Mr. KERRY. Mr. President, I ask unanimous consent that the joint resolution be read three times, passed; that the motion to reconsider be laid upon the table, and any statements be printed in the RECORD, with no intervening action.

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

The joint resolution (H.J. Res. 105) was ordered to a third reading, was read the third time, and passed.

EXECUTIVE SESSION

TREATY WITH RUSSIA ON MEASURES FOR FURTHER REDUCTION AND LIMITATION OF STRATEGIC OFFENSIVE ARMS—Continued

Mr. KERRY. Mr. President, I would now inquire—I think Senator SESSIONS is going to be the last speaker; am I correct?

Mr. SESSIONS. I see Senator BARRASSO is here and he may want to speak also. I assume he does.

Mr. KERRY. I don't think we have any more speakers on our side. I think Senator MCCAIN informed me he did not want to speak further, so I think perhaps we are reaching the end of business, although I think Senator DURBIN wanted to speak as in morning business when we have completed everything, as he requested earlier.

So I ask unanimous consent that Senator DURBIN be recognized to wrap up.

Mr. SESSIONS. I see Senator BARRASSO is here. Does the Senator want to follow me?

Mr. KERRY. Mr. President, I ask unanimous consent that when Senator SESSIONS concludes, Senator BARRASSO be recognized for 10 minutes; that after Senator BARRASSO, Senator DURBIN be recognized in morning business.

Mr. DURBIN. Reserving the right to object. I would ask Senator SESSIONS how long he expects to speak.

Mr. SESSIONS. In 10 or 12 minutes I will try to wrap up.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. KERRY. I thank the Chair.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, it has been a very fine discussion between Senator KERRY and Senator KYL, two of our most able Members. Senator KERRY is an able advocate for the treaty, but I do agree with Senator KYL's view that there is more than a misunderstanding concerning missile defense in this treaty. There is a conflict of views about it. It is not an ambiguity, it is more of a misunderstanding or a conflict of views, and a serious agreement, contract, treaty that has a misunderstanding among the parties about a serious matter shouldn't go forward until it is clarified. That would be my view of that.

If it goes back to the Duma and they say: Well, we don't think your missile defense system that you say you might want to build by 2020 will conflict with our treaty reading, so go ahead, then that will be one thing. If they say: No, we firmly disagree; we don't think you should be able to build a missile defense shield in Europe, then we know we have a problem. So that would be how I would feel about it fundamentally at this point.

I just don't feel that if the Russians are serious about a treaty, they would be, in any way, trembling or afraid or upset if we sent the treaty back to them and told them we have a disagreement. This is particularly true when Mr. Putin, on Larry King, just made the statement he did; that if countermissiles will be deployed in the year 2012 or 2015 on our border, they will work against our mutual nuclear potential and we are obligated to take action in response. Mr. Medvedev, in his December statement to the Duma, makes a similar threat about it. So I think we have a serious problem.

The missile defense issue is very important. I know the Presiding Officer, from Colorado, is knowledgeable about these issues. It is a key issue. It has been going on for years—decades—in the Congress of the United States. There has always been a hard group on the left who have opposed missile defense. They called it Star Wars and mocked it and denigrated it. But the truth is, those treaties, those proposals, have worked, and we now have deployed in Alaska and California missile defense systems capable of knocking down North Korean missiles and probably Iranian missiles, although Iranian missiles coming from the other side of the globe, there is some need to have some redundancy there and that is why the missile defense site was selected in Europe.

President Bush and his team spent some years, invested a lot of time working with the Czechs and the Poles. The Czechs agreed to sign an agreement that they would have a radar site and the Poles signed the agreement that they would accept the missile site and the Russians, as well, objected. They have objected to our missile defense system for years, for reasons that strike me as utterly inexplicable. I cannot see how it is possible that the Russians would see 10 missiles in Poland as somehow being a destabilizing event that would neutralize their thousands of nuclear warheads that they can launch at the United States. It is unthinkable. They have hundreds of missiles they can launch and other ways to deliver nuclear weapons. But they have always opposed it, and they particularly opposed the European site. So this has been a contentious issue.

As chairman and ranking member and member of the Armed Services Strategic Subcommittee—and I believe the Presiding Officer is a member of that subcommittee—we have wrestled with this. But I thought, in 2006, when my Democratic colleagues took the majority in the Senate and fully funded the move forward with our missile defense system, we had reached a bipartisan accord on that, and I made a speech in London to that effect and said we had reached that accord.

But in the course of this negotiation over this treaty and in the course of their relationship with Russia, the Obama administration has made very serious errors. I am convinced of it. I know President Obama was only in the Senate a few years, he was a State Senator, a community activist, and he hasn't been used to dealing with the Russians. Maybe he didn't understand the significance of it, but a series of events has transpired since his election that has resulted in great embarrassment to our allies—the Czechs and the Poles—and has greatly and significantly delayed the deployment of an effective missile defense system in Europe and has been replaced by some pie-in-the-sky promise that by 2020 we are going to develop a completely new missile system to deploy 5 years later, when the intelligence estimate of the National Intelligence Agency is that the Iranians will have the ability to hit the United States with an ICBM by 2015.

Actually, we could have had our missile site in Europe sooner than 2016. We could have had it there by 2013, experts told us. But because of delays and other things—we were on track to do it by 2016, which would have been a pretty good safety valve to neutralize this growing threat from Iran, which is determined to have nuclear weapons. Iran is a rogue state. They reject United Nations resolutions, inspectors, and any decent importuning by the world community to constrict their dangerous activities.

My friend and colleague, as was cited before, Senator LEVIN, came down after I spoke earlier and made some reference to my remarks, and he quoted General Chilton, who I know the Presiding Officer remembers testifying before our committee and subcommittee. He is the strategic commander who has been there a while.

Senator LEVIN said that this is what General Chilton said: ''I can say with confidence that this treaty does not contain any current or future missile defense plans.''

It didn't strike me quite right, so I had my staff pull the testimony of the witness. This is the quote he gave at the committee. I think Senator LEVIN missed it or his staff didn't produce it in the correct fashion. He said this: ''This treaty does not constrain any current defense plans''—not ''future,'' ''current defense plans,'' because it does provide a basis for legal objections in the future, and there is an ambiguity about the Russian understanding of whether we are going to go forward with missile defense systems in the future. There just is. It is not a little bitty matter; it is an absolute fact. There is a confusion and really a misunderstanding. The Russians are saying one thing, and we are saying another. I think that is very significant.

Why did I make a difference between future and current? At the time General Chilton gave this testimony, on June 16, 2010, President Obama had already canceled the GBI two-stage site in Europe, so that is off the table. The GBI site, the one we planned to do, is not there. The only thing that is left is a promise that we are going to develop from scratch an SM–3 Block 2B.

You say we have an SM–3 missile. It would be hard to develop a new block missile. It is an entirely new missile. It is bigger around; it is taller; it goes longer; it is really an entirely new development process to develop this SM–3 Block 2. The guidance systems that were used on the Block 3s that were used on ships have been proven very capable, as are our GBI guidance systems. That is where we went.

How did it come about that the President of the United States unilaterally reneged on the U.S. policy to deploy in Poland and the Czech Republic? Essentially, this happened. The day after his election, the Russians announced they were moving missiles near the Polish border. Cables and other documents and testimony indicate that very early in the Presidency of President Obama, the Russians were pushing back hard, again, about missile defense.

The Bush administration refused to be taken in. They knew what they were doing in Europe didn't threaten the Russians, and they were not going to give in to their bluster and did not give in to their bluster. When they stood up in 2002 on the SORT treaty, the Russians eventually signed it without any of this language that constrained our missile defense.

By March of 2009, we were undergoing discussions on the New START treaty—by March. Even before that, the Russians had made clear they were firm this time on missile defense. As the negotiations for the treaty went on, in September President Obama dropped the bombshell, told the Russians that he was going to stop building the third site in Poland as had been planned and then told the Poles later, after it made news. It was quite an embarrassing scene because our allies—sovereign, independent nations on the border of the Russian power who committed to us, stood firm with us to work with us to develop a national missile defense system—had been greatly embarrassed.

We canceled that. That was the plan we were going forward with. It was on plan to be deployed by 2015 or 2016, and it took the missile system that we were using in Alaska and converted it from a three-stage to a two-stage system. That took a little work, but the guidance system and the concept of it were really simpler than the one we had already deployed in Alaska. The generals told us it was not in any way a complex problem to convert their system to a two-stage. So we were on track to deploy a proven system that would work and protect the United States and virtually all of Europe from an Iranian missile attack.

This is all a big mistake, and the Russians kept pushing. One expert said that it is odd that the Obama administration is being criticized for going soft on missile defense when they took great care to make sure it was not a part of the treaty.

Now, you know, I am a former lawyer. I tried cases and prosecuted. What did that mean? Senator KERRY is too. What did that mean? That meant to me exactly what they did. They wanted to come into this Senate and to say this treaty had very little to do with missile defense. But at the same time, they didn't really believe much in missile defense anyway—that had not been President Obama's strongest belief about how to defend America—and they wanted to placate the Russians, who were giving them a hard time. He, politically, was getting the Nobel Peace Prize. He was wanting to have a signature treaty with the Russians to show how much harmony there could be in the world and reset our relationship. I can understand that. It is a noble goal. But when you go eyeball to eyeball with our Russian friends—they are tough negotiators—you have to defend your interests or they will take you to the cleaners.

I do not believe the President legitimately defended our interests. I believe the weakness in the negotiating situation arose from the fact that they wanted a treaty too badly. They wanted this treaty really badly, and the Russians sensed it and they held out, and they got a number of things that a good, tough negotiating authority would not have given them.

I think it is transparent that, while there is not a lot of language in the treaty that directly constricts missile defense, I believe it is transparent that the cancellation of the two-stage site in Europe, in Poland, was to gain the support of the Russians for this treaty. The Russians are now in a position where they stopped it, and they had a big political win. It reinforced the view that Russia is a powerful nation, that they backed down the United States, and those nations, those former Soviet States that are now independent sovereign nations, those guys better watch out because when the chips are down, the United States is going to choose to be with the big boy—Russia—and they are not going to defend you.

So this was a psychological, political, strategic error of major proportions. It is why—it is part of the concern that this administration is weak on defense. Actually, it is one of the larger errors that I think they have made—maybe the largest. I feel very strongly about it.

So I am just not happy and do not think it is correct to argue that this treaty has nothing to do with national missile defense. It was all about it. It was in the center of the negotiations. It was quite obvious from the very beginning.

They worked hard to put as little as possible in the treaty because they didn't want to come to Congress and say they sold out national missile defense to get this treaty. But they sold it out when they canceled the two-stage site, in my opinion. Maybe they thought—I am sure they thought that was the right thing for America. I am sure they did not think it was so important. But it was important. They made a mistake, and now ratifying this treaty without getting a clear understanding about the missile defense question places our security at more jeopardy rather than less.

I know the argument is that signing this treaty will make us more secure. But signing documents do not make you more secure. Talk does not make you more secure. It is really actions that count and motives that count, and the Russians are just implacable, and they will push and push until you say no, and then they will make a decision whether they can accept your position.

They will never stop pushing until you say no with clarity and firmness, as Doug Feith testified he did in 2002 dealing with these very same issues. They said we had to agree to this kind of action to limit our missile defense system—you have to agree to it or we will not sign the treaty. Mr. Feith said the truth, which I have always believed. He just wrote this recently, but I raised it with our negotiators when they seemed so anxious for the treaty.

He said: You don't have to have a treaty with Russia. We don't have a treaty with China, we don't have a treaty with India, Pakistan, England, or France—nuclear powers. It would be nice, but if we do not have an agreement—he told the Russians: Look, President Bush has decided we don't need this many nuclear weapons. We are going to reduce our nuclear weapons whether you reduce them or not. We think you are silly not to reduce them because you have more than you need and you are just wasting money on them. So we won't have a treaty; we are just going to reduce our weapons.

Mr. Feith said that the Russians said: OK, we will take missile defense off the table.

They wanted a treaty for other reasons. They wanted to have the prestige of signing a major treaty with the premier military power in the world—the United States at the time—and they signed the treaty. But as soon as they saw a new President, they came right back at it, and the President blinked.

So now we have a difficult decision. I don't want to be negative about rejecting every treaty. I, frankly, don't think the numbers in the treaty are that dangerous to us. I think we can reduce it to the 1,550 nuclear weapons. That is probably an acceptable number—although the President has a goal, repeatedly stated, to eliminate all nuclear weapons. So presumably this is the beginning of his long march, as he would see it, to eliminate all nuclear weapons, which is not only fantastical,

it is dangerous. The world is not going to eliminate nuclear weapons if we eliminate ours and set an example next week. That is beyond the looking glass thought. It is not a good idea.

I am worried about this whole process and whether the administration gets the nuclear strategic issues. We have had nuclear weapons for a long time, and everybody has been careful about it. They have been very careful about it. We have been very concerned about dangers—wars and accidental launches and that sort of thing—but we have not used them. It has provided a certain degree of stability. The American nuclear umbrella, it is undisputed, provides comfort and security to a host of free, progressive, independent nations all over the world.

Let's take Asia—South Korea, the Philippines, Japan, Singapore. These are nations that believe that if they are unjustly attacked, the U.S. umbrella will be there to help them. So do European nations and other nations around the world with which we are allied. If they think we are bringing our numbers down too much, if they think we have a goal to go to zero, if they think we are not committed to utilizing the power we have, what will they do? I suggest that they will develop their own program. Do you think Japan or South Korea cannot develop a nuclear weapon if Iran can? They could do it in short order. They are worried right now, I suggest, as are other nations in the world. So if we do this improperly, if we do this reduction with Russia improperly, we could actually cause proliferation to occur.

If we do as Mr. Hogan said in the Washington Post just a few days ago—that we should go to 500 nuclear weapons or lower—a lot of nations around the world could see their way to develop 200, 300, 400, 500 nuclear weapons and actually be in a position to be a peer competitor of the United States.

So we could actually be encouraging other nations to think they could be on a par with us as nuclear powers. That is a dangerous logic. So I just say we need to be careful about all of that. I do not have confidence that this administration understands these issues. I think this treaty constricts our missile defense and places it at risk.

That is one of my biggest concerns about this treaty.

Mr. BROWN of Massachusetts. Mr. President, I rise today to express my concern with the bilateral Strategic Arms Reduction Treaty—known as New START—that was signed by Presidents Obama and Medvedev on April 8, 2010.

Before I begin, I would like to recognize, first and foremost, the leadership of Senators LUGAR, KERRY and KYL. I've observed their efforts over the past several months to address the concerns of the Senate and, I must say, it has been pretty inspiring.

Senators KYL and LUGAR, in particular, have been especially helpful in providing me and my colleagues with all the information we needed to make an informed decision.

I have also listened to the persuasive remarks made by the senior Senator from Massachusetts on the importance of this treaty, so I thank him as well.

Over the past several months, I have participated in multiple Senate hearings, met with professional organizations based in my State and Washington, DC, military experts in and outside the beltway, former national security advisers to Presidents, current and former Secretaries of State, expert negotiators of past nuclear arms treaties, and a host of foreign policy and nuclear proliferation professionals.

While the information I have received has helped improve my understanding of the treaty and its importance in some areas, it has not improved my confidence in the treaty's ability to address Russia's submissive attitude toward Iran. I will be clear.

The New START treaty is very important, particularly as it relates to enhancing our overall relationship with Russia. At the same time, however, the United States neglected a very real opportunity to secure better Russian assistance in imposing real, crippling sanctions on Iran as a prerequisite to moving the treaty forward.

It is no secret that Iran continues to defy the international community by developing a nuclear program. Iran asserts, of course, that its nuclear program is peaceful. Meanwhile, the United Nations Security Council, the International Atomic Energy Agency and the entire international community have repeatedly found Iran to be in direct violation of its obligations.

Everyone is familiar with the response Iran has provided to the international criticism it has been given.

To no surprise, Iran continues to hide their nuclear plants, deny IAEA access to its facilities and refuse to answer questions about evidence that it is working on a warhead.

Recent intelligence estimates corroborate those findings. Those estimates find that Iran may also be developing advanced missiles—based on Russian designs, no less—that could, for the first time allow Iran to target Western Europe.

While Iran's advancements in missile defense are extremely disturbing, these concerns are enhanced by the fact that it could use them to develop intercontinental ballistic missiles, which experts say could reach the United States by 2015.

I have to ask: Is there a larger threat than a nuclear-armed Iran with a long-range ballistic missile capability?

We need to get serious here.

My point is that while this treaty is extremely important and has many favorable aspects—let's not fool ourselves into thinking that this treaty does anything to keep Russia's feet to the fire on Iran.

The notion that bilateral disarmament will lead directly to greater progress in stemming Iran's nuclear proliferation is without merit. We need Russia's cooperation. Did we get it in this treaty? I am not so sure.

Iran will not be inspired, in some miracle fashion, to all-of-a-sudden dispose of their nuclear aspirations merely because we agree with Russia to limit our warheads, missiles and delivery vehicles in a bilateral way.

Proliferation in Iran would be a game-changer in the Middle East and would threaten the stability of the entire region. Other states would likely seek to build their own nuclear infrastructure as a hedge, creating further volatility.

In the State Department's report on ''Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments,'' it found:

> Iran continues to be in violation of Article III of the Non Proliferation Treaty. The United States assesses that Iran has not resolved questions regarding its nuclear program, nor provided the IAEA with requested information to enable it to provide credible assurances about the absence of undeclared nuclear material and activities in Iran. Iran continues to engage in enrichment activity in violation of UN Security Council Resolutions. Despite United Nations Security Council Resolutions, Iran refused to cooperate with the IAEA's ongoing investigation into Iran's past nuclear weapons development activities during the reporting period.

Earlier this year, in a Senate Armed Services hearing on the New START treaty, Secretary of State Clinton asserted that ''our close cooperation with Russia on negotiating this New START treaty added significantly to our ability to work with them regarding Iran.''

Can someone tell me what particular aspect of this treaty compels Russia to change its conduct with respect to Iran's nuclear program?

The New START treaty makes an attempt to reduce U.S. and Russian nuclear arsenals but fails to address directly the urgent concerns centered in rogue proliferators such as Iran and North Korea.

So while I continue to observe the ongoing debate and am hopeful that we can complete action on New START soon, I remain extremely concerned about the treaty's capacity to curtail the development of Iran's nuclear program.

Anyone who says this treaty demonstrates an improvement to that end is kidding themselves.

Tough, meaningful sanctions against Iran is the only solution. Russia's cooperation to that end is very important, but let's not pretend that agreeing with Russia to limit the number of our warheads will convince Iran to stop their nuclear development.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk 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.

THE DREAM ACT

Mr. DURBIN. Mr. President, tomorrow, we are going to have two important votes. I would go so far as to say they are historic. In the history of the United States of America, I do not know how many people have lived in this great Nation. Today there are more than 300 million.

But if you added up all of those who lived in this great Nation since we became a nation, the number would probably be in the billions. In that period of time, only 2,000 men and women have had the honor of being U.S. Senators. It is a humbling statistic, for you, for me, for all of us, to think that we join with so few of our own fellow citizens who have this great opportunity and responsibility.

In the desk drawers around the Senate are the names of the Senators who have served. Some of them are amazing: Daniel Webster, John Kennedy, Robert Kennedy, Ted Kennedy, Mike Mansfield—the list goes on. But there are also many names that have faded into obscurity. You pull open the desk drawer and say: I do not recognize that name. I wonder who that was? One of two thousand I am going to presume served their State and Nation well but left no indelible mark on history. They did their job. That says something for each and every one of them who served here.

But precious few of those 2,000 had a moment in history to do something historic. When we look back in the course of our history, there were opportunities to vote on whether to go to war, to vote on a constitutional amendment, to approve a Supreme Court Justice. All of these things rank in the highest order of the business of the Senate.

But I would say at that top level is the opportunity to vote to extend civil rights and human rights in our Nation, the opportunity to vote for justice. Those are the stories that are told and retold.

The civil rights battles of the 1960s that you and I can vaguely remember from our youth; the giants of the Senate who, when it looked hopeless on the issue of civil rights, found a way. I worked for a man named Paul Douglas who was an extraordinary man and dedicated his life to civil rights. It turned out that his stalwart support made a difference. But what made the real difference was the other Senator from Illinois, Everett McKinley Dirksen, a conservative Republican, who decided he was finally going to pitch in and help to pass civil rights legislation. He is remembered for that. He once said something which may be politically incorrect now. But describing his transition on the issue of civil rights, he said: There is nothing more pregnant than an idea whose time has come.

In his mind, the idea of civil rights had come. When we look back at the Senate of those days and the votes that were cast, for many of the Senators casting those votes, they were painful, difficult votes. The idea of integrating America beyond the Armed Forces, beyond schools, into every aspect of our life was controversial in many parts of our Nation.

It was controversial in the Land of Lincoln, my Home State of Illinois. But the Congressmen and Senators of that day mustered the courage to do it, and they are remembered for that courage. Some of them are exalted for that courage because they did it in the face of opposition, vocal opposition to what they were about. We will have an opportunity tomorrow to vote on what looks like two pedestrian procedural motions, but they are much more. One of them is to eliminate a discriminatory policy in our Armed Services known as don't ask, don't tell. It will be a chance for Members of the Senate to go on record about whether they believe we should move beyond the practices of the past; whether they believe we should acknowledge that people of different sexual orientation can play a valuable role in protecting America. It is a historic vote. I am glad we are going to have it.

Before that vote is another. It is called the DREAM Act. This is a piece of legislation which I have been working on for 10 years. Whenever I am discouraged about how long it has taken, I think of how long these other battles have taken; how many decades it took to bring us to the civil rights vote; how long it took for women to get a right to vote in America; how long it took for the disabled to finally be recognized in America, thanks to the amazing bipartisan leadership of Bob Dole and Tom Harkin in the Senate.

Whenever I feel discouraged that I have been at this for 10 years and still do not have it, I think of those battles, and say to myself: DURBIN, as a student of history, even an amateur student of history, be patient because some of these things take a long time, but they are worth the effort and worth the wait.

The good news is that the House of Representatives did something historic last week. They passed the DREAM Act. I cannot thank Speaker NANCY PELOSI, majority leader STENY HOYER, HOWARD BERMAN, Chairman of the Foreign Relations Committee, and my colleague, LUIS GUTIERREZ of Chicago, enough. What an extraordinary job they did in passing that legislation. It was not easy. The President of the United States, Barrack Obama, who had cosponsored the DREAM Act as a Senator, was on the phone asking Democrats and Republicans to join in this effort to move toward justice.

They passed it by a vote of 216 to 198. It was bipartisan legislation, and it would give a select group of immigrant students who grew up in this country the chance to become legal. I will tell you it would not be easy if this becomes law for them to make that journey from where they are today to legal status.

But last week, the Senate decided that we would accept this challenge as well. After the House passed this bill, our majority leader, HARRY REID, who has been just an amazing ally and friend in this effort, came to the floor and said: We were pursuing another version of this bill to make the point of our commitment to it, but we are pulling that version from the calendar. We are going to vote on the bill that passed the House of Representatives. This will not be a symbolic debate. This debate is for real. If we can pass the bill passed by the House of Representatives, we can send it to the President and make it the law of the land. It will be a real act, not a symbolic, political act.

I thank my colleague for saying that and doing that. The DREAM Act has enjoyed bipartisan and majority support in the Senate virtually every time it has been called. The last time the Senate considered the DREAM Act, it received 52 votes, including 12 Republican votes.

When Republicans last controlled the Senate, the DREAM Act was reported by the Judiciary Committee by a vote of 16 to 3. This has been a strong, bipartisan issue. If some of the Republicans are willing to join us in the Senate, as eight Republicans did in the House, we can make the DREAM Act the law of the land.

This is simply a matter of justice. Let me tell you the story behind the DREAM Act. I have said it before, but I think it is an indication of why it is worth it to pick up the phone and call your Senator or your Congressman, or to send that e-mail or letter, or to perhaps draw them to the side at a public event and tell them your story or your concern.

The story of the DREAM Act goes back more than 10 years ago, when a woman, a Korean woman in Chicago, called our office. She was a single mom with three kids. She ran a dry cleaning establishment. She had just an amazing young daughter. Her daughter was an accomplished concert pianist at the age of 18. Her daughter had been accepted at the Julliard School of Music in New York. Her mom was beaming with pride as her daughter started to fill out the application form.

At a point where it said: Nationality or citizenship, the daughter turned to the mom and said: What should I put here?

Her mom said: I do not know. You see, we brought you to the United States when you were 2 years old and we never filed any papers for you. So I do not know what to put there.

The girl said: What are we going to do?

The mom said: We are going to call DURBIN.

They called my office. And one of my staffers responded and looked into the law. The law was clear. This 18-year-old girl who had lived in the United

States for 16 years, under the law of the United States, was not a citizen and had no legal status in this country whatsoever, and the law said she had to go back to Korea, a place she could never remember, with a language she could barely speak, to live her life.

I thought that was fundamentally unjust. If you want to penalize the mother failing to file papers, that is one thing. But to penalize a girl, who at the age of 2, had no voice in this decision for the rest of her life strikes me as unfair and unjust. So I wrote up the DREAM Act. I went to the Senate Judiciary Committee and found an ally in Senator ORRIN HATCH of Utah.

In fact, it was interesting—I am sure the Presiding Officer will appreciate this—we had a little tussle about who was going to put their name first on this. The first version was Hatch-Durbin. That was OK. I was not as interested in having my name first as getting this passed.

Well, over the years, there have been versions of this bill that have been introduced and considered over the last 10 years. But, sadly, it has not been enacted into law.

The DREAM Act is the right thing to do. It will make America a stronger country. It would strengthen our national security by saying to thousands of young people like that young Korean girl, thousands of highly qualified young people, that they can have a chance to enlist in our Armed Forces and work their way to legal status.

The Defense Department Strategic Plan says the Dream Act would help ''shape and maintain a mission-ready All-Volunteer Force.''

That is why the DREAM Act has the support of national security leaders such as Defense Secretary Robert Gates and GEN Colin Powell. Here is what Secretary Gates says:

> There is a rich precedent supporting the service of noncitizens in the U.S. military. The DREAM Act represents an opportunity to expand this pool to the advantage of military recruiting and readiness.

The DREAM Act also would stimulate our economy. It gives these talented young immigrants the chance to become tomorrow's engineers and doctors and lawyers and teachers and entrepreneurs.

The nonpartisan Congressional Budget Office said: Make no mistake. Engaging these young people and challenging them to serve in the military or to finish at least 2 years of college is going to make them productive citizens and add to the bounty of the United States as they take on big jobs and earn their paychecks and build their homes and families. They concluded the DREAM Act would produce $2.2 billion in net revenues over 10 years.

A recent UCLA study found the DREAM Act students would contribute between $1.4 and $3.6 trillion to the U.S. economy during their working lives. Mayor Michael Bloomberg is a person I admire from New York City. He supports the DREAM Act. He stated succinctly:

> These are just the kind of immigrants we need to help solve our problems. Some of them will go on to create new small businesses and hire people. It is senseless for us to chase out the home-grown talent that has the potential to contribute so significantly to our country.

Senator SESSIONS of Alabama has left the floor. He did not speak this evening on the DREAM Act, but he has been to the floor many times. He opposes it. JEFF SESSIONS and I are friends. We are on the Judiciary Committee. We do agree from time to time, and we have had some pretty important legislation cosponsored by the two of us.

On this issue we disagree. I have carefully followed his complaints or items that he has brought up on the floor that he thinks are weak in this bill. Last week he said on the floor that the DREAM Act is ''a nearly unrestricted amnesty, a guaranteed path to citizenship.''

I appreciate Senator SESSIONS's passion. He has been a strong opponent of the DREAM Act since it was first introduced. With all due respect, that is not what the bill says. Only a select group of students would be able to earn legal status under this legislation.

In fact, according to a recent study by the nonpartisan Migration Policy Institute, only 38 percent of those who were potentially eligible for the DREAM Act would ultimately become legal.

Think about this. About 40 to 50 percent of Hispanic students today drop out of high school.

Fewer than 5 percent of undocumented students go on to college. You can't make it under the DREAM Act unless you graduate from high school, so already about 50 percent of those who are Hispanic are unlikely to qualify. Then only 1 out of 20 enroll in college. And that number may increase. But look at the number it starts with, a small fraction of the Hispanic population. So to argue this is going to introduce opportunities for millions of others doesn't work with the numbers.

The DREAM Act would initially give qualified students a chance to earn what we call conditional nonimmigrant status, not legal permanent residence or citizenship. They can only qualify for conditional immigrant status if they prove in a court of law by a preponderance of the evidence the following: They came to the United States under the age of 15; they are under the age of 30 on the date the bill is signed into law; they have lived in the United States continuously for at least 5 years before the bill becomes law; they have good moral character as determined by the Department of Homeland Security since the date they first came to the United States; they graduated from high school or obtained a GED; and they have registered for selective service.

So the day the DREAM Act is signed into law, to be eligible you must have been in the United States for 5 years. Assume for a moment the President would sign it in a week—not likely, but possible, an answer to my prayers, but possible. That would mean that anyone who came to the United States after 2005 would be ineligible for the DREAM Act. So it is a select group.

Then we say to that select group, you have to meet the following requirements: You have to apply within 1 year of when the bill becomes law or when they obtain a high school degree or GED; they have to pay a $525 fee; they must submit biometrics information, undergo security and law enforcement background checks and medical examinations. These are all requirements to even be eligible for DREAM Act status.

They would be specifically excluded from becoming a conditional nonimmigrant under this bill if: They have a criminal background; they present a national security or terrorist threat; they have ever committed a felony or more than two misdemeanors; they are likely to become a public charge; they have engaged in voter fraud or unlawful voting; they have committed marriage fraud; abused a student visa; or pose a public health risk.

That long list of things I read is an obstacle course which many of these young people will never be able to clear. But we set it up this way intentionally.

During the course of preparing for this, one Senator received a notice that said that the DREAM Act allows the Secretary of Homeland Security to waive all grounds of inadmissibility for illegal aliens including criminals, terrorists, and certain gang members. We had my staff call the Senator's office who put this out and ask: Where did you get that? That is not what it says. They couldn't point to any source.

We then called the Department of Homeland Security and said: All right, give us an answer. Under the DREAM Act, could you waive all these things, would terrorists and criminals have a right? Of course not. The Department of Homeland Security came back and said: No, that isn't what the law says at all.

So we are battling not only passing a bill but a lot of misinformation. That is troublesome.

It is interesting, when I call my Senate colleagues, even those who are nominally against the bill, it is interesting how many of them say the following to me: Man, DURBIN, why are you doing this to us? I am rolling around in my bed at night wide awake worrying about this vote and thinking about it all the time. I was walking over to the Capitol and a couple of these young kids came up to see me. I talked to them. They were very impressive.

I say to these young people, who would be eligible under the DREAM Act or hope they would be: You are the very best messengers for what we are trying to do. When people meet you and know who you are and what your

dreams are, it is hard to believe that you are a threat to the United States. You look like the hope of the United States and what you could bring to us.

Let me tell you the stories of a few of them. These stories tell you why I feel so strongly, as Senator MENENDEZ does, about this issue and why this bill is so important.

Meet Gaby Pacheco. Gaby was brought to the United States from Ecuador at the age of 7 so she certainly had little or no voice in her parents' decision to come here. Here she is pictured in her junior ROTC class which I think is the next chart, her drill team class. She is in the back row on the far right. She was the highest ranking junior ROTC student in her high school in Miami and she received the highest score in the military aptitude test. The Air Force tried to recruit her, but she was unable to enlist because she has no legal status in the United States. Let me tell you what she has done since she couldn't enlist in the Air Force. She has earned two associate degrees in education and is currently working on her BA in special education. She has served as the president of her student government and president of Florida's Junior Community College Student Government Association. Her dream in life is to teach autistic children.

Do we need more teachers of autistic children in America? We certainly do. But she can't do that because she is undocumented.

Gaby was one of four students who walked all the way from Miami, FL to Washington, DC, 1500 miles. This wasn't a little day hike. They came here because they believe in the DREAM Act, and they wanted to let the people in Washington know how much they believed in it. Along the way these four students were joined by hundreds of supporters who came out of villages and towns and walked with them for miles to show their solidarity in this effort.

Meet Benita Veliz. Benita was brought to the United States by her parents in 1993 at the age of 8. She graduated as valedictorian of her high school class at the age of 16. She received a full scholarship to St. Mary's University in Texas. She graduated from the honors program with a double major in biology and sociology. She wrote her honors thesis about the DREAM Act. Benita sent me a letter recently, and I want to read 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 United States and Mexico at 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. I am American. My dream is American. It is time to make our dreams a reality. It is time to pass the DREAM Act.

Benita, how can we say no?

Now meet this young man. His name is Minchul Suk. He was brought to the United States from South Korea by his parents in 1991 when he was 9 years old. He 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, he 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 is not legal. Despite coming here at the age of 9, he is not legal.

He sent me a letter recently. 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.

In Rock Island, IL, my wonderful home State, we have a great clinic for poor people. I went and visited a couple months ago. I said: What do you need? They said: We need a dentist. These poor people don't have a dentist. Do we need dentists in America? You bet we do. We need Minchul Suk. To think when you think he says: ''I am willing to accept whatever punishment is deemed fitting for [my] crime.'' What was his crime? Being brought to the United States at the age of 9? Graduating from UCLA with a degree in microbiology, immunology, and molecular genetics? Taking the boards when he knew he couldn't become a dentist? Is that a crime? I don't think so. Most Americans wouldn't see it that way.

This is Mayra Garcia. This wonderful young woman was brought to the United States at the age of 2. She is 18 now. She is president of the Cottonwood Youth Advisory Commission in her hometown of Cottonwood, AR. She is a member of the National Honor Society, and she graduated from high school last spring with a 3.98 GPA. I am sure the Presiding Officer had a better GPA, but I didn't. Mayra just started her freshman year at a prestigious university in California.

In an essay about the DREAM Act, she 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 four-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 mom, 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 America. America is her home. English is her language. She dreams in English about a future in this country that she won't have without the DREAM Act.

I want you to meet Eric Balderas. Eric's mom brought him to the United States from Mexico when he was 4 years old. He was valedictorian and student council president at his high school in San Antonio, TX. Eric just began his sophomore year at Harvard University. I met this young man. He came to my office. He is majoring in molecular and cellular biology. He wants to become a cancer researcher. He couldn't do it without the DREAM Act. Do we need more cancer researchers in America? You bet we do. Is there a family in America that hasn't been touched by cancer? We want his talent. We need his talent. Why would we send him away? That is what the DREAM Act is all about.

Here is another great story. These are all good, but they keep getting better. This is Cesar Vargas. This young man is amazing. He was brought to the United States by his parents when he was 5 years old. When he was in college, Cesar tried to enlist in the military after 9/11. He went into the recruiter angry that people were attacking the United States and said: Sign me up. I want to go in the Marines. They said: What is your status?

Well, I am undocumented, but I have been here since I was a little kid, and I am willing to leave college to join the Marine Corps.

They turned him away. Today he is a student at the City University of New York School of Law where he has a 3.8 GPA. He founded the Prosecutor Law Students Association at his school and did an internship with the Brooklyn District Attorney's office. He is fluent in Spanish, Italian, French, and English, and he is close to mastering Cantonese and Russian. He is a talented man. He has received lucrative offers to go to work for corporate law firms outside the United States where his citizenship status will not be an issue. But his dream is to stay in the United States and still enlist in the military as a member of the Judge Advocate General's Corps. Without the DREAM Act, Cesar has no chance to live his dream of enlisting in the United States military serving our Nation.

This is David Cho. David's parents brought him to the United States from South Korea 10 years ago, when he was 9. Since then, David has been a model American. He had a 3.9 GPA in high school and is now a senior at UCLA where he is majoring in international finance. As you can see, he is the leader of the UCLA marching band. You might see him on television at half time. David wants to serve in the Air Force. If the DREAM Act doesn't pass, he will not get that chance.

Here is another great story: Oscar Vazquez. Oscar was brought to Phoenix, AR by his parents when he was a child. He spent his high school years in junior ROTC and dreamed of enlisting in the military. Here he is in his uniform. But at the end of his junior year,

a recruiting officer told Oscar that he was ineligible for military service because he was undocumented. He entered a robot competition sponsored by the National Aeronautics and Space Administration. Oscar and three other DREAM Act students worked for months at a storage room in their high school to try to win this contest. They were competing against students from MIT and other top universities. Oscar's team took first place. Here is Oscar today.

Last year he graduated from Arizona State University with a degree in mechanical engineering.

Oscar was one of only three ASU students who were honored during President Obama's commencement address.

Do we need a mechanical engineer who won a national robot competition to be part of the future of America? You bet we do. Oscar needs his chance.

The last person I will refer to here is Tam Tran. As shown in this picture, this is a lovely young woman, but a sad story. Tam was born in Germany and was brought to the United States by her parents when she was only 6 years old. Her parents are refugees who fled Vietnam as boat people at the end of the Vietnam war. They moved to Germany, and then they came to the United States to join relatives.

An immigration court ruled that Tam and her family could not be deported to Vietnam because they would be persecuted by the Communist government. And the German Government refused to accept them.

Tam literally had no place to go, no country. So she grew up here. She graduated with honors from UCLA, with a degree in American literature and culture. She was studying for a Ph.D. in American civilization at Brown University when earlier this year she was tragically killed in an automobile accident.

Three years ago, Tam was one of the first Dreamers to speak out and testify before the House Judiciary Committee. This is what she said:

> I was born in Germany, my parents are Vietnamese, but I have been American raised and educated for the past 18 years. . . .Without the DREAM Act, I have no prospect of overcoming my state of immigration limbo; I'll forever be a perpetual foreigner in a country where I've always considered myself an American.

In 2007, the last time the Senate voted on the DREAM Act, Tam was sitting right up there in that gallery. That day, the DREAM Act received 52 votes, a majority of the Senate. But under our rules, you need 60.

After the vote, I met with her and other students. Tears were in her eyes because her chances just basically had not been fulfilled. She was hopeful. She talked about the need to pass the DREAM Act so she would have a chance to contribute more fully to this country, the home she loved so much.

She will not be here for the vote tomorrow because we lost her in that car accident. But I remember her, and I remember others who are here tonight who understand the importance of this bill. It is not just another exercise in the Senate of legislative authority. It really is an opportunity to give young people like those I have just introduced to you a chance.

Mr. President, it is going to be hard tomorrow. I have been on the phone. I cannot tell you how many of my colleagues have said: I know it is the right thing to do, but it is so hard politically. We know we are going to be accused of supporting amnesty. We know our opponents will use it against us.

I understand that. I have not always taken a courageous path in my own votes, so I am not going to hold myself out as any paragon of Senate virtue. But I just ask each and every one of my Senate colleagues to think about this for a moment. How many chances will you get in your public life to do something like this—to right a wrong, to address an injustice, to give people a chance to be part of this great Nation?

I am a lucky person. My mom was an immigrant to this country. She was brought over here when she was 2 years old. In her time, she might have been a DREAM Act student. She got to be a citizen of the United States. She was naturalized at the age of 23, after she was married and had two kids.

Before she died, I asked her once if I could see her naturalization certificate. She went in the other room, and a minute later came out with it in a big, brown envelope. I pulled it out, and there was a picture of my mom 60 years before. A little piece of paper fluttered to the floor. I picked it up and said: What's this, mom? She said: Look at it. It was a receipt that said: $2.50. She said: That is the receipt for my filing fee that I had to file to become a citizen. And I thought, if the government ever came and challenged me, I would have proof that I paid my filing fee. That was my mom. That immigrant woman came to this country and made a life and made a family and brought a son to the Senate.

These stories are the same. The opportunities are there with these young lives to make this a better nation. The opportunity is there if Members of the Senate can summon the courage tomorrow to vote for the DREAM Act and to make these dreams come true.

I would like at this point to yield to my colleague and friend, Senator BOB MENENDEZ.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, first of all, I want to send a heartfelt thanks to the distinguished Senator from Illinois, who has been spending nearly a decade trying to make the dreams of tens of thousands of students a reality. This is really an American dream. This is American as anything else. If there is a person who has fought incredibly hard to make that dream a reality, it is DICK DURBIN. So I am thrilled that before I came to the Senate, while I was arguing for this very same passage in the House of Representatives, there was a DICK DURBIN here in the U.S. Senate raising the voice of all of those who have no voice, trying to call upon the conscience of the Senate to do what is morally right—morally right.

So I salute him, regardless of the vote tomorrow. I hope it is a measure that passes and makes a dream a reality, but he really deserves an enormous amount of credit.

Mr. President, I rise in what will probably be the last opportunity before the vote tomorrow—I do not know who is watching. I do not know how many of our colleagues are tuned in. I hope they are. I am not even speaking to a broader audience. In my mind, this is about 100 Members of the U.S. Senate who have an opportunity to cast a vote that ultimately can transform the lives of tens of thousands of young people who call America their home.

For years, as young people—so many of them who Senator DURBIN showed pictures of; and those are only a fraction of the stories we could tell—they have stood in classrooms in America and pledged allegiance to the flag of the United States proudly. The only national anthem they know is the ''Star-Spangled Banner,'' which they sing proudly. The only way of life they have known is an American way of life. They have understood what the rules are, and they have lived by those rules in an exemplary fashion. I would be proud to call any one of those young people my son or daughter.

This is an opportunity for the Senate to do what is right with the vote that takes place tomorrow. The House of Representatives has done what is right. It has passed this legislation. It is time for us to do the same. The time has really come to harness and develop the talent that all of these young people have to offer our country. And they possess some enormous skills and intellect.

We have seen it. It is intellect that could be put for America, at a time in which we are more globally challenged than ever before, where the boundaries of mankind have largely been erased in the pursuit of human capital for the delivery of a service or the production of a product. We are globally challenged, so we need to be at the apex of the curve of intellect—the most highly educated generation of Americans the Nation has ever known.

These young people—valedictorians, salutatorians, engineers, scientists, doctors—all have the opportunity to help America achieve even greater greatness. That is what their dream is all about. That is what an American dream is all about.

The time has come to allow thousands of young men and women, who often are kept from enrolling in colleges, even though they are accepted—this is not about giving anyone anything they cannot achieve. They have to, obviously, on their own merit, be able to gain acceptance to a college or university or on their own merit and

desire be able to serve in the Armed Forces of the United States.

That passion is there. The first soldier of an American uniform to die in the war in Iraq was LCpl Jose Gutierrez, a Guatemalan who, at the time of his death, wearing the uniform of the United States, was not even a U.S. citizen at the time. He was a permanent resident. He was willing to serve his country and die for it.

It is an opportunity for these young people, who, in many ways, have lived in the darkness, and, who, through no choice of their own—if we said these young people came to this country of their own volition, of their own choice, of their own determination, maybe—maybe—we might look at it differently. They were brought here by parents at ages in which they had no knowledge and no choice of what their path would be. They were brought here by parents fleeing dictatorships, fleeing oppression, sometimes fleeing dire economic circumstances. But, above all, they made no choice in that. They did not know they were violating any rules, regulations, or laws. They came because their parents brought them.

How many times have I heard in this Chamber that the wrong of a parent should not be subscribed to a child? Yet that is what all those who oppose the DREAM Act are saying: The child must pay for the choices their parents made. Is that an American value? I think not. I think not.

We have an opportunity to have them make full contributions to the American economy through their ingenuity, through their skills, through their hard work. That is what the DREAM Act has always been about.

I will tell you one story of many that are here. It is of a young man, 20-year-old Piash Ahamed, who, as a child, emigrated with his family from Bangladesh to New Jersey.

After his parents lost their bid for asylum, through no fault of his own, he became an undocumented immigrant. He has been lobbying for passage of the DREAM Act ever since. He said to me:

New Jersey—

And this is so true. It is beyond New Jersey. It is all of these students—

> New Jersey has already invested so much money in me, and other undocumented students that are living here, when we went to elementary, middle school and public high school. . . . It doesn't really make any sense for them not to give us an opportunity to finish and actually pay back to America and contribute more through our talent, through our taxes, through so many different ways.

The Dream Act is for people such as Piash Ahamed. It is about helping him and creating the best educated American workforce possible—creating future doctors, future teachers, future businesspeople, future nurses, investors, and entrepreneurs. They are an economic resource we cannot afford to waste.

I bristle when I listen to some of my colleagues who have come to the floor and, right away, whenever we are talking about anything that relates to immigration, slap the name ''amnesty'' on it, and it becomes something that cannot be touched.

It is not amnesty. Amnesty is when you do something wrong and you get something for nothing. These young people are not going to get something for nothing. They are going to have to serve the Nation. They are going to have to serve the Nation through their intellect, their ingenuity, their ability to produce for America or they are going to serve the Nation in the Armed Forces of the United States, willing to risk their lives—their lives—like LCpl Gutierrez did in Iraq, when he lost his life for the country they call home, for the country they believe in.

They are going to have to qualify. They are going to have to pay tuition. They are going to have to pay taxes. They are going to have to pay fees. As a matter of fact, I am sure the distinguished Senator from Illinois knows that the House version we are voting on is ultimately saying: You have to pay a fee.

As a matter of fact, not only is it not a cost to the government, it is a surplus to the government, according to the Congressional Budget Office. It is going to produce revenue, already, just by the mere act of giving them the possibility of realizing their dream. In essence, they are going to have to pay for their dream. But they are willing to do that, and it is going to create a revenue stream for the Nation.

That is not amnesty. It is not amnesty to wear the uniform of the United States, risk your life. It is not amnesty to give your intellect. And even then, there are those who say: Well, you are going to give them a pathway. Well, that pathway has been elongated. It is incredibly long.

I know some of my colleagues like to come here and say, well, you are going to permit something that they call chain migration. I used this during the last time we had immigration debates. Chain migration. You know when you want to dehumanize something, you don't talk about people. You don't talk about children. You create a sense of something that people can say: Oh, it is chain migration. We don't feel too compassionate about this if we can make it into a dehumanized sense because if this person gets status, then they will be able to claim their relative, and that relative will be able to claim their relative, and so there is this sphere.

These students are not going to be able to do that, certainly not under the bill we are considering a vote for tomorrow. So there is none of that. Let's dispel that too.

At the end of the day, the DREAM Act is a true test of what America is all about: an opportunity to earn your way toward status, to move from being undocumented through no fault of your own to have a temporary status that I think will last a decade before you can do anything else. You have to have a lot of proof of your mettle during that period of time; that you are worthy of becoming a permanent resident of the United States—after a decade. You have to be of good moral character. You have to go and prove yourself even more by successfully attending college or completing honorable military service, even in order to appease those who have raised every bar so this would not be considered—calling the legislation amnesty, which it is not because amnesty is something for nothing.

I have said before, there are even further restrictions that have lowered the age cap as to who can qualify. It keeps intact the ban on instate tuition. I don't like that. I think if you can ultimately be accepted to a college or university and you are living in that State—but all right, for those who said that was a problem, well, now there is a ban on instate tuition. You are going to have to pay out-of-State tuition. It prohibits these students from obtaining Pell or other Federal grants and creates a conditional nonimmigrant status that doesn't grant legal permanent residency for at least a decade.

At the end of the day, the DREAM Act is an ultimate test of American values as a nation of immigrants. I often think about people who serve in this Chamber. The only people who can actually make a claim of being not the descendant of immigrants are Native Americans. After that, everybody at some point in their history was an immigrant.

There has been expansive support for the DREAM Act, and it has been bipartisan support. Colin Powell, former Chairman of the Joint Chiefs of Staff of the United States, former Secretary of State, he supports the DREAM Act.

Defense Secretary Robert Gates, who is the Defense Secretary now in this administration, but a Republican held over by President Obama and asked to serve because of his great leadership, he has recommended in the 2010 and 2012 strategy plan for the Defense Department's Office of the Under Secretary for Defense and Personnel Readiness to help the military shape and maintain a mission-ready, All-Volunteer Force, he wants to see the DREAM Act passed.

David Chu, the Under Secretary of Personnel and Readiness at the Department of Defense during the Bush administration said:

> Many of these young people who may wish to join the military have the attributes needed—education, aptitude, fitness, moral qualifications. In fact, many are fluent in both English and their native languages.

We have seen the challenges that we have globally from far off countries where our enemies are not simply armies of a country but of individuals. The languages that could be brought to bear to help us in our national security and in our defense intelligence, in our abilities to understand those entities, all from an American perspective, though, all of these students have that opportunity to do that for America.

Moreover, university presidents, respected education associations, leading Fortune 500 businesses such as Microsoft support this legislation and have called upon the Senate to pass the DREAM Act. In fact, in my home State of New Jersey, the presidents of 11 of New Jersey's community colleges, in consultation with their board of trustees, sent a letter to the New Jersey Congressional Delegation saying help pass the DREAM Act. The letter was signed by the presidents of community colleges in Bergen, Burlington, Camden, Cumberland, Essex, Hudson, Mercer, Middlesex, Passaic, Sussex, and Union Counties.

One of the vice chairmen of the board of trustees at one of the community colleges said in an article:

> Although the DREAM Act is Federal legislation, many of us felt it was important the State's community colleges take a stand as the system is often the first stop for many of these students whose ineligibility for State or Federal aid limits their higher education choices. Our role is to educate our students. Our role is not to engage in overall immigration policy.

They want to see the DREAM Act become a reality.

I received a letter from Rutgers University's president, a State university, Richard McCormick. He said:

> Young people who have grown up in New Jersey, earned good grades in our high schools, and taken an active part in civic life; however, because of their undocumented status, cannot take the next steps towards a rewarding future.

It is a future that would help my State and, as those stories represented, help States across the country.

In fact, to my Republican colleagues, I would remind them that former Arkansas Governor and Presidential candidate Mike Huckabee explained the economic sense of allowing undocumented children to earn their citizenship. He said:

> When a kid comes to this country and he's 4 years old and he had no choice in it——

His parent made that choice——

> he still, because he is in this State, it is the State's responsibility—in fact, it is the State's legal mandate—to make sure that child is in school. So let's say that child goes to school. He is in school from kindergarten through the 12th grade. He graduates as valedictorian because he is a smart kid. He works his rear end off and he becomes the valedictorian of the school. The question is: Is he better off going to college and becoming a neurosurgeon or a banker or whatever he might become, and become a taxpayer, and in the process having to apply for and achieve citizenship, or should we have him pick tomatoes? I think it is better if he goes to college and becomes a citizen.

That is Mike Huckabee.

So I will say this to my friends and many of my colleagues. Not every State is like New Jersey where we have a rich history of immigrant populations that have contributed enormously. Some of the people we have serving our country today came from those backgrounds. As a matter of fact, some of them, their lineage comes through people who came into this country undocumented. Yet they have risen to prominence and helped contribute to America. Some of them are some of our outstanding military leaders.

So this is not about amnesty. You have to earn it. This is not about chain migration. You would not be able to claim anyone at all. In my mind, this is all about family values. I hear a lot about that on the Senate floor. This is about an opportunity to take these children who are part of the American family and give them their opportunity to help America succeed.

We wouldn't be in this challenge we are in if our Republican colleagues weren't insisting on a supermajority via the filibuster. There are enough votes in the Senate. A majority of the Senate is willing to vote to make this dream come true. But since our Republican colleagues have used the rules of the Senate to require not a simple majority of 51 of 100 Senators but to require a supermajority of 60, we are in this predicament; otherwise, this bill would pass tomorrow, be sent to the President, and I know the President would sign it, and the dreams and the aspirations, but most importantly the intellect, the service to country, the service to the Armed Forces would begin to become a reality, all to the Nation's benefit.

So we are here in this set of circumstances because our Republican colleagues have insisted on a supermajority instead of a simple majority that would clearly pass.

Now, for some who don't have immigrant communities such as Illinois or New Jersey, maybe their populous doesn't quite understand the value. Maybe they don't have an understanding of the great vitality and the heartfelt sense of these young people being as American as anyone else. I understand that. We come here by virtue of being elected from a State, and we certainly advocate for the interests of our States. But we are collectively called upon to serve the interests of the Nation. This is an opportunity to serve the interests of the Nation.

The final point I will make is, those are all policy arguments. I hope there will be some profiles in courage tomorrow, individuals who may see this as a political risk. Every vote can be ultimately determined as a political risk. As a matter of fact, for those who believe this is a political risk and voted for the Defense authorization bill to move forward, the majority leader made it very clear when we had that vote in which nearly every Democrat of the Senate voted in favor, he made it very clear there were going to be two amendments that were going to be offered in that bill: don't ask, don't tell and the DREAM Act.

So the 30-second commercial is there already. It is there. Anyone who thinks that somehow voting against the DREAM Act tomorrow is going to save them from that 30-second commercial, they are wrong. It is there. I have to be honest with my colleagues.

As the only Hispanic in the Senate at this point—although this is not uniquely a Hispanic issue. As we can see, these children come from all over the world. The young man I mentioned from New Jersey is from Bangladesh. But the Hispanic community is looking at this vote—40 million. They are the ones who are already U.S. citizens. You may say: Well, what do they care? They understand what this vote is all about. It is not just about these children, which should be enough. They understand this vote is about them, how they are viewed in this country, how they are perceived in this country, whether everything they have done—you know, I bristled when I listened—which is why I wrote my book, ''Growing American Roots,'' because I was tired of seeing all these pundits on the shows who suddenly think that all Hispanics just came here yesterday. We all just crossed the border in an undocumented fashion, and we are all takers instead of givers to the society.

Well, the oldest city in America, St. Augustine, FL, was founded by a person named Pedro Menendez. I am looking at a title search to see if I have any relationship for property in St. Augustine, FL. But it is the oldest city in America, Pedro Menendez, the Governor of Louisiana before Louisiana was a State, who led an all-Mexican division to help stop the British advance on George Washington during the Revolutionary War.

Admiral David Farragut, if you come with me to Farragut Square, I think most Americans wouldn't know that Farragut Square is actually named after ADM David Farragut, a Spaniard who, during the Revolutionary War, led the naval forces on behalf of the Union and coined the famous American phrase: ''Damn the torpedoes, full speed ahead,'' a Spaniard.

The wall of the Vietnam Memorial is loaded with names of Hispanics who gave their lives for this country.

The first soldier to fall in Iraq was LCpl Jose Gutierrez, a Guatemalan who wasn't even a U.S. citizen. The all-Puerto Rican division during the Korean War was one of the most highly decorated in the history of the United States.

You can't find a Major League baseball team without a good part of its roster being Latino. You can't turn on the TV without watching Eva Longoria in ''Desperate Housewives.''

You can't go to the movies and not see someone such as Jennifer Lopez in one of its leading roles. You can't turn on music—and the list goes on and on.

This community understands what this vote is all about. I don't know how any party can aspire to be the majority party with the largest minority in the country growing exponentially, as we will see by the next census, and continuously take votes and cast aspersions upon a community and think that it can achieve political success.

This DREAM Act is about as much motherhood and apple pie as you can

get in the immigration debate. It is about children who didn't have a choice but have made the most of the life they were presented. They have done incredible things in the country they call home—the one they sing the ''Star Spangled Banner'' about, pledge allegiance to, and the one they are giving it all to.

So this community is going to be watching tomorrow's vote. I certainly hope that when they watch that vote, they are going to see one of the finest moments of the Senate doing what is right—not just by these children but doing what is right by this country—fulfilling our creed. That is what tomorrow's vote is all about. That is what I hope each and every Senator will think about as they cast it. That is the opportunity we have.

This is not just about the dreams of these young people. This is about the dreams that have gone from generation to generation and have made America the greatest experiment and enterprise in the world. That is what tomorrow's vote is all about, Mr. President. I hope we will cast a vote that will make that dream come true.

With that, I yield the floor.

Mr. DURBIN. Mr. President, I thank my colleague and friend, Senator MENENDEZ, for that great speech. I know it was heartfelt. I thank him for waiting late this evening to come and those who have joined us because they understand that though the hour is late, our time is short before we cast this historic vote.

As I mentioned earlier, as I called my colleagues today, some of whom are on the fence, not sure, they said: I toss and turn thinking about this. I hope they toss and turn all night tonight and wake up tomorrow with a smile and determination on their face to do something right for America, to make sure they will have a good night's sleep Saturday night because they have been able to fulfill the dreams of so many young people who are counting on them tomorrow to rise above their political fears and to really join ranks with so many in this Chamber who, through its history, have shown uncommon political courage in moving this Nation forward in the name of freedom and justice.

Mr. MENENDEZ. If my colleague will yield, I am sure the distinguished Senator from Illinois knows from his long political history that when you toss and turn, you know what is right. You don't toss and turn if you have a commitment and conviction of the choice you are going to make. You toss and turn when you know what the right choice is, but for other reasons you may not be willing to make that choice.

Mr. DURBIN. I think the Senator is correct.

Mr. President, I don't know what the most effective way is in Washington to lobby a bill, but I will tell you that there are no more effective spokesmen and spokeswomen for the DREAM Act than the young men and women who have been walking the Halls of the Senate over the last several weeks, months, and years. They wear caps and gowns, as if they are headed for a graduation, which is what they want to do. They have made the case in a way that I could not on the floor of the Senate because of their determination and the dignity they have brought to us.

Stick with us, I say to each one of them. Don't give up. Tomorrow, we are going to try our very best to rally the votes we need because our cause is right and our time is now.

Mr. LEAHY. Mr. President, the Senate will soon vote on whether we should debate the Development, Relief, and Education for Alien Minors Act, or the DREAM Act. I have been a cosponsor of this important legislation since it was first introduced in the Senate in 2001, and I commend Senator DURBIN and Senator LUGAR for their hard work in advancing the DREAM Act this year. At the very least, we should have a debate about this important legislation.

Enacting the DREAM Act will serve important priorities for our country and for our military. Under current law, when undocumented students graduate from high school, they typically have no opportunity to gain lawful immigration status, a circumstance that often prevents them from pursuing higher education or making other meaningful contributions to our Nation. The bill recognizes the accomplishments of successful students who want to serve our Nation through military service or by obtaining degrees in higher education.

The DREAM Act offers a path to lawful immigration status to individuals who are currently undocumented, but who were brought to the United States at a young age by their parents. The bill is specifically drafted to assist those students who did not act on their own volition to enter the United States unlawfully. In landmark Supreme Court cases like Plyler v. Doe, the Supreme Court held that we should not punish children for the actions of their parents. Yet to deny these students a path to lawful status and eventual citizenship does just that.

In December 2009, the Department of Defense cited passage of the DREAM Act as an important strategic goal for 2010–2012. The Pentagon believes that the DREAM Act has potential to expand our all-volunteer military without decreasing the quality of recruits. It is supported by General Colin Powell and many others.

Despite numerous good faith gestures from Democrats in the Senate to work with Republicans on immigration issues, we have been met with silence at best, and obstructionism at worst. Nonetheless, the version of the DREAM Act that we consider today has been modified to address concerns raised by those who have falsely labeled the DREAM Act as a form of amnesty. The Congressional Budget Office estimates that H.R.6497 will reduce deficits by approximately $2.2 billion over the years from 2011–2020.

While the cost saving in the new version of the DREAM Act is welcome news, I regret that the students and soldiers who benefit from this bill will now have to wait for 10 years to become eligible to apply for lawful permanent residence. They will have to apply for conditional status twice during that 10 year period and pay more than $2,500 in fees. I believe that American values call for more generous treatment of individuals who serve our Nation, especially those who are willing to fight on behalf of our Nation overseas. At various points in the past 10 years, several Republican Senators voted in favor of much more generous versions of this bill. I regret that so few Republicans will support this pared down version of the DREAM Act today.

I wish that we could have achieved bipartisan support in the 111th Congress to enact a comprehensive immigration reform bill. Even without that bipartisan commitment, we should do all we can. The AgJOBS bill, the Uniting American Families Act, the Refugee Protection Act, and the improvement of our immigrant investor program are all reforms that will make our immigration system stronger and more effective. I will continue to work with Senate leadership and Senators from both sides of the aisle to accomplish our shared goals for the broader reform of our Nation's immigration system.

The DREAM Act is a critical step to reforming our immigration system and enables a well-deserving group of young people to better serve our country. I am glad to pledge my full support, and I encourage Senators on both sides of the aisle to do the same.

Mr. BINGAMAN. Mr. President, I rise today to speak in strong support of the DREAM Act.

The DREAM Act provides individuals who were brought to the United States as young children, at the age of 15 or younger, with the opportunity to legalize their status if they work hard, stay out of trouble, graduate high school, and eventually go to college or enlist in the Armed Forces.

Passage of the DREAM Act is the right course of action for a variety of economic and humanitarian reasons. But it also makes sense in terms of strengthening our military's ability to attract talented recruits.

For almost a decade now our Nation's military forces have been deployed in Iraq and Afghanistan. We rely on the courage, commitment, and dedication of an all volunteer force to fill the ranks of the military services. With the stress and hardship of repeated deployments and wartime service, the military has often struggled to maintain appropriate recruitment levels and standards.

According to the Department of Defense, enacting the DREAM Act would help address this issue. The fiscal year

2010–2020 Strategic Plan for the Defense Department provides that passage of the DREAM Act would help ensure we maintain a mission-ready all volunteer force. As explained by then Under Secretary of Defense David Chu in testimony before the Senate Armed Services Committee:

> many of these young people may wish to join the military, and have the attributes needed—education, aptitude, fitness, and moral qualifications. . . . the DREAM Act would provide these young people the opportunity of serving the United States in uniform.

We need to face the reality that we have individuals living in this country who were brought here unlawfully, but at no fault of their own, who have the skills and desire to make significant contributions. Frankly, I fail to see how our Nation benefits from denying hard-working young people who have grown up in our country from becoming productive members of our society. What is the benefit of telling a high school valedictorian who has lived in the United States since the age of five that he or she can't work, pursue higher education, or serve in the military?

As a border State Senator, I understand the concerns about illegal immigration. Over the last several years we have made tremendous strides in enhancing border security, but I recognize that there is still more work to be done.

However, penalizing individuals who came to the U.S. as children at no fault of their own is not the answer. Keeping these young people from bettering their lives through education or preventing them from serving our country by enlisting in the military doesn't make our Nation stronger, more secure, or more economically competitive.

It simply deprives the Armed Forces of the ability to reach out to the many undocumented students who graduate from high school each year, and reinforces a permanent class of less-educated workers who are forced to live in the shadows and who are deprived of the chance to obtain their full potential.

Over the years I have had the opportunity to meet with some of the young people who would benefit from this legislation. Their request is quite simple—that they be given the chance to serve the country where they have grown up, to make a difference in their communities, and to better their lives. These are the values, spirit, and dedication that have made America great, and I urge my colleagues to let them earn this opportunity.

Mr. HARKIN. Mr. President, I am a strong supporter and proud co-sponsor of the DREAM Act. This narrowly tailored, bipartisan legislation, introduced in the Senate by my colleague, Senator DURBIN, and supported by 40 other Senators, would allow young, undocumented immigrants who grew up in the United States to earn legal residency by obtaining a higher education or joining the military. I have cosponsored the DREAM Act for one simple reason: It will enable these young people—who find themselves undocumented in America not due to their own actions, but due to actions of their parents—to reach their potential and contribute to a stronger, more prosperous America.

This legislation has been endorsed by the Secretaries of Defense, Homeland Security, Education, Labor, and Interior. It has been endorsed by numerous former Republican officials, including many from the Bush administration, and has been cosponsored by many of our current and former Republican colleagues here in the Senate. It is supported by colleges and universities in Iowa and across the United States, as well as religious leaders from a wide range of denominations.

The young people who would qualify under the DREAM Act came here as children. Some came here so early in their lives that they have no memory of living anywhere other than in the United States. Despite the actions of their parents, they are just as American as you and I. Their stories in letters to my office are heartbreaking. If it weren't for the actions of their parents, they would be citizens no different from our own sons and daughters.

These children graduate from high school with honors. They play on our school soccer, football, and basketball teams. They are in the Junior ROTC. They spend time with their friends—friends who may be our own sons and daughters. They want to work after-school jobs, if they were only allowed to work legally. They want to attend college, if they were only allowed to get the student loans necessary to afford it. They want to serve our country, if only they were allowed to enlist.

Yet there are still some who wish to punish these children for the actions of their parents. They say that children who have no control over the decisions of their families must pay the same price as the adults. I am frankly at a loss as to whether there is any other crime that could be committed where an innocent child would be treated as an accessory to an adult, or where the penalty for a child with no ill intent is the same as for an informed adult.

The young men and women who would benefit from this legislation are some of the finest, most upstanding people living in the United States. With an education, they can contribute their great talents to our economy, driving innovation and creating jobs. They are committed to the country they consider home, willing to serve under the American flag, willing to fight and die for our country at a time when our military is stretched perilously thin. I want to encourage these energetic, motivated and dedicated young men and women, not maintain the status quo which casts a dark shadow over them.

I would also like to address some common misunderstandings about who would qualify to obtain legal residency under the DREAM Act. These young people would have had to come to the U.S. by the age of 15, display good moral character, pass thorough criminal and security clearances, and have lived in the United States for at least 5 years. Only those currently under 30 years of age would be eligible. Legal permanent status would not be conferred until after 10 years. They could only sponsor parents or siblings, and only do so after 12 years have passed, and only after any member of their family who has entered the United States illegally has left the United States for 10 years. Every precaution has been taken to prevent the opportunities afforded by the DREAM Act from being abused.

Those who qualify under the DREAM Act would not receive any benefits that naturally born citizens receive. They would only be eligible to apply for Federal student loans that would have to be repaid in full; they would not be eligible for in-state tuition rates or Federal education grants, such as Pell grants. They would receive no preferential treatment.

I remain committed to working with my colleagues for a comprehensive solution to our Nation's broken immigration system. We must strengthen our borders, holding employers accountable if they hire illegal workers, and craft policies that are fair to American workers and taxpayers. But in the meantime, it does not make sense to prevent this small group of young people, already present in the U.S. through no fault of their own, from contributing to our Nation's security and economy.

Mrs. GILLIBRAND. Mr. President, I rise today in support of the DREAM Act. This legislation is critically important. Not only is this a humanitarian issue, but also an economic and security issue. In order to compete in a 21st century world, we must provide education opportunities to all of our students.

Our current laws unfairly penalize thousands of young adults, many of whom know only the United States as home, denying them the opportunity to achieve the American dream. Current law paralyzes the lives of these young people, effectively banning them from college and the military.

Former Secretary of State Colin Powell has publically advocated in support of the DREAM Act, calling it crucial to our national security and our ability to compete in the global marketplace in the coming generations. In a time when our military is strained because of demands in Afghanistan, Iraq and other places of concern around the world, we should be allowing all of our best and our brightest to serve.

The DREAM Act allows young people with good moral character who attend college or provide significant service to our military with an earned path to citizenship. These are young people who received all their education in the

United States and know only the United States as home. We need comprehensive immigration reform, but this is an instance where current law is unfairly penalizing thousands of young adults who did nothing wrong.

I want to take this opportunity to highlight the story of a young New Yorker who exemplifies the DREAM Act. Cesar Vargas was brought by his parents to the United States when he was only 5 years old. It was not his decision to come here, but he grew up in New York, graduated from high school, completed college, and is now in his final year of school at City University of New York School of Law, with a 3.8 GPA. He dreams of becoming a military lawyer after he graduates. But, he cannot fulfill his dream of serving in our military because he is undocumented. Our country would benefit from the dedication of young men and women like Cesar, who grew up as our neighbors and our children's class mates and friends—young men and women who want to serve this great nation of immigrants and give back to the country they call home.

This legislation creates opportunities for young people who did not come here on their own choosing, and ensures that they will become productive members of our society. For these reasons, I support this measure and I implore my colleagues in the Senate to vote in support of this measure, as well.

Mr. UDALL of Colorado. Mr. President, I wish to reiterate what I have long believed to be the right step to take in addressing a longstanding issue that affects young people in my State of Colorado and across this country. That step is to pass legislation known as the DREAM Act that will ensure that upstanding young adults who were brought into this country illegally by no fault of their own have the opportunity to attend college and contribute to our economy or join the military and serve our country.

Just over 3 years ago there was a large bipartisan group of Senators that understood that children who were brought to this country by no fault of their own should not be blamed for the sins of their parents. It is mind-boggling to me that we now have to struggle to get those same Members who are still in the Senate today to support that commonsense notion, which underlies the DREAM Act. I respect the decisions of my colleagues and I want to give my colleagues who have had a change of heart the benefit of the doubt, but my guess is that partisanship is what has prevailed here. I believe this because the bipartisan-approved legislation that the House of Representatives has sent us is more stringent than previous versions of this legislation that was once sponsored and supported by both Republicans and Democrats.

When you run down the list of fees, restrictions, requirements, waiting periods, and other criteria for eligibility in the DREAM Act, you begin to see that this is a robust plan to give high-achieving young people an opportunity to contribute positively to our country. Not only will individuals who were brought to this country before the age of 16 have to prove they have been in the United States for at least 5 years before applying, they will also have to show that they are in good health, pass a background check, provide biometric data, and pay fees and taxes. Only then will they be allowed to enter a ''conditional non-immigrant'' status that would allow them to pursue their education or enter the military.

During the 10 years of their conditional status, they would be ineligible for entitlement programs such as welfare, Federal education grants and would be unable to sponsor family members for immigration purposes. They would also have to remain in good standing with the law and prove that they have command of the English language and American civics. If they meet those and other requirements after 10 years, they will then have to get in at the back of the line to wait their turn for a minimum of 3 more years—for an opportunity to naturalize as U.S. citizens. That seems more than fair to me.

The DREAM Act provides a robust and fair-minded plan to help America attract bright and talented individuals to contribute to our economy and strengthen our military. As military leaders who have served under Presidents of both parties have said, this bill will strengthen our readiness by giving these young men and women the chance to join our armed services. Furthermore, studies have shown that students who can realize their full earning potential can ultimately help pump billions of dollars back into our economy. These individuals are future businessmen, scientists, and innovators that could help our economy grow. In fact, the Congressional Budget Office has determined that this legislation would even help to reduce our deficit.

The DREAM Act has been debated for several years. It is finally time for us to do what is right in this situation, put aside partisanship and support this legislation.

DON'T ASK, DON'T TELL

Mr. BINGAMAN. Mr. President, I rise today to speak in support of repealing the so-called don't ask, don't tell policy.

It has been 17 years since this misguided policy was enacted. I believed then, as I believe now, that it was wrong for Congress to legislate in this area. Prohibiting gays and lesbians from openly serving in our Armed Forces is contrary to our Nation's values and weakens our military's ability to recruit and retain competent individuals with critical skills.

By codifying a policy that reinforces discrimination, intolerance, and inequality, we established a system that is inconsistent with the rights embodied in our Constitution and the fundamental notion that a person should be judged squarely on the basis of his or her qualifications—not the color of their skin, religious beliefs, or sexual orientation.

I recently had the opportunity to visit President Franklin Roosevelt's home in New York—there was a quote that I saw that was particularly moving. In a campaign address delivered in 1940, FDR stated:

> I see an America devoted to our freedom—unified by tolerance and by religious faith—a people consecrated to peace, a people confidant in strength because their body and their spirit are secure and unafraid.

I think this quote does a good job of capturing the true strength of America—a tolerant people committed to the preservation of freedom.

The ability of a person to serve in our Nation's military should be based on his or her experience, qualifications and conduct. Since the inception of the don't ask, don't tell policy in 1993, over 14,000 gay and lesbian servicemembers have been discharged solely because of their sexuality.

We have lost decorated soldiers and those with mission critical skills, such as Arabic linguists and intelligence specialists. Aside from the loss of necessary expertise, we've also wasted hundreds of millions of dollars in taxpayer money in discharging and replacing individuals who were completely willing and able to serve our country.

The policy is also contrary to the values held by our military professionals. In testimony before the Senate Armed Services Committee, Admiral Mullen, Chairman of the Joints Chiefs of Staff, eloquently expressed this point:

> No matter how I look at the issue, I cannot escape being troubled by the fact that we have in place a policy which forces young men and women to lie about who they are in order to defend their fellow citizens. For me personally, it comes down to integrity—theirs as individuals and ours as an institution.

When a person enlists in our Armed Forces and puts his or her life in harm's way in defense of our country, they should be able to serve with honor and dignity without being asked to live a life of deception.

Secretary Gates ordered that a comprehensive review be conducted to assess the impact the repeal of the law could have on military effectiveness and to make recommendations about how a change could be implemented. The report, which was released a couple of weeks ago, surveyed thousands of active and reserve servicemembers as well as their families, veterans groups, health officials, and service academies. It is my understanding that this unprecedented report was the most comprehensive review of a personnel matter ever conducted.

The key finding from this review is that the risk of repealing the don't ask, don't tell policy to overall military effectiveness is low and that the limited disruptions that may occur in