provide fair competition between retailers that will benefit consumers.

NGA looks forward to working with you as you work to enact the Marketplace Fairness Act and create a more level playing field for all sellers and consumers.

Sincerely,

GOVERNOR BILL HASLAM,
Tennessee.

GOVERNOR CHRISTINE O. GREGOIRE,
Washington.

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STATES TELL CONGRESS ONLINE TAX LOOPHOLE COSTLY

(By Juliana Gruenwald)

State officials and some retailers urged Congress on Wednesday to finally close a loophole that they say benefits online retailers by allowing them to avoid collecting sales taxes from out-of-state customers.

The issue the House Judiciary Committee examined relates to a 1992 Supreme Court decision in Quill v. North Dakota that found catalog and other retailers do not have to collect sales taxes from customers in states where they do not have a physical store or other facility. Since then, online retailers have exploited the loophole to the tune of billions in lost tax revenue, according to state officials.

''It is estimated that currently in the state of Texas between $600 million and $800 million is not collected on out-of-state sales. . . . That points out to me the unfair competition that my storefronts are competing against,'' Texas state Rep. John Otto, a Republican, told the committee.

Even some tax-averse lawmakers such as Rep. Mike Pence, R–Ind., said congressional action is warranted.

''I don't think Congress should be in the business of picking winners and losers,'' Pence said. ''Inaction by Congress today results in a system today that does pick winners and losers.''

State calls for congressional action on the issue got a big boost earlier this month when Amazon, after years of battling efforts to address the loophole, endorsed bipartisan online-sales-tax legislation introduced by Sens. Michael Enzi, R–Wyo., Dick Durbin, D–Ill., and others. That bill would authorize states that meet certain minimum standards to require online retailers to collect sales taxes from customers even in states where those firms have no facility. A similar bill has been introduced in the House by Reps. Steve Womack, R–Ark., and Jackie Speier, D–Calif.

Mr. ALEXANDER. Madam President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. KLOBUCHAR.) Without objection, it is so ordered.

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

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

THE DREAM ACT

Mr. DURBIN. Madam President, it has been 10 years since I introduced the DREAM Act, legislation that will allow a select group of immigrant students with great potential to contribute to America. The DREAM Act would give these students a chance to become legal in America. They came to the United States as children. They have to be long-term residents of our country, have good moral character, graduate from high school, and complete 2 years of college or military service in good standing. Those are the basic standards we apply.

I think if we enacted the DREAM Act, as I have tried to for many years, it would make America a stronger country, giving these talented young immigrants a chance to serve in our military and make us a stronger nation. Tens of thousands of highly qualified, well-educated young people would enlist in the Armed Forces if the DREAM Act becomes law. We have the support of the Department of Defense and the President. They understand that these young people could make us a stronger and safer nation by serving in our military. And they are willing. Many of them are willing to risk their lives for this country.

Studies have also found that these DREAM Act participants could literally build our economy in years to come with their talent.

Remember, these students we are talking about were brought to America as children and as infants. They grew up here believing they were Americans. They went to class every day, pledged allegiance to the only flag they knew, and sang the only national anthem they had ever heard. They are American in their hearts, and they should not be punished because their parents made a decision to bring them here.

These young people are tomorrow's doctors, engineers, soldiers, teachers. They are the people with whom we can build an America on. We should not squander their talent by deporting them to countries they may not remember at all.

Last year, Republican Senator RICHARD LUGAR of Indiana joined me in asking the Department of Homeland Security to suspend the deportation of these DREAM Act students. Now, for the record, if there is any evidence of wrongdoing by these students, they are completely disqualified from this conversation. We are talking about students of good moral character who are in the United States basically without a country.

Earlier this year, Senator LUGAR and I were joined in our request by 21 other Senators, including majority leader HARRY REID, Judiciary Committee chairman PATRICK LEAHY, and Senator BOB MENENDEZ, asking that these DREAM Act students be given an opportunity to stay and not be deported. In response to our letters, John Morton, the Director of Immigration and Customs Enforcement, issued a memo in June of this year establishing new priorities for deportation. The Morton memo says: It is a high priority to deport those who have committed serious crimes or those who are a threat to public safety, while it is a low priority to deport individuals who have been in the United States since childhood, like those who are eligible for the DREAM Act.

During hearings this summer on the DREAM Act, Homeland Security Secretary Janet Napolitano told me and my subcommittee that the Department of Homeland Security would establish a process to implement the Morton memo. Under this new process, high-priority cases will be expedited, and low-priority cases will be closed in many instances.

Recently, the Department of Homeland Security announced the next step in the process. Immigration and Customs Enforcement officers and attorneys will receive comprehensive training on the new deportation policy. By January, all ICE officers and attorneys will have the training they need. ICE attorneys will review all new deportation cases to identify low-priority cases that should not be placed in the immigration court.

A review of the cases currently in immigration court is also underway. Department of Homeland Security attorneys will review pending deportation cases in Baltimore and Denver to identify-low priority cases that should be removed from the docket. This trial review of new and pending cases will be completed by mid-January and then expanded nationwide.

Let me commend the President and his administration for these thoughtful and humane steps to implement this new deportation policy.

Today, there are approximately 11 million undocumented immigrants in the United States. It would take billions and billions of dollars to deport all of them. It would likely lead to the collapse of many parts of our economy. You can't go to a hotel or restaurant in the city of Chicago—I have been told this by restaurant owners—and not find at least some place in that establishment an undocumented person doing the tough, hard work immigrants do.

DHS has to set priorities about which people to deport—and not deport—using its limited resources. Some of my Republican colleagues have claimed that this is kind of a backdoor amnesty. That could not be further from the truth. This is simply a temporary decision not to use limited government resources to deport low-priority individuals who are no threat to the United States of America. Individuals whose cases are closed will not receive any permanent legal status. So there is no amnesty involved.

Ironically, some Republican critics of the administration's new policy called on the Clinton administration to establish deportation guidelines—exactly what the Obama administration has done here. In response to this request from some Republicans in Congress, the Clinton administration established a policy on prosecutorial discretion.

The Bush administration kept the policy in force from the Clinton years and issued several followup memos without any criticism from any Republicans in Congress. The Bush administration also stopped deportations of a number of DREAM Act students, again without any criticism from Republican Members.

Let's be clear. What the Obama administration has done in establishing this new process for prioritizing deportations is perfectly appropriate and legal. Throughout our history, our government has had to decide who to prosecute and who not to prosecute based on law enforcement priorities and available resources.

I strongly support the administration's new deportation policy but more needs to be done to implement this policy and it needs to be done quickly. Many young people who would be eligible for the DREAM Act are still facing deportation proceedings. Almost every day my office is contacted by DREAM Act students who are at risk of being deported in a matter of hours or days. Today, let me tell you the story of two of these young people.

Here is a photo of Minhaz Khan. Eighteen years ago, in 1992, Minhaz Khan's parents brought him to the United States from Bangladesh. At the time, he was 4 years old. Today, Minhaz is 22—18 years later—and he has overcome amazing obstacles to complete his education. In 2009, Minhaz graduated from the University of California Riverside with a bachelor's degree in neuroscience.

Minhaz sent me a letter, and here is what he said about his future:

> My dream is to make several contributions to science, and become a physician's assistant as a career, and eventually a teacher as well. I have great aspirations, but I do not dream of big houses or tons of cars. I want normality, stability, and liberty.

Today, Minhaz lives in Palo Alto, CA, with his wife, who is an American citizen. Minhaz's wife has filed an application for her husband to become an American citizen, but under our broken immigration laws he has been placed instead in deportation proceedings. Eighteen years in the United States, a bachelor's degree in neuroscience, aspiring to become a researcher or teacher, married to an American citizen, and he is under threat of being deported. What threat is he to America? The threat is losing a person who is talented and can make such a difference in the lives of so many people.

Minhaz was scheduled to be deported last month. Under President Obama's new deportation policy, the Department of Homeland Security put his deportation on hold for 3 months so that his application for legal status can be considered. I think that was the right thing to do. Minhaz grew up in America, he is married to an American, and he wants to make America a better nation.

In his letter to me, Minhaz spoke about what it would mean to him if the DREAM Act became law.

> Imagine the countless numbers of individuals ready to contribute to our society as law-abiding, successful individuals who live life with a sense of strength and morality. Abraham Lincoln once said, ''I have always found that mercy bears richer fruit than strict justice,'' and this is more true now than ever. I have a great amount of hope, optimism, and belief in this country and that one day we shall see the DREAM Act enacted into law.

Here is another DREAMer. This is a photo of Jose Librojo. In 1995, when he was a child—16 years ago—Jose's parents brought him from the Philippines to the United States. Shortly after they arrived here, Jose's parents filed an application to stay in this country as legal permanent residents. For more than 15 years, their immigration application has been stuck in the courts.

In the meantime, Jose grew up in America. He graduated from San Francisco State University with a bachelor's degree in biology. As a member of Alpha Phi Omega National Service Fraternity, Jose volunteers, working with the elderly and young Asian Americans, among other things.

Jose has been authorized to work while his immigration case is pending. For more than 10 years, he worked as a registered dental assistant and a dental laboratory x-ray technician. The dentist who employs him was so impressed by his work, he filed papers to sponsor Jose for legal permanent residency in the United States. The employer's petition was approved, but because of our broken immigration laws, Jose has been placed in deportation proceedings. After all of these years in America—16 years—and earning a bachelor's degree in biology, currently working in the health field in dentistry, and one who has done such a good job that his employer wants to have him here permanently, he is now facing the prospect of being deported to a country he cannot even remember.

Jose was scheduled to be deported last month, 3 days before Thanksgiving. But the Department of Homeland Security put his deportation on hold, so he will have a chance to apply for legal status and keep working.

Jose sent me a letter, and this is what he said:

> I have followed the laws of our system, but the logjam in the courts has put me in this untimely predicament. I have lived in the U.S. for 16 years, and I consider this country as my home. I have always felt like an American. I wish to stay, live my dreams, and build my own family here in the United States. I hope that someday the DREAM Act becomes a reality so that I may continue making contributions to the country I call home.

I ask my colleagues who are critical of the administration's deportation policy, would America be better off if we deported Minhaz or Jose back to Bangladesh and the Philippines? I don't think so. These two young men were brought here as infants, children. They grew up in our country. They have overcome great odds and achieved great academic success, without the support of Federal assistance. They didn't qualify for it. They have no problems with moral character, and they pose no threat to America. They would make us a better country if we gave them a chance.

Minhaz and Jose are not isolated examples. There are literally thousands of others like them in this country. We have a responsibility in the Senate to give them a chance to let them prove what they can do for America.

I commend the Obama administration for its new deportation policies. I urge the Department of Homeland Security to move forward on an expedited basis. As long as young people such as Minhaz Khan and Jose Librojo are facing deportation, work still needs to be done.

It is also clear that this policy is only a temporary solution. The deportations of many DREAM Act students will be temporarily suspended. Ultimately, the responsibility lies with Congress and with us to fix these broken immigration laws and give these good young people a chance.

I ask my colleagues to support the DREAM Act. It is the right thing to do. It will make America a stronger nation.

I yield the floor.

The PRESIDING OFFICER (Mr. DURBIN). The Senator from Minnesota.

THE COLLAPSE OF MF GLOBAL

Ms. KLOBUCHAR. Mr. President, I rise today to discuss the collapse of MF Global. While its demise hasn't triggered the sort of economic turmoil we saw in 2008, let me assure you it is having a devastating impact on the livelihoods and savings of many in my State.

Sadly, the story of MF Global is all too familiar. It is the story of another overleveraged financial firm that took on too much risk and did little to disclose its bets. Once again, the folks whom the system was supposed to protect have been left holding the short end of the stick. Three years after the U.S. financial system was nearly toppled by this sort of recklessness, it seems little has changed on Wall Street.

Today, Mr. Corzine appeared before the House Agriculture Committee to testify on events that led to the bankruptcy of MF Global—the firm he led—as well as the whereabouts of roughly $1.2 billion in customer funds that remain missing. While taking responsibility for the collapse of the firm in his testimony today, Mr. Corzine chose to use much of his testimony defending the strategy that ultimately led to the firm's demise and that left many in my State with their life savings on the line. In regard to the missing customer funds, he responded that, as CEO of MF Global, he wasn't really in the position to know what happened.

If executives at MF Global were willing to steer their ship into dangerous waters, they should be able to account for the safety of their customers' funds