large cap companies start to spend out as well, it is important to the overall economic recovery.

I would ask my friend and my colleague, the leader on this important piece of legislation, if she might have some ideas as well about how we meet that appropriate long-term financial goal of making our financial standards appropriate, but not send this mixed message to regulators so that those small business loans that are still performing have the appropriate forbearance to get through this trough in the recession.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, the Senator from Virginia is absolutely correct. He has put his finger on two pending and very serious problems. One is the regulation direction being driven by some of the new legislation we have passed. Of course, he would know this, because as a member of the Banking Committee, he has been such a strong advocate for commonsense regulation and supporting community banks. So he is absolutely correct. And you do have my commitment, through the Small Business Committee, to keep this issue alive and in view so that we can find some appropriate solution. I think the Senator raises an absolutely very key point.

The second point the Senator from Virginia has put his finger on is the $2 trillion in capital sitting there. One thing that makes further interest is the zero capital gains rate in this bill, should they take some of that $2 trillion in capital and invest in some small businesses that have a capitalization level below $50 million. That is one thing that could help encourage them. They will pay no tax, none, on the money they earn through that investment, which should be an incentive.

But there are some additional things I think we can do. I want to work with the Senator from Virginia because his leadership is very much needed at this time, with his particular background as a successful business person, as a Governor. So the Senator is right, this bill is not a silver bullet. It is a good first step. But there are some other things we need to do as quickly as we can. I look forward to working with the Senator on those two and others in the weeks to come.

Mr. WARNER. Mr. President, again I will close my comments and thank the chairman of the Small Business Committee for her leadership on this bill. We would not be here today but for her relentlessness on this legislation.

This legislation has had more hurdles, many of them false hurdles, put in its face, and Senator LANDRIEU does not know how to say no when it affects the well-being of small businesses, which are the lifeblood of job creation coming out of a recession.

I thank her for her leadership.

I yield the floor.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the time in recess for the caucus luncheons count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

(Thereupon, at 12:40 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BEGICH).

SMALL BUSINESS LENDING FUND ACT OF 2010—Continued

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent to be recognized as in morning business for such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

DON'T ASK, DON'T TELL

Mr. INHOFE. Mr. President, with all the talk about the small business bill and about the fact that we have an administration, with a majority in the House and the Senate, that has amassed unbelievable debts, raising it up to $13 trillion, and a deficit of $1.4 trillion in just 1 year, the first year, people have forgotten other things that are going on.

I am very much concerned, being the second-ranking member of the Senate Armed Services Committee, about the national defense authorization bill, which we have passed every year in all the years I have been here. Generally speaking, it is one we can bring out on the floor, Members can offer amendments, and normally it takes 2, 3, sometimes 4 weeks, and longer, to pass it. But certainly, particularly during times of war, it is the most important piece of legislation we have.

I do not know what the majority is going to do. I just keep hearing rumors that they may very well not be wanting to bring it up or may bring it up by ''filling the tree,'' a little technical term, so Republicans would not be able to have amendments on the bill.

Well, this is very much a concern of mine. I think it puts them in a position where they can say: Oh, Republicans certainly are going to vote for the Defense authorization bill. In times of war, we have to do it. Well, we do. But there is a limit as to what they can put in there that is purely right down party lines.

There are a couple issues I wish to talk about in the Defense authorization bill that ended up being right down party lines. One is the issue of don't ask, don't tell. But before doing that, I would like to suggest that in May, in the final meeting we had of the Senate Armed Services Committee, we passed this out, and two amendments were added on the very last day by the Democrats, and they were passed virtually by all the Democrats right down party lines. One was opening our military hospitals for abortions, and that is something we need to talk about, but the other one was one we need to talk about more right now because this is the issue that so many people are not aware of. That is the repeal of don't ask, don't tell.

I remember back in 1994, I was in the House, running for the Senate, and one of the three issues that was very prominent in that race, which I won, concerned gays in the military. At that time, there were some efforts saying: Well, we want to acknowledge gays in the military so they can be open in their practices and all that. Well, a compromise was reached that I did not think at the time was all that good of an idea. But that was 1993, I guess, the latter part of 1993. It has worked for—what—17 years. It was called don't ask, don't tell; that is, if someone wants to serve who is a gay person, a man or a woman, in the military, that person can do it if that person is not out in the open. The whole idea of this thing was so they could not use the military as a forum to advance very liberal causes.

I am a veteran. I can remember when I was in the U.S. Army, and anyone who is a veteran knows the problems that would be associated with the practice of repealing don't ask, don't tell so people are openly gay in the military. You are going to have all kinds of billeting and other problems.

So I think when the discussion came up that we were considering doing this, the Secretary of Defense, Secretary Gates, did the right thing on February 2 of 2010. He said: Let's go ahead and have a study. Let's have an independent study as to how unit cohesion and readiness would be impacted if we repealed don't ask, don't tell.

In addition to the study, this is also going to conduct a survey of military members, people who are out there, in asking: Well, what is your feeling? You are out there in the fields, in many cases, out in the foxholes. What is your feeling about having open gays in the military?

So they were all getting ready to respond to this when a surprise took place, when the Democrats, almost straight down party lines, came out and said: Well, we are going to go ahead and repeal it anyway. They worded it in such a way that we will repeal it, but, of course, that will not take place until after the study is complete. The study was to be completed in December of this year. It was going to be a 12-month study. All the Members of the military were going to participate in that.

I can remember as recently as April 28 Secretary Gates and the Chairman of the Joint Chiefs of Staff, Admiral Mullen, said—and this is a joint statement:

[We] believe in the strongest possible terms that the Department must, prior to any legislative action, be allowed the opportunity to conduct a thorough, objective, and systematic assessment of the impact of such a policy change.

Well, I was all for that. They were right, along with all the rest of the chiefs of the military and all the troops in the field. Of course, they obviously changed their minds. But if you want to know the effect, you need to go and talk to the troops in the field, and then you need to talk also to the chiefs of the military.

I am going to go ahead and quote, so I can get it in the RECORD now, exactly the feelings of those Chiefs of the four services and what they are recommending. I am so sick and tired of having the administration make those decisions without any consultation of the people in uniform. We are going through that right now in some of the things that are going on in Iraq and Afghanistan. The policy should be: The people in uniform know what to do. Quit trying to dictate their behavior.

Well, anyway, General Casey, the Chief of the U.S. Army, said:

I remain convinced that it is critically important to get a better understanding of where our Soldiers and Families are on this issue, and what the impacts on readiness and unit cohesion might be. . . .

He said:

I also believe that repealing the law before the completion of the review—

That is the one that is supposed to be completed in December—

will be seen by the men and women of the Army as a reversal of our commitment to hear their views before moving forward.

That is exactly what we are saying. We are saying: All right. We wanted your views, but we are not going to listen to your views now.

Admiral Roughead of the U.S. Navy said:

We need this review to fully assess our force and carefully examine potential impacts of a change in the law. My concern is that legislative changes at this point, regardless of the precise language used, may cause confusion on the status of the law in the Fleet and disrupt the review process itself by leading Sailors to question whether their input matters.

Obviously, their input does not matter now because they have already made that decision.

General Conway, of the U.S. Marine Corps—he is the Commandant—said:

I encourage Congress to let the process the Secretary of Defense created run its course. Collectively, we must make logical and pragmatic decisions about the long-term policies of our Armed Forces—which so effectively defend this great nation.

General Schwartz, of the U.S. Air Force, said:

I believe it is important, a matter of keeping faith with those currently serving in the Armed Forces, that the Secretary of Defense commissioned review be completed before there is any legislation to repeal the don't ask, don't tell law. Such action allows me to provide the best military advice to the President, and sends an important signal to our Airmen and their families that their opinion matters. To do otherwise, in my view, would be presumptive and would reflect an intent to act before all relevant factors are assessed. . . .

Well, I agree with all that. These are the guys in the field. They are the ones who are making this decision. Yet, on May 27, both Gates and Mullen, who had already stated they should wait until after this study is completed—that would be in December—on May 27, they had what they called a compromise. Basically, the compromise is saying: Well, we are going to go ahead and repeal it. That was the motion that was in the last day before we passed the Defense authorization bill out of the House, and the same thing, the Defense authorization bill of the Senate.

Why did they change? Why did Gates and Mullen change? Gates and Mullen answered to the President. The President, I truly believe—and I hate to throw this into it—but, obviously, this is something the vast majority of people in America would like to see happen the way we had said it was going to happen, so we could evaluate the effect on readiness and the effect on our troops in the field, the effect on the war that is taking place right now. Yet they went ahead and reversed that, and, again, that was right down party lines.

There are so many other things having to do with this that are critical. Obviously, current chaplains are not able to be heard. But we have a letter from 41 of the retired chaplains stating that ''normalizing homosexual behavior in the armed forces will pose a significant threat to chaplains' and Servicemembers' religious liberty.''

So we have this that is taking place right now.

I know a lot of people are concerned, as I am concerned, with a ruling that came from a district court out in California. This ruling came out and said: We think it is a violation of the first amendment rights of homosexuals not to be able to express their preferences in any way they want.

However, the military is different. It is my understanding—and I am not a lawyer—this ruling may not have any effect. In fact, there is an article. It was on FOX News this morning: ''Pentagon: No Plans To Change 'Don't Ask, Don't Tell' Policy After Court Ruling.'' Well, that was good news to me because I thought maybe it was all over once the courts ruled.

But the only thing they would go through now with the compromise, they call it, that they passed, is that you would have to have Admiral Mullen, the Chairman of the Joint Chiefs of Staff, Secretary of Defense Gates, and President Obama making the statement as to what they prefer. That is why I say this is over and done with, unless we have an opportunity to bring out the Defense authorization bill and to offer amendments on the Defense authorization bill. I have to tell you, there are several Democrats now who have joined Republicans in wanting to stop the repeal of don't ask, don't tell or at least to wait until this study is completed.

But if you do not think the three I just mentioned have already made up their minds, I will go ahead and read their statements.

President Obama:

This year, I will work with Congress and our military to finally repeal the law that denies gay Americans the right to serve the country they love because of who they are.

Secretary Gates:

I fully support the president's decision. The question before us is not whether the military prepares to make this change, but how we best prepare for it.

Admiral Mullen:

Mr. Chairman, speaking for myself . . . it is my personal belief that allowing gays and lesbians to serve openly would be the right thing to do.

So you have to ask the question, Why? What was wrong with waiting until December? I will tell you what is wrong: because there is an election that is taking place November 2 and the gay lobby is a huge lobby. I think we all know that. All these people who think they have not been liberal enough, I cannot imagine there is anyone in America today who thinks this administration has not been liberal enough. But these individuals are the ones who want to have this done before the November 2 elections. I can think of no reason at all that they would take this stand other than the political reason.

So here is what I believe. I think we are going to have to make a decision. I would certainly hope the majority leader and the Democrats who have this policy will allow this to come up and come up as soon as possible and allow a full and open debate, as we have always had. There is not a time in the history of this country that we have brought up a Defense authorization bill, particularly in time of war, without allowing everybody to get in there and to offer amendments. Perhaps it could be argued this is the most important bill of the year.

So I am hoping people start talking about it. That is why I am bringing it up today. The fear I have is this is going to be shoved down our throats by the majority, and we cannot let this happen.

Right now, we have a lot of men and women over in the various areas of combat. I have had the honor of being over there many times. I have worked with these individuals. We have more than our share in my State of Oklahoma. Our 45th is going to be going back over there. I would like to make sure these guys and gals know we are listening to them.

A lot of people criticize me and others for spending so much time over there, but there are so many things we find out when we are over there—things we can't get in hearings back here. I am talking about finding out, as we did over there, about the need for

the MRAP and some of the other capabilities we need to have so we can come back and make sure our kids who are over there fighting have everything they want. The very least we can do is keep our word, when we promised them that we are not going to do anything until we hear back from our military, our soldiers in the field, as to what they feel about the repeal of don't ask, don't tell. It is a very significant issue and it is one we are going to have to talk about this week.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. BURRIS. Mr. President, we are in the process of debating the small business bill. I am so grateful to the distinguished Senator from Louisiana who has fought so hard to get this bill through the process of cloture, including an amendment attached to that piece of legislation which makes available $30 billion for the community banks to help out small businesses. I hate that it has taken so much time to get these important pieces of legislation through this body and out where it will benefit those needing it. Based on that, I am hoping we will bring this piece of legislation to a very speedy and expeditious close and that we will not continue to find political maneuverings to hamper the passage of this small business bill.

For the last 2 years, this country has been held in the grips of an unprecedented economic crisis. The housing market collapsed. The bottom dropped out of Wall Street. For the first time in generations, many Americans felt their hard-earned economic security begin to slip away. Too often, the focus of legislation has been on Wall Street rather than on Main Street. We have made some significant progress since the onset of our current crisis, but we still have a very long way to go, especially in creating new and sustainable jobs.

But this is an election year, and that means partisan bickering is on the rise.

So I believe my colleagues and I have a decision to make. We must make a decision. We can focus on winning the next news cycle, pitting Republicans against Democrats and falling into the same tired political battles that usually consume election years in Washington or we can reach for something better. We can tune out the partisan fights, reject the failed policies that got us into this mess, and prove to the American people that we have the will to make tough decisions to get our collective economy on the move again.

Our recovery is far from complete. We need to create more jobs. We need to bring American families more relief. Government can put people to work, but only the private sector—especially the small business sector—can create real and lasting employment. I believe that if we fail to continue the bold policies that pulled us back from the brink of disaster—if we shrink away from the difficult decisions that will move this recovery forward—then we place our economy at risk by slipping back into a recession.

This is a time for bold action, not pointless ideological battles. The Small Business Lending Act will move this economy forward in real and tangible ways. That is what the American people want and need, and they are asking us to get about the business of doing it.

The bill before us gives small businesses $12 billion in tax cuts. It helps small businesses create 500,000 new jobs. It incentivizes and increases small business lending. It helps small business owners access private capital to finance expansion and to hire new workers. That is where the jobs are going to be created, is with these small businesses we are now seeking to help. It rewards entrepreneurs for investing in new small businesses. It helps Main Street businesses compete with large corporations.

Just this past Friday, I hosted a small business forum in Chicago at Chicago State University and I spent the day talking with business owners from all walks of life from all over my State and from a wide range of industries. Everyone I spoke with said the same thing: We need help now. Pass the legislation. That is what they were telling me.

Tomorrow I will host a small business forum in partnership with my good friends over in the other Chamber, in the House of Representatives, including Congressman LACY CLAY of Missouri and Congresswoman YVETTE CLARK. Together, we hope to work directly with these small business owners to get capital flowing again.

These entrepreneurs are not asking for a handout from this government; they are asking for the tools and resources to grow themselves, to work and to build within their communities, and to create jobs for hard-working Americans. That is what they are asking for. Everyone I spoke with reminds me that there are many ways each of us can act to advance the interests of each of those small businesses in our own States. But together, by acting collectively and by supporting this bill, we can take a major step forward in strengthening our American economy.

As I have reminded this Chamber before, long before I entered public service, I was a banker. As a matter of fact, I was the vice president of the largest bank in my State. It no longer exists now, but it was Continental Illinois Bank and Trust Company. We were the seventh largest bank in America at that time. I ran a division that loaned money to small businesses. So I have firsthand knowledge and information of what it takes to finance and to run these businesses, because if I loaned you the bank's money, you were going to pay me back. It was not my money, it was the depositors' money, and I had to be the custodian of that money. Guess what. Just last Friday in Chicago, we celebrated the 40th anniversary of a company called Central City Productions—the largest black-owned production business in America—that produces TV programs and other marketing and competitive programs for the communities. They have been in business for 40 years. I loaned that young man in those days $50,000. Of course, that was 1970, and $50,000 went a long way then. It probably would take about $1 million to do what we did with $50,000 then, in today's market. So that is the knowledge I bring before this body and to this legislation we have on the floor: Knowing what small businesses take; knowing what we need to do to help those companies get the resources they need so they can get their inventory, so they can get their line of credit, so they can then put their people to work and sell their goods and services to their respective customers.

There is no greater investment we can make if we are serious about sustainable job creation and growth and to encourage investment and loaning to small businesses.

So I call upon my colleagues in this great body to seize this opportunity. Let's keep America on the road to recovery and restore the hard-earned security of ordinary folks who have suffered because of bad decisions on Wall Street. It will not be easy, but it is our responsibility, and it is the right thing to do. We have that responsibility. We have no other alternative than to, as the old saying goes, do the right thing. We must make sure this legislation is passed. We should start by increasing our support right now for this legislation for small businesses. These companies foster progress and they foster innovation. They have the power to create jobs and direct investment to local communities, where it can have the most and greatest impact and make a difference in our economic status.

Small businesses form the backbone of our economy, but in many ways they have suffered the most as a result of this economic crisis. That is why this sector should be targeted for our strongest support. There should be no debate about this. It should not be Republican or Democrat. This should be about helping America create jobs. We have outsourced all our jobs already to the foreign markets, which have shipped the manufacturing jobs out to other markets. We have to get back to manufacturing. Our small innovative companies should come back in so they can then create manufacturing jobs, so we can have value-added products and continue the workstream for people to be employed.

I ask my colleagues to reject the tired politics that got us into this mess and embrace the spirit of bipartisanship that can lead us out of this mess.

On behalf of small businesses, I call upon this body to take action. Our economic future may be uncertain, but with the Small Business Lending Act, we have the rare opportunity to influence that future. So let's pass this measure and guarantee some degree of

relief for the people who continue to suffer the most. Let's renew our investment in America's small businesses and rely on them to drive our economic recovery. Let's do it now. Let's do it today. Let's don't even do it tomorrow.

Thank you. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. I ask unanimous consent to speak as in morning business for as much time as I may consume and ask that the time be counted against the postcloture time.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN JOBS

Mr. DORGAN. Mr. President, this country, as all of us know, faces very significant challenges these days. We have roughly 20 million people who woke up in America today without a job, who probably are out today looking for work and haven't found it yet. It is a pretty tough thing in a severe economic downturn—the worst since the Great Depression of the 1930s—to find that you lost your job, and in some cases your home, and you have lost hope and you wonder what is next for you and your family.

I suppose it is in keeping with our politics these days that, at a time when we face the most significant economic challenges since the Great Depression, if you stop and watch and listen and hear the sounds of democracy, which sound a little like fingernails on a blackboard sometimes, what you hear on the news is something about someone's dysfunctional behavior somewhere. Someone does something absolutely goofy, just a nutty activity, and all of a sudden, it is on the 24/7 news.

In the last couple weeks, I have been traveling and hearing on the television, radio, and in print about some nut from Florida—apparently a minister with a church of 50 people—who decides he is going to burn the Koran. We heard about it every day, all day. There is some suggestion that if you give this a lot of publicity and hold it up to the light and say, ''Isn't it ugly?'' you would say, ''Yes, but it is not America; it is just some nut.'' You find someone's dysfunctional behavior and say, ''Isn't this awful?'' Sure, it is awful, but that is not the backbone of this country or what this country is about.

We have to begin talking about what really matters to put this country back on track and to give people some hope for the future, that they are going to see more opportunity, that they are going to see expansion of hope and opportunity for themselves, their families, and their children.

I think it is true that of all of the issues that matter most at this point, it is, how can you put people back to work? There is no social program that we debate in Congress that is more important than a good job that pays well. That makes almost everything else possible. If you have a good job that pays well, with job security and benefits, it allows you to take care of your family and do the other things that expand your opportunities in this great country.

I have watched and observed what is happening, and I participate in the debates in the Congress about what is happening in our country. I am very worried about this issue of trying to turn the faucet on to create new jobs in America at the very time the drain is open, with jobs moving outside of this country very quickly.

I have spoken about this and have offered 4 amendments over 9 or 10 years, and I have gotten anywhere from 40 to 47 votes on an amendment that says: Let's decide to stand up for employment in America, stand up for jobs here. Let's shut down the insidious, perverse tax incentives that tell American businesses that if you shut down your business in America, fire your workers here at home, and you move it to China or Mexico, we will give you a big fat tax break. That is true. We have a tax incentive to say: Get rid of your American enterprise, ship it overseas, move it to Mexico, and we will give you a tax cut. I have tried four times in votes on the floor of the Senate to shut that down, and I lost all four times. But we need to try it again. We need to do this, especially when you have the deep economic abyss into which we have fallen. We now need to say to people that we are going to stand up for employers, those who run the manufacturing plants in this country, those who hire American workers, those who produce products that say ''Made in America'' on the label. We are going to stand up for them, and we are not going to continue to give tax breaks to those who decide to do exactly the opposite and move their jobs overseas.

I am going to talk about a few of those circumstances. I have done it many times, and sometimes people roll their eyes when I do. But it is important, it seems to me, to continue to talk about this failure in our economic system.

The American Prospect—a magazine I was reading a while back—estimates that since 2001, there are 42,400 American factories that have closed their doors. Roughly three-fourths of those employed over 500 people. Why is that happening? Why is it that American factories are closing? Does it matter? Do we believe America will long remain a world economic power if it doesn't have world-class manufacturing? I don't. It will not be a world economic power without world-class manufacturing capability, and very quickly, it is dissipating. We are losing jobs and economic strength in the manufacturing sector. We see additional evidence of it every day.

Here is a June New York Times piece:

> In Indiana, Centerpiece for a City Closes Shop.
>
> Whirlpool plans to close a plant on Friday and move the operation to Mexico, eliminating 1,100 jobs here [in Indiana]. Many in this city in southern Indiana are seething and sad—sad about losing what was long the city's economic centerpiece and a ticket to the middle class for one generation after another.

That is Whirlpool—1,100 jobs.

Last week, I was in Pennsylvania with Congressman SESTAK, in Philadelphia. I told a story that I have known pretty well about something that happened in Pennsylvania. I told it on the floor many times. It is about something called Pennsylvania House Furniture, which is upper end, fine furniture, made by craftsmen. It is very good furniture. They worked for over 100 years, using Pennsylvania wood, to create Pennsylvania House furniture. Then one day the company was bought by La-Z-Boy, and La-Z-Boy decided: You know what, we are going to get rid of those craftsmen who work in Pennsylvania and ship these jobs to China. What we will do is continue to use Pennsylvania wood, but we will just ship the wood to China and have the Chinese fashion it into furniture and then send it back to sell in the United States and call it Pennsylvania House furniture.

What most people from Pennsylvania and across the country probably don't know is that on the last day of work, when those workers lost their jobs, after a century of making fine furniture in Pennsylvania, the last piece of furniture came down the line completed, and they turned it over and all of the craftsmen at Pennsylvania House furniture autographed it. Someone in America has an autographed piece of furniture by the craftsmen who cared so much about their jobs and had such pride in making the best furniture they could make. And then the jobs were gone. All the wood was sent to China and the furniture is sent back, and you have nearly 500 people out of work. So much for the story of Pennsylvania House furniture. Does it matter that we don't make Pennsylvania House furniture in this country? Well, it sure matters to the 500 or so people for whom it was their career, a job that made a difference for their families. It made a difference to them because they were out of work.

I just mentioned Whirlpool deciding to get rid of 1,100 jobs. Well, it is interesting, here is a story in the Indiana Economic Digest. It says:

> U.S. based manufacturers are shipping jobs overseas.

That is a familiar story.

> Whirlpool is just one local example of a story that has played out across the nation for decades.
>
> The appliance-maker is in the process of shutting down its Evansville refrigerator plant. March 26 was the last day for 455 [people in that plant.]

Those jobs will go to Mexico in late June.

But then it says something different. It says:

> But not all local manufacturers are interested in moving overseas.
>
> HMC manufactures and refurbishes large precision gears and other machinery components. . . . The company has 75 employees. It has never laid off an employee.
>
> Robert J. Smith III, the company's president and chief executive officer, is dead-set against ever moving production overseas.
>
> ''We wouldn't consider it in a 100 years.''

His grandfather and grandmother started the company in 1921. ''Offshoring in search of higher profits is a mistake,'' Smith said, ''because it ignores manufacturing's larger purpose in U.S. society.'' And here is what he says finally:

> It's my belief that every American citizen, not only me, should feel strongly about maintaining one of the most important cultures we have, and that is manufacturing.

I have used examples previously—and I will again—because I think repetition is important. The peppermint pattie called York—it is a tiny little peppermint pattie in a silver encasing. It is made by Hershey's Chocolate, by the way. It says: ''The cool refreshing taste of mint dipped in dark chocolate will take you miles away.'' It sure did that. It took it all the way to Mexico. They decided to fire those American workers, and that mint chocolate went to Mexico to be produced.

The list is actually pretty endless. I just described Whirlpool, 1,100 jobs. They received millions in Recovery Act funds, and yet announced 1,100 job cuts—by the way, this is the long walk on the last day of work at a manufacturing plant. You go there to make it a career and then all of a sudden you discover the job is not there. Some foreign country has that job because America has decided to reward those who leave as opposed to those who stay.

If you wear a Reebok NFL jersey—and a whole lot of folks wear these jerseys—this is made in a Chinese-owned sweatshop in El Salvador. How do we get to the point where it is not just made in El Salvador but it is made in a Chinese sweatshop in El Salvador? This has to do with various trade agreements we have made where we incentivize the production of these being made in the lowest common denominator sweatshop wage area in the world. This Reebok jersey is made in El Salvador by a working man who lives in this so-called house. That working man makes less than $1 for an $80 Reebok jersey.

I have spoken on the floor of the Senate at great length about underwear—Fruit of the Loom underwear. I have said—and I know it is not chic to do so—I said I understand losing one's shirt, but Fruit of the Loom left the country with all of its underwear. It used to make underwear in America, and people appreciated those jobs. Fruit of the Loom left.

As we know, Fruit of the Loom was advertising with dancing grapes. They put men and women in fruit uniforms. I do not know where one gets a grape uniform, but they march them down a road and put it on television and they all sing and sound happy—happy for reasons I do not understand because all those Fruit of the Loom jobs, all that underwear is made elsewhere.

One might say: Who cares where underwear is made. I suppose the people who made underwear in the United States care because they had jobs at Fruit of the Loom, but it is gone.

I have spoken at great length about Huffy bicycle and shall not speak at great length today except to say this. Anyone who purchased a Huffy bicycle at Wal-Mart or K Mart was purchasing a bicycle made in Ohio, made by wonderful workers who had a career making Huffy bicycles. They made Huffy bicycles for many decades. They made $11 an hour plus benefits to make these bicycles. Now the bicycles are gone. Now they are made in China.

This is actually a trifecta. Everything that could have gone wrong went wrong. The company decided to fire American workers and build the bicycles in China. Then they declared bankruptcy and left American workers with no pension program so that the pension would have to be paid by the taxpayers out of the Pension Benefit Guaranty Corporation. And now China owns the brand. They got the company, the brand, make the bicycles, the workers got fired, and the American taxpayer got to pick up the pensions. It is unbelievable when you think about it.

Is this fair trade? I do not think so. It is a decision by a lot of people to decide we are going to move our manufacturing overseas.

Every young child has ridden in a Radio Flyer wagon, a little red wagon. They made those for 100 years in Chicago, IL. They do not anymore. They are all made in China as well.

I know where these are made. I know where Huffy bicycles are made. I know they are made by people who make 50 cents an hour and work 12 to 14 hours a day, 7 days a week with never a Sunday off. Is that with what we want the American people to compete—a lower standard of living? Is it probably something we would like to do to help lift others in the world, or is it we want Americans to compete with the lowest common denominator, lowest wages, the workplace with the worst safety record? Is that what we want?

Those are other issues. The issue I came to talk about is the issue of what about the fact the company that makes the little red wagon and the Huffy bicycle and the York mint pattie and, yes, Fig Newton cookies—by the way, if you are wondering about Fig Newton cookies, they went to Mexico. They were made in New Jersey. Apparently when you make Fig Newton cookies, there is someone who shovels fig paste. You can get someone shoveling fig paste a lot less expensively by hiring them in Mexico rather than New Jersey. If somebody says, Let's get Mexican food, just buy Fig Newton cookies. They escaped to Mexico. The jobs are gone, and somebody down south is shoveling fig paste because you can pay cents on the hour to get that kind of labor.

The question is: Does it matter? Does anybody care? Does it matter that we do not produce Fruit of the Loom shorts and t-shirts, that we do not produce little red wagons, Radio Flyer, that we do not produce Huffy bicycles, that we do not produce Pennsylvania House furniture, that Whirlpool refrigerators are made in Mexico, that product after product has gone to China?

The fact is, people on this floor in this Congress and in other Congresses have voted affirmatively to say: We want to reward those who leave our country. We want to give you a tax break. Four separate times we have had votes on these issues, and four separate times the majority of the people in the Senate have said: We believe in giving tax breaks to those who ship American jobs overseas.

The reason I raise this issue today is this: We have about 20 million people who are out of work today. They want to find work. They want a job and cannot find one. Everybody talks about restarting this American economy. How about trying to find a sparkplug that will lift the American economy? What is that? If you are going to keep the drain open, how are you going to fill the tub? You can work with the faucet on all day long, but if you have the drain open, Whirlpool decides one day, We are moving 1,100 jobs out of this country—and the list goes on and on—where are the jobs going to be? Who is going to incentivize the creation of new jobs? We have to do this. It is our responsibility. It is not our responsibility to provide economic recovery for the Chinese economy or the Mexican economy. It is our responsibility to try to see if we cannot restart this economic engine at home. It seems to me implausible that at least a majority of the Members of the Senate would not understand that we need to stand up for American jobs.

I understand, because I have been involved in many trade debates and I subsequently wrote a book about it, that when you start talking about standing up for American jobs, there are a bunch of pointy-headed folks with thick glasses who call you a xenophobic isolationist stooge. You just don't get it; it is a world economy, Mr. DORGAN; you don't have the foggiest idea what you are talking about. Oh, really?

All those people who say that wear dark suits, take showers in the morning, and have never been unemployed. Isn't that a great thing? How about people who require taking a shower after work because they worked hard, and find out they lost a job because pointy-headed folks describe a world economy that reduces all the standards we built up over a century?

Think of the problems we went through to try to create the circumstances that built an expansion of the middle class in this country. Just think of it. In my book, I describe James Fyler, and I probably should not have. I said he died of lead poisoning. He was shot 54 times. Why was James Fyler shot in the early part of the last century 54 times? Why did he give his life?

Here is the radical proposition that James Fyler felt: He felt that people who went underground to dig for coal in this country ought to have an understanding that they are working in a workplace that is safe and ought to be paid a fair wage. For that he gave his life because that was unbelievably radical: insisting on behalf of workers that they work in a safe workplace and be paid a decent wage.

We went through all of that and finally said: A safe workplace is important. We have to protect workers. A fair wage, a minimum wage, is important—all of these things that we went through to lift up America and expand opportunity and put people to work. We have been through that and at great struggle, at really great struggle.

Yet now in the last decade and a half, the question is: Isn't that all old-fashioned? It is a world economy. Why can you not compete with a Chinese sweatshop in El Salvador making Reebok football jerseys? Why can you not compete with a worker in Shenzhen, China, willing to work for 50 cents an hour, working 7 days a week, 12-to-14-hour days? I say to you, the people at Huffy bicycle would have said: We cannot compete with that. We cannot live on those wages. And the people who employed them said: We don't care. Your jobs are gone.

The last day of work at Huffy bicycle in Ohio, when they were all fired and all those jobs moved to China to make those bicycles, those workers left in the space where their cars parked at the plant, in the empty space they left a pair of shoes. That parking lot was filled with empty shoes, not cars. It was a plaintive way for those workers to say to those companies that fired them: You can fire us and get rid of our jobs but you will never replace us. You will never replace us.

It seems to me if people in this country are wondering about where will the jobs come from, who is going to stand up for the economic interests of this country—no, not cut us off from the rest of the world, not suggest we are not part of the global economy, but rather suggest we will attempt to lift the rest of the world by saying: Here are the conditions under which we will involve ourselves in the global economy.

We are a country with a huge trade deficit with the country of China. This year I suspect it will be between a $200 billion and $250 billion trade deficit with the country of China. Our trade deficit this year generally will probably be around $600 billion, perhaps a little less. Last month it was a $50 billion trade deficit. No country can continue with this. It is not sustainable. You cannot sustain a country by hollowing out the manufacturing base and deciding manufacturing does not matter, yet we want to remain a world economic power. You cannot sustain a country that says we are going to do $50 billion a month in trade deficits and that doesn't matter either. A trade deficit ultimately is going to be repaid with a lower standard of living in this country.

We have a responsibility, and that responsibility now is to find a way to begin stopping the hemorrhaging of jobs overseas and decide to reward those companies that decide they are going to keep jobs in this country.

I just read this today about HMC manufacturers and Robert Smith III, the company's president and chief executive. Good for him. He said: We wouldn't consider moving our jobs overseas, not in a hundred years. ''Outshoring jobs in search of higher profits is a mistake,'' he said, ''because it ignores our manufacturing's larger purpose in America.'' Good for him.

How about doing something in this Chamber that says to people who are employing the manufacturing workers: Good for you. We stand with you. We want to incentivize you to continue, and then say to those who are shipping their jobs overseas: You know what, you want some help from this government? Go take a hike. Make something in America. And, by the way, you are not going to get tax help. We are not going to give you a tax break, as has been done for far too long when you ship your jobs overseas. It is not going to happen.

Unfortunately, it has been happening. I said it is not going to happen four times. We have had four votes, and I have lost on all four occasions. I hope at long last when we go through the deepest recession since the Great Depression, there might be enough of an urgency for people who come out here and bloviate and thumb their suspenders, cast the shine of their shoes on the magnificence of this great place that maybe that magnificence might spread to casting the right vote on something that stands up for this country's best economic interest.

Mr. President, the list of challenges are very significant. I have been talking at length about one, and that is jobs because it makes everything else possible. If we can get the American engine working once again, put people to work once again, this country will do just fine. But it doesn't do just fine when it is in a very deep recession and we have incentives that say jobs don't matter.

I grew up in a very small town, less than 300 people, and I knew every day that I was a kid—just because I understood it—that this country, this America, was the biggest, the best, the strongest, and that we could beat anybody in trade or economic issues with one hand tied behind our backs. That is how good this country was. We were good at almost everything. We invented, we created, you name it. We decided to split the atom. We spliced genes. We invented radar, the silicon chip, the telephone, the computer, the television. We cured smallpox and polio. We built airplanes and learned to fly them. Hundreds of attempts were made, and finally on December 3, 1917, they flew an airplane—the Wright brothers. Then we built rockets and walked on the Moon and planted an American flag. Nobody has done that, but we have done it. This is a great country.

Yet somehow, in the shadow of this very deep recession—that, in my judgment, was not some natural thing to have happened to our country. This was something that was caused by unbelievable avarice and greed and things that went on particularly in the largest financial firms in this country that had nothing to do with investment, that had nothing to do with savings or real banking but had everything to do with building a casino society so people could buy what they wouldn't get from people who never had it. They were all making money, but it was a house of cards.

I offered an amendment on something called naked credit default swaps. You know what. It sounds like a foreign language. Nobody even knew what a credit default swap was. We had tens of trillions of dollars of credit default swaps, and a fair amount of them were naked. What does that mean? It doesn't mean they didn't have clothes. It meant there was no insurable interest on either side. It was simply a wager, simply a bet, not on investment. I lost that amendment.

I probably should talk about something I won. But the fact is, on the big issues in this country, in most cases the big interests are well organized to make certain their interests carry the day in the Congress. It just seems to me that as we tackle these issues of jobs and Federal budget deficits, which is a very significant issue, and the issue of taxes—who pays them and how much—energy policy—how we remove our addiction to foreign oil—the trade issues I have just described in great detail, we have to do better. The American people deserve better and expect better. Instead of getting the worst of what both parties offer, we need to get the best of what each has. Both parties can contribute something significant to our country, in my judgment.

Mr. President, there is a lot, it seems to me, at stake. We can continue to see anemic economic growth—and as I say that, let me point out this President inherited a circumstance where just prior to his coming to office we were losing 700,000 jobs a month. That is what he inherited. I know some people come and say: Well, how dare you talk about the economy this President inherited. What else would you talk about? Would you create a fiction about it?

This economy was nearly in a free fall and, like it or not, this President took action. Like it or not, this President made proposals that began to put some capability under this economy to avoid a total collapse.

Now the economy is growing, but slowly, and too slowly. The President knows that and says that. This growth is good. We didn't suffer a complete collapse. We caught it. This President's policies have worked. Those, by the way, who come to the floor of the Senate and say the economic recovery act didn't create any jobs know better than that. Look at the studies that have been done: 3 million jobs at least have been saved as a result of taking the action that had to be taken. Would they suggest we sit and watch and be simple observers?

Now we come to this discussion about the economy and we are deep in debt and we have to get out of this. So the question is tax cuts. Who gets tax cuts? Well, 9 years ago, on the floor of this Senate, President George W. Bush said: Let's provide very substantial tax cuts. The bulk of them will go to the wealthy, but nonetheless everyone will get a tax cut. Why? Because for the first time in 30 years we had a budget surplus that year under President Clinton. The first time in 30 years we had a budget surplus.

So President Bush came to office and said: Well, it looks like we are going to have budget surpluses for the next 10 years, so let's provide very large tax cuts.

I voted against them. I said: You are talking about projections. We don't have the tax surpluses yet. When we get them, let's figure out what we do with them, but they do not exist yet. They are simply projections. President Bush said: Well, Katey, bar the door. He and Mr. Greenspan and others said we need to do this. Mr. Greenspan said he couldn't even sleep he was so worried that we were going to have such big surpluses that it would ruin the economy and we would pay down the debt too fast. I hope he didn't lose a lot of sleep over that.

So the Congress passed, without my vote, very large tax cuts for 9 years after which they would expire. So they expire at the end of this year. Now the question is, What do we do with them? The debate is, Should they be extended?

The President says let's extend them for the middle class. We are still in the middle of slow economic progress, so let's extend them for the middle class. The Republicans and others say: Well, let's make sure we extend them for everybody, including the wealthy.

Well, it just seems to me this: We decided—without my vote—to provide very large tax cuts because we needed to give back a surplus which then didn't exist in the subsequent years. A surplus didn't exist. Then what happened? Within a couple of months after passing the tax cuts 9 years ago, we discovered we were in a recession. Not a deep one, but a recession. That, of course, enhanced instead of surpluses Federal budget deficits.

Then what happened? We were hit on 9/11 with a terrorist attack and we went to war in Afghanistan and then we went to war in Iraq and not a penny of it was ever paid. In spite of the fact I and others came to the floor of the Senate and said: If you are going to ask our young men and women to go to war and to get up in the morning and strap on ceramic body armor, to be in harm's way and potentially lose their lives, the very least we can do in this Chamber is pay for the cost of the war. But, no, we couldn't do that. We have fought a war for 9 years and haven't paid for one penny of it. That is fundamentally irresponsible.

Now, the question is, In the middle of a very serious economic situation, who is going to get the tax cuts extended? Some say: Well, you have to extend them for the upper income folks, the wealthiest Americans, because their philosophy is that things trickle down. Put things in the top and ultimately they trickle down. Others, my philosophy, is things percolate up. Give the American family a little something to work with and get the engine working again and things will percolate up to help everybody.

I do think this: The tax rates that were paid by the upper income people in the 1990s, when we had the most robust economic growth in our country, are tax rates that I think should continue to exist for upper income people. I think that is fair. Plus, that $800 billion that it would cost for the next 10 years to do those tax cuts for upper income Americans will be added right to the Federal budget deficit, and that doesn't make any sense to me at all. How would that give confidence to the American people; that at last—at long, long last—this Senate, this Congress was willing to tackle these destructive budget deficits? That is not much consolation to people who watch what is happening in this country.

Now, Mr. President, let me finish by saying I have talked about a number of things, and things we need to correct. I remain hopeful about this country's future. I know we have a chattering class that spends all day and all night on the radio dial and television talking about what is wrong with America. I know there are plenty of challenges ahead of us. But I also believe there are a lot of people who, for two centuries, have bet against this country's future and lost. I think it would take a fool to decide this country would not get through this period.

But this country deserves good leadership from Republicans and Democrats. It deserves a President who is aggressive, and I believe this President is aggressive, in tackling these problems. It deserves a Congress that is willing to work together. If ever we needed an outbreak of some minimum amount of bipartisanship, some minimum cooperation, it is now. I have just watched all of this year circumstances where every single thing is objected to, everything is blocked. It doesn't take much in this Chamber. The two most powerful words are ''I object.'' One person saying ''I object'' grinds this machinery to a halt.

The fact is, I have seen circumstances in this Chamber this year where objections were raised and filibusters ensued on motions to proceed to noncontroversial items that ultimately got 96 or 98 votes, but it took a week to get through because of blocking and objections. I mean, if someone would have brought up a Mother's Day resolution, it would have been filibustered, I assume. Block everything, stop everything, make sure nothing gets done. That is not in the interest of this country. This country deserves better and expects more.

I hope in the coming several weeks—we don't have a lot of time—the things I have just described, the issue of jobs moving overseas, the issue of an unbelievably ignorant tax provision that says if you get rid of your American workers, you lock your factory doors and ship those jobs overseas, tell you what we will do. We will give you a big old fat tax break. I hope finally, at last, at long, long last, enough Members of this Senate will agree that has to stop; that we would pass legislation to shut it down and at the same time say to those who are moving their jobs overseas: You are off the public dole. But you know what. We are going to stand up for those who keep their jobs here. We are going to say: If you are running a manufacturing plant in this country, good for you. We want to do the things that help you continue, that help you hire people and help you be a good employer. Good for you. You are the ones we stand up for because you are the ones who will rebuild opportunity in this country.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURRIS). The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DREAM ACT

Mr. DURBIN. Mr. President, I rise to speak about an issue that is timely and controversial; it is the issue of immigration. There has been a heated debate for over a year about the immigration law passed by the State of Arizona. This debate highlighted the need for Congress to fix our broken immigration system.

Here is how the Arizona Association of Chiefs of Police put it:

We strongly urge the U.S. Congress to immediately initiate the necessary steps to

begin the process of comprehensively addressing the immigration issue to provide solutions that are fair, logical and equitable.

I agree with the Arizona Association of Chiefs of Police. Congress has an obligation to the American people to fix our broken immigration system. This broken system harms our national security, it hurts our workers, and it falls short of the most basic standards of justice.

First, we must secure our borders, strengthen enforcement of our immigration laws, and address the situation of approximately 11 million undocumented immigrants who live and work in our country. Unfortunately, the reality is that Congress is not likely to consider comprehensive immigration reform this year. I have supported every effort toward that end during the time I have served in the Senate.

I recall not that long ago, just a few years ago, an amazing, bipartisan group of Senators which included, at that time, the two men who just ran for President of the United States, Senator MCCAIN and then-Senator Barack Obama. It was an incredible effort, and it had the invested political capital of President George W. Bush, who was genuinely committed to immigration reform. I can recall the President saying in meetings and saying to me personally how much he wanted to see that done. I still salute him for his leadership on what was a tough issue then and still is.

The reality is that we did not pass comprehensive immigration reform despite our best efforts. But that should not prevent us from moving forward with reforms so our broken immigration system is repaired and is improved over what we currently have.

Let's take one example. In recent years, we have made dramatic progress in securing the border and reducing illegal immigration. The number of Border Patrol agents serving our country and protecting our borders has doubled from 10,000 in 2004 to 20,000 today. According to the Department of Homeland Security: ''Today the Border Patrol in America is better staffed than any time in its 86-year history.''

The Department of Homeland Security has completed 646 miles of border fencing out of the 652 miles authorized by Congress. The remaining 6 miles will be completed before the end of the year. In the first 9 months of fiscal year 2010, the Department of Homeland Security has deported approximately 280,000 illegal immigrants. That is a 10-percent increase in the number of deportations over the same period in fiscal year 2008, which was the last year of the Bush administration.

The Department of Homeland Security has focused on deporting illegal immigrants who have committed crimes. As a result, more than 136,000 criminal aliens have been deported so far in this fiscal year. That is a 60-percent increase over the number of criminal aliens deported during the same period in fiscal year 2008, and it is the most criminal aliens ever deported during a single year.

What is the result of all these efforts? Earlier this month, the Pew Hispanic Center released a new report on illegal immigration with two striking findings. First, the number of illegal immigrants entering the United States annually has decreased by two-thirds in the past decade, from 850,000 per year to 300,000 per year.

Second, the total number of illegal immigrants living in the United States is down by 8 percent in just the last 2 years. The Pew Center said: ''The decrease represents the first significant reversal in the growth of the illegal immigrant population in America in 20 years.''

Let me repeat that. The number of illegal immigrants entering our country has decreased by two-thirds, and for the first time in 20 years there has been a significant decline in the number of illegal immigrants living in America. So we are making remarkable progress in our fight against illegal immigration.

Our efforts will not end there. Last month, Congress passed the 2010 emergency border security supplemental appropriations bill, legislation authored by my colleague from New York and the chairman of the Immigration Subcommittee, Senator SCHUMER, cosponsored by Senators MCCAIN and KYL of Arizona. That bill provided $600 million more additional funding to enhance border security.

Let me tell you how we will spend it: $176 million for 1,000 more additional Border Patrol agents, $68 million for 520 Customs and Border Protection officers, $80 million for 250 new Immigration and Customs enforcement personnel, and $32 million for 2 unmanned aerial vehicles to monitor the border.

We have taken this challenge seriously. We are investing the resources on a bipartisan basis, and we can see the results. When I sat down with Senator JON KYL, my Republican counterpart, and talked about this issue, he showed me a map of Arizona, and he pointed to a section of the border which has had a dramatically positive change when it comes to illegal immigration. He then pointed to another section which he said needed improvement. But he conceded, and most do, that we have made a commitment. We have dedicated the resources, and the Obama administration has joined with Republicans in Congress to produce real results when it comes to illegal immigration.

We are making great progress in securing the border and reducing illegal immigration, but let's be clear. Border security alone will not fix our broken immigration system. There are other critical reforms we can make right now. One important step Congress should immediately take up is passing the DREAM Act. This is bipartisan legislation I have introduced with Republican Senator DICK LUGAR of Indiana.

Let me say a word of thanks to Senator LUGAR for stepping out on this important issue and joining me in this effort. The DREAM Act is a bill which I introduced 10 years ago. If you have been around the Senate, that is considered a brief period of time. But I cannot imagine I am standing here 10 years later still arguing for this bill. I think it is worth recounting how I happened to introduce it.

About 85 percent of all of the case work, constituent work we receive in our Chicago office relates to immigration. Chicago is a great city, a diverse city, with people from all over the world. It is no surprise many of them come to our office with immigration issues. So 10 years ago we received a phone call. It was from a Korean-American lady, a single mom who ran a dry cleaners.

As I have mentioned in previous debates, in our great city of Chicago, about 85 percent of the dry cleaners are owned by Koreans. It is one of their commitments in entrepreneurial skill, and they work hard, with long days.

Well, she called to tell me about her little girl who was now graduating high school. It turns out, her little girl was an amazing pianist, an amazing musician, and had been accepted by the highly acclaimed Juilliard School of Music in New York. Her mom was so excited. But as her daughter filled out the application form to go to Juilliard, there was a little box there that said ''nationality,'' and she turned to her mom and said: I know I was born in Korea, but what am I?

Her mom said: I don't know. We brought you here at the age of 2, but we never filed any papers. We better call Durbin. So they called our office, and we checked into it. We learned, through the Immigration Service, that she had an option. They said it was her only option, and it was very clear.

We said: What is it?

They said: She can go back to Korea—back to Korea, to a place where she did not speak the language, where she had no memory of ever living, a place she had not even visited in 16 or 17 years.

This woman also married in the United States and had other children who were American citizens, but this one daughter, brought over on a plane from Seoul, Korea, was living in Chicago, thinking everything was just fine and normal, and now, at the age of 18 or 19, learned she was about to be deported to a place where she did not even speak the language.

It seemed to me fundamentally unfair. If you arrest someone for speeding and they have an infant in the car seat behind them, you do not charge the infant with speeding, do you? It would not make sense. There is no blame there, no liability, no culpability. So why in this case, if this mother came to the country and did not file the papers, would this girl, this young woman, be denied an opportunity to become legal in the United States?

So I wrote a bill called the DREAM Act. The DREAM Act says basically

this: If you came to the United States under the age of 16, if you have lived in this country for at least 5 years, if you have no criminal record, if you graduate from high school, we will give you two chances to become legal in our system. The first opportunity: We will allow you to serve in our Armed Forces. If you will enlist for 2 years of Active Duty, we will allow you to become legal in the United States. If you are willing to risk your life for our Nation, we are prepared to give you legal status. Secondly, if you complete 2 years of college, we will also give you that same option.

That is it. That is the DREAM Act. It gives to these young people who have no country and literally no future because they have no citizenship, an opportunity.

Well, that is what I introduced 10 years ago. I still think it is valid. The DREAM Act will give a select group of immigrant students the chance to earn legal status if they grew up in the United States, have good moral character, attend college, or enlist in our military.

Today, in America, there are tens of thousands of immigrant students who were brought to the United States when they were too young to understand the consequences of their parents' decisions. It was not their decision to come to this country. They came along for the ride, and many of them were infants. They grew up here. They became part of our country. It is the only home they have ever known, and now they are without a country.

These young people are the presidents of student councils, valedictorians, junior ROTC leaders, and star athletes. They are tomorrow's scientists, doctors, teachers, engineers, and soldiers. They will be our leaders.

The fundamental premise of the DREAM Act is that we should not punish the children for the decisions of their parents. It is not the American way. Instead, the DREAM Act says to these students: We will give you a chance, a chance to prove yourself, and a chance to improve America.

Here is how former Republican Presidential candidate Mike Huckabee explained it. Mike, as you know, was a former Governor of the State of Arkansas. Here is what he said:

> A kid comes to this country, and he's four years old and he had no choice in it—his parents came illegally. . . .That kid is in our school from kindergarten through the 12th grade. He graduates as valedictorian because he's a smart kid.

Governor Huckabee said:

> The question is: Is he better off going to college and becoming a neurosurgeon or a banker or whatever he might become, and becoming a taxpayer, and in the process having to apply for and achieve citizenship, or should we make him pick tomatoes? I think it's better if he goes to college and becomes a citizen.

That is what Governor Huckabee said.

The DREAM Act has broad bipartisan support. The last time the Senate considered it on the Senate floor a few years back, it received 52 votes, including 11 Republicans. Since then, support for the DREAM Act has grown. The bill now has 40 cosponsors, and the DREAM Act is the only immigration bill—the only one—this President, his administration, has endorsed.

The DREAM Act is also supported by a broad coalition of education, business, labor, civil rights, and religious leaders, including, just to name a few, the American Jewish Committee, the Leadership Conference on Civil Rights, the National PTA, the U.S. Conference of Catholic Bishops, the CEOs of Fortune 500 companies such as Microsoft and Pfizer, the AFL–CIO, and dozens upon dozens of colleges and universities across the country, including Arizona State, Penn State, the University of Utah, and the University of Florida.

It also has broad support from the American people. According to a recent poll by Opinion Research Corporation, 70 percent of likely voters favor the DREAM Act, including 60 percent of Republicans.

The DREAM Act is not just the right thing to do, it would be good for America. Michael Bloomberg, the mayor of New York City, knows something about economic development. He sent me a letter supporting the DREAM Act, and here is what he said:

> Why shouldn't our economy benefit from the skills these young people have obtained here? It is senseless for us to chase out the home-grown talent that has the potential to contribute so significantly to our society. They're the ones who are going to start companies, invest in new technologies, pioneer medical advances.

Our country would also benefit from thousands of highly qualified, well-educated young people who are eager to serve in the Armed Forces during a time of war. Since the Bush administration, we have worked closely with the Defense Department on the DREAM Act. Defense Department officials have said the DREAM Act is ''very appealing'' because it would apply to the ''cream of the crop'' of students and be ''good for military readiness.''

Military experts agree. LTC Margaret Stock, a professor at the U.S. Military Academy at West Point, wrote an article supporting the DREAM Act. She concluded:

> Passage of the DREAM Act would be highly beneficial to the United States military. The DREAM Act promises to enlarge dramatically the pool of highly qualified recruits for the U.S. Armed Forces.

The Army says high school graduation is ''the best single predictor'' of success in the military. However, in recent years, the Army has accepted more applicants who are high school dropouts, have low scores on the military's aptitude test, and some who have had criminal backgrounds. In contrast, under the DREAM Act, all recruits would be well qualified high school graduates with no criminal record and good moral character.

Many DREAM Act students come from a demographic group that is already predisposed toward military service. The RAND Corporation found that ''Hispanic youth are more likely than other groups to express a positive attitude toward the military'' and ''Hispanics consistently have higher retention and faster promotion speeds than their white counterparts.''

Immigrants have an outstanding tradition in America's military. More than 65,000 immigrants are currently on Active Duty in the United States. The Center for Naval Analyses has concluded ''non-citizens have high rates of success while serving—they are far more likely, for example, to fulfill their enlistment obligations than their U.S.-born counterparts.''

The DREAM Act is not a free pass to citizenship. It is designed to assist only a select group of young people who would be required to earn their way to legal status. Here is how it works. A student would have the chance to qualify only if he or she meets these requirements: came to the United States as a child, has lived here for more than 5 years, has good moral character, has not engaged in criminal activity, does not pose any threat to national security, passes a thorough background check, and graduates from an American high school.

If a student fulfills each and every one of these requirements, they can receive temporary legal status. Next, they can serve in the military or attend college for at least 2 years.

Then, after 6 years, if—and only if—this requirement is completed, the student could apply for permanent legal status. If this requirement is not completed, the student would lose his legal status and be subject to deportation.

These requirements are fair, but they are tough. Only a select group of students would be able to earn legal status under the DREAM Act. In fact, according to a recent study by the Migration Policy Institute, only 38 percent of those who are potentially eligible for the DREAM Act would ultimately obtain legal status.

The DREAM Act also includes other important restrictions to ensure it is not abused. I will mention a few: Students who obtain conditional legal status under the DREAM Act would not be eligible for Pell grants. Of course, that is up to $5,000 or more each year to go to college. Residents of the United States, American citizens, who qualify can receive that help. These students, in the process of going to college, could not receive them. Students who apply for the DREAM Act would be subject to tough criminal penalties for fraud. The DREAM Act would not allow what is known as ''chain migration.'' In fact, DREAM Act students would have very limited ability to sponsor their family members for legal status.

I first introduced this bill 10 years ago. Since that time, I have met a lot of young people who would at least be eligible to be considered for this legislation. They have been waiting a long time for this opportunity. Every

week—every week without fail—when I go back home, I meet young students, receive calls, e-mails, and letters. I want to mention just a few of them here. I want to put a face on this issue so you can understand the lives that would be affected.

Here is the first one, as shown in this photograph I have in the Chamber. This is Benita Veliz. She was brought to the United States by her parents in 1993, when Benita was 8 years old. She graduated as the valedictorian of her high school class at the age of 16. She received a full scholarship to St. Mary's University. She graduated from the honor's program with a double major in biology and sociology. Benita's honors thesis was on the DREAM Act. She sent me a letter, and here is what she said:

> I can't wait to be able to give back to the community that has given me so much. I was recently asked to sing the National Anthem for both the U.S. and Mexico at a Cinco de Mayo community assembly. Without missing a beat, I quickly belted out The Star-Spangled Banner. I then realized that I had no idea how to sing the Mexican national anthem.

She writes:

> I am American. My dream is American. It's time to make our dreams a reality. It's time to pass the DREAM Act.

This is Minchul Suk. Minchul was brought to the United States from South Korea by his parents in 1991 at the age of 9. Minchul graduated from high school with a 4.2 GPA. He graduated from UCLA with a degree in microbiology, immunology, and molecular genetics. With support from the Korean-American community, Minchul was able to graduate from dental school. He has passed the national boards and licensing exam to become a dentist, but he can't obtain a license because he does not have legal status. Minchul is a person without a country. He sent me a letter recently, and here is what he wrote:

> After spending the majority of my life here, with all my friends and family here, I could not simply pack my things and go to a country I barely remember. I am willing to accept whatever punishment is deemed fitting for that crime; let me just stay and pay for it. . . . I am begging for a chance to prove to everyone that I am not a waste of a human being, that I am not a criminal set on leeching off taxpayers' money. Please give me the chance to serve my community as a dentist.

Without the DREAM Act, Minchul won't be able to serve his community as a dentist.

This is my Mayra Garcia. Mayra was brought to the United States by her parents when she was 2 years old. Mayra, who is now 18, is the president of Cottonwood Youth Advisory Commission in her hometown of Cottonwood, AZ. She is a member of the National Honor Society. She graduated from high school last spring with a 3.98 GPA. Mayra just started her freshman year at a prestigious university in California. In an essay about the DREAM Act, Mayra wrote:

> From the time I was capable of understanding its significance, my dream was to be the first college graduate in my immediate and extended family. . . . College means more to me than just a 4-year degree. It means the breaking of a family cycle. It means progression and fulfillment of an obligation.

Here is what she told me about growing up in the United States:

> According to my mother, I cried every day in preschool because of the language barrier. By kindergarten, though, I was fluent in English. . . . English became my way of understanding the world and myself.

Mayra Garcia, like all DREAM Act students, grew up in this country. America is her home. English is her language. As one of these students once said to me, ''I dream in English.''

The next person I wish my colleagues to meet is Cesar Vargas. Cesar was brought to the United States when he was 5 years old. He is currently a student at the City University of New York School of Law, where he has a 3.8 GPA. Cesar founded the Prosecutor Law Students Association. His dream is to serve our country as a military lawyer, but without the DREAM Act, Cesar cannot even volunteer to enlist in the military, despite the fact that he is in law school.

The last person's story I wish to share is Eric Balderas. This is an amazing story. Eric's mother brought him to the United States from Mexico in 1994 when he was 4 years old. Eric was valedictorian and student council president at his high school in San Antonio, TX. Eric just began his sophomore year at Harvard University, where he is majoring in molecular and cellular biology. His goal in life is to become a cancer researcher, but he can't reach that goal because he has no country. He has no citizenship. He needs the DREAM Act.

Wouldn't America be a stronger country if someone such as Eric Balderas could become a cancer researcher? Wouldn't our military be a better place with Cesar Vargas, who wants nothing more than to serve as a lawyer in the Judge Advocate General's Corps? Wouldn't we be better off if these talented young immigrants were able to contribute more fully to this country they love? The DREAM Act would give immigrants such as Eric Balderas and Cesar Vargas a chance to earn their way to legal status—earn their way to legal status—by contributing their talents to America. This is the choice the DREAM Act presents to us. We can allow a generation of immigrant students with great potential and ambitions to contribute more fully to our society and our national security or we can relegate them to a future in the shadows, which would be a loss for us all.

I am going to conclude. I see my colleague waiting patiently over there. I wish to conclude by saying this: I stand here today as a Senator from the great State of Illinois. I feel blessed in so many ways to have been given this opportunity to serve, but I also feel blessed because my mother was an immigrant to this country. She was brought by her mother at the age of 2 in 1911. As they came down the gangplank off the boat in Baltimore, my grandmother had my mom in her arms and my aunt and uncle by her side. Somehow, they made it from Baltimore, MD, to East Saint Louis, IL, to join my grandfather, who was an immigrant and who worked in the most basic immigrant jobs. My grandmother and grandfather never spoke much English—just enough to get by. My mom spoke Lithuanian and English, and I speak English only. It is kind of the story of America, I guess.

My mom didn't become a naturalized citizen until after she was married and had my two older brothers. I went to her later in her life, just a few months before she passed away, and said: Mom, I have never seen your naturalization certificate. Do you still have it?

She said: Sure.

She got up.

I said: No, you don't have to.

She said: No, I am going to go get it.

So she went in the other room, wasn't gone a minute, and came back with the naturalization certificate. Then a little piece of paper floated to the floor. I picked it up and I said: What is this?

She said: That is the receipt for the $2.50 filing fee that I paid when I became a naturalized citizen back in the 1930s.

My mom was tighter than the bark on a tree, and she was going to have proof if any government bureaucrat ever came around to challenge her if she ever paid her fee. She was also a proud American and proud of her three sons and family, and I am glad she got to see me sworn in to the U.S. Senate before she passed away.

I stand here today as a Senator in this great body and the proud son of an immigrant mother. If my mother and grandmother had entered this country illegally and my mother had been somehow denied an opportunity for citizenship, I don't know where I would be today. But I have tried to make a contribution to this country, and that is all these young people are asking for—a chance to make a contribution to this country.

Let's not get caught up in the emotional and angry rhetoric about immigrants and immigration, but let's give these young people a chance. Let's try to gather on a bipartisan basis to put enough votes on the board to give them a chance to serve our country in the military or to serve our Nation with their great talents. That is their dream, it should be our dream, and that is why we should pass the DREAM Act.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

A SECOND OPINION

Mr. BARRASSO. Mr. President, I come to the floor today as the Senate returns to give a doctor's second opinion of the health care law. As the Presiding Officer knows because he has

been here for so many of these speeches every week since this bill was signed into law, I have come to the Senate floor as a physician, an orthopedic surgeon, as someone who has taken care of families in the State of Wyoming since 1983, to give a doctor's second opinion of the new health care law and what I view is the impact it is going to have on health care in this country.

The Presiding Officer knows that during the debate and discussions at the time of the health bill and now the health care law, I had many reservations. My concern was that it was going to be bad for patients, bad for providers—the nurses and doctors who take care of those patients—and bad for payers, the people paying their health care costs, as well as the taxpayers of this country.

When the health care bill was signed into law, Democrats were extremely proud of it, and they were actually eager at that time to tell all of America about their vote. As a matter of fact, the Senate majority leader, Senator REID, said:

> This is a happy day. We are going to hear an earful, but it is going to be an earful of wonderment and happiness that people waited for a long time.

Here we are just 6 months later, but the new law is not greeted with happiness. It is not greeted with wonderment. Now the Democrats of this country are singing a very different tune. In fact, 56 percent of Americans want the law repealed. Each week, as I have given my second opinion, I have said it is time to repeal and replace this health care law. Now Democrats are completely changing their message about the new law. Now they no longer say the law will lower costs. They no longer say it will improve care. Instead, they now admit the law has some shortfalls, and they are talking about how they are working to improve it. This law needs to be repealed and replaced.

I think that now the people of America know what NANCY PELOSI meant when she said, ''First we have to pass the law before you get to find out what is in it.'' That is what she said. Well, now the people of this country have found out what is in it, and they recognize that it is not good for the country.

There was an interesting article in the Wall Street Journal last Friday. Kimberly Strassel talked about the health care law, and she said:

> A total of 279 House and Senate Democrats voted for ObamaCare. Now not one is running an ad touting that vote. How can they, given the headlines?

But she does quote a number of Democrats who are running for election this year, and those Democrats are talking about why they voted against—against—the bill that the President claimed would be good for the country. These are Democrats voting against what they call ''massive government health care.'' That was one Member of the House. Another said she voted against the ''trillion-dollar health care plan.'' A former Governor of Georgia, a Democrat, said:

> Not only is ObamaCare ''financially devastating,'' it is ''the greatest failure, modern failure, of political leadership in my lifetime.''

While Congress was out of session in August, Politico ran a story entitled ''Dems Retreat on Health Care Cost Pitch.'' I ask unanimous consent to have that article printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From POLITICO, Aug. 19, 2010]

DEMS RETREAT ON HEALTH CARE COST PITCH

(By Ben Smith)

Key White House allies are dramatically shifting their attempts to defend health care legislation, abandoning claims that it will reduce costs and the deficit and instead stressing a promise to ''improve it.''

The messaging shift was circulated this afternoon on a conference call and PowerPoint presentation organized by FamiliesUSA—one of the central groups in the push for the initial legislation. The call was led by a staffer for the Herndon Alliance, which includes leading labor groups and other health care allies. It was based on polling from three top Democratic pollsters, John Anzalone, Celinda Lake and Stan Greenberg.

The confidential presentation, available in full here and provided to POLITICO by a source on the call, suggests that Democrats are acknowledging the failure of their predictions that the health care legislation would grow more popular after its passage, as its benefits became clear and rhetoric cooled. Instead, the presentation is designed to win over a skeptical public and to defend the legislation—in particular, the individual mandate—from a push for repeal.

The presentation concedes that groups typically supportive of Democratic causes—people under 40, non-college-educated women and Hispanic voters—have not been won over by the plan. Indeed, it stresses repeatedly, many are unaware that the legislation has passed, an astonishing shortcoming in the White House's all-out communications effort.

''Straightforward 'policy' defenses fail to [move] voters' opinions about the law,'' says one slide. ''Women in particular are concerned that health care law will mean less provider availability—scarcity an issue.''

The presentation also concedes that the fiscal and economic arguments that were the White House's first and most aggressive sales pitch have essentially failed.

''Many don't believe health care reform will help the economy,'' says one slide.

The presentation's final page of ''Don'ts'' counsels against claiming ''the law will reduce costs and [the] deficit.''

The presentation advises, instead, sales pitches that play on personal narratives and promises to change the legislation.

''People can be moved from initial skepticism and support for repeal of the law to favorable feelings and resisting repeal,'' it says. ''Use personal stories—coupled with clear, simple descriptions of how the law benefits people at the individual level—to convey critical benefits of reform.''

The presentation also counsels against the kind of grand claims of change that accompanied the legislation's passage.

''Keep claims small and credible; don't overpromise or 'spin' what the law delivers,'' it says, suggesting supporters say, ''The law is not perfect, but it does good things and helps many people. Now we'll work to improve it.''

The Herndon Alliance, which presented the research, is a low-profile group that coordinated liberal messaging in favor of the public option in health care. Its ''partners'' include health care legislation's heavyweight supporters: AARP, AFL–CIO, SEIU, Health Care for America Now, MoveOn and La Raza, among many others.

Today's presentation cites three private research projects by top Democratic pollsters: eight focus groups by Lake, Anzalone's 1,000-person national survey and an online survey of 2,000 people by Greenberg's firm.

''If we are to preserve the gains made by the law and build on this foundation, the American public must understand what the law means for them,'' says Herndon's website. ''We must overcome fear and mistrust, and we must once again use our collective voice to connect with the public on the values we share as Americans.''

Mr. BARRASSO. Mr. President, I thought it was so important that more Americans should know about this. The article explains that:

> Key White House allies are dramatically shifting their attempts to defend health care legislation, abandoning claims that it will reduce costs and the deficit and instead stressing a promise to ''improve it.''

Well, this new Democratic message strategy on health care was developed by key Democratic strategists and pollsters, and it was detailed in a 24-slide PowerPoint presentation. The language in the presentation is remarkable, and it is radically different from what President Obama and the Democrats on this floor promised during the debate about health care. This new Democratic spin demonstrates that people who voted for this bad law now recognize how unpopular it is with the people of this country and how it will never live up to the grand promises. That is why people all around the country were saying, ''Don't vote for this'' as people in this body were cramming this bill—and now law—down the throats of the American people.

Well, rather than walk through all 24 slides, I wish to hit some of the highlights of the new Democratic health care message.

Let's take a look at what they call ''Challenging Environment.'' They say:

> Straightforward policy defenses fail to be moving voters' opinions about the law.

They say:

> The public is disappointed, anxious, and depressed by the current direction of the country—not trusting.
>
> Voters are concerned about rising health care costs and believe costs will continue to rise.

That is in spite of promises made on this floor that it wouldn't happen.

They say:

> Women in particular are concerned that the health care law will mean less provider availability—scarcity an issue.

They say:

> Many don't believe health reform will help the economy.

Well, there is a reason people don't trust Washington. There is a reason the policy defenses in the new law fail

to move voter opinions, and it is because the new law is not good for patients; the new law is not good for providers—the nurses, the doctors, the hospitals, the home health aides, hospice care; and the new health care law is not good for the people who are going to be paying the bill.

Let's take the next slide and make it personal. It says:

Use personal stories coupled with clear, simple descriptions of how the law benefits people at the individual level to convey critical benefits of reform.

Well, there are a lot of personal stories they won't tell you, and those are the personal stories including the small business owners all across this country who are being strangled by the redtape in this law, strangled by rules and regulations and expense. That is why we are looking at 9.6 percent unemployment in this country—because of the lack of certainty for small businesses and the increased expenses they are having to deal with as a result of this law.

They won't tell you the stories about patients with preexisting conditions who did have insurance but now have been penalized by the new law because they played by the rules.

Let's look at another slide. It says ''improve the law.'' The recommendation of the pollsters to the Democrats is ''use transition or bridge language to meet public where they are and relax their defenses.'' The American people know what they are talking about. Then they say:

The law is not perfect, but it does good things and helps many people. Now we'll work to improve it.

The question is, does this new law help you, the American citizen, at home? That is the question. That is what people ask themselves. What is the impact of this going to be on my own health care? Is the new law helping you? Is the new law helping small businesses that can't seem to qualify for the tax credit the administration and the congressional Democrats promised, in spite of the fact that 4 million postcards were sent out to small businesses, and only a very small percentage of those could qualify for any of these tax opportunities? Were those people willing to cut the salaries of the employed and lay off others? That is why we voted against this bill.

Is this new law helping individuals who, thanks to the new administration grandfathering rules and regulations, will lose their employer-sponsored health insurance plan? Is the new law helping seniors, who will see more than $500 billion robbed from Medicare—seniors on Medicare Advantage, a program they signed up for intentionally because they know there is an advantage to being on that program, because it works with preventive care and it coordinates care? That is all gone.

Is the new law helping the 18 million people who will find themselves locked into the Medicaid Program? Is the new law helping the millions of Americans who will see their health insurance premiums go up next year to comply with benefit mandates in the law?

Instead of working to improve the law now, those on the other side of the aisle should have improved it before it was passed. Members of my party repeatedly wanted to work with Democrats to improve this legislation. Unfortunately, we were shut out of the process.

Let's look at the next chart. It says ''blunt'' the mandate. Part of the new Democratic spin is to blunt the mandate. It says:

Tap into the individual responsibility to blunt opposition to the mandate to have health insurance.

Mandate? What is this mandate? It is a mandate that everybody in America has to have insurance. All individuals have to have it. All employers have to offer it. People either must buy insurance or employers must provide insurance. There is a mandate. Currently, 20 States are suing the Federal Government about the mandate. It also says:

Those who choose not to have insurance and use the emergency room for routine care are increasing costs for the rest of us who have insurance.

Well, let's look at a report from the Centers for Disease Control, which came out in May. It confirms that, as opposed to what this slide says, the uninsured don't visit the emergency room more often. Do you know who does? It is Medicaid patients. It shows that more than 30 percent of Medicaid patients under the age of 65 visited emergency rooms in this country at least once in 2007. This health care law locks 18 million more Americans into Medicaid, forcing them into the emergency rooms, because doctors frequently cannot afford to see them in their offices. So the question is: Will these 18 million more Americans who have been locked into Medicaid be able to find a physician to treat them? If not, how will the emergency rooms of this country cope when these patients use the ER as their primary care provider?

We all know that the health care law was modeled after the Massachusetts State health reform plan. The Boston Globe reported on July 4 of this year that recent State data proved emergency room visits rose in Massachusetts by 9 percent, from 2004 to 2008—about 3 million visits a year. According to the Massachusetts Division of Health Care Finance and their policy plan, providing insurance coverage may have actually contributed to the ER visit increase. But the goal was to lower the number of visits to the emergency room.

Let's look at another chart that talks about what health care coverage Members of Congress have. It says:

Supporters of the law and those campaigning need to highlight that Members of Congress will participate in the same plan.

It is important to remember that the only reason Members of Congress are on the same plan is because Senators COBURN and GRASSLEY fought for this. It is also important to remember that members of the congressional leadership, their staffs, White House employees, and other Federal employees will not be on the plan. Then let's look at the new head of Medicare and Medicaid, Dr. Berwick, who is someone named to that post in a recess appointment. His name didn't surface during the entire debate of the health care bill. Nobody was in charge of Medicare and Medicaid during the health care debate. Why? Because the President chose to not even name someone. When he finally named someone, this is someone who is in love with the British health care system. He made a number of quotes about rationing of care and ways that he envisioned the British health care system to be so much better than the U.S. health care system.

Yet, Dr. Berwick has, as a result of his contract, from the group he worked with in Boston before taking this new job—a job that the President made a recess appointment for—somebody who never came to Congress to testify, never presented himself to the American people—I don't know what he is hiding. He doesn't have to live under the plan forced down the throats of the American people because his contract, when he left Boston, said that he will get care under them for life. So will his wife. So he is making rules and regulations that apply to the rest of the country but not to him.

Let's look at another slide having to do with Medicare cuts. The new Democratic spin says:

It is critical to reassure seniors that Medicare will not be cut.

Then it says:

Free preventive care.

This is absolutely absurd and untrue. It is clear that the new law cuts $500 billion from our seniors on Medicare. It is not to save Medicare. It doesn't just start a whole new government program for someone else, but when I talk to seniors—and I have done this all over the last month, traveling around the State of Wyoming, visiting parades, picnics, fairs, and rodeos—the seniors say: If you want to change Medicare to save Medicare, we can deal with that, but not to start a whole new government program for someone else.

The final slide I think is most telling. It is a slide that is a list of the don'ts. The new Democratic spin says:

Don't assume that the public knows the health reform law passed, or if they know it passed, understand how it will affect them; don't list benefits outside of any personal context; don't barrage voters with a long list of benefits; don't use complex language or insider jargon; don't use heated political rhetoric or congratulatory language.

And believe it or not, it also says on the slide the Democrats' pollsters put out:

Don't say the law will reduce costs and deficit.

Well, let's take a look at some of the quotes we heard leading up to passage of the law—promises by the President of the United States, by House Speaker

PELOSI, and by Majority Leader REID. The President met with Senate Democrats in December of 2009, before a vote in the Senate. He said:

We agree on reforms that will finally reduce the costs of health care.

He says:

Families will save on their premiums.

He said:

This will be the largest deficit reduction plan in over a decade.

Now the Democrats are being told:

Don't say the law will reduce costs and the deficit.

Isn't that what the President said to the Democrats in December of 2009?

The American people have been misled. They can see through this. That is why they were screaming: Do not pass this law. Yet what the President said and now what the American people know to be the truth is the exact opposite.

Let's look at what House Speaker PELOSI said. In March of this year she said:

This is a triumph for the American people in terms of deficit reduction.

This isn't going to reduce the deficit. Now, finally 6 months after it has been passed into law, the Democrats are admitting that this is not a triumph for the American people in terms of deficit reduction.

Then Senator REID, from that desk on the Senate floor, in November of last year, said:

One of the major goals of the Patient Protection and Affordable Care Act is to lower Federal health care costs and reduce the deficit.

He then said:

Our bill does that.

The bill signed into law does not do that. And now even the Democrats, with their new spin, are saying that we better not keep saying it because the American people don't believe it. That is why 56 percent of the American people want this law repealed and replaced.

The American people are sick of the spin. They deserve the truth about the new law and how it will impact their lives. It is clear that this law is not good for patients, it is not good for providers—the nurses and doctors who take care of the patients—and it is not good for the payers—the taxpayers of this country and the people who pay their own health care costs. We need to repeal and replace this new law with a plan that will actually help our country.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN.) Without objection, it is so ordered.

TAX CUTS

Mr. SANDERS. Madam President, just yesterday the Republican minority leader indicated that every Republican in the Senate would join him in filibustering legislation that would provide middle-class tax relief to over 97 percent of American workers and their families unless the Bush tax breaks for the wealthiest 2 percent were extended as well.

In my view, what we have to do is stand up to that filibuster no matter how long it takes. If it means being in here 24 hours a day, 7 days a week, that is what we have to do. Senate Republicans should not be allowed to hold middle-class tax cuts hostage in order to give even bigger tax breaks to millionaires and billionaires at a time when this Nation has a $13 trillion national debt and a widening gap between the very rich and everyone else.

In fact, we have the most unequal distribution of wealth and income of any major country on Earth. The dumbest thing we could probably do at this moment is to provide hundreds of billions of dollars in tax breaks to some of the wealthiest people in this country. That would be totally absurd.

Today, the top 1 percent earns more income than the bottom 50 percent. The top 1 percent owns more wealth than the bottom 90 percent, and the gap between the very rich and everyone else is growing wider. We have the dubious distinction—not a good distinction—of having, by far, the most unequal distribution of wealth and income of any major country on Earth.

In 2007, the wealthiest 1 percent took in 23½ percent of all income earned in the United States. That is not an issue we talk about in the Senate. Apparently, in polite organizations, polite groups, we are not allowed to talk about that. But let me repeat it. The top 1 percent in 2007 earned 23½ percent of all the income earned in the United States.

That is the latest data available. There is no reason to believe that income is not even greater right now. It is not a coincidence that the last time that income was this concentrated was in the year 1928. 1928. Those of us who remember history know what happened in 1929. The stock market crashed, and we plunged into the Great Depression.

Louis Brandeis, one of the great Supreme Court Justices in the history of this country who served on the Supreme Court during both the Roaring Twenties and the Great Depression once said: ''We may have democracy, or we may have wealth concentrated in the hands of a few, but we cannot have both.''

Mr. Brandeis was right then and his words ring true today. Today, the wealthiest 400 Americans make an average of $345 million a year—$345 million a year, on average, for the top 400 American earners.

Under the Bush administration, these 400 individuals saw their incomes double—double—while their Federal tax rate was cut almost in half over the last 15 years, before Bush, through Bush. So during the Bush years their incomes doubled while their tax rates went way down.

Now our Republican friends, and maybe some Democrats, are saying: We should give these people huge tax breaks at this moment. We have a Federal Tax Code that is so absurd, that is so unfair that Warren Buffett, one of the wealthiest Americans and certainly one of the wealthiest people in the entire world, who is worth tens of billions of dollars, himself, what he has often stated is that he, one of the richest people in the world, pays a lower effective tax rate than does his secretary.

Hedge fund managers who made $1 billion last year now pay a lower effective—by ''effective'' I mean real because of all the loopholes—a lower effective tax rate than many teachers, nurses, firefighters, and police officers, and our Republican friends want to make that absurd situation even worse by maintaining huge tax breaks to millionaires and billionaires.

During the Bush years, the wealthiest 400 Americans saw their wealth increase by some $400 billion. Let me repeat that. Four hundred families—not a whole lot of people—saw their wealth increase by some $400 billion, and all the while, while the people on top have seen an explosion in their incomes and in their wealth, the middle class is rapidly disappearing, poverty is increasing, and we are moving toward an oligarchic form of society, where so few have so much, so many have so little.

Our Republican friends have argued that these massive tax breaks, some $700 billion in a 10-year period for the top 2 percent, would trickle down, trickle down to all Americans. Give tax breaks to billionaires and it is going to trickle down and improve our economy and do well by everybody.

We have been told over and over by Republican colleagues that millionaires and billionaires would use the massive tax breaks they received under President Bush to create jobs in the private sector. Well, guess what. The results are in. During the 8 years of the Bush administration, a time in which the wealthiest Americans received one of the largest tax cuts in this Nation's history, the United States of America lost over 600,000 private sector jobs and only gained, over that 8-year period, a net total of 1 million new jobs, all of them, by the way, government jobs.

So we saw the experiment in action. We gave huge tax breaks to the rich, and we ended up having one of the worst job creation records in the history of the United States—losing over 600,000 jobs. It is an interesting theory. We have seen it in practice. It does not work.

In addition, under President Bush, median family incomes went down by over $2,000. Let me repeat that. Do you know why people are angry in North Carolina, Vermont or all over this

country? They are angry because during an 8-year period, their median family income went down by $2,000 a family, and we lost 600,000 private sector jobs.

During those same 8 years, more than 8 million Americans slipped out of the middle class and into poverty, over 7 million lost their health insurance, more than 4 million manufacturing jobs were lost, and over 3 million Americans lost their pensions. In other words, we went through that exercise. It failed. How could anybody want to go back to those policies?

Our Republican friends do. That is what they want. That is what they want to see us move toward—more tax breaks for the wealthy, more inequality, more power concentrated in the hands of a few, and more middle-class Americans slipping into poverty. Do we provide tax breaks to millionaires and billionaires or do we invest in the middle class? That is what this debate is all about.

My Republican friends have told us the worst thing you can do in a recession is to increase taxes on the wealthy. Well, the Republicans told us the same thing when Bill Clinton was President.

When Bill Clinton's economic plans were signed into law in 1993—as a Member of the House I voted for it, it won by one vote—a plan which increases taxes by a few percentage points, guess what happened. We raised taxes on the wealthy. We lowered the deficit. Guess what happened. Unlike the Bush years, where we lost 600,000 private sector jobs, during the Clinton years, over 22 million jobs were created. We had the longest peacetime expansion in our economy in our Nation's history, and budget deficits turned into budget surpluses. Those are the facts. No one can deny them.

Further, what conservative and progressive economists of all stripes have told us is that providing tax breaks for the rich is the least effective way—the least effective way—to stimulate or improve the economy.

That is not Senator BERNIE SANDERS talking. That is what both the nonpartisan Congressional Budget Office and Senator JOHN MCCAIN's top economic adviser during the Presidential campaign, Mark Zandi, have told us. According to Mr. Zandi, again, an economic adviser to Presidential Candidate MCCAIN, every $1 provider in tax breaks to the wealthy pumps only 32 cents into the economy.

On the other hand, we know that one of the best ways to grow the economy and to create decent-paying jobs is to invest in our Nation's crumbling infrastructure so we build the roads, the bridges, the railways, the culverts, the tunnels we desperately need.

According to Mr. Zandi, for every $1 invested in infrastructure, it generates $1.57 in economic activity. Without a strong and vibrant transportation system, businesses fail, the Nation fails. Increasingly, as people travel around the world, go to airports, ride on trains, use roads, they tell us the United States has an infrastructure which is falling way behind much of the rest of the world.

The American Society of Civil Engineers gave us a D several years ago and has told us we need to invest trillions of dollars in our crumbling infrastructure in order to bring us to the level we have to be.

Not only is rebuilding our infrastructure good for our future, it is also good for the moment in dealing with the need to create jobs in this terrible recession. Every $1 billion invested in infrastructure creates or saves over 45,000 American jobs. Not only is investing in infrastructure good for the economy, it is something we have to do sooner or later.

I am a former mayor. What I can tell you is, you can ignore your roads and bridges this year or the next year, but at some point you are going to have to deal with them. They do not get better by not rebuilding them. In fact, it is often more expensive to have to rebuild them than it is to maintain them.

As I mentioned a moment ago, the American Society of Civil Engineers tells us that over the next 5 years we need to invest $2.2 trillion in our Nation's infrastructure. Why not do this work now when we have millions of Americans who desperately want to go back to work? We are going to have to do it sometime. Let's do it now.

Allowing the Bush tax breaks to expire for the wealthiest 2 percent will bring in $700 billion in revenue over the next 10 years—$700 billion. In my view, what we should do with that $700 billion is pretty simple. I would take half of that—$350 billion—and use it for deficit reduction so that we begin to cut back on our national debt and our deficit. The other thing I would do is invest the other half—$350 billion—in our infrastructure so we create the desperately needed jobs that our economy calls for.

Our Republican friends are dead wrong, are irresponsible, are not keeping faith with our kids and grandchildren when they want to maintain these tax breaks for the top 2 percent, for many millionaires and billionaires, which would result in increasing the deficit by nearly $1 trillion over a 10-year period counting interest and that would provide an average break of over $100,000 a year to some of the wealthiest people in this country.

So that is what the choice is: Do we put money into deficit reduction, lowering our interest costs, helping our kids and grandchildren a little bit in terms of the kind of debt they are going to have to assume—$350 billion over a 10-year period for deficit reduction is significant—do we use another $350 billion to invest in our infrastructure so we can create millions of jobs rebuilding America or do we make the richest people in this country even richer?

I think the answer is pretty clear. I think the American people have spoken out with their views on this issue. They do not believe, when the middle class is collapsing, the wealthiest people are becoming richer, and when we have a $13 trillion national debt, it makes any sense at all to give huge tax breaks to the rich.

With that, Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEARNING FROM HISTORY

Mr. BROWN of Ohio. Mr. President, yesterday on the floor of the Senate I told the story of something that happened in Lordstown, OH, a community not too far from Youngstown, in the Mahoning Valley in northeast Ohio 1 week ago today. This story was a celebration of the first car coming off the line in the Lordstown Chevrolet-GM plant, the car the Chevy Cruz. It is a high mileage car, I believe the highest mileage car GM ever produced. It is a relatively inexpensive car. They expect it to be a huge seller all over the United States. It is a good economy car with a lot to it that recommends itself.

I am not here to endorse the car or even endorse the company. I am here to say that this celebration was a direct result of what the Presiding Officer and others in this body and the President of the United States did a year and a half ago.

Turn the clock back to the beginning of the Presiding Officer's service in the Senate in early 2009. President Obama had just taken office. We were losing 800,000 jobs a month. The banking industry almost collapsed. President Bush had begun the bailout of the banks to make sure they did not collapse. President Obama continued working on this issue.

We know where the auto industry was at the same time. Sales were down 40 percent in the auto industry, 1 million jobs were at risk of being lost, on top of the 8 million jobs that had already been lost by the time President Obama raised his right hand to be sworn in on January 20, 2009.

It was not just the Big Three—Chrysler, Ford, and GM—that were in trouble, two of which declared bankruptcy. It was also the tier 1 suppliers, those large companies that made products that go directly into the assembly of a car. It was also all the other component manufacturers—tier 2, tier 3 companies—that make everything from door handles to tires to bolts to hold the car together to windshields to side

panels, the stamping plants, the component plants, the engine plants, and ultimately the automobile itself.

I take special pride in the Chevy Cruz because it is such an Ohio car. The engine is made in Defiance, OH. The transmission is made in Toledo, OH. The bumpers are made in Northwood, OH. Most of the metal is stamped in Parma, OH. Some of the rest of the metal is stamped in Lordstown, and the assembly is done in Lordstown. The Cruz is really an Ohio car.

The good news is that 1,100 jobs were added for a third shift on the Cruz. That is the Lordstown plant alone. That is just that plant. That is not counting all the job increases for the component manufacturers.

Again, looking back a year and a half when there was so much trauma in this country, when we were losing 800,000 jobs a month—we had already lost 8 million jobs the last year of President Bush's term. The auto industry was about to go belly up. Conservative politicians, the naysayers, the doom-and-gloom crowd in this body and across the way and others were saying: Let the market work. If the auto industry fails, that is the market's decision. If the dealers go out of business—dealers not just in Ohio but in Colorado and everywhere else—that is the market. If the suppliers go out of business, that is the market speaking. If the communities where these companies are lose jobs and lose revenue and they lay off teachers, firefighters, police officers, and mental health counselors, that is the free market working. If the auto dealer in Lima, OH, goes out of business, that means the Little League that car dealer used to sponsor will not have new uniforms. That is the market working.

In spite of the naysayers, in spite of the conservative politicians in this country and in this body who said, Wash our hands, we didn't cause it, we are not going to do anything about it, we did not do that. We did not turn our back on that. Mr. President, 400,000 Ohio jobs are directly or indirectly dependent on the auto industry. Tens and hundreds of thousands of jobs in every State of this country depend on the auto industry, not to mention the retirees, many of whom get pensions because of their 25, 30, 40, sometimes 45, years of work in this industry.

We did not turn our backs. We invested in the auto industry. That is why we had that celebration last Tuesday in Lordstown, OH, because the naysayers lost, the doom-and-gloom crowd was cast aside, and those of us who thought we should invest in the auto industry were successful. We were successful in that 1,100 people in Lordstown are back at work and hundreds of thousands of others did not lose their jobs because of that. And we are all in a much better position because of that.

We need to learn from our history. If we had turned our back on this industry, we would have been in a depression. Almost any economist thinks that. Auto and housing are, I believe, the two biggest industries in our country.

I want to go back a little further to the whole idea of letting the market work and the government never being involved. Let me take—and do it very fairly—January 20, 1993, to January 20, 2001, the 8 years of Bill Clinton's Presidency, then January 20, 2001, to January 20, 2009, the 8 years of George Bush's Presidency. I am not shading this. I am just taking these 8 years.

During the 8 years of President Clinton's Presidency, we increased taxes on the wealthy, balanced the budget, and had smart—not too much regulation—had smart regulation. During the 8 years of President Clinton, a net 22 million jobs were created in this country, more than a 22 million net increase of jobs during Bill Clinton's 8 years. During George Bush's 8 years, there was a net increase of 1.1 million: 22 million during President Clinton's 8 years; 1.1 million during President Bush's 8 years.

During President Clinton's 8 years, incomes went up for the average person in this country. During President Bush's 8 years, income for the average person went down.

At the end of President Clinton's 8 years—in other words, January 20, 2001—when he left the White House, we had the largest budget surplus in American history. When George Bush left the White House on January 20, 2009, we had the largest budget deficit in this Nation's history.

Yet too many people in this body think that we should go back to the years of deregulation of Wall Street, cutting taxes on the rich, and passing trade agreements that send jobs to China, Mexico, and all over the world.

I will take you back further. If you do not quite believe that—although it is provably true—go back to the Reagan tax cuts. Ronald Reagan staked his whole reputation on them. When he was campaigning, he said: We are going to cut taxes. In 1981, the Reagan administration pushed through a tax cut. Congress voted for it. It was a major tax cut, overwhelmingly for corporations and the wealthiest wage earners of the country.

For the next 16 months, we lost jobs in this country. For the next 16 months, we had a net decrease in employment—for 16 months. Only when President Reagan signed a tax increase to balance the budget did we begin to have job growth.

The same thing happened with President Obama. President Obama came in and passed the stimulus package. We were losing a lot of jobs. We kept losing jobs because that is what was happening to the economy.

When we passed the Recovery Act, we began to see the economy get better. It has not gotten better quickly enough. We have gotten no help from the other side of the aisle, which opposed everything because they wanted to go back to the Bush ideas and tax cuts for the wealthy, deregulation of Wall Street, and passing trade agreements that outsource jobs.

We are not going to do that with President Obama. We are not going to do that with the Democrats in the majority in the House and the Senate. We are not going back to tax cuts for the rich, deregulation of Wall Street, and trade agreements that send jobs overseas.

Instead, we are beginning the recovery. For the last several months, we have seen a net increase every month in private sector job creation. That increased not as fast as we wanted. Too many 22-year-olds come home from the Army and college and cannot get a job. I know that. There are too many people laid off who cannot get a job. There are too many people working but not working as many hours, not working 40 hours, even though they want to.

We know this economy is not where it should be. If the voters this year elect people who subscribe to the George Bush philosophy of tax cuts for the wealthy and deregulation of Wall Street and more trade agreements that outsource jobs to China and Mexico, we are making a terrible mistake. We do not want to look back. We want to look forward.

We can learn from history, and the best way to learn from history is to see who has been President, what their governing philosophy has been and what works. Twenty-two million jobs during the Clinton years and one million jobs during the Bush years. When President Bush cut taxes—at the beginning of his 2001 and 2003 tax cuts—you know what happened? Wealthy Americans saved their money. They didn't invest it or spend it on job creation; they saved it. Good for them. But why would we pass a tax cut instead of doing it right, the way we have done it, and put people to work on bridge projects and water and sewer projects and helping small businesses?

We are passing legislation this week that Senator LANDRIEU has pushed so hard on. My colleague, Senator VOINOVICH, is one of only two Republicans to support it, even though the Chamber of Commerce is a strong supporter of it. It will make a difference in creating jobs because we know most jobs—two out of three—are created by small business.

Facts are facts, Mr. President. We can learn from history. We shouldn't turn back the clock and do things the way we did in the first part of this decade.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

SPECIALIST CHAD DEREK CLEMENTS

Mr. BAYH. Mr. President, I rise today to honor the life of SPC Chad Derek Clements of the U.S. Army and Huntington, IN.

Specialist Clements was assigned to F Company, 4th Brigade Support Battalion, 4th Infantry Division. He was only 26 years old when he lost his life on August 30th while serving bravely in support of Operation Enduring Freedom in the Arghandab River Valley in Afghanistan. He was only 3 weeks into his first deployment.

A Huntington, IN, native, Chad graduated from Huntington North High School in 2002. He enlisted in the Army in February 2009 and arrived in Afghanistan the second week of August. He followed in the proud military tradition of his father, Daniel, a Navy veteran who passed away in 2001.

Those closest to him described Chad as having a big heart. He deeply valued his family and his friends. Chad was an avid fan of the local Fort Wayne Komets and the Pittsburgh Penguins hockey teams, and he enjoyed collecting memorabilia of NASCAR driver Dale Earnhardt.

Today, I join Chad's family and friends in mourning his death. He is survived by his mother, Anne Beady Tarter; his stepfather, Ed Tarter; his sister, Danielle Clements; his grandmother, Betty Beady; his grandfather and step-grandmother, Marvin and Carol Beady; his grandfather, Everett Clements; his stepbrother, Corey Tarter; and his stepsister, Heather Tarter.

We take pride in the example of this American hero, even as we struggle to express our sorrow over this loss. We cherish the legacy of his service and his life.

As I search for words to honor this fallen soldier, I recall President Lincoln's words to the families of the fallen at Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.''

It is my sad duty to enter the name of SPC Chad Derek Clements in the RECORD of the U.S. Senate for his service to our country and for his profound commitment to freedom, democracy and peace.

SERGEANT CHRISTOPHER NEAL KARCH

Mr. President, I also rise today to honor the life of SGT Christopher Neal Karch of the U.S. Army and Indianapolis, IN.

Sergeant Karch was assigned to the 2nd Battalion, 508th Parachute Infantry Regiment, 4th Brigade Combat Team, 82nd Airborne Division. He was only 23 years old when he lost his life on August 11 while serving bravely in support of Operation Enduring Freedom in Afghanistan. He was 20 days from completing his second tour of duty.

Sergeant Karch graduated from Lawrence Central High School in 2005 and was pursuing a degree from the University of Maryland with plans to graduate in 2012. He joined the Army 2 months after his high school graduation, where he served in the same division and lived in the same barracks as his father Pat—also a veteran. A decorated soldier, Sergeant Karch earned the Bronze Star Medal, the Purple Heart and the Army Good Conduct Medal. His platoon leader described him as the ''epitome of an airborne paratrooper.''

Today, I join Sergeant Karch's family and friends in mourning his death. He is survived by his father, Pat Karch; his mother Lynn Kersey; his grandparents, Nick and Dian Nicholson, Bill and Joyce Seal, Norman and Denise Karch, and Jerry Hallgarth; and his uncle, Vince Karch.

As we struggle to express our sorrow over this loss, we take pride in the example of this American hero and cherish the legacy of his service and his life.

As I search for words to honor this fallen soldier, I recall President Lincoln's words to the families of the fallen at Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.''

I pray that Christopher's family finds comfort in the words of the prophet Isaiah, who said: ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

It is my sad duty to enter the name of Sergeant Christopher Neal Karch in the RECORD of the U.S. Senate for his service to our country and for his profound commitment to freedom, democracy and peace.

SPECIALIST JUSTIN B. SHOECRAFT

Mr. President, today I also wish to honor the life of SPC Justin B. Shoecraft of the U.S. Army and Elkhart, IN.

Specialist Shoecraft was assigned to the 1st Squadron, 2nd Stryker Calvary Regiment and was only 28 years old when he lost his life while serving bravely in support of Operation Enduring Freedom in Kakarak, Afghanistan. He had been in Afghanistan for 5 weeks.

An Elkhart native, Justin graduated from Elkhart Memorial High School in 2000. He shared a passion for working on old bicycles and cars with his father, Blue, who described his son as hardworking and dependable.

Today, I join Justin's family and friends in mourning his death. He is survived by his wife, Jessica; his mother and father, Donna and Carroll ''Blue'' Shoecraft; his sister, Sherry Schoonover; and his half-brother, Michael Garver, Jr.

We take pride in the example of this American hero, even as we struggle to express our sorrow over this loss. We cherish the legacy of his service and his life.

As I search for words to honor this fallen soldier, I recall President Lincoln's words to the families of the fallen at Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.''

It is my sad duty to enter the name of Army SPC Justin B. Shoecraft in the RECORD of the U.S. Senate for his service to our country and for his profound commitment to freedom, democracy and peace.

SPECIALIST CHRISTOPHER SHANE WRIGHT

Mr. President, today I also honor the life of U.S. Army SPC Christopher Shane Wright.

Specialist Wright was assigned to C Company, 1st Battalion, 75th Ranger Regiment. He was only 23 years old when he lost his life on August 19 while serving bravely in support of Operation Enduring Freedom in Pech, Afghanistan.

Chris grew up near Jeffersonville, IN, where he attended Sacred Heart School. He later moved to Tollesboro, KY, and graduated in 2005 from Lewis County High School. Chris enlisted in the Army shortly after his 18th birthday and went on to serve in both Iraq and Afghanistan.

Specialist Wright was highly regarded among his fellow servicemen. His regiment commander, COL Michael E. Kurilla, described Specialist Wright as ''the epitome of a Ranger'' and called him ''a hero to our Nation, the Army and his family.'' Specialist Wright received the Army Good Conduct Medal, the National Defense Service Medal, and the Iraq Campaign Medal. He was posthumously awarded the Bronze Star, the Army Commendation Medal, and the Purple Heart.

Today, I join Specialist Wright's family and friends in mourning his death. He is survived by his mother, Linda Wright-Dennis; his father and stepmother, James Cochran and Michele Cochran; his grandmothers, Carol Cochran and JoAnn Stockton; his brothers, Zachary Pope, Zane Pope, and Andrew Dennis; and his sisters, Marianne Dennis and Katie Dorman.

We take pride in the example of this American hero, even as we struggle to