements of section 7(d)(1)(D) with respect to extension of conditional nonimmigrant status, the alien has subsequently complied with such requirements, unless the alien is granted a hardship exception with respect to adjustment of status under the criteria described in section 7(d)(3).

(e) CITIZENSHIP REQUIREMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the status of a conditional nonimmigrant shall not be adjusted to permanent resident status unless the alien demonstrates that the alien satisfies the requirements of section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)).

(2) EXCEPTION.—Paragraph (1) shall not apply to an alien who is unable because of a physical or developmental disability or mental impairment to meet the requirements of such paragraph.

(f) PAYMENT OF FEDERAL TAXES.—

(1) IN GENERAL.—Not later than the date on which an application is filed under subsection (a) for adjustment of status, the alien shall satisfy any applicable Federal tax liability due and owing on such date.

(2) APPLICABLE FEDERAL TAX LIABILITY.—For purposes of paragraph (1), the term ''applicable Federal tax liability'' means liability for Federal taxes imposed under the Internal Revenue Code of 1986, including any penalties and interest thereon.

(g) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary of Homeland Security may not adjust the status of an alien under this section unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for applicants who are unable to provide such biometric or biographic data because of a physical impairment.

(h) BACKGROUND CHECKS.—

(1) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary of Homeland Security shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

(A) to conduct security and law enforcement background checks of an alien applying for adjustment of status under this section; and

(B) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for such adjustment of status.

(2) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement background checks required by paragraph (1) shall be completed, to the satisfaction of the Secretary, prior to the date the Secretary grants adjustment of status.

(i) EXEMPTION FROM NUMERICAL LIMITATIONS.—Nothing in this section or in any other law may be construed to apply a numerical limitation on the number of aliens who may be eligible for adjustment of status under this section.

(j) ELIGIBILITY FOR NATURALIZATION.—An alien whose status is adjusted under this section to that of an alien lawfully admitted for permanent residence may be naturalized upon compliance with all the requirements of the immigration laws except the provisions of paragraph (1) of section 316(a) of the Immigration and Nationality Act (8 U.S.C. 1427(a)), if such person immediately preceding the date of filing the application for naturalization has resided continuously, after being lawfully admitted for permanent residence, within the United States for at least 3 years, and has been physically present in the United States for periods totaling at least half of that time and has resided within the State or the district of U.S. Citizenship and Immigration Services in the United States in which the applicant filed the application for at least 3 months. An alien described in this subsection may file the application for naturalization as provided in the second sentence of subsection (a) of section 334 of the Immigration and Nationality Act (8 U.S.C. 1445).

SEC. 9. TREATMENT OF ALIENS MEETING REQUIREMENTS FOR EXTENSION OF CONDITIONAL NONIMMIGRANT STATUS.

If, on the date of the enactment of this Act, an alien has satisfied all the requirements of section 6(a)(1) and section 7(d)(1)(D), the Secretary of Homeland Security may cancel removal and grant conditional nonimmigrant status in accordance with section 6, and may extend conditional nonimmigrant status in accordance with section 7(d). The alien may apply for adjustment of status in accordance with section 8(a) if the alien has met the requirements of subparagraphs (A), (B), and (C) of section 7(d)(1) during the entire period of conditional nonimmigrant status.

SEC. 10. EXCLUSIVE JURISDICTION.

(a) IN GENERAL.—The Secretary of Homeland Security shall have exclusive jurisdiction to determine eligibility for relief under sections 6 through 16 of this Act, except where the alien has been placed into deportation, exclusion, or removal proceedings either prior to or after filing an application for cancellation of removal and conditional nonimmigrant status or adjustment of status under this Act, in which case the Attorney General shall have exclusive jurisdiction and shall assume 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. If the Secretary grants relief under sections 6 through 16 of this Act, the final order of deportation, exclusion, or removal shall be terminated.

(b) STAY OF REMOVAL OF CERTAIN ALIENS ENROLLED IN PRIMARY OR SECONDARY SCHOOL.—

(1) IN GENERAL.—The Attorney General shall stay the removal proceedings of any alien who—

(A) meets all the requirements of subparagraphs (A), (B), (C), and (E) of section 6(a)(1);

(B) is at least 12 years of age; and

(C) is enrolled full-time in a primary or secondary school.

(2) ALIENS NOT IN REMOVAL PROCEEDINGS.—For aliens who are not in removal proceedings, the Secretary of Homeland Security shall not commence such proceedings with respect to the alien if the alien meets the requirements of subparagraphs (A) through (C) of paragraph (1).

(c) EMPLOYMENT.—An alien whose removal is stayed pursuant to subsection (b)(1) 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)(1) if the alien—

(1) is no longer enrolled in a primary or secondary school; or

(2) ceases to meet the requirements of such subsection.

SEC. 11. PENALTIES FOR FALSE STATEMENTS.

Whoever files an application for any benefit under sections 6 through 16 of 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, imprisoned not more than 5 years, or both.

SEC. 12. 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 an individual pursuant to an application filed under sections 6 through 16 of this Act to initiate removal proceedings against any person identified in the application;

(2) make any publication whereby the information furnished by any particular individual pursuant to an application under sections 6 through 16 of 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 an application filed under sections 6 through 16 of this Act with a designated entity, that designated entity, to examine such application filed under such sections.

(b) REQUIRED DISCLOSURE.—The Attorney General or the Secretary of Homeland Security shall provide the information furnished under sections 6 through 16 of this Act, and any other information derived from such furnished information, to—

(1) a Federal, State, tribal, or local law enforcement agency, intelligence agency, national security agency, component of the Department of Homeland Security, court, or grand jury in connection with a criminal investigation or prosecution, a background check conducted pursuant to the Brady Handgun Violence Protection Act (Public Law 103–159; 107 Stat. 1536) or an amendment made by that Act, or for homeland security or national security purposes, if such information is requested by such entity or consistent with an information sharing agreement or mechanism; 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) FRAUD IN APPLICATION PROCESS OR CRIMINAL CONDUCT.—Notwithstanding any other provision of this section, information concerning whether an alien seeking relief under sections 6 through 16 of this Act has engaged in fraud in an application for such relief or at any time committed a crime may be used or released for immigration enforcement, law enforcement, or national security purposes.

(d) 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. 13. 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 is granted conditional nonimmigrant status or lawful permanent resident status under this Act shall be eligible only for the following assistance under such title:

(1) Student loans under parts D and E of such title IV (20 U.S.C. 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.

SEC. 14. TREATMENT OF CONDITIONAL NONIMMIGRANTS FOR CERTAIN PURPOSES.

(a) IN GENERAL.—An individual granted conditional nonimmigrant status under this Act shall, while such individual remains in such status, be considered lawfully present for all purposes except—

(1) section 36B of the Internal Revenue Code of 1986 (concerning premium tax credits), as added by section 1401 of the Patient Protection and Affordable Care Act (Public Law 111–148); and

(2) section 1402 of the Patient Protection and Affordable Care Act (concerning reduced cost sharing; 42 U.S.C. 18071).

(b) FOR PURPOSES OF THE 5-YEAR ELIGIBILITY WAITING PERIOD UNDER PRWORA.—An individual who has met the requirements under this Act for adjustment from conditional nonimmigrant status to lawful permanent resident status shall be considered, as of the date of such adjustment, to have completed the 5-year period specified in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613).

SEC. 15. MILITARY ENLISTMENT.

Section 504(b)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) An alien who is a conditional nonimmigrant (as that term is defined in section 5 of the DREAM Act of 2010).''.

SEC. 16. GAO REPORT.

Not later than 7 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth—

(1) the number of aliens who were eligible for cancellation of removal and grant of conditional nonimmigrant status under section 6(a);

(2) the number of aliens who applied for cancellation of removal and grant of conditional nonimmigrant status under section 6(a);

(3) the number of aliens who were granted conditional nonimmigrant status under section 6(a); and

(4) the number of aliens whose status was adjusted to that of an alien lawfully admitted for permanent residence under section 8.

The SPEAKER pro tempore. Pursuant to House Resolution 1756, the motion shall be debatable for 1 hour equally divided and controlled by the chair and the ranking minority member of the Committee on the Judiciary.

The gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, ladies and gentlemen of the House, I have heard so much misinformation about the DREAM Act that I hardly know where to begin. First of all, this is not a new bill. It has existed for a decade. It is a bipartisan bill to address the plight of children who were brought to the United States as undocumented immigrants and grew up here.

And this bill has been introduced in every Congress, starting on May 21, 2001, there was a hearing. The Senate, the other body, heard a hearing on the bill, August 1, it was started out. In 2003, April 19, the bill was reintroduced by our colleague from California (Mr. BERMAN). On July 31, it was again reintroduced into the Senate. On April 6, our colleagues on the other side of the aisle introduced the bill. November 18, 2005, a Senator from Illinois introduced the bill. I've got two pages of bills. We have had five hearings.

So for anybody to say there hasn't been due process on this bill, I hope they feel gently corrected by the research that my staff has done to make it clear that there has been an extensive legislative history on this bill.

Now, the second thing that I've heard so much about is that the DREAM Act is not very popular. And again, we rushed to our research and we found that the bill is very popular. Most Americans support the DREAM Act. Poll after poll, the majority of Americans approve of the DREAM Act, and there will be more information coming from this.

Now, the next thing that we ought to really settle down and accept as fact is that the DREAM Act will not take jobs from Americans. The reason that is pretty clear is that all the major unions in America support and endorse the DREAM Act, and they're doing it because it's not taking jobs away from their members—AFL, SEIU, UNITE HERE, UAW, NEA, AFT, and others.

So now that we have some of this cleared up, the next thing I would like to point out is that there are requirements. These are not illegals. These are undocumented kids. They didn't commit a criminal act. They thought they were born here to begin with. Their parents brought them here.

□ 1900

Look, the conditions are so, so voluminous. First of all, the only people eligible are children brought here to the United States, and they have to be less than 29 years old to even qualify. They must have lived in the United States at least for 5 years. They must have graduated from an American high school or be admitted to an institution of higher education, and they must submit biometric information and complete security and law enforcement background checks.

So this is a very rigorous bill. And the last piece of doggerel that I should get rid of is the fact that you can go into the United States military real quickly and be processed as a citizen. Not true. As a matter of fact, you cannot join the military if you are an undocumented person. Yes, that's right.

So now that we've got some of the misunderstanding out of the way, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I oppose this bill. The DREAM Act is a nightmare for the American people. It insults American workers, American taxpayers, and anyone who believes in the rule of law. How can we consider amnesty for millions of illegal immigrants when just last Friday, the Department of Labor reported that unemployment in America jumped up to 9.8 percent? This is the 19th straight month, a new record where the jobless rate has stayed above 9 percent.

The American people want us to focus on creating jobs and getting Americans back to work. Instead, the Democrats have brought the DREAM Act to the floor. This bill prevents Americans from getting jobs since millions of illegal immigrants will become eligible to work legally in the United States. American workers should not have to compete with illegal workers for scarce jobs.

Over 27 million Americans are out of work, have given up looking for work, or are underemployed. The percent of Hispanics out of work last month rose to 13 percent, and the unemployment rate for black Americans has hit 16 percent. Don't the Democrats know this? Are they listening to the voters? Do they care? This bill proves that there is a total disconnect between the Democratic Party and the American people.

The majority has brought this bill to the floor without holding any hearings on its impact and without committee approval, so Members don't know how the bill would work or not work. In fact, the text we are considering tonight was only introduced last night.

As usual under the Democratic regime, no amendments are allowed. They have even eliminated the one motion Republicans are supposedly guaranteed as a way to address the people's concerns, the motion to recommit. What happened to the Democrats' promise to give Americans 24 hours to read the bills? And what happened to their promise of an open and fair process? These and other promises disappeared long before the election, which is another reason the election turned out as it did.

The bill's supporters imply that the DREAM Act only applies to kids in schools. But in reality, the bill applies to illegal immigrants up to the age of 30. Those are pretty old kids. And once these individuals become U.S. citizens, they can petition for their illegal immigrant parents and adult brothers and sisters to be legalize who will bring in others in an endless chain.

According to the Migration Policy Institute, the DREAM Act would mean amnesty for over 2 million illegal immigrants, but that number likely will be higher since many illegal immigrants will fraudulently claim they came here as children or are under 30, and the Federal Government has no way to check whether their claims are true or not. Such massive fraud occurred after the 1986 amnesty for illegal immigrants who claimed that they were agricultural workers. Studies found two-thirds of all applications for the 1986 amnesty were fraudulent. DREAM Act applicants don't even have to comply with the requirements for amnesty set out in the bill. They can get a waiver for hardship at the discretion of the Department of Homeland Security. Under this administration, which favors mass amnesty, we can assume that nearly everyone who applies will get a hardship pass.

The DREAM Act also makes it possible for almost any illegal immigrant to evade the law. Once they file an application, no matter how fraudulent, the Federal Government is prohibited from deporting them. The bill requires that background checks be conducted on the beneficiaries, but it will be almost impossible for the Federal Government to verify whether someone is who they say they are and whether they meet the requirements of the bill. Furthermore, any discussion of amnesty encourages additional illegal immigration. Already at least 1 million illegal immigrants cross our borders each year. The bill will push that number even higher.

The Congressional Budget Office estimates that the bill will increase deficits after 2020. And if the health care debate is any indication of how CBO scores bills, then the actual cost of the DREAM Act will, of course, be much higher. And once a DREAM Act beneficiary obtains lawful status, they are automatically exempt from the current 5-year waiting period to receive public welfare benefits, so the cost of welfare benefits will be huge.

We all know that the point of this bill is to give amnesty to anyone who is in the country illegally and who is under 30 years old. Illegal immigrants get amnesty if they have attended college or served in the military. Illegal immigrants get amnesty if they can show hardship if they are sent home. Illegal immigrants get to stay if they just claim to be eligible under this legislation. Illegal immigrants get amnesty if they use fraudulent documents, because the Federal Government has no way to check millions of claims. Illegal immigrants get amnesty even if they have committed crimes, like driving under the influence, passport fraud, and visa fraud. This is a bill that gives amnesty to 2 million or more people in the country illegally. It encourages fraud and more illegal immigration on a massive scale.

There have been no hearings on this bill, no amendments allowed, and those who are opposed only have 30 minutes to discuss this bill. This is a desecration of the democratic process and an insult to Americans who believe in the rule of law. The DREAM Act hurts millions of Americans who have lost their jobs, are underemployed, or are threatened with layoffs. It puts the interests of illegal immigrants ahead of those law-abiding Americans.

Mr. Speaker, I urge my colleagues to strongly oppose this bill, and I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I am pleased to yield to the distinguished gentleman from Arizona for a unanimous consent request.

(Mr. PASTOR of Arizona asked and was given permission to revise and extend his remarks.)

Mr. PASTOR of Arizona. Mr. Speaker, I rise in strong support of H.R. 5281.

Mr. Speaker, I rise today to urge passage of H.R. 5281, the Development, Relief and Education for Alien Minors, DREAM, Act.

The DREAM Act would create a pathway to citizenship for undocumented young people, who were brought to the U.S. as children, raised in this country, have excelled in our education systems, and have expressed a clear commitment to pursue higher education or military service. Many of these young people currently live in Arizona's Fourth Congressional district, and under this bill, these bright and ambitious individuals will receive the opportunity to reap the full benefits of their educational advancements and military service by eventually obtaining legal citizenship.

Such an achievement is advantageous not only for these young people and their families, but for our communities and our Nation as a whole. It is largely known that over a lifetime, a million-dollar difference exists between the earning capacity of a high school graduate and a college graduate. Research also shows that college graduates are more likely to volunteer and participate in their communities, and are less likely to be incarcerated or be recipients of public assistance. The earning power of college graduates also translates into important tax revenues for our Federal, State, and local treasuries, a point particularly poignant during this time of large deficits.

The DREAM Act has received support from the Secretaries of Defense, Homeland Security, Education, and Labor. Secretary Gates has offered his endorsement of the proposal which would provide children of non-resident immigrants a clear path to U.S. citizenship through military service. We know the sacrifice asked of our service members and their families, and if these individuals are willing to make such a commitment, we should honor their decision by extending full citizenship rights. In considering the Department of Defense's challenges with recruitment and readiness, passage of the DREAM Act would ensure access to a new pool of eligible youth, ready to serve the U.S. military and wear its respective uniforms.

Passage of the DREAM Act will reward the good decisions of many young people in my district, individuals who are placing their education at the forefront of their responsibilities, and who possess strong values beneficial to our Arizona communities and neighborhoods. As a body of Members who have collectively attained a high degree of education, we know the benefits we have received from our hard work and dedication. We must support legislation which rewards the same characteristics of diligence and commitment, allowing these young people to fully benefit, as U.S. citizens, from their accomplishments.

I know students in my district who have been patiently waiting for passage of the DREAM Act. I truly am honored to represent this group of intelligent and driven young people, as I know their character and their desire to not only better their futures and that of their families, but also this Nation; a country in which they acknowledge has befitted them with great opportunities. I am confident these young people, through their intellectual contributions and military service, will continue to give back to a Nation they love so dearly and call their own.

I ask my Colleagues to join me in supporting the important passage of H.R. 5281, the Development, Relief and Education for Alien Minors, DREAM, Act.

Mr. CONYERS. Mr. Speaker, I yield to SHELLEY BERKLEY of Nevada for a unanimous consent request.

(Ms. BERKLEY asked and was given permission to revise and extend her remarks.)

Ms. BERKLEY. I rise in enthusiastic support of this legislation.

Every year my office receives dozens of calls in May from youngsters 17–18 years old. They have recently graduated from local high schools, been accepted to college—many at UNLV applied for a millennium scholarship, available in Nevada to the best and brightest of our Nevada high school graduates. According to state law they have to demonstrate proof of citizenship. They go home, ask their parents for their birth certificate—then they learn the truth—when they were 6 months, 1 year, 2 years old—their parents came over the border and brought their child with them.

Now, 18 years later, these children are Americans. They think like Americans, live like Americans, speak like Americans; were educated in our schools side by side with our children, they know no other country, they did nothing wrong, they have broken no law intentionally.

We American taxpayers have invested a great deal in these youngsters. Our tax dollars have helped educate them. They are smart, talented, hardworking Americans, ambitious, just the kind of people we want and we need for the future of our own beloved country.

Others are willing to don the uniform of our Nation and fight for us in Iraq and Afghanistan—brave, strong men and women—the very kind of people we want and we need for the future of this country.

Let us pass this bill and provide a path to citizenship for the best and the brightest of our youngsters, those willing to volunteer to fight and possibly die for the United States of America. Let us share the American dream with these youngsters who have no other Dream but ours.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. I now yield 1½ minutes to the distinguished gentlelady from California, Zoe Lofgren, who has worked for years on this legislation, a senior member of the Judiciary Committee.

Ms. ZOE LOFGREN of California. Mr. Speaker, the Immigration Subcommittee, which I chair, held 17 hearings in 2007 to examine every aspect of immigration reform, and one of the most memorable in the series of hearings was the hearing on the plight of undocumented young people who have been brought to the United States as children, including Tam Tran, then a Ph.D. candidate at UCLA who tragically later lost her life in an auto accident. They grew up in the United States, attended American high schools, often knowing no other country as home, no language other than English, yet they were faced with a dead end once they graduated from high school. Their immigration status prevented them from working, paying taxes, serving in the military. They could never get right with the law, even though they had done nothing wrong. The only thing they had done was to obey their parents.

The DREAM Act would allow these young people to apply for conditional immigration status with a series of conditions and would allow these young people to step forward, register, pay their taxes, get right with the law, and contribute to this wonderful country.

□ 1910

You know, we hear a lot about the rule of law. I think it is worth remembering that we write the laws in this

country, and we need to address this issue. The Congressional Budget Office tells us that this bill, if we pass it, will increase revenues by $1.7 billion.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CONYERS. I yield the gentlewoman an additional 10 seconds.

Ms. ZOE LOFGREN of California. We will have a $2.2 billion deficit reduction over the next 10 years. So we can do the right policy and also have the right fiscal impact by passing this bill. I recommend that we help these innocent children who did nothing wrong.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. KING), the ranking member of the Immigration Subcommittee of the Judiciary Committee.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Texas for yielding.

I rise in opposition to this bill, to this bill that has a nice name. But it is really not a dream; it is a nightmare. It is a nightmare to the rule of law.

As the gentlewoman from California said, we do write the laws in this country, and we have written the laws that limit people from coming into the United States illegally. And it seems to be forgotten that under even this legislation that is proposed, someone who is one day short of their 16th birthday could sneak across the border in the United States, claim they were here for 5 years, they could go on a Web site, how about www.diplomacompany.com, get themselves a GED, and qualify for the DREAM Act if they were just accepted into a tech school, to, say, go to barber school or plumber school. That is kind of the minimum.

And it isn't they are doing this on their 16th birthday. They can do so the day before their 30th birthday. They can lie about their age. The comments about there being biometric information and a background check, we can't do background checks on people that don't have a legal existence in their own country. About half of the people that are born south of the border don't have a birth certificate, unless they were born in a hospital. It is about 50–50, which means no legal existence. There is not a way to do a background check.

The score on this, the cost, is a lot higher than the proponents would like to admit. They argue it is a marginal savings. It also says in the same CBO score that in the second decade it is estimated at $5 billion, and likely $5 billion for each decade after that. That is probably not a big deal in the context of this spending, Mr. Speaker, but it is a big deal when you look at the Center for Immigration Studies' score, a cost to local government at $6.2 billion. That is every year; at least the first couple of years they have estimated this.

It triples the number of green cards, it provides safe harbor for those who file for a number of things, and ties up our courts and our litigation system that we have. There is an exemption for even fraud against immigration laws in the United States.

So what we really have is this scenario, this scenario, Mr. Speaker. This is the moral and ethical conundrum that cannot be reconciled by anybody in this Chamber, or anybody in this country, for that matter.

When you have the recipients of the DREAM Act, should this become law, sitting in a classroom, a community college, a university, being the beneficiaries of a de facto scholarship, and in California it is free, no tuition for a California resident, and next to them at a desk will be a husband or a wife who is aggrieved, having lost their spouse fighting for our liberty in Iraq or Afghanistan, paying out-of-state tuition, in California $22,021 a year, paying out-of-state tuition for defending our rule of law, while someone who is being rewarded for breaking it is getting free tuition.

That is just California. In Iowa, it is a little different. It is about a three-to-one break, in-state versus out-of-state. That is what this necessarily brings.

If you support this nightmare DREAM Act, you are actually supporting an ''affirmative action amnesty act'' that rewards people for breaking the law and punishes those who defend America.

Mr. CONYERS. Mr. Speaker, I yield myself 1 minute to explain how the biometric business works to my good friend on the Judiciary Committee.

See, that is fingerprints and eye scans, and the FBI uses it, and they are pretty foolproof.

The people that you are talking about that go back and come forward, these kids, Steve, grew up in America. That is where they started. They haven't been anywhere else. You come here as a kid and you can't qualify. So there are records. They went to school, they did something, they lived somewhere. So there are records, and you don't have to go back to wherever their parents may have come from to do it.

I yield to the gentleman from Pennsylvania, Chaka Fattah, for a unanimous consent request.

(Mr. FATTAH asked and was given permission to revise and extend his remarks.)

Mr. FATTAH. Let me thank the distinguished chairman.

I rise in support of the DREAM Act.

Mr. CONYERS. I yield to the gentleman from Illinois, DANNY DAVIS, for the purpose of making a unanimous consent request.

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. I rise in strong support of H.R. 1751, the America DREAM Act.

Mr. CONYERS. I yield 45 seconds to the distinguished gentlewoman from Houston, Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. Speaker, to my friends on the other side of the aisle, these children have not broken the law, these are not criminals, and the only nightmare that I can imagine is the nightmare of violating the rights of these wonderful children who want an opportunity to serve America.

First of all, they have to be in the country for 5 years already, and they cannot change their status for another 10 years. It could be almost 20 years. And then you have the opportunity for them to invest in this country after they have received their education equaling up to $1 trillion. Do we violate our rights and our beliefs that we all are created equal?

So I ask my colleagues to support a DREAM Act that invests in America, that allows individuals to serve America. It is not amnesty; it is people wanting to serve this country, to pledge allegiance to the flag of the United States of America.

Stand for what is right. Vote for the DREAM Act. Believe in our values. We are all created equal.

I rise today in strong support of the Development, Relief, and Education for Alien Minors Act, better known as the DREAM Act.

The DREAM Act is designed to provide a path to legal status for young people of good moral character brought to the United States as children. There are an estimated 2.1 million undocumented children and young adults in the United States who might be eligible to receive legal status under the DREAM Act. My home state of Texas is home to 12 percent of potential DREAM Act beneficiaries, second only to California (26 percent).

Each year, tens of thousands of these undocumented students graduate from primary or secondary school, often at the top of their classes. They have the potential to be future doctors, nurses, teachers, and entrepreneurs, but they experience unique hurdles to achieving success in this country. Through no fault of their own, their lack of status may prevent them from attending college, working legally, and joining the military. The DREAM Act would provide an opportunity for them to live up to their full potential and make greater contributions to the U.S. economy and society.

These students are culturally American, growing up here and often having little attachment to their country of birth. They tend to be bicultural and fluent in English. They are honor roll students, athletes, class presidents, valedictorians, and aspiring teachers, engineers, and doctors. Yet, because of their immigration status, their day-to-day lives are severely restricted and their futures are uncertain. They cannot legally drive, vote, or work. Moreover, at any time, these young men and women can be, and sometimes are, deported to countries they barely know.

Not only will the DREAM Act provide undocumented youth with the opportunity to achieve their dreams, but it will also have a positive impact on our economy. DREAM eligible students are already working hard and contributing to this economy and will not create new competition for Americans. Removing the uncertainty of undocumented status allows legalized immigrants to earn higher wages and move into higher-paying occupations, and also encourages them to invest more in their own education, open bank accounts, buy homes, and start businesses.

By allowing these students to come out of the shadows and work legally in the U.S., we will expand our Nation's tax base and will essentially be making an investment in our country. According to the Joint Committee on Taxation, over a period of 10 years, increasing the number of authorized workers in the United States would increase tax revenues by at least $2.3 billion. Moreover, the Congressional Budget Office found that the DREAM Act would also help to reduce the deficit by $1.4 billion over 10 years.

Despite the potential good that would come from enactment of the DREAM Act, there are still misconceptions about what exactly it will do. The DREAM Act does not provide blanket amnesty, but rather, it creates a narrowly tailored process to put young people on the path to legalization. These young people must meet certain criteria, including living in the United States the majority of their lives, graduating from high school, and completing at least two years of college. They must also exhibit characteristics of good moral character. Criminals or those who pose a threat to our national security would remain ineligible and be subject to deportation.

Furthermore, the DREAM Act does not give undocumented students immediate citizenships. In fact, it only provides for conditional status, which imposes heavy requirements on students before they can even apply for citizenship, including paying back taxes and demonstrating the ability to read, write, and speak English. It will take more 20 years before an individual will have the ability to achieve full citizenship in the United States. Moreover, it will take more than 28 years before an individual given legal status under the DREAM Act will be able to petition for a relative to come to the United States.

In my global travels to places like Africa, Asia, and Latin America, I have had the opportunity to interact with many children. Despite their many differences, there is one unifying factor—their love, respect, and adoration for the United States of America. The Declaration of Independence reminds us that we are all created equal. The students who would be impacted by the DREAM Act are more like you and me than most realize, and they deserve to have the ability to participate and contribute to America.

The DREAM Act is supported by military leaders, labor unions, business leaders, and a majority of American voters. I would like to tell you about Lucy Martinez, a second-year undocumented student at University of Texas at San Antonio who is among seven protesters who've refused to eat for 22 days to express her support for The DREAM Act. When asked why she and her fellow protestors chose to go on this hunger strike, she responded that she wants us to ''recognize our sacrifice and hard work. That we want to contribute to this country. We don't have the privilege of waiting. Our future is on the line.''

It is time that we decide whether to stand with this broad-based coalition, or continue to unfairly punish young people who were brought to this country through no fault of their own. I ask my colleagues to stand with me today and vote in favor of the DREAM Act.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to my friend from Virginia (Mr. GOODLATTE), who is the vice-ranking member of the Judiciary Committee.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for yielding, and I rise in strong opposition to this legislation.

I say to my good friend, the chairman of the Judiciary Committee, this bill has been around for a long time for good reason. It is a bad bill, having been around for a long time, for this entire Congress, for 2 years, no hearing in the Judiciary Committee, no hearing in the chairman's committee for the entire 2 years, and now here we are within a week of adjourning the Congress, still no hearing. No opportunity for people to come in and testify before the Congress about how this would work, how we will screen out the people who will commit fraud under this, how unfair it is to people who wait for years, who are legally going through the process of becoming immigrants. No opportunity in the committee to improve the bill. No opportunity to offer amendments. Why? Because no markup was held for 2 years.

Now, the indignity of it all is that here in the closing days of the Congress, when this bill has been brought forward in this urgent manner, we are not even given the opportunity, as the minority is always given, to offer a motion to recommit, no opportunity to amend this bill in any way, shape or form, as though this was perfectly drawn and perfectly brought here, and that anybody who was not in the small room where the final version of this, totally without the inspection of the American people, totally without the opportunity for anybody to participate, brought here in some perfect manner; and now, of course, we are going to pass it without even the opportunity for the minority to offer changes to the bill.

The American people have recently demonstrated their strong opposition to amnesty for millions of illegal immigrants, yet the DREAM Act offers amnesty to illegal immigrants who entered the U.S. before they were 16 years old. It grants them permanent residence and then citizenship once they have completed 2 years of college or have served in the armed services, unless the Department of Homeland Security waives these requirements because of hardship, something not defined in the bill, a very, very big loophole.

According to the Migration Policy Institute, the DREAM Act could mean mass amnesty for 2.1 million illegal immigrants. Fraud will likely drive the number much higher as illegal immigrants discovery how easy it is to claim that they arrived in the U.S. before the age of 16.

The same thing occurred after the 1986 amnesty bill, the Immigration Reform and Control Act, was enacted. Everyone said that was going to end illegal immigration. It opened the doors to more. This is going to do exactly the same thing.

The DREAM Act makes it easy for almost any illegal immigrant, even those who do not qualify for this amnesty, to evade the law. Once an alien, no matter who they are, files an application, no matter how spurious, the Federal Government is prohibited from deporting that illegal immigrant. This is ripe for fraud and is unfair and should be opposed.

And once the DREAM Act beneficiaries apply for amnesty, they will be given work authorization. So these individuals who have broken the law will be legitimately competing for jobs with the 9.8 percent of Americans who are currently unemployed.

The DREAM Act subsidizes the college education of illegal immigrants at taxpayer (expense. DREAM Act beneficiaries are eligible for certain higher education assistance programs including subsidized and unsubsidized Federal Stafford student loans. Taxpayers pay the interest on unsubsidized Stafford loans as long as the borrower is in school. And DREAM Act beneficiaries are eligible for Perkins loans, work study and certain other college access and college persistence programs—all of which are funded at least in part by the U.S. taxpayer. In addition, both Stafford and Perkins loans are eligible for loan forgiveness after certain requirements are met. So some illegal immigrants will not even be required to pay back the money they borrowed from U.S. taxpayers. U.S. citizens should be first in line to receive taxpayer subsidies—not those who are violating Federal law.

Once a DREAM Act beneficiary obtains lawful permanent residence he is automatically exempt from the 5-year wait period specified in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613), to receive means-tested public welfare benefits. The costs of this to American taxpayers could be enormous.

DREAM Act beneficiaries are required to undergo background checks to the ''satisfaction'' of the Secretary of Homeland Security. But there is no way to verify that the person is who they say they are.

The DREAM Act will encourage more illegal immigration since illegal immigrant parents will bring their children with them in the expectation that they will benefit from another DREAM Act. The DREAM Act is a dream for those who have broken the law, but a nightmare for law-abiding and taxpaying Americans.

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Mr. CONYERS. Mr. Speaker, I am pleased to yield 45 seconds to the gentlewoman from California (Ms. WATERS), a distinguished member of the committee.

Ms. WATERS. Mr. Speaker, I rise in support of H.R. 1751. The DREAM Act is bipartisan targeted legislation that gives students who are already here and have grown up in the United States a chance to contribute to our country's well-being by serving in the Armed Forces or pursuing a higher education.

This bill is good for our economy, our security and our Nation. If you take a look some of the bill's key provisions, you will see that this was well thought through. This is no throwaway. This is no giveaway. These students have to earn the right to this DREAM Act.

I would simply ask my colleagues to consider, having been brought to this country as a child, it is something that

we can do to make sure that we integrate them into our society and they contribute to it in a substantial way.

I would ask for an ''aye'' vote on this important legislation.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 1½ minutes to the gentleman from Georgia (Mr. JOHNSON), chair of the Subcommittee on Courts of the House Judiciary Committee, and also a former magistrate.

Mr. JOHNSON of Georgia. I thank the chairman.

Mr. Speaker, I am grateful and proud that my bill, H.R. 5281, the Removal Clarification Act of 2010, is the vehicle through which the DREAM Act comes to the floor today. My bill will enable Federal officials to remove cases filed against them to Federal Court in accordance with the spirit and intent of the Federal Officer Removal statute. By attaching the DREAM Act to this noncontroversial bipartisan bill, we are able to expedite the process.

I am also proud to support the DREAM Act. This bipartisan legislation addresses the tragedy young undocumented people face when, through no fault of their own, their lack of legal status may prevent them from attending college, joining the military, or working legally in the United States.

In my home State of Georgia, there are 74,000 undocumented young people who could potentially benefit from passage of the DREAM Act. Last week, I spent time helping a potential ''Dreamer'' beneficiary in my district whose parents brought him from Mexico when he was 5 years old. Because of current law, he is unable to follow his dream and attend college. He, along with millions of undocumented youth, deserves an opportunity to stay and help strengthen this Nation.

I urge my colleagues to support this important legislation.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the DREAM Act. When I think back to the early days of our country and its inception and what we were founded on, it was on freedom, it was on liberty, it was on the opportunity to dream and to achieve a better future for one's self. That is what has made us great, and that is what has made us exceptional among all nations on this globe.

But make no mistake, this bill is not the American Dream. This bill is the amnesty dream. This bill will give amnesty to nearly 2 million illegal immigrants right away, while providing a pathway to amnesty to encourage millions more illegal immigrants to enter our country.

Adults up to 30 years old will now be eligible for amnesty as a result of this. If a person who illegally enters this country will receive amnesty through this bill, you can bet they will petition, because of this bill, to have their relatives join them. Illegal immigrants who have been convicted of less than three misdemeanors are eligible for amnesty through this bill. Lastly, anyone who simply applies for the program will have temporary amnesty.

Earlier we heard that this is not about illegal immigrants, that this is about undocumented persons. Well, that begs the question. If one is undocumented, how could you even verify their age or eligibility for this very program?

This is no dream. This is a nightmare. This is a nightmare for the taxpayers of our country. This is a nightmare for America itself. Besides the fundamental problem of rewarding and incentivizing illegal behavior, this bill worsens our debt and puts a further strain on American families.

Simply put, an open-door amnesty policy, with no spending cap, no limit in scope and a free invitation to all the Federal benefits of this country, adds up to a cost that our taxpayers cannot afford. I urge my colleagues tonight to vote for the American Dream by rejecting the amnesty dream.

Mr. CONYERS. Mr. Speaker, I yield to the gentleman from California (Mr. GEORGE MILLER), chairman of the Education and Labor Committee, for a unanimous consent request.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. I thank the gentleman.

Mr. Speaker, I rise in strong support of the DREAM Act. It is good for our country, it is good for our economy, and it is very important to the future contributions of these young people to American society.

Mr. Speaker, I rise today in support of the DREAM Act.

This is common sense, bipartisan legislation that is a win for our economy.

First, in this economy, we need the best, the brightest, the most capable and the most qualified to be a part of the American workforce.

This legislation will allow a limited group of very capable, high achieving young people to help contribute to the economic well-being of this country.

These are young people who didn't come to this country through their own free choice.

But, they are young people who have worked hard to graduate high school or obtain a GED.

These are young people who have contributed to their communities and to this country.

If we turn our backs on these students, then we're turning our backs on a qualified and competitive workforce.

Second, Mr. Speaker, simply put, this legislation is the right thing to do.

Critics who argue that the DREAM Act would diminish opportunities for students in this country with full citizenship must not know anything about our colleges and universities.

Our Nation's higher education institutions have the capacity to welcome these students, as many already do, without closing the door for other students.

This Congress has passed historic legislation to increase college access and opportunity for all students.

The bill before us today continues to provide that access to a higher education not only by providing these students a path to citizenship, but allowing them access to critical student aid through loans and work-study.

The financial cost of a higher education is too often a barrier to attending higher education.

It is critical that this bill ensures access to student aid, and gives students a chance at affording a higher education.

By passing this legislation, we can reward smart, civic-minded, goal-oriented students and provide access to the American dream.

Let's not punish students and the future of this country.

I urge all of my colleagues to support this bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. A Member asking to insert remarks may include a simple declaration of sentiment toward the question under debate, but should not embellish the request with extended oratory.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS of Texas. Mr. Speaker, my faith and my values teach me we do not punish children for decisions made by their parents. That's why I rise in support of the DREAM Act. Common sense tells me that thousands of decent, hardworking young people and our country will be better off by bringing them out of the shadows of our society and giving them the opportunity to serve the country which they call home.

In a time of hard-edged partisan politics, have we grown so coarse and calloused that we would send young people back to the countries that are foreign to them and their upbringing? We should debate how to better secure our borders. But in the meantime, in this season of hope, and love, and joy, let us turn to our better nature and let the youth among us live out their dreams. We will be all the better for it.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 45 seconds to a Judiciary Committee member, Dr. JUDY CHU of California.

Ms. CHU. When I first got elected to Congress, I brought on a bright young man as an intern in my office. He was the student body president of Rio Hondo Community College. Ernesto was so sharp, so hardworking, so positive, with a deep desire to make America better and to use his education to make that happen.

When he told me he was accepted to UCLA, I was so excited. But then he gave me the bad news. He learned he was undocumented. This after growing up most of his life right here in Los Angeles. He wasn't eligible for student loans. And despite all his efforts, he couldn't afford UCLA.

Without the DREAM Act, Ernesto can't afford the tuition, and might lose his status as a student if he can't find

help. Ernesto is one reason out of hundreds of thousands across the country as to why we can't wait another day. Let's make the DREAM Act a reality.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I rise in opposition to the affirmative action amnesty act, otherwise known as the DREAM Act, which we are now debating.

Mr. Speaker, if this act passes, if an illegal immigrant happens to be of a racial or ethnic minority, which the vast majority of illegal immigrants are, that individual, as soon as legal status is granted, will be entitled to all the education, employment, job training, government contracts, and other minority preferences that are written into our Federal and State laws. As a result, the DREAM Act would not only put illegal immigrants on par with American citizens, but would in many cases put them ahead of most American citizens and legal immigrants.

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So those voting for this so-called DREAM Act are voting to relegate the position of nonminority American citizens to behind those who are now in this country illegally.

This doesn't just give young illegal immigrants in-State tuition; it provides them preference in admission. This is a betrayal of our law-abiding citizens and their families in order to help people who have come here illegally.

I urge my colleagues to oppose this affirmative action amnesty. I urge my colleagues to oppose this horrible example of misplaced loyalties and concerns that will help illegals at the expense of our citizens and legal immigrants.

It is not being coldhearted to acknowledge that every dollar spent on illegal immigrants is $1 less that's spent on our own children, our own senior citizens, and for all those in our society who have played by the rules, who have paid their taxes and expect their government to watch out for their needs before it bestows privileges and scarce resources on illegals who have not played by the rules.

This legislation not only increases the burden on our hard-pressed government programs and services, but will give foreigners who are here illegally preference over nonminority citizens, U.S. citizens. It doesn't get much worse than that.

We oppose policies like the DREAM Act, and we must oppose those policies because they will serve as a magnet to those who would flock here illegally. I urge my colleagues to reject this attempt to rob our children of their dream and to vote ''no'' on this divisive and irresponsible legislation which will do nothing more than bring millions of more people across our borders illegally, only now they will bring their kids, all of them.

Wake up, America. This is no dream. It is an affirmative action amnesty nightmare.

Mr. CONYERS. I yield myself 30 seconds.

I would remind my dear friend from California (Mr. ROHRABACHER) there is no preference in this bill. They are treated equally. There is not one preference that you can dream of—

Mr. ROHRABACHER. Would the chairman yield for a question?

Mr. CONYERS. Unfortunately, I am not able to.

Mr. ROHRABACHER. Is there anything in the bill then that——

The SPEAKER pro tempore. The gentleman from Michigan controls the time.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Thank you, Mr. Chairman.

To my friends on the Republican side of the aisle, let me just say, have a little compassion. These children came here. They didn't decide to come here. They know no other country. Some of them can't even speak the language of the country in which they were born, and they deserve to have a right as free Americans.

I am a grandson of four immigrants from Eastern Europe, and my grandparents would be proud to see their grandson as a Member of the U.S. Congress. How many of these other children can flourish and be Members of Congress or do other things?

We do need comprehensive immigration reform in this country. This is not it, so we shouldn't attack it because it's it. We ought to have a little compassion. The sky is not falling if this becomes law. It will be good for all of us.

Mr. SMITH of Texas. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, the gentleman who just spoke has a good point. We need to have compassion, but our compassion should be reserved for American workers, and we should put the interests of American workers ahead of the interests of illegal immigrants.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

I agree, we have a genuine problem with kids today who were brought here by their parents as young children illegally. In fact, in my area, some of these kids were 3 and 4 years old and they are far more Americans and Georgians culturally than they are whatever native country their parents came from. So there is problem here. But I have got to say, this is not the solution. This is politics. In fact, under the name of this phony, compassionate bill, what we are doing is a disservice to these children.

This is a lame duck session. The Democrats have been in charge of the House and the Senate and the White House now for nearly 2 years. Their brand of politics was squarely denounced and rejected 5 weeks ago, and this is one of those things. This is a Harry Reid deal. He promised to do it, so now he's doing it.

If you really were concerned and there was real compassion, you know you would not be doing it this hour sandwiched in between a major spending bill—when there was no budget, by the way—and a major tax extension in which the Democrats, themselves, have a lot of split decisions about.

But let's say look at this from a practical standpoint. How do you prove who was here when they were 16 up to 30? How do you prove that? Well, the bill actually says you only have to prove it to the satisfaction of the Secretary of Homeland Security. Well, that's a reassuring thought. The Secretary, appointed by President Obama would certainly never make a political decision. No, justice is blind. Just go down the street to the DOJ and see their cases.

Let's be serious about this. You are talking about children, and yet the Secretary of Homeland Security is going to decide if you were here before you were 16, and then what's going to happen to parents of other kids? Why would they not start bringing their children in and saying, Oh, yeah, we have been here.

Who keeps up with the records of illegal aliens? No one does by design. We all know that.

This is a serious problem. I started out my statement saying I agree there is a problem. This is politics, though. This is not a solution.

Two million people will probably become citizens under this. I don't think this is the right way to handle it.

I would like to work with you guys on this. I would like to work with the Republican Members. We all want to because we know there is a situation out there. But this is politics in the 11th hour in a lame duck Congress, and it should be rejected by that alone.

Mr. CONYERS. Mr. Speaker, I yield 45 seconds to the distinguished gentlelady from California, LUCILLE ROYBAL-ALLARD.

Ms. ROYBAL-ALLARD. Mr. Speaker, DREAM Act youth are not criminals and bear no responsibility for the actions of adults who brought them here illegally as children. Raised in the United States, they have the same American values and love of our country as children born here. Sadly, because of the actions of others, they live in fear of deportation from the only home they know.

The DREAM Act, which is not amnesty, will help correct this unfairness. With stringent criteria to qualify for legal status and a 10-year requirement toward earned citizenship, the bill would remove impediments so our country can benefit from their talents and enhanced contributions to our country. In fact, a recent UCLA study found DREAM-eligible students have

the potential to earn $1.4 trillion in additional income that could help fuel our country's economic growth over the next four decades.

Mr. Speaker, we are a country that values children, not one that punishes them for the wrongdoing of their elders. Yet that is exactly what is happening to these children today.

I urge my colleagues to support the DREAM Act.

Mr. SMITH of Texas. Mr. Speaker, may I ask how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Texas controls 10 minutes, and the gentleman from Michigan controls 15 minutes.

Mr. SMITH of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. I yield 1 minute to the gentleman from California, SAM FARR.

Mr. FARR. Mr. Speaker, I am very proud to rise before you as a former Peace Corps volunteer, both the Speaker and myself, who know something about living in another country.

Look, we are in the Chamber of the House of Representatives. We have been here every day. We have these debates. Surrounding us every day, we look at these lawgivers, 23 people, all men. Only two have ever been American citizens. All the rest, we worship them, because they had great minds. Most of them lived before the United States was even created.

Those minds are in the children in America, and you are calling them illegal? Is that what you call bright children of your own? You want to raise people in that kind of climate? These kids have done nothing wrong. All they want is to fill that dream, that dream, with all kinds of restrictions that are in this bill. This ain't easy.

My God, give those children, your children, our children, that dream.

I rise today in strong support of the DREAM Act.

Bottom line: The DREAM Act is good for America.

It is good for the economy and it is good for the future competitiveness of our country.

According to Secretary Gates, "The expansion of the pool of eligible youth that would result from the DREAM Act provides an important opportunity to selectively manage against the highest qualification standards."

General Colin Powell says the DREAM Act is important because it invests in education and expands educational opportunities for minority students.

I believe that a well-educated population raises the standard of living for all Americans.

Immigrant children brought here illegally through no fault of their own deserve the opportunity to chase the American Dream.

America is still the land of opportunity, and education is the portal for achieving opportunity.

It is vitally important that all students, including undocumented students with good character who are long-term U.S. residents, have the same chance to pursue higher educational opportunities, be eligible for in-state tuition assistance, and earn legal status.

This is a good bill. I am a co-sponsor of this bill and I urge that my colleagues support its passage in the 111th Congress.

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Mr. SMITH of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Speaker, I rise today in support of the DREAM Act and the thousands of Florida students who will benefit when we pass the DREAM Act—not just the students, but the families and businesses all across the State of Florida and our great country.

Our country is built upon a foundation of equality, liberty, and opportunity. These values apply to all, except for a small group of young people who, through no fault of their own, have been stuck in limbo and face obstacles to education and productivity.

The DREAM Act will breathe new life into their hopes and dreams and the economies of our local communities. It will breathe hope and life into the lives of these young students, these young people who only know America as their home. They want to attain a higher education and they want to serve in the Armed Forces.

Mr. CONYERS. Mr. Speaker, I yield to CAROLYN MALONEY of New York for a unanimous consent request.

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. I rise in strong support of the DREAM Act and urge all of my colleagues to vote for this important bill.

I rise today in support of the American DREAM Act, bipartisan legislation that would provide a path to legal status for undocumented youth who entered the U.S. as children, graduated from U.S. high schools, and attend college or enter the military.

I would like to thank Speaker PELOSI and Leader HOYER for bringing this important legislation up for a vote on the House floor today. I also would like to thank Rep. LUIS GUTIERREZ, who sponsored this bill in the House and has worked so hard for its passage.

Our Nation's history is rooted in the strength of immigrants. As New Yorkers, my constituents have a special understanding of how America's melting pot can create a rich tapestry of ethnic, cultural and religious traditions that infuse vitality into the economic and social aspects of our communities.

I strongly believe that by protecting the rights of workers, securing the border, and modernizing our pathway to legal immigration, the hope that we can fix our broken system will become a reality.

Under the DREAM Act, qualified students would be eligible for conditional immigration status upon high school graduation that would then lead, after a period of ten years and a rigorous process, to permanent legal residency if they go to college or serve in the military.

We cannot deny these students the opportunity to pursue education—especially when the alternative is often working illegally. Despite what some opponents of this legislation claim, the DREAM Act would not grant special benefits to qualified students. In fact, students may only access benefits they work for, or pay for.

This bill would allow a limited number of hard working students, who were brought to this country as children, to be rewarded for their success, and in the process, produce thousands of college graduates contributing to economic productivity and eligible youth ready to serve this nation through military service.

I am proud to be a cosponsor of this important legislation and urge my colleagues to support it.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from New York, JOSÉ SERRANO.

(Mr. SERRANO asked and was given permission to revise and extend his remarks.)

Mr. SERRANO. Mr. Speaker, we call it a dream, but it's a reality. It's young people who are here, who want to continue to be part of the American Dream. It's people, as Mr. ENGEL said, who know no other country. This is the country they know. This is the country they love. This is the country they're in. This is the country they want to help grow.

We talk so much about the future of our country. The future of our country is in our youth, our youth who want this dream to become a reality.

Vote for the DREAM Act. It is the proper American behavior at this time.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. BACA).

Mr. BACA. Mr. Speaker, I stand in strong support for H.R. 5281, the American DREAM Act, a bipartisan bill.

America is the land of opportunity, and these students want to abide by the law, and that's why this bill is before us.

It is wrong to unfairly punish young people who come to America through no fault of their own, wanting an education, an opportunity like their fellow students.

If we pass this bill, we have an opportunity to strengthen our Nation and respect our strong, proud immigration history, like Ronald Reagan and others who did this in the past.

Equal opportunity is justice in opportunities. It's the same values that civil rights leaders like Martin Luther King and President Johnson fought for.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from the Ways and Means Committee, the Honorable CHARLES RANGEL.

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Thank God that the Native Americans didn't have these immigration laws when they were discovered, you know, by other people.

But having said that and forgetting the idea of compassion, I'm reminded that in 1950, when the outfit was surrounded by Chinese and Lieutenant Colonel Joseph Vines called up and he

says, We need replacement or we've got to get out of here. And they told him that we didn't have any colored replacements. And even though President Truman, in 1948, had outlawed discrimination, still it was that way.

Lieutenant Colonel Vines says, I don't care what color they are.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONYERS. I yield the gentleman an additional 30 seconds.

Mr. RANGEL. I don't care what color they are. You send someone up here to defend this country or we're pulling out of here.

And that's where we find ourselves today. At a time when we're looking for scientists and researchers and teachers and people to allow this country to maintain its greatness, we find people that were raised in the United States, salute the flag, the Pledge of Allegiance, the Star-Spangled Banner, the Boy Scouts; and these, for all practical purposes, we have invested in them. Now they want to pay back by becoming professionals. This is time for us not to retreat but move forward and support the DREAM Act.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. JOHNSON).

Mr. JOHNSON of Illinois. Mr. Speaker and Members of the House, as we stand here this evening and debate this terribly misnamed bill, the American people face not a dream but a host of unmistakable realities: double-digit unemployment; a social service delivery system—most particularly, Social Security—that is terribly broken; their children and their grandchildren who simply cannot afford to go to school; and a national debt of over $14 trillion and growing by the hour, which really jeopardizes our collective future; and a Nation, Mr. Speaker and Members of the House, where too often the rule of law yields to self-term expediency.

I respectfully have to comment and respond to a number of the comments that were made on the other side of the aisle, not the least of which is the attempt to portray these individuals as somehow innocents and those who would be free of any lawbreaking. The fact is the law, the bill doesn't deal with that. It only deals with it indirectly.

Secondly, we have the clear reality that people can be 15, 15½ years old and break the law, come over here and then bootstrap their families into citizenship, which deals with all the realities that couple and aggravate on top of that.

The reality is this is a very bad piece of public policy. It's, I think, well-intended. I respect the sponsors, as I said in my comments on the rule. But at the end of the day, this is a bill that America cannot afford. And I strongly urge my colleagues, both Republican and Democrat, to vote ''no'' and to send a message to the American people that we still pay obeisance to and uphold the rule of law. And I urge a strong ''no'' vote.

Mr. CONYERS. Mr. Speaker, I yield to Chairwoman NYDIA VELÁZQUEZ for a unanimous consent request.

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Speaker, I rise in strong support of the DREAM Act because of young people like Carol from New York City, so that she and others can fully contribute to America, the country they call home.

Today, more than one million young people residing in our nation live in fear of deportation. These individuals did not choose to come here illegally. Rather, their parents brought them as minors.

Now, like generations of immigrants before them, they wish to help build a better America. They are not seeking a handout or giveaway. All that they ask is a chance to earn their citizenship. The question before us is simple—will we let them do their part or keep hiding them in the shadows?

Passing this bill is not just the moral choice—it will also bring our nation enormous benefits. Today's broken immigration system drains talent from our workforce, keeping bright minds from achieving their full potential. Bringing these young people into the mainstream of American life will enhance our competitiveness in the global economy, in the long term.

In the short term, as our Nation recovers from this downturn, entrepreneurship will be vital. Immigrants have a strong record of building new businesses, representing almost 17 percent of new ventures. By creating additional opportunity, the DREAM Act would further this tradition, spurring business growth among a new generation of immigrants.

These students are the kind of leaders our country needs to thrive. Allowing them to pursue the American dream will mean a stronger economy and more prosperous future for all of us.

Equally important are the contributions these future Americans will make serving society. In New York City, there is a young woman named Carol, whose lifelong goal has been teaching. Carol was the first college graduate in her family, paying her own way by working two jobs. Upon graduation, she was accepted into a New York teaching program that certifies candidates, while letting them obtain a Master's Degree. Because Carol's parents brought her here at age six, she is prevented from joining the program—or becoming a teacher.

Carol's story is too common. For the thousands like her—who are yearning to serve this nation and become American—we must pass this bill.

Mr. Speaker, childhood immigrants are American in nearly every way. They grew up our neighbors, attending U.S. public schools. We've already invested in the education and upbringing of these kids. With this bill, we will see a return on that investment, as the best and brightest earn their place in the American dream.

I urge my colleagues to vote yes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind the managers that if Members engage in debate after being yielded to solely for making a unanimous consent request, time consumed will be charged.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentlewoman from Maryland, DONNA EDWARDS.

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today in strong support of the DREAM Act, H.R. 1751, and on behalf of many young people in my district like 17-year-old Yves Gomes, an advanced placement student, an honor student, a graduate of Paint Branch High School. Yves came to this country from India when he was just 14 months old, a toddler. He loves this country. He's all-American. He plays basketball. He listens to music. He wants to be a doctor to help poor people in this country. Let's give Yves a chance to study, to work, to contribute to this, his country.

In a letter to President Obama, Yves wrote, ''The U.S. is different from any other country in the world because the government is willing to listen to its people when something is wrong.''

Let's pass the DREAM Act.

Mr. SMITH of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Utah (Mr. CHAFFETZ), who is a member of the Judiciary Committee.

□ 1950

Mr. CHAFFETZ. Mr. Speaker, I rise in opposition to this bill. This bill is amnesty. We should not be rewarding illegal behavior. We should be prioritizing Americans. And we should be prioritizing the millions of people who are not willing to break the law. They are trying to do it legally, lawfully, sometimes waiting 20 years to go through the process. We need to fix legal immigration, not reward illegal behavior.

Further, while I have the greatest respect for the leadership within the committee, I need to say that in the 23 months that I served on the Subcommittee on Immigration, it is an embarrassment that we met 12 times and never discussed this. Never, never did we have a substantive hearing or discussion on this bill.

Yet under martial rule we bring it here to the floor with a very short time span, in the middle of the night here and try to slam this through. That is fundamentally wrong to the process; and when the process is wrong, you get a bad result. I urge my colleagues to vote ''no.''

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 45 seconds to the civil rights hero of the Congress, JOHN LEWIS.

Mr. LEWIS of Georgia. Mr. Speaker, the DREAM Act, this is a bill that we should have passed a long time ago. The American dream—isn't that why we are all here, why we work, toil, and sacrifice for these United States of America? These young people, uprooted from their homes and brought to this country as children, some of them so young this is the only home they have ever known. They have obeyed our laws, became excellent students, sacrificed blood and tears for our country, just as any good American would do.

Mr. Speaker, the time is always right to do what is right. I urge my colleagues to pass this bill and pass it now.

Mr. SMITH of Texas. Mr. Speaker, I will continue to reserve the balance of my time until the time on both sides is roughly equal.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 1 minute to the one and only majority leader of the House, STENY HOYER of Maryland.

Mr. HOYER. I thank the gentleman for yielding me 1 minute. I am about to lose my magic 1 minute, and I lament that fact, but it is a fact. But I have not lost it yet.

I am going to use that minute to speak for children who didn't break the law, who had no concept of violating laws. Their parents brought them here like millions of other children who now live in America, and parents who live in America. They were Irish, they were Polish, they were German, they were Asian, they were South Americans, they were Africans. Their parents brought them to this country, and they grew up in this country and they thought to themselves, I am proud to be an American. And I am sure they sing with Lee Greenwood, I am proud to stand up next to you. And they stand next to us almost every day. We may not know who they are, but they go to school, they serve in our Armed Forces. They participate, and they pay taxes. Some of them are far too young to do that. Some of them know no country except the United States of America. And they feel blessed.

Mr. Speaker, I understand that immigration is an issue that divides many of us in this House. It is an issue that arouses passion. But the test of governing responsibly is whether even in the face of those divisions we can come together to make progress on the basis of a principle that ought to be universal.

I said to my caucus tonight that I had been chairman of the Commission on Security and Cooperation in Europe for 10 years and served on that commission for almost 20. That commission, as some of you know, is charged with overseeing the implementation of the Helsinki Final Act. The Helsinki Final Act, of course, was signed by President Ford in the summer of 1975. What that act tried to accomplish was a universal understanding of human rights and how nations treated their own citizens, and how we would look to those nations and not say it is simply their business, because if they abused their citizens, it was felt after World War II, that they might soon abuse other citizens not within their borders.

And so we said we are our brother's keeper. We do need to make sure that people throughout this world are treated equally. And I have traveled to many countries behind the Iron Curtain over and over and over with my good friend FRANK WOLF and others. Mr. SMITH from New Jersey, particularly. We went to those countries and said, Treat people fairly.

As I was thinking about this impending debate, I thought to myself, what if some other country were taking children who had grown up, gone to school, were in the military, were going to college, and we were kicking them out of the country because their parents had come from another land. Yes, those parents broke the law, and this is not about excusing breaking the law. These children are not culpable. These young people came here because as all of us went anywhere. I am in Maryland. Why am I a Maryland citizen? I am a Maryland citizen because my stepfather was in the United States Air Force and the United States Air Force transferred him to Andrews Air Force base, and so we moved to Maryland, not because I chose to move to Maryland but because my stepfather and mother moved to Maryland, and they brought me with them. That is who we are talking about. That is who we are talking about.

One of those principles is I believe that individuals who came to this country as undocumented minors and have lived their lives in America should not suffer because of the actions over which they had no control that brought them to the United States. We all universally adopt that principle. No one holds children culpable for the wrongdoing of their parents unless somehow those children are involved themselves in the perpetration of wrongdoing. So this principle is well known to all of us and ought to be followed. That is the idea behind this legislation.

We talk about the American Dream. We have a statue in the harbor in New York. She has a light that she lifts to all the world. And we say:

Give me your tired, your poor,

Your huddled masses yearning to breathe free.

The wretched refuse of your teeming shore.

Send these, the homeless, tempest-tost to me.

And America says to the world: I lift my lamp beside the golden door.

We are the keepers of the golden door.

When the ambassador from Ireland, and we have many Irish among us, came and spoke, one of the things he said is: Deal with this issue. Deal with it because there are Irish among us who perhaps came because their parents saw opportunity at a time of great strife in their land and came to America.

My father came at the age of 32 in 1934 from Denmark to seek opportunity in this country. There are so many of us among this group of 435 who could give similar stories. Our parents came here to seek opportunity. Some came, and our grandparents came, when there was no significant control on their coming here. As immigration has grown, we have had to rightfully make restrictions. And I am one who believes that we need to know who comes into the United States of America.

Our choice tonight is between allowing those young people to live their lives in the shadows of America or ensuring that those who want to serve our country and contribute to our economy can stay in the country that is their home. They perceive it to be their home.

□ 2000

They were children in school, in our neighborhoods, in our boys' and girls' clubs, who played on our athletic fields, and who think of themselves as Americans.

For those young people who have been in our country for 5 continuous years before the enactment of this bill, this is not an inducement to come here; this is not an inducement for somebody to bring their children here. This is to say to those children who are here: We are going to incorporate you if you play by the rules in an opportunity, in this land that we call the land of opportunity.

The DREAM Act provides for 6 years of conditional legal status but only if they have completed high school or a GED during those years. Applicants must finish 2 years of college or serve 2 years in the military and must not commit any crime. We are not going to allow wrongdoers. These are people who are playing by the rules; and if they meet those requirements, they will be able to earn permanent residence and be allowed to apply for citizenship.

Now, understand again that these are young people who broke no law. These are young people who had no intent to break the law. These are young people who have played by the rules, who have graduated from high school, who have gotten GEDs or who are about to do so in order to qualify. In a competitive world, America's openness to immigration is one, frankly, of its strengths, not of its weaknesses. The beneficiaries of the DREAM Act are the kind of new Americans we want—young people who speak English, who abide by the law and value education, and in many cases, who are willing to risk their lives for America as members of the Armed Forces.

Our military understands the value of a new pool of motivated young men and women committed to serving their country. Clifford Stanley, the Defense Undersecretary in charge of personnel, said that failing to pass this legislation would be, in his words, ''unconscionable.''

Economists also understand the value of these immigrants. A UCLA study found that their income will reach as high as $3.6 trillion over the course of their lives. They're very young now, so that may be 70 or 80 years, which is a long time; but it's an indication of their willingness, as it is of the millions and millions of immigrants throughout our history, to add to the value of America—a Nation, we call ourselves, of immigrants like my father. That's why the DREAM Act is

in keeping with the principles that have made America strong and so dynamic.

Some of you may know Michael Gerson personally. He was George Bush's speechwriter. I hope you had the opportunity to read the column that appeared just two days ago. If you didn't, let me quote from it.

''It is a principle of democratic capitalism . . . that ambitious human beings are not just mouths but hands and brains. They are a resource—the main source of future wealth.''

He urged his party, his Republican Party, to reach out in this instance of which we are not talking about forgiving wrongdoing to young people who have not done anything wrong. Let us stress that over and over. I urge my colleagues to take advantage of that resource, to do what is both in America's interest and in keeping with America's fairness.

Some of you know Jeb Bush. I don't know Jeb Bush personally; but Governor Bush—the Governor of Florida twice—has been mentioned as a possible Presidential candidate.

''I think politicians,'' those of us who serve in public office, ''should be supporting the DREAM Act,'' said Governor Bush. ''I think it's a good policy. I think the military is a most impressive and important institution in this country.'' Those who serve and those who are willing to serve should be given the opportunity—again, not speaking of wrongdoers.

I hope all of my colleagues hear this and all who are listening. Michael Gerson is George Bush's speechwriter. He says at another point in this article, ''It would be difficult to define a more sympathetic group of potential Americans; and the choice here is not between the presence of these young immigrants and their absence. No one is proposing the mass deportation of this particular group.'' These are children who have done nothing wrong and who would be the last on the target lists of even the most enthusiastic immigration restrictionists. In the words of Michael Gerson, ''The actual choice is between allowing these young men and women to develop their talents and serve in the military or not.''

Ladies and gentlemen, I urge my colleagues: Let us join that Lady in the harbor, who lifts her lamp beside this golden door, and understand why the millions and millions and millions and millions of people came from across this Earth to seek opportunity in this great and generous land. Let us reflect that tonight.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, our Nation cannot afford to turn away these talented youths. In order to remain competitive in the global economy, our country must train a new generation of highly skilled STEM professionals—scientists, engineers, and mathematicians—to bolster the scientific discovery and to spur the technological innovation that our Nation desperately needs.

I urge my colleagues to vote ''yes'' and support the DREAM Act.

I rise today to strongly urge my colleagues to vote for the DREAM Act . . . H.R. 5281.

Our students have been waiting for nearly a decade for Congress to act on this important legislation, and according to estimates by the Congressional Budget Office and the Joint Committee on Taxation, this bill will reduce deficits by about $2.2 billion during the period . . . 2011 to 2020.

It's time for Congress to pass the DREAM Act and do what is just and sensible and give these deserving students a chance to make meaningful contributions to our Nation's workforce, economy, military and civic life.

As Subcommittee chairman for Higher Education, Lifelong Learning and Competitiveness, I believe that our Nation must encourage all students to succeed in school, particularly those students who are hardworking and serving as role models to their peers. This legislation supports our nation's high school and college completion goals and helps to reduce dropout rates.

In the Rio Grande Valley of South Texas and across the country, DREAM Act students are exceptional young men and women. Despite facing difficult circumstances, many of these students have excelled in school, and become valedictorians, AP scholars, and distinguished student leaders. There are at least 1,000 college students in my congressional district who would benefit from this legislation.

Our nation cannot afford to turn away these talented youth. In order to remain competitive in the global economy, our country must train a new generation of highly-skilled STEM professionals—scientists, engineers, and mathematicians—to bolster scientific discovery and spur the technological innovation that our Nation desperately needs.

These students are ready and willing to contribute to our country and do what is necessary to achieve their career goals and earn their citizenship.

DREAM Act students exemplify the American ideals of hard work, perseverance, a desire to succeed and contribute to this Nation—values that we in Congress extol and strive to instill in all students. Importantly, these young men and women are an integral part of our families and communities. Many of these students were brought here as children, and know America as their only home.

I urge my colleagues to vote "yes" and support the DREAM Act . . . H.R. 5281.

Mr. CONYERS. I yield 2 minutes to a distinguished member of the Judiciary Committee, the gentleman from Illinois, LUIS GUTIERREZ. He has worked on this issue, not just on the DREAM Act but on the whole question of immigration, with great skill and knowledge.

Mr. GUTIERREZ. Mr. Speaker, I come here this evening to say to you, yes, let's give the DREAM kids an opportunity. They are American in everything but on a piece of paper. They are just like my children and your children. So I say, too:

Give them a chance. Give them the opportunity—the opportunity this Congress will not give their mothers, who are today finishing toiling in Salinas, California, picking the fruit; their mothers who are in sweatshops in New York tonight, finishing their labor; their mothers who are in meatpacking plants in Iowa—sweaty, under terrible conditions.

That same despair and inequity and unfairness and injustice that their mothers suffer, let's say that this Congress will not allow them to suffer. Let's say that their work, their sweat, and their toil will be responded to by this Congress by saying their children will not suffer the consequences of the inaction and unfairness of our immigration system.

We know that there are millions of undocumented workers—their parents—who work and sweat and toil every day to make this Nation greater. They were wrong about the Irish. They were wrong about the Italians. They have been wrong about immigrants in the past, and they are wrong about the immigrants today and about these children of immigrants.

Let this Congress stand as it has stood before for immigrants. I stand here today also as a Democrat, as a Democrat who understands that the rule of law must also be conditioned by justice and fairness and compassion. I stand here in the same manner as we have stood up when the rule of law said to a woman, You will not earn equal pay, and in the same manner as when someone of sexual orientation has been abused, and we say, That will not be tolerated.

□ 2010

When there is someone without health care, we say we will provide health care. We look at the rule of law, and we see homeless and we want to provide housing to them. And today, just as we have faced that unfairness and those inequities in our system, we have come here, yes, to support the rule of law, but to change the law when it is unfair. Today, change it for this generation of young men and women. We must stand up for them.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN), a senior member of the Judiciary Committee and a former Attorney General of California.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I don't think I was wrong in 1984 when I stood on this floor in this position and led the Republican effort to work with my Democratic friends to pass immigration reform. I don't think I was wrong in 1986 when I was the Republican floor manager of Simpson-Mazzoli in an attempt to try and bring some semblance of law to the issue of immigration, both legal and illegal. But I must say that in 1986, when we did pass that law, we thought that that was going to resolve many of these issues, and it was going to take care of them. And even though we spent weeks on the floor over those 2 years—weeks on the floor, allowing 200-

and-some amendments to be put in the RECORD, over 100 amendments offered on the floor so that Members had the opportunity to have their ideas heard—I don't think we were wrong.

I do think we are wrong now to bring this at the last hour, to deny anybody an opportunity for a single amendment on this important issue, and to bring it in a parliamentary inquiry fashion that stuffs this bill into a Senate bill, which does what? Disallows the minority an opportunity to bring a motion to recommit.

Now, why do I say that that's important? Because we passed legislation in '86 that we thought was going to solve the problem. In some cases it solved the problem, and in some cases it exacerbated the problem. I was concerned at that time that we passed the SAW and RAW provisions—seasonal agricultural workers and replenishment agricultural workers—because I was afraid that that would be full of fraud. And guess what? It has been. Since that time we have added to the numbers of people who are illegally in the United States. Now, some people don't want to talk about that as if it has no importance.

We have, as a principle in our law, the concept of a worldwide quota. What does that mean? That means everyone should have an equal opportunity to come to the United States, whether you're the poorest child in Africa, whether you're in the Philippines, whether you're in Asia. And when you have rampant illegal immigration, particularly from this hemisphere, you are in essence discriminating against those equally poor, some even in worse poor situations around the world for their chance to come here to the United States. That's why when you deal with an issue like this, you have to look at the whole picture, and we are denied the opportunity to look at the whole picture here.

There are those that say, well, we are here to assist only those children who, by no fault of their own, came to the United States, those up to the age of 16 who came here in one fashion or another. If that be true, why not allow an amendment which would say that those who benefit from this will not have the opportunity to bring those who may have brought them here illegally——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Texas. I yield the gentleman an additional 30 seconds.

Mr. DANIEL E. LUNGREN of California. Why not say they will not have the right to bring those who did break the law into the United States? But right now, under this bill, if you qualify under this bill, you have the right to begin chain migration. You have the right to bring your parents in, your adult siblings in, others in. At least give us the chance to have the opportunity for amendment. That's all I'm saying.

We know that this isn't the way to deal with this issue. We know we should have a chance. We had the opportunity for months to bring something to this floor. So all I would say is this is an issue that many of us on this side of the aisle will work with you on, but this is just not the night and this is not the way to do it.

Mr. CONYERS. Mr. Speaker, I yield to the gentlelady from California, GRACE NAPOLITANO, for a unanimous consent request.

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. Mr. Speaker, I support the DREAM Act because of the young people in my district and throughout the United States so they can fully contribute to America, the country they call home.

Mr. Speaker, I support the DREAM Act because of young people like Julieta, so that she and others like her can fully contribute to America, the country they call home.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from New York, GREGORY MEEKS.

Mr. MEEKS of New York. Who are we? We call ourselves American citizens. We're proud to be Americans. Why are we proud to be Americans? Well, we were raised in American schools, we loved our country, we studied our history, we wanted to prosper, we wanted to be able to do the things that cause us to be free.

We care about children. What we're talking about here is a group of children who all they know is what we know. In fact, many of them had no idea that they were not American citizens. They grew up loving this country; they grew up aspiring for the same things that we have; then all of a sudden they find out that they can't continue with their education, they can't go into the military.

If we are truly Americans, if we truly care about kids, if we truly stand for our core values, we will tell those children because those children are as much American as each and every one of us. Let's support the DREAM Act.

Mr. CONYERS. I am pleased to yield 1 minute to the gentlewoman from New York, YVETTE CLARKE.

Ms. CLARKE. Thank you very much, Mr. Chairman.

It is my honor tonight to stand here as a second-generation American coming from a district where many people come as immigrants to make the United States their home. Some of those people, many of those people, are residents of our Nation and want to become citizens. Some are undocumented. Many of them are young people, are children who go through our school systems and look just like me. I am proud to stand here today because those young people have been law abiding and know this place as their home, have never known their place of origin but understand that the work that they do each and every day in our schools and in our communities accrue to a stronger Nation.

Tonight, we have the opportunity to make their dreams a reality, their dreams to do more than to stand and defend our flag, to give their lives as many give their lives for the freedoms of America. Today, we make sure that that dream is fulfilled and they fulfill their obligation as new Americans in our Nation. The DREAM Act will be a reality tonight, and I am proud to cast my vote in favor of those young people.

Mr. SMITH of Texas. Mr. Speaker, I yield 30 seconds to the gentleman from Iowa (Mr. KING), a member of the Judiciary Committee.

Mr. KING of Iowa. I thank the gentleman from Texas for yielding.

Mr. Speaker, when my grandmother came over here and landed at Ellis Island, 2 percent were sent back. We had a merit system, and you had to meet those standards.

I believe in an immigration policy that is designed to enhance the economic, the social, and the cultural well-being of the United States of America. This immigration policy is for America. We can't relieve all of the poverty in the world. That is completely impossible.

Today, our immigration structure is this: between 7 and 11 percent of our legal immigration is based on merit, and the balance of it is out of our control as far as setting any standards. If we are going to be a great Nation we have to have a policy that is established to promote American exceptionalism. This bill does not. I urge a ''no'' vote.

□ 2020

Mr. CONYERS. Mr. Speaker, I yield to the gentleman from California (Mr. HONDA) for a unanimous consent request.

(Mr. HONDA asked and was given permission to revise and extend his remarks.)

Mr. HONDA. Mr. Speaker, I rise in support of the DREAM Act.

Mr. CONYERS. I am pleased at this time to yield 1 minute to the Speaker of the House of Representatives, the gentlelady from California, Ms. NANCY PELOSI.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and for giving us this opportunity this evening to come to the floor of the House on behalf of many children in America.

It is one of those evenings when we can associate ourselves very directly with the aspirations of our Founding Fathers. How blessed we were at the beginning of our country, even before our country began, that these brave and courageous people stood up for independence for our country. And when they established our country, they designed the great seal of the country and it said, ''Novus Ordo Seclorum,'' a new order for the ages. How confident they were, how optimistic they were. No country in the history of the world had ever had founders founding on a new principle of equality of people and freedom, separating themselves from a great military power by winning independence

and saying this was about a new order for the future. And they could say that with confidence because they had a commitment to make the future better from one generation to the next.

That became known as the American Dream, eventually, and people flocked to our shores to be part of the American Dream. And when they came, they brought their hopes, their aspirations, their determination, their optimism for a better future for their families and for the next generation. And in coming here, these newcomers—at that time, a couple hundred of years ago—and to this day, by coming with that optimism and hope and commitment to a better future for the next generation, they made America more American.

And so tonight we have an opportunity to identify with the aspirations of our Founders. And we know that if we are going to have a better future for our country, it is important for us to recognize the children who are here. They have come from every continent in the world, from Europe, from Asia, from Australia, from Latin America. My colleague, Congresswoman CLARKE, talked about children coming from the Caribbean. A lot of attention is paid to those coming from Latin America, but they have come from all over the world, and many of them to this day do not know what their legal status is. Some find out in a most unfortunate way when ICE shows up at their door to say, You weren't born here, because their parents may not have told them that.

But their identity is all American. Some of them don't even speak the language of the country of origin of their parents. So many of them come here with this great patriotism. Their families come with this great patriotism. Many of these young people serve in the military, so they strengthen our national security. Secretary Gates has said, The DREAM Act represents an opportunity to expand the recruitment and readiness of our armed services. That's what the Secretary of Defense said. We all know that the competitiveness of America depends on innovation, and innovation begins in the classroom. And these young people have an array of skills and talent, whether they're in the military, whether they're in college, whether they go to graduate school. And we know that many of them cannot reach their professional aspirations because that is when they bump into the fact that they are not fully documented.

If you have ever been to a DREAM Act occasion, when young people come together and speak about their love for America, you will hear anthems of patriotism that, again, would make you so very, very proud in how it echoes what our Founders had in mind. So we have an opportunity tonight to solve a problem, solve a problem for these young people, to help solve problems for our military and our national security, to help solve problems about innovation and education and making our country stronger economically as well as militarily.

This bill does not cost money. In fact, it sends money back to the Treasury, about over $2.5 billion. But as studies show, there will be hundreds of billions of dollars that will be paid in taxes by these young people when they reach their full aspirations.

This act is about Pedro Ramirez, the student government president at California State University Fresno. He was brought here when he was 3 years old and was unaware of his lack of citizenship until he was a senior in high school. In the midst of the controversy of his status, he reminded us, the DREAM Act itself symbolizes what it is to be an American. It's about equality. It's about opportunity. It's about the future.

Young people like Pedro and so many others like him represent the best reasons to pass the DREAM Act. We always think in numbers. Think of these individual young people and how they identify with America. They have no other identity in many cases. They want to participate in our Nation's future. They want to help build it. They want to use their degrees and their skills to help build something better for the next generation, and that's what our Founders had in mind when they said, Novus Ordo Seclorum, a new order. It's on the dollar bill. In case you have a dollar in your pocket, you can take out The Great Seal of the United States, ''Novus Ordo Seclorum,'' with that confidence, later to be called the American Dream.

We owe it to our Founders, and we owe it to these young people, we owe it to the future to cast a vote for a bill that makes America more American. And I want to thank Mr. CONYERS. I want to thank HOWARD BERMAN, the author of this legislation; Chairwoman ZOE LOFGREN, also on the Judiciary Committee; certainly Congresswoman NYDIA VELAZQUEZ, chair of the Hispanic Caucus; Congressman XAVIER BECERRA, part of the House leadership; LUIS GUTIERREZ; Congresswoman LUCILLE ROYBAL-ALLARD; and the entire Congressional Hispanic Caucus. But it is not confined to the Hispanic Caucus, as Representative CLARKE has said. This is about kids from all over the world.

And as Steny said earlier, when the Prime Minister of Ireland came here and spoke, and when we attended the festivities each year surrounding the visit of the Taoiseach, they always talk about immigration. They always talk about this issue. This is one piece of it.

And I know the gentleman got up and said he couldn't be for this because it didn't have a motion to recommit. This isn't about a motion to recommit. This is about a commitment to our future. This is about a recognition of what these young people can mean for our country. And so I hope that that recognition will result in a very positive vote, and I hope a bipartisan vote in support of making the future better for the next generation, which is the strength of our great country. Thank you all, and please vote ''aye'' on the legislation.

The SPEAKER pro tempore. The gentleman from Michigan and the gentleman from Texas each control 3 minutes.

Mr. SMITH of Texas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, 1 month ago the American people told Congress to change course, to put the American people first, to generate jobs, and to strengthen the economy. Unfortunately, it seems that some Democrats have learned nothing and forgotten everything about what the American people want.

We are considering major legislation that the American people couldn't read until a few hours ago. The Democrats refused to hold any hearings on this bill, and no amendments have been allowed. It is the result of a closed and undemocratic process.

We all know that the point of this bill is to give amnesty to almost everyone who is in the country illegally and who is under 30. Illegal immigrants get amnesty if they can show hardship if they are sent home. Illegal immigrants can stay if they just claim to be eligible under this legislation. Illegal immigrants get amnesty if they use fraudulent documents because the Federal Government has no way to check millions of claims. Illegal immigrants get amnesty even if they have committed crimes like DUI, document fraud, and visa fraud.

□ 2030

This is a bill that gives amnesty to more than 2 million people who are in the country illegally. It encourages fraud and even more illegal immigration.

Today, Americans face an unemployment rate of 9.8 percent, a new record. That number has now topped 9.5 percent for 16 months, the longest period since the Great Depression. The DREAM Act means more competition for American workers who are in need of those jobs. It puts the interests of illegal immigrants ahead of the interests of American citizens.

I urge my colleagues to put the American people first, and oppose this bill.

I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to BARBARA LEE of Oakland, California.

Ms. LEE of California. Thank you very much, Mr. Chairman.

Mr. Speaker, let me just say the overwhelming majority of the Congressional Black Caucus supports the 800,000 young people who will be able now, if we pass this, will be able to live the American Dream. It's in our national interest to pass this. But more importantly, this is the right thing to do.

Please vote for the DREAM Act. This is an important moment in our country's history. This demonstrates our

American values and who we are as a people.

Mr. CONYERS. Mr. Speaker, HOWARD BERMAN is not only the chair of the Foreign Affairs Committee; he is the second ranking member of the Judiciary Committee. I yield him the balance of my time.

The SPEAKER pro tempore. The gentleman from California is recognized for 2½ minutes.

Mr. BERMAN. Thank you, Mr. Chairman, and Ms. LOFGREN, the chairman of the subcommittee, for bringing this legislation to the floor. For 30 debate-time minutes we have heard the other side's arguments, and so many of them have been filled with scare tactics and blatant inaccuracies. We have been working on this bill for nearly a decade. We have recently made a number of changes to make clear our intentions about who the bill should cover and who it shouldn't.

Nearly every speaker on the other side has used the term ''amnesty.'' Think about that. Amnesty, amnesty, amnesty. If you say it enough, you can scare a lot of people into being against this bill. We are talking about a group of people who didn't do anything wrong. They didn't possess the intention to commit a crime or to cross the border illegally. They were brought here. This is a universe of people who deserve special consideration because the absence of wrongdoing is so clear. And for that you use the term amnesty? That's outrageous.

Next, we hear scare tactics regarding chain migration. My good friend DAN LUNGREN says these people, once we give them this status, will be able to petition for their adult siblings. We have taken away petition rights for adult siblings, young siblings, grandparents, grandchildren; and it will be 25 years before any person whose status is adjusted under this legislation will be able to petition for the parent that brought that kid here, because we never undid my friend LAMAR SMITH's provision that required 10-year absence after the petition is filed for anyone who came to this country without authorization. The chain migration argument is another bogus argument, just like the amnesty argument.

Then we hear from the gentleman from California (Mr. ROHRABACHER) about the affirmative action amnesty legislation which will give preference to all these people. This is a group of people who under this legislation will not be allowed to receive Pell Grants, will not be able to get into the health insurance exchanges. I know you plan to repeal them, but they will not be able to get into them. They will not qualify for food stamps. They are ineligible for the Medicare program. They are ineligible for the SCHIP program. And you are talking about tremendous preferences over U.S. citizens? Another bogus argument.

In closing, I would just say one sentence. In the end, this bill is less about the kids who deserve to benefit from the legislation than the country that will get the benefit of having them use their skills and their talents on our behalf. I urge an ''aye'' vote.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to express my strong support for H.R. 1751, the American DREAM Act, a landmark bill that will provide hope and opportunity to hundreds of thousands of young people in our country.

Mr. Speaker, we all know that America's immigration system is broken and badly in need of reform. While H.R. 1751 may not make all the changes necessary to repair our system, it does take an important step forward by fixing one of the most unfair aspects of our immigration laws. Under current law, undocumented immigrants who came to this country before the age of 16, brought by their parents and loved ones, are punished by being prevented from becoming citizens of the United States.

I have seen the injustice of this law firsthand. Just last year, Rigo Padilla, one of the top students at Noble Street Charter High School, was detained and scheduled for deportation by immigration officials when authorities learned that he was undocumented. Rigo came to the United States at the age of six and has since excelled in the classroom. Rigo is precisely the type of person we want to support in the United States and yet our immigration laws consider him an ''outlaw.''

The American DREAM Act would change this unjust law by giving students who have good moral character and have lived in the U.S. for at least five years the opportunity to go on to college and/or enroll in America's armed services, regardless of their immigration status. I strongly believe that all youth residing in this country should have access to all military and educational opportunities available. In the vast majority of cases, immigrant students and soldiers will continue to reside in this country for most, if not all, of their adult lives, and it is important that we provide them with all the tools necessary to become full participants in and contributors to our society.

I would like to thank my good friend LUIS GUTIERREZ for his tireless efforts on behalf of all immigrants in America today. I also want to acknowledge the incredible hard work of countless youth activists across the country who campaigned for this bill. It is because of their work that the American DREAM Act is one step closer to becoming a reality. I strongly urge my colleagues to support this important bill.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of H.R. 5281, the Development, Relief and Education for Alien Minors (DREAM) Act of 2010. First and foremost, I want to thank the chief sponsors of this legislation, my good friends, Congressman BERMAN of California and Congressman LINCOLN DIAZ-BALART of Florida, and all the cosponsors of this important legislation. I also want to thank Speaker NANCY PELOSI for her leadership on this issue. This is an important piece of legislation because it will give many young people an opportunity to further pursue their education given their adverse circumstances.

The DREAM Act will give the many high achieving and talented youth an opportunity to further their education or serve our country. This legislation, through a two-tier process, will allow eligible unauthorized aliens to apply for temporary Legal Permanent Resident (LPR) status and eventually full LPR status after meeting strict criteria.

As unauthorized aliens, including overstayers, they will be eligible to apply for conditional LPR status as long as they are in good moral standing, qualify for years of residency and have been admitted to either an institution of higher education or enlisted in the U.S. Armed Forces.

There are many that have said that the DREAM Act will become an open-ended amnesty law but this is not true. Through the stringent requirements, the fact that those who are eligible already reside in the U.S. for many years, and a long-term probationary period prior to full LPR status will prevent others from trying to take advantage of our immigration laws.

According to the Congressional Budget Office, the DREAM Act will reduce the deficit by more than $2.2 billion dollars within the next 10 years. It will also improve our national economy by increasing our U.S. workforce and, importantly, it will assist our military recruiting efforts to ensure readiness and support for our U.S. Armed Forces.

It is only right that we provide humanitarian relief for the many children who were brought to our country illegally by their parents. We must not punish the children for the decisions of their parents for they had no say in the matter.

For these reasons, I urge my colleagues to support H.R. 5281.

Mr. BLUMENAUER. Mr. Speaker, I strongly support efforts to overhaul our broken immigration system. This is no easy task and it remains a contentious issue for many people. We should not allow the failures of the past to prevent us from finding a path forward.

Comprehensive immigration reform legislation must reduce wait-times for people trying to follow our immigration laws. It should simplify and stabilize an effective guest worker program, give employers the resources they need to hire a legal workforce and better tools to uphold our laws. It must address border security. And it must bring into fold the 11 million people currently living in our country without documentation.

Passing the DREAM Act is an important step toward achieving comprehensive immigration reform and I am proud to support this legislation. It recognizes that many children are brought to the U.S. and who are not citizens are nonetheless working hard on their future. In many respects our futures are the same. The DREAM Act is an important step not just for the welfare and future of these young people, but for the welfare and future of America.

These are children and students who have grown up in the U.S., who are part of our country, who have succeeded in school and stayed out of trouble, who are committed to going to college or joining our armed forces. We should welcome them. This is what the American Dream is all about.

Issues of fairness aside, there are very practical reasons to support this legislation:

Our military supports the DREAM Act because it improves military readiness, which is why Colin Powell and Robert Gates both support the legislation and why it is reflected in the Defense Department's strategic plan;

By integrating these young people into our economy, the CBO reports that the DREAM Act will reduce our deficit by $1.4 billion over the next 10 years;

Increasing the number of people going to college or achieving careers in our armed forces will expand our economy, which will increase opportunities for everyone.

I look forward to voting in favor of this important legislation.

Ms. ESHOO. Mr. Speaker, the American Dream is the dream of immigrants. It is the belief that our nation invests in those who possess the best ideas, the best work ethics, and the smartest business plans. It is the faith that our actions, not our ancestry, determine what we can achieve. The American Dream is when the daughter of immigrants can grow up and serve in Congress.

Across our country, millions of children who have lived here most of their lives—and know no other home—are denied access to their American dreams. These children live under threat of deportation because of their parents' actions, not their own. It is wholly un-American to punish the child for the father's sins.

The DREAM Act updates our laws to reflect the principles of our nation and preserve access to the American Dream for these children. The bill creates a path to legalization, dependent upon good moral character, hard work and service. In other words, American values.

In my Silicon Valley District, many foreign-born entrepreneurs have built uniquely American businesses—Google, Intel, and Yahoo, to name a few. These companies and many like them have grown our nation's economy, spread our influence, and created hundreds of thousands of jobs for our citizens. These are the fruits of the American Dream.

With the passage of the DREAM Act, children across our nation will have the opportunity to be the next great business leader and create the next big idea. Our entire society will benefit from it. Please join me in voting yes.

Mr. GALLEGLY. Mr. Speaker, I rise in strong opposition to this bill.

Make no mistake, this bill is an amnesty for people who are in this country illegally. This will only encourage other people to send their children across the border illegally in the hope that Congress will grant another amnesty in the future.

At a time when the unemployment rate is 9.8 percent, this Congress will actually force American workers to compete for jobs with at least two million additional people. It defies common sense to argue that this will not drive up the unemployment rate and drive down wages and working conditions for legal workers.

The workers granted amnesty will not just be competing for jobs, but for admissions to good colleges, housing, health care, education, and other services. It defies common sense that this bill would not have a serious, negative impact on our economy, our workforce, our schools, our hospitals, and our communities.

I urge my colleagues to oppose this legislation.

Mr. LANGEVIN. Mr. Speaker, I rise today to discuss the urgent immigration crisis facing our nation and to ask my colleagues to join me in support of H.R. 5281, the Development, Relief, and Education of Alien Minors Act.

We have all heard the numbers: an estimated 12 million undocumented immigrants forced to live under a broken U.S. immigration system; more than 400,000 people each year entering this country illegally, side stepping those who follow the rules and try to come here the right way.

But these numbers do not fully reflect the human suffering, economic disadvantage or threat to our national security that this failed system has created.

Immigrants coming to this country illegally often face a terrible choice: endure crippling poverty and danger to themselves and their families in their home country, or abandon their homes to try and find work and build a new life here. For most Americans, their parents, grandparents, or ancestors brought their families to the U.S. in search of a better life. Those who bring their young children here today put themselves and their families at risk for the same reasons that immigrants did so generations ago. Children who are brought here illegally now are often forced into a life in the shadows of a country they will most likely know as their only home.

The DREAM Act establishes a rigorous, decade-long process that would create a path to citizenship for those children by serving in the Armed Forces or pursuing a college education. DREAM Act participants would not be eligible for federal programs, such as Medicaid or Pell Grants, while they are in conditional status. Additionally, this bill will not encourage continued illegal immigration because it does not apply to children brought here illegally in the future—only those who have lived here for at least five years. It is a bipartisan, common-sense solution that would give children who were raised here an opportunity to contribute to our nation.

While the policy arguments for this bill are strong, I want to share part of a letter I received from a 17 year-old constituent who described the personal toll of living in the shadows and what passage of the DREAM Act would mean to him. He was brought to this country illegally from Guatemala when he was 7 years old by parents who were seeking a better life for his disabled brother. He wrote, ''I don't blame my mother or father for bringing me here. I completely understand why they did it . . . I have always had to understand so many things at just a young age that I feel older than I am. What I was not capable of understanding was how hard it would be not having legal status in this country. Now I am seeing how hard it is not being able to get a job so that I can help my mom . . . or apply to a college. In a way it makes me feel so much less of a person compared to my classmates. I still can't see what makes my friends be able to have a job or take driver's ed just because they have a social security number and not me. In my eyes we're the same. I have the same potential that they have, but yet I have to stay in this shell and not be able to reach the goals that I have set for myself.''

This young person has illustrated better than I ever could how critical an issue this is for our country. Our proud immigrant communities in Rhode Island have shown the great benefit they bring to our economy and heritage, both in the past and present. If there is one thing we can all support, it should be a national policy that continues to attract the best and the brightest who want to contribute to this country and our ideals. Unfortunately, the reality is that our system today forces a large section of our immigrant population into the shadows where they are trapped in a life of illegitimacy and America does not fully see the benefits of their talents.

It is for all these reasons that I have long supported the DREAM Act. This Act is targeted at the most highly motivated young individuals, with no criminal background, who were brought to this country and raised here under no fault of their own. These children have worked hard in school, and they are eager to contribute more by pursuing higher education or military service, and this bill will help them achieve their dreams, while strengthening our society, our economy and our security. These young people deserve the opportunity to resolve their immigration status and we as a nation need their contribution to our country. I want to thank Chairman BERMAN for his tremendous leadership on this issue and urge my colleagues to pass this bill.

Mr. REYES. Mr. Speaker, I rise today to convey my strong support for the latest version of the DREAM Act.

This common-sense legislation will significantly reduce the burdens on our federal border law enforcement by allowing them to focus on more serious targets who are in this country illegally and may pose a security threat to the United States. Providing a limited incentive for young people (who have significant potential to contribute to our economy and Armed Forces) to come forward and identify themselves is a pragmatic solution that will have a meaningful impact on our nation's immigration enforcement efforts. As a 26-year veteran and former Sector Chief of the United States Border Patrol, I strongly believe that the failure to address this problem at this critical juncture will only undermine our security in the years ahead.

I am particularly disappointed by those who have characterized this sensible legislation as ''amnesty'' and a threat to our national security. As the only Member of Congress who has patrolled our nation's southern border, I know this measure will support the men and women who work hard every day to enforce our nation's immigration laws. The DREAM Act sets forth reasonable requirements for undocumented children that will enable federal law enforcement to quickly identify them, and allocate more time and resources to the threats that genuinely pose a security risk to our nation.

By focusing on those individuals who may pose a more serious risk, instead of young people who could make a valuable contribution to the economic and military security of our nation, the DREAM Act is a major step forward in making our nation safer. I strongly urge your support of this important legislation.

Mr. TOWNS. Mr. Speaker, I rise today to show my support for a piece of immigration reform that is long overdue: The American DREAM Act. In my district, as in the rest of the country, the children of immigrants are being denied the benefits of education and a future they once believed in.

Under our current laws, children of immigrants are able to attend American elementary and high schools, but hit a glass ceiling when faced with the prospect of higher education. This is because their immigration status precludes them from opportunities that make college education affordable, such as in-state tuition and federal loans. If an individual is placed into a circumstance without choice, I ask, is it right to force that person to spend the rest of his life paying the consequences?

The American DREAM Act offers a swift and appropriate means of reforming this flaw

in our nation's immigration laws. If enacted, individuals who were brought to the United States before they were 16 can become permanent residents when they are admitted to an institution of higher education or serve for 2 years in the military.

While several similar bills have been introduced in recent Congresses, this reform has not had the opportunity to succeed until now.

This nation was built by immigrants and we should encourage those who want to become Americans to pursue education. It is time to take initiative; let us help millions of young people take a step towards achieving the American dream. Let us pass the American DREAM Act.

Ms. HARMAN. Mr. Speaker, occasionally in politics, and in life, unusual allies surface. Former Bush speechwriter and well-known conservative Michael Gerson has embraced the Dream Act—legislation that would provide a path to citizenship for young people who, through no fault of their own, were brought to this country illegally.

In a Washington Post column titled "How the Dream Act Transcends Politics" Gerson not only endorses the legislation, he blows out of the water every cynical argument for denying citizenship to this group of young people while also making the case that the bill is good politics for his party.

Gerson writes: "It would be difficult to define a more sympathetic group of potential Americans. They must demonstrate that they are law-abiding and education-oriented. Some seek to defend the country they hope to join. The Defense Department supports the Dream Act as a source of quality volunteers. Business groups welcome a supply of college-educated workers. The Department of Homeland Security endorses the legislation so it can focus on other, more threatening, groups of illegal immigrants."

Applicants for normalization under the Dream Act must be high school graduates or have received a GED. They would be awarded conditional legal status for six years, during which they must serve at least two years in the military or complete two years of college. Failure to meet the requirements would cause them to lose their legal status and face possible deportation.

Far from rewarding illegal behavior or creating an incentive for "future lawbreaking," Gerson rightly notes that this group of immigrants, "categorized as illegal, have done nothing illegal. They are condemned to a shadow existence entirely by the actions of their parents. And the Dream Act is not an open invitation for future illegal immigrants to bring their minors to America. Only applicants who have lived in America continuously for five years before enactment of the law would qualify."

Gerson cites the Congressional Budget Office, which estimates the Act would reduce the deficit by $1.4 billion over the next decade due to increased tax revenue. He refers to a UCLA study, which finds that Dream Act beneficiaries would generate $1.4 trillion to $3.6 trillion in income during their working lives.

Gerson asks, rhetorically, if Dream Act beneficiaries would ultimately be an advantage to America or a drain. His answer to his own question: "It is a principle of democratic capitalism and non-Malthusian economics that ambitious human beings are not just mouths but hands and brains. They are a resource—the main source of future wealth."

He writes: "The Dream Act would be a potent incentive for assimilation. But for some, assimilation clearly is not the goal. They have no intention of sharing the honor of citizenship with anyone called illegal—even those who came as children, have grown up as neighbors and would be willing to give their lives in the nation's cause."

I applaud Mike Gerson for his honesty and political courage. Everyone in this Chamber is familiar with the saying that politics makes strange bedfellows. Well, so does the Dream Act. I am a proud cosponsor, and urge its passage.

Ms. HIRONO. Mr. Speaker, I rise today in strong support of H.R. 5218, the Development, Relief, and Education for Alien Minors (DREAM) Act of 2010.

Our Nation was founded on the powerful ideals of freedom and tolerance. These are values that still elude other nations to this day, which is why the American Dream endures in the minds of so many around the world. As an immigrant to this country myself, I know the power of that dream. That I could become a member of the People's House shows that the dream can come true.

The DREAM Act would provide conditional nonimmigrant status to a specific and narrow class of young individuals who must then meet tight program deadlines and rigorous requirements. Every person who is eligible for this status has already been in the United States and has been for many years. This bill allows them a path forward to making a real life for themselves in their home country, America.

The DREAM Act is supported by educators, religious leaders, and social service organizations from across the spectrum. I include for reprinting in the CONGRESSIONAL RECORD, a letter I have received from Papa Ola Lokahi, a non-profit organization that promotes the health and wellbeing of Native Hawaiians, in support of the bill. It is also worth noting that the Department of Defense's strategic plan recommends the enactment of the DREAM Act to help the military "shape and maintain a mission-ready All Volunteer Force."

I want to share the story of Mohammed Abdollahi, one of the first undocumented students to risk the possibility of deportation to illustrate the real life import of the bill before us today. Mohammed came to America from Iran as a three-year-old when his father was accepted for a Ph.D. program at the University of Michigan. But due to an error in the processing of an immigration form—the family paid $20 less than required—their application to stay in the U.S. was rejected. Mohammad, now 24 years old, is a product of the public education system of Michigan, graduating from both high school and community college in that state.

As a young gay man, Mohammed risked the possibility of deportation to a country where he knows neither the language nor the culture—and worse, where homosexuality is punished with torture and executions. He so strongly believes in the DREAM Act that he risks everything, including his very life, to ask that we, the Congress, support this bill.

There are thousands of young people, including in Hawaii, whose stories I have heard who came to this country as a young person and are now facing the nightmare of deportation.

I urge my colleagues to have the courage to do what is right for Mohammed and other high-achieving and patriotic students like him and vote for the DREAM Act.

PAPA OLA LOKAHI,
Honolulu, Hawaii, December 1, 2010.

Hon. MAZIE HIRONO,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE HIRONO: As leaders of the diverse Asian American and Pacific Islander (AAPI) community, we write to urge you to vote for the DREAM Act should this important legislation come to the floor of the United States House of Representatives. With Asian immigrants comprising roughly 40 percent of all immigrants, passage of the DREAM Act, as a stepping stone towards comprehensive immigration reform, is a top priority for the AAPI community.

The DREAM Act would create a path to legalization for individuals without documentation who were brought to this country as children, by no choice of their own, and have since excelled in high school and chosen to serve in our nation's armed forces or pursue higher education. The DREAM Act is aptly named because it would allow these talented individuals the opportunity to become citizens and fully contribute to America.

Passage of this important legislation makes sense for America's economy and our national defense. According to a recent study conducted by UCLA, the combined income generated by individuals who would be eligible for adjustment of status under the DREAM Act would amount to $3.6 trillion over the next 40 years. The Department of Defense acknowledges the importance of the DREAM Act and lists passage of the bill as pail of the Department's strategic plan in order to maintain a mission-ready volunteer military.

More than the economic benefits of the DREAM Act, passing this legislation is the right thing to do, There are an estimated 65,000 students who graduate from high school every year without legal immigration status—including many Asian American and Pacific Islander students. In the University of California system alone, approximately 40–44% of the undocumented student population is AAPI. David Cho, a Korean-American honor student and leader of the UCLA marching band, who hopes to join the U.S. Air Force upon graduation, is just one of the students who would benefit from the DREAM Act. Steve Li, a Chinese-American nursing student from San Francisco whose parents fled China to avoid that country's one-child policy, faced imminent deportation until Senator Feinstein introduced a private bill delaying his removal. A college honor student who dreams of giving back to the U.S. by becoming a doctor, Joanna Kim, also faces deportation and the DREAM Act is her best hope for gaining legal status. These young people embody our American values of hard work and giving back to society.

Now is the best opportunity we have to pass the DREAM Act and take one small step toward comprehensive immigration reform. The DREAM Act is an excellent opportunity for Congress to show voters they can, and will, work together to fix our broken immigration system. These high- achieving students deserve a chance to contribute fully to the U.S. and pursue the American Dream. We urge you to vote for the DREAM Act.

Sincerely,

HARDY SPOEHR,
Executive Director.

Me ka oia 'i' o,

MOMI IMAIKALANI FERNANDEZ,
Census Information Center and
Data & Information, Director.

Mr. STARK. Mr. Speaker, I rise today to support the Development, Relief, and Education for Alien Minors, DREAM, Act of 2010.

Today we can open the door of opportunity to thousands of young people already living in America, who want to pursue the American dream.

Let us be clear about what this bill actually does. It will provide children and young people with the ability to serve their country or pursue higher education. It is not amnesty and it will not promote illegal immigration. This is a bipartisan bill that will provide a narrow group of undocumented young people who were brought to this country as children the chance to earn conditional permanent residency.

This bill sets up a rigorous ten-year process for achieving legal permanent resident status. It will not apply to any future immigrants, only those who are already in our country and meet several other conditions. A person can only qualify if he or she was brought to the United States by age 15, is under 29 years of age, has lived in the country for at least five years at the date of the bill's enactment, has good moral character, is without a criminal record, and has earned a high-school diploma, and its equivalent is eligible for conditional legal status. To maintain their status, these individuals have to complete two years of higher education or military service. After ten years, they can apply to become legal permanent residents. Beneficiaries are not eligible for any federal benefits, including food stamps, welfare, or health care.

The DREAM Act will boost our economy by creating economic opportunity for young people. The individuals that benefit from this bill will start businesses, buy homes, and pay taxes. Do we really want to be the country that deports the next Bill Gates or shuts out the next Steve Jobs from our school system because of their parents' immigration status?

Most importantly, this legislation recognizes that children must not be punished for the actions of their parents. Our immigration system must be fundamentally reformed, but denying an education and a place in our workforce to the children of undocumented parents will not help fix a broken system.

Every child deserves an education and a chance to succeed, no matter where they come from or what situation they are born into. Our country's top educators, military men and women, and business leaders all support this bill, and we should listen to them. I urge my colleagues to join me in supporting the DREAM Act.

Mr. ACKERMAN. Mr. Speaker, I rise today to urge my colleagues to support the DREAM Act. Simply put, the DREAM Act is an investment opportunity in our nation's future. Providing thousands of children the chance to legalize their status by either attending college or serving in our Armed Forces strengthens our economy by creating a new generation of Americans paying into Medicare and Social Security; it creates a new generation of Americans that are educated to compete in a high-tech future. And, most importantly, it empowers a new generation of Americans to further contribute to their communities and our country.

Mr. Speaker, I ask my colleagues who are opposed to this bill, why they insist on punishing children because of a decision not made by them. Many of these kids know no other country other than America, know no other language other than English, and know no other dream than the American dream. They never controlled their immigration status. It's not any more their fault that this is their country than it is the fault of your children that they are here. For many, they have never considered themselves anything but American.

For instance, one of my constituents from Corona, Queens, was legally brought to this country on a visitors visa by his father when he was just five years-old, but overstayed the length of his visa and is now undocumented. Ironically, his father is now a U.S. citizen, as are his siblings who were born in the United States. Now a young man, he was graduated from a prestigious local high school in June with honors. He was a star baseball player and outstanding role model in the community. Mr. Speaker, how is it in our national interest to place barriers between this student and a higher education? Let's not penalize him for an immigration status he did not choose. Let's not deprive our nation of the contributions he makes to our economy.

This is no amnesty bill. This is no free ride. They will get no unpaid benefits. DREAM Act beneficiaries must submit to security and law enforcement background checks, must be of ''good moral character'' as defined by law, undergo a medical examination, register for the Selective Service, and pay a significant fee in connection with the DREAM Act application. DREAM Act participants are excluded from the Affordable Care Act health-insurance exchanges. They are prohibited from receiving Pell Grants, Medicaid, Food Stamps, and other entitlements, and must pay their taxes. Under the act, after ten years of conditional non-immigrant status, this selective group of dedicated students can then, and only then, apply for a green card.

There is no contradiction in supporting the DREAM Act and enforcing immigration law. We can enforce the law, strengthen our borders, which we are doing, and have a humane and just immigration policy that doesn't needlessly deprive a generation of children of a higher education. These kids want to attend college. They want to serve their country. They want to be Americans. It is in our best interest to invest in them and give them that opportunity.

I urge my colleagues to join me in supporting this investment in the future of our nation and to support the DREAM Act.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of the ''American DREAM Act.'' I am proud to be a co-sponsor of this important legislation which reflects fundamental American values of opportunity, responsibility, and community. This legislation provides an opportunity for certain young men and women who demonstrate the responsible behavior necessary to earn the chance to become a naturalized citizen.

Specifically, the DREAM Act provides conditional permanent resident status to a limited number of persons each of whom must meet the following conditions:

1. Was brought to the United States when they were 15 years old or younger;
2. Has lived in the United States for not less than 5 years before the date of enactment;
3. Has been a person of good moral character, as defined by the Immigration and Nationality Act;
4. Must have graduated from high school, earned a General Education Development (GED) certificate, or admitted to an institution of higher education.

After 6 years in conditional permanent resident status, they can apply to remove the condition on their permanent residence if they have met the following conditions:

1. Maintained good moral character;
2. Have not abandoned residence in the United States; and
3. Graduated from a community college or has completed at least two years of postsecondary education in good standing towards a bachelor's degree; or
4. Served in the U.S. armed forces for at least two years and, if discharged, has received an honorable discharge.

The DREAM Act recognizes that there are a limited number of young people who, through no fault of their own, have been living in the United States illegally since childhood. For the vast majority of these young men and women, the United States is the only country they have ever known and is the one to which they have always pledged allegiance.

By providing those who have demonstrated good moral character the ability to integrate fully into American society through military service or a college education, the DREAM Act rewards responsible and productive behavior while at the same time invests in the future prosperity of our great nation.

I thank Chairman MILLER for his leadership in shepherding this bill to the floor and Congressman BERMAN, the author of this legislation, for crafting this legislation and for his perseverance over the past decade to get it passed. Because of their efforts the action we take today will make our country stronger, fairer, more just. And it will also make our Nation more prosperous in the long term by providing incentives and opportunities for higher education for thousands of students who each year are unable to attend college because of their immigration status.

The Congressional Budget Office estimates that the DREAM Act will reduce the deficit by $1.4 billion over the next 10 years through increased tax revenue. Similarly, a study conducted by UCLA also estimates that DREAM Act beneficiaries have the potential to generate from $1.4 trillion to $3.6 trillion in income throughout their working lives.

Each year, approximately 65,000 students graduate high school without the possibility of continuing their education due to their immigration status and less than 10 percent of these students will go on to pursue college. Not only do these talented, law-abiding young individuals lose out on their extraordinary potential, but as a Nation we also run the risk of losing out on a tremendous amount of economic growth.

Mr. Speaker, the American Dream Act gives these students the opportunity to continue their academic pursuits, be officially recognized by the country in which they have spent most of their lives, and realize everything the American Dream has to offer. Young, undocumented immigrants who have just graduated from high school deserve the opportunity to follow their dreams and should not have a ceiling placed on their future because of decisions made by others and circumstances entirely beyond their control.

During my visits to schools in my district, one of the most ethnically diverse in the nation, I have had the opportunity to meet many students who will benefit greatly from the passage of this legislation. These students have grown up attending schools in the United States and are intimately woven into our nation's fabric. It is time that we recognize these

students' achievements and allow them to step out of the shadow that prevents them from pursuing their dreams.

Mr. Speaker, when I was six years old I had a dream. It was to one day serve in this body as a Member of Congress. I am thankful to live in a country where dreams can still come true for little boys and girls who work hard and play by the rules. The DREAM Act will allow a limited number of innocent and worthy young men and women to realize their dreams and in the process make our nation better, stronger, and safer. That is why this legislation is strongly supported by the military services, the faith community, the business community, leading higher education organizations, and thoughtful commentators on both sides of the aisle, including the Wall Street Journal and the New York Times.

I urge my colleagues to join me in supporting the American DREAM Act.

Mr. HOLT. Mr. Speaker, I rise today in support of this bill.

There is no indication that we are closer to resolving the various interconnected problems of immigration that is roiling our country. I am disappointed that Congress has failed to pass comprehensive immigration reform. It is doubtful that Congress will pass such a bill this year, which is why I am glad the House is at least moving this very important and compassionate legislation.

As I have said on many occasions, I oppose illegal immigration and I am concerned about the influx of illegal immigrants into America. I am also concerned about the lack of effective border enforcement. We need to ensure that our first priority is securing our borders by providing additional tools and resources to those who patrol the border, and the 111th Congress has provided more funding for the Customs and Border Patrol than any other Congress in history. I believe we need to fully and effectively enforce our immigration laws, and I oppose blanket amnesty for those who have illegally come into the United States.

Unlike an earlier version of this legislation, the bill before us today does not automatically grant lawful permanent resident (LPR) status to anyone covered by the bill. Under the new House bill, conditional nonimmigrants must meet the bill's college or military service requirement after 5 years, at which point they must file a new application to extend their status for 5 additional years. Only after 10 years as a conditional nonimmigrant may a DREAM Act beneficiary apply for legal permanent resident status.

The bill also charges DREAM Act participants a significant surcharge of $525 upon filing an initial application for conditional nonimmigrant status and an additional surcharge of $2,000 when they apply to extend their status at year 5. Previous versions of the DREAM Act—including the most recent Senate bill—had no such surcharges. Additionally, the bill does not change the current federal restriction on in-state tuition for undocumented immigrants. Finally, only individuals who were brought to this country by their parents before they were 15 years old and who have been here at least five years and are age 29 or younger at the time of enactment are even eligible to apply for conditional nonimmigrant status under the legislation. Thus, this bill provides no amnesty and is most definitely not a "free ride" for illegal immigrants.

H.R. 6497 would provide an opportunity for students who grew up in the United States a chance to contribute to our country's well-being by serving in the U.S. Armed Forces or pursuing a higher education. Passing this bill is the right thing to do—morally and economically. The Congressional Budget Office (CBO) and the Joint Committee on Taxation (JCT) estimates that the bill will reduce deficits by approximately $1.4 billion over the next ten years. But that figure alone underestimates the enormous benefits to taxpayers because the CBO and JCT do not take into account the increased income that DREAM Act participants will earn due to their legal status and educational attainment. It is estimated that the average DREAM Act participant will make $1 million over his or her lifetime simply by obtaining legal status, which will bring hundreds of thousands of additional dollars per individual for federal, state, and local treasuries.

Indeed, as the Wall Street Journal editorialized last month,

"The Dream Act would create a pathway to citizenship for undocumented immigrant children who attend college or join the military. . . . Restrictionists dismiss the Dream Act as an amnesty that rewards people who entered the country illegally. But the bill targets individuals brought here by their parents as children. What is to be gained by holding otherwise law-abiding young people, who had no say in coming to this country, responsible for the illegal actions of others? The Dream Act also makes legal status contingent on school achievement and military service, the type of behavior that ought to be encouraged and rewarded "

I agree, which is why I will support this bill and urge my colleagues to do likewise.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the United States of America has a proud tradition of diversity. We are, after all, a nation of immigrants.

Yet we are also united by the American Dream—the ideal that all Americans, regardless of the circumstances of their birth, have the opportunity to prosper and succeed.

Note that the dream is not that everyone will be affluent, but that everyone will have the chance to achieve great things.

That is exactly what the DREAM Act offers to a select group of hard working young people. It applies only to those who were raised in the United States and went on to further their education or serve in the military.

It allows individuals who are truly outstanding to continue contributing to our nation's prosperity, without punishing them for the decisions of their parents or other relatives.

Let me be perfectly clear—this is not an amnesty program. The individuals covered by the DREAM Act are not being offered citizenship.

Initially they are assigned a conditional status, during which they are not eligible from most forms of government assistance. This includes Medicaid, food stamps, and federal grants.

After ten years, this limited group would be offered a chance or earn permanent immigrant status.

This is available only if the applicant can prove he or she has paid taxes; can read, write and speak in English; has maintained a good moral character; has lived continuously in the United States; and has either pursued higher education or military service.

He or she must also demonstrate that they are not likely to be deported, as this program is not meant to be a safe harbor for deportees.

Individuals who have benefited from the DREAM Act would be extremely constrained in their ability to sponsor family members for United States citizenship.

There is also a strict time limit—an individual must apply for conditional status within a year of graduating high school, entering college, or the date of the bill's enactment.

As you can see, the path laid out by this legislation is not an easy one.

There will be many individuals who want to take advantage of this program who will be denied.

There will be others who are inspired to greater heights of achievement, with the hope of attaining permanent immigrant status.

Our nation will only benefit from encouraging and retaining these exceptional young people. To do otherwise would belie the promise of the American Dream.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1756, the previous question is ordered.

The question is on the motion by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion offered by the gentleman from Michigan will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 3353, if ordered.

The vote was taken by electronic device, and there were—yeas 216, nays 198, not voting 20, as follows:

[Roll No. 625]

YEAS—216

Ackerman	Cummings	Gutierrez
Adler (NJ)	Davis (AL)	Hall (NY)
Andrews	Davis (CA)	Halvorson
Baca	Davis (IL)	Hare
Baldwin	Davis (TN)	Harman
Bean	DeFazio	Hastings (FL)
Becerra	DeGette	Heinrich
Berkley	DeLauro	Herseth Sandlin
Berman	Deutch	Hill
Bishop (GA)	Diaz-Balart, L.	Himes
Bishop (NY)	Diaz-Balart, M.	Hinchey
Blumenauer	Dicks	Hinojosa
Boswell	Dingell	Hirono
Boyd	Djou	Hodes
Brady (PA)	Doggett	Holt
Braley (IA)	Doyle	Honda
Brown, Corrine	Driehaus	Hoyer
Butterfield	Edwards (MD)	Inglis
Cao	Edwards (TX)	Inslee
Capps	Ehlers	Israel
Capuano	Ellison	Jackson (IL)
Cardoza	Engel	Jackson Lee (TX)
Carnahan	Eshoo	Johnson (GA)
Carson (IN)	Etheridge	Johnson, E. B.
Castle	Farr	Kagen
Castor (FL)	Fattah	Kennedy
Chu	Filner	Kildee
Clarke	Foster	Kilroy
Clay	Frank (MA)	Kind
Cleaver	Fudge	Klein (FL)
Clyburn	Garamendi	Kosmas
Connolly (VA)	Giffords	Kucinich
Conyers	Gonzalez	Langevin
Cooper	Gordon (TN)	Larsen (WA)
Costa	Grayson	Larson (CT)
Courtney	Green, Al	Lee (CA)
Crowley	Green, Gene	Levin
Cuellar	Grijalva	

Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Perriello
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rangel
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Speier
Spratt
Stark
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Woolsey
Yarmuth

NAYS—198

Aderholt
Akin
Alexander
Altmire
Arcuri
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Biggert
Bilirakis
Bishop (UT)
Blackburn
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Capito
Carney
Carter
Cassidy
Chaffetz
Chandler
Childers
Coble
Coffman (CO)
Cole
Conaway
Costello
Crenshaw
Critz
Culberson
Dahlkemper
Davis (KY)
Dent
Donnelly (IN)
Dreier
Duncan
Ellsworth
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gohmert
Goodlatte
Graves (GA)
Graves (MO)
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Higgins
Hoekstra
Holden
Hunter
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kanjorski
Kaptur
King (IA)
King (NY)
Kingston
Kissell
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lipinski
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Owens
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rahall
Reed
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Ross
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Schrader
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Space
Stearns
Stupak
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walden
Wamp
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—20

Berry
Bilbray
Blunt
Buyer
Cohen
Delahunt
Fallin
Gingrey (GA)
Granger
Griffith
Kilpatrick (MI)
Kirkpatrick (AZ)
Marchant
Marshall
McMorris Rodgers
Mollohan
Radanovich
Schiff
Stutzman
Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining on this vote.

□ 2101

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Madam Speaker, on rollcall No. 625, I am not recorded because I was unavoidably detained. Had I been present, I would have voted "nay."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of the proceedings is in violation of the rules of the House.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4994. An act to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 3036. An act to establish the National Alzheimer's Project.

A message from the Senate also announced that the Secretary be directed to communicate to the Secretary of State, as provided by Rule XXIII of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, and also to the House of Representatives, the judgment of the Senate in the case of G. Thomas Porteous, Jr., and transmit a certified copy of the judgment to each.

JUDGMENT

The Senate having tried G. Thomas Porteous, Jr., U.S. District Judge for the Eastern District of Louisiana, upon four Articles of Impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present having found him guilty of the charges contained in (Article I/Article II/Article III/and Article IV) of the Articles of Impeachment: It is, therefore,

Ordered and adjudged, That the said G. Thomas Porteous, Jr., be and he is hereby, removed from office; and that he be, and he is hereby, forever disqualified to hold and enjoy any office or honor, trust, or profit under the United States.

TREATING AMERICAN SAMOA AND NORTHERN MARIANA ISLANDS AS SEPARATE STATES FOR CERTAIN CRIMINAL JUSTICE PROGRAMS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 3353) to provide for American Samoa and the Commonwealth of the Northern Marianas to be treated as States for certain criminal justice programs.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 2110

AG JOBS

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Mr. Speaker, toiling on America's farms is no easy job. Few people are willing to endure the heat, cold and misery of stooping in the fields—or the low wages. Today, an estimated 75 percent of the farming workforce is undocumented. This is bad for everybody.

Undocumented workers are easy prey for exploitation and are unable to assert their rights. Farm workers talk of unbearable heat, poor living conditions, even abuse; and they have no one to turn to for help. Growers complain about the labor shortages that can spoil their crops. I have heard how farms struggle to maintain reliable, legal workforces to prune, pick and pack food for America's tables.

Farm workers and growers need immediate relief to ensure that agriculture, especially in California, continues to thrive. That solution is ag jobs. Now that the House has passed the DREAM Act, I urge the Senate to pass both bills soon so farms can continue to operate, and students can achieve their dreams as we work on a permanent fix for this broken system.