

U.S. Strategic Command at the time was General Chilton. He was asked if the treaty allowed the United States “to maintain a nuclear arsenal that is more than is needed to guarantee an adequate deterrent.”

General Chilton said:

I do not agree that it is more than is needed. I think the arsenal that we have is exactly what is needed today to provide the deterrent.

A former Secretary of Defense testified at the same hearing, James Schlesinger. He said the strategic nuclear weapons allowed under New START are adequate, though barely so.

What has changed from the testimony in 2010 or since the Senate ratified the treaty at the end of 2011? The level was barely adequate a couple of years ago. It was exactly what was needed then. So how can we now cut another 33 percent off that level? That is what the President is proposing. The only thing that has changed since then—it seems to me—the threat of hostile nuclear programs has become even greater.

As countries that are not our friends grow closer to modernizing their nuclear weapon program, it would be irresponsible for us to weaken our own program. We haven’t even had a chance to confirm that Russia is complying with its obligations under New START. Russia has a long history of not complying with treaties. President Obama set out to reset relations between our two countries. There is no evidence that anything has changed.

Even the Washington Post admitted the failure of the so-called reset. They ran an editorial last week with the title “A starry-eyed view of Putin.” It said:

In touring Europe this week, President Obama has portrayed Russia’s Vladimir Putin as a ruler with whom he can build a constructive, cooperative relationship that moves us out of a Cold War mind-set.

They go on to say:

It’s a blinkered view that willfully ignores the Russian President’s behavior—willfully ignores the Russian President’s behavior.

The Washington Post got it right.

Finally, the President seemed to be laying the groundwork in his speech for a new round of cuts he could do unilaterally. That would be a mistake. Any further reductions in America’s nuclear defenses should be done through a negotiated treaty with Russia. That means a thorough process open to the scrutiny of the American people and subject to full consideration by this body.

New START included a resolution of ratification that specifically says future nuclear arms cuts can be made only—only—through a treaty. Arms control advocates pushing President Obama to make more cuts know that negotiating in public is difficult. They would prefer to strike backroom deals.

That is not the political system our Framers designed. They specifically require two-thirds of the Senate to ratify treaties. Such important decisions

should not rest in the hands of the President alone or with his selected advisers.

Under the President’s plan, he would cut our nuclear defenses 55 percent. Russia continues to modernize its nuclear arsenal. China is expanding its nuclear stockpile. Iran is accelerating its nuclear efforts. North Korea continues its nuclear threats. We already have the New START Treaty. It would be irresponsible to move forward with these sorts of cuts the President is talking about without extensive discussion with the American people and Congress.

The world remains a very dangerous place. Instead of drastically weakening America’s defenses, the President should focus on stopping countries such as Iran and North Korea from expanding their nuclear programs. America can’t afford to lose the full deterrent effect of a strong nuclear defense.

Thank you, Mr. President. I yield the floor.

THE PRESIDING OFFICER. The Republican whip is recognized.

Mr. CORNYN. Mr. President, I wish to start by thanking the Senator from Wyoming for his comments this morning. I think they are right on the mark. Throughout world history we have tried the appeasement of those who would seek to use their power to bully other people into submission, and I worry the President is taking a naive approach here and unilaterally disarming the United States in the face of a rising threat from Russia and other parts around the world. So I thank the Senator for his very important comments on a very important topic.

IMMIGRATION REFORM

Mr. CORNYN. Now that cloture was invoked on the underlying Leahy amendment, I think it is very important the American people and Members of Congress look more closely at what actually is in the immigration bill we will be voting on during the course of this week and, presumably, if the majority leader has his way, will see pass this Chamber and head over to the House of Representatives.

It was three years ago when the Democratic House leader and the former head of that Chamber NANCY PELOSI famously said we would have to pass ObamaCare in order to find out what was in it. We have all said things we regret, and I bet if she had it to say over again, she would not have said it that way. Indeed, it seemed to strike such a responsive chord in people because the public realizes what we should acknowledge, which is when it comes to 2,700 pages of legislation passed through without adequate deliberation and an understanding of what is in it, purely on a partisan vote, we are bound to make mistakes.

Unfortunately, we know how ObamaCare turned out. We have now seen bipartisan votes to repeal certain portions of it such as the 1099 require-

ment. We have seen an overwhelming bipartisan vote that would suggest sooner or later we will repeal the medical device tax, which is a gross receipts tax on the people who are innovating and creating jobs right here in America and creating access to high-quality health care, which makes us second to none. We saw how it turned out with ObamaCare.

Now, once again, we are being urged to enact a massive piece of legislation before the American people are fully aware of what is in it. Indeed, some supporters of the immigration bill are hoping some of its more outrageous elements will go unnoticed. Well, that is not going to happen. We are going to be spending the next few days, until this bill passes this Chamber, to point out some of the more indefensible provisions in the underlying bill.

Today I wish to talk about what I think is arguably the most indefensible portion of the bill—the part that grants immediate legal status to immigrants with multiple drunk driving or domestic violence convictions.

As we know, in the underlying bill, those who apply for and qualify for registered provisional immigrant status can stay in the United States and work for up to 5 years, providing they meet the terms of that probationary status, and they can actually reapply for another 5 years and then eventually, after 10 years, they can qualify for legal permanent residency, which is the pathway to American citizenship as early as 3 years from that time. But under the provisions of this bill, immigrants who are out of status—undocumented immigrants—can get access to probationary status and get on a pathway to legal permanent residency and citizenship, even though they have committed multiple incidents of driving while intoxicated or domestic violence. Most Americans aren’t aware of these provisions, but I can assure my colleagues everyone will suffer the consequences if this ill-considered provision becomes the law of the land.

In fiscal year 2011, Immigration and Customs Enforcement deported 36,000 individuals with DUI convictions; that is, driving under the influence convictions—nearly 36,000 people. That gives us an idea of how big this problem is and what the consequences are of turning a blind eye to this provision in the underlying bill and what impact it might have on the public.

Last week I shared a few stories from my State of Texas, including the story of the sheriff’s deputy in Harris County named Dwayne Polk, who was killed last month by an illegal immigrant drunk driver who had previously been arrested for, No. 1, driving under the influence and, No. 2, carrying an illegal weapon. Today I wish to share two more stories.

In August 2011, an illegal immigrant drunk driver crashed his car in Brenham, TX, killing four other people, all of whom were under the age of 23 years old. We subsequently learned

the driver of the car had been arrested just weeks before that deadly accident for—you guessed it—drunk driving. Yet because his initial offense was technically a class C misdemeanor, he was not taken into Federal custody and deported.

In March 2012, an illegal immigrant drunk driver crashed his vehicle into an apartment building in Houston, killing a 7-year-old boy and leaving a 4-year-old boy with severe burns on nearly half of his body. Not surprisingly, the drunk driver had been arrested for DUI once before in 2008, and in 2011, he had been charged with attacking his wife by punching her in the face.

We know drunk drivers and domestic abusers tend to be serial or repeat offenders. In other words, it is rare that people who have engaged in domestic violence only do it once and people who drive while intoxicated only do it once. By offering registered provisional immigrant status to illegal immigrants with multiple DUI convictions or domestic violence convictions, we are virtually guaranteeing more innocent people will lose their lives or become victims of violent crime. That is unconscionable and it is indefensible.

Last week I challenged any Member of this Chamber to come down to the floor and defend these provisions, and I repeat that challenge today. I don't think we will find any takers, because we cannot defend the indefensible, and granting legal status to drunk drivers and violent criminals is just that: an indefensible policy that will inevitably have tragic circumstances.

Provisions such as this one are one more reason why this bill is dead on arrival in the House of Representatives.

One final point. Many critics of my border security amendment called it a poison pill which, of course, was ridiculous because it used the same criteria used in the underlying framework written by the Gang of 8. But leave that aside. Here is what I would say to those critics: If we want to know what a real poison pill is, all we have to do is read through these provisions with regard to criminal justice in the Gang of 8 bill. We should not be supporting legislation that grants immediate legal status to drunk drivers and domestic abusers. I can understand why the American people are asked to extend an act of uncommon generosity for people who enter our country in order to work and provide for their families, but for those who have demonstrated their contempt for the rule of law and for the legal standards which govern all Americans, I don't think they deserve this sort of extraordinary treatment. I hope there is somebody who will come to the floor and explain why these provisions are in the bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, we have an historic opportunity here in the Senate. It doesn't happen very often. This is a bipartisan bill. How about

that. Yesterday we had 67 votes in favor of this immigration reform package. We would have had 69, but two Democratic Members were held up because their flights were delayed and they couldn't make it. Sixty-nine. It basically means we had somewhere in the range of 17 Republicans joining with the Democrats. That is amazing on an issue this controversial.

I have been engaged in meetings on this measure for quite a few months. Eight of us, four Democrats and four Republicans, all over the political spectrum, sat down and said we were going to come up with a bill. It wouldn't be perfect and not one single individual Senator was going to like it, but together were are going to agree on something, and we did. There are parts of it I don't like at all. There are parts of it I think are great. That is the nature of a compromise, and that is what we are expected to do.

It is a long bill. This is the bill we voted on yesterday. Even though many Members are complaining about the size of this bill, most of it has been out there now for almost 2 months. Even a slow-reading Senator should have been able to get through it. One hundred new pages were brought in yesterday, I will concede, over the last 4 or 5 days, but at least 100 pages can be addressed by most Senators and their staff.

Why do we need to do this? Why don't we take the easy way, find something wrong in here and vote no? I guarantee I can point to five or six sections I would rewrite. If we do that, where do we leave our country? We leave 11 million people who are undocumented living in the shadows, fearing they may be deported tomorrow, working for below-minimum wage under intolerable conditions, competing with American workers. We don't know who they are officially, where they live, or what they do. For the security of the United States, for the competitiveness of American workers, this is a bad situation.

What we do is say to these people, Come forward. Come forward and register with the government. That is the first step. If a person was here before December 31 of 2011, he or she can qualify, but they have to go through a criminal background check.

The Senator from Texas raises questions about whether that background check should be modified this way or that way. I can certainly argue one way or the other as to how it should be modified. But in a 1,200-page bill, that is one very small section—an important one but only one.

What I am suggesting is we are better off as a Nation to have 11 million people come forward, identify themselves, register with our government, pay their taxes, pay a fine, and submit themselves to a criminal background check before we allow them to stay in this country. That is certainly better than the current situation.

On the other side, this bill also creates an opportunity for them. After 10

years—10 years of being monitored by our government—they have a chance to move into a status where they can start working toward immigration in a 3-year period of time—working toward citizenship in a 3-year period of time. Thirteen years. This is no amnesty. During that period of time before they become citizens, they will have paid, under our bill, some \$2,000 in fines, paid their taxes for every single day they worked, learned English, and, of course, submitted themselves to this continuing background check. We are a better Nation when that occurs.

In addition to that, there are provisions in here that relate to a group of undocumented that mean an awful lot to me personally. Twelve years ago I introduced the DREAM Act. The DREAM Act said if a person was brought here as a baby, an infant, or a child, and that person had been educated in the United States, graduated high school, has no serious criminal problems, they then have a chance to become a citizen by completing at least 2 years of college or enlisting in our military. I have been trying to pass that for 12 years. It was I think 2 years ago we had the last vote on the Senate floor on the DREAM Act. Every time we have called it we got a majority, but we couldn't pass it because of the Republican filibuster.

The last time we had this debate, those galleries were filled with young people who were undocumented in caps and gowns. They were sitting there to remind us they were graduating from our schools—among them valedictorians, many who had been accepted to college but could not afford to go because they were undocumented.

This bill deals with these DREAMers, as we call them today, and gives them a chance to become citizens. About 500,000 of them have come forward already under the President's Executive order. Their stories are amazing and inspiring.

At a meeting with President Obama 2 weeks ago, we talked about the DREAM Act. He said: When the DREAMers came into my office and told their stories, there was not a dry eye in the room—the sacrifices they are making in the hope they can become part of America's future.

I have the greatest faith in them, and I know they are not going to let me down. Their stories are going to continue to inspire us, and they are part of this bill.

Can I find one section in this bill I disagree with? Sure I can. But can I turn my back on 11 million people being given a chance to come forward, register, and become part of America with some strict conditions? Can I turn my back on 1½ million DREAMers—and that is an estimate—who would finally get their chance to be part of America's future? No. I am not going to turn my back on them. I will work to improve this bill, but I am not going to walk away from it. Walking away from legislation, voting no may be an

easy thing for some, but when it comes to this, it is not easy for me. It is something I will not do. I want to stand by it.

Let me say a word about the rest of the bill. There are provisions in this bill that deal with things we do not think about. Here is the reality: If you happen to be a grower, growing fruits and vegetables in America, and you put out a sign "Help Wanted"—would you like to come and pick strawberries in Salinas Valley in California; would you like to come pick apples in southern Illinois—there are not a lot of local kids who sign up. It is hard work, some say dangerous work, and I believe it is. Those who do these jobs—the migrants who come in and work—do it for a living. It is hard, tough labor. Without them, these crops do not get picked and processed and we suffer as a nation.

This bill has a provision on agricultural workers that is extraordinary. MICHAEL BENNET of Colorado and DIANNE FEINSTEIN of California are two who sat down with MARCO RUBIO of Florida, and others, and they worked out an agreement that has been signed on to by the growers and the unions representing the workers. How about that. A business, management, and labor agreement when it comes to ag workers. That is in this bill too. Should we walk away from that?

There is a provision as well to try to tap into the talent that is educated in America that can help us create jobs.

Let me say that one of the things I insisted on in this bill is that before anyone is brought in to fill a job from overseas, you first offer the job to an American. That, to me, is the bottom line. That is my responsibility as a Senator who represents many of the people who are unemployed today. But this bill takes a step beyond that. If you cannot fill that position, you have an opportunity to fill it with someone brought in from overseas.

I will give an illustration. The Illinois Institute of Technology—which is an extraordinary school for engineering and science in the city of Chicago—at their commencement a few years ago when I spoke, virtually every advanced degree was awarded to someone from India. Today, virtually every advanced degree is awarded to someone from China.

I have met some of these graduates, and I have said to them: With this education—the best in the world—would you stay in America if you were offered that chance? They said yes. Why would we educate them and send them off to compete with American companies? If they can be brought into our companies and create American jobs and opportunities with them, it is good for all of us. That is part of this bill as well.

As I look at this bill, this is a historic opportunity to solve a problem which has not been addressed seriously in 25 years, a problem which we know confounds us as we deal with 11 million undocumented people within our bor-

ders and one which truly reflects on our values as a nation.

I gave a speech last week to a group in Chicago, and I talked about the diversity of this group, the group that was gathered—Black, White, and Brown, young and old, men and women—and I said: If I asked everybody in this ballroom to write their family story, their personal story, each would be different. But there would be two chapters in that story that would be the same. The first chapter you might entitle "Out of Africa" because that is where we all started. It was 70,000 years ago when the very first immigrants left Ethiopia, crossed the Red Sea into the Arabian Peninsula, and literally populated the world. How do we know that? Because we can find chromosomal DNA that dates back to those original immigrants in every person on Earth. We all started in the same place 70,000 years ago, emigrating out of Africa.

The second chapter would be entitled "Coming to America." Every single one of us has a different story. My chairman is proud of his Irish and Italian heritage. His wife is proud of her French-Canadian heritage. I stand here proud of the fact that my mother was an immigrant to this country from Lithuania, brought here at the age of 2. Now it is my honor to stand on the floor of the Senate and represent 12 or 13 million people in the great State of Illinois.

As I have said before, that is my story, that is my family's story, that is America's story.

We have to get this right because immigration is not just a challenge, it is part of the American heritage. It is who we are. The courage of Senator LEAHY's family, the courage of my grandparents, to pick up and move and come to a place where many of them did not even speak the same language is part of our American DNA. That is what makes us different, and that is what makes us better, I guess I might say with some pride in where I came from.

We have to honor that tradition with this immigration reform bill, and I believe we do. To walk away from it at this point in time, to find some fault or some section that you disagree with is just not good enough. We have to accept our responsibility.

Yesterday 67—maybe 69—Senators were ready to do that. By the end of the week, stay tuned. We have a chance to pass this bill and make America a stronger nation, be fair and just to people who are here, and honor that great tradition of immigration.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

DREAM ACT CHAMPION

Mr. LEAHY. Mr. President, one, I wish to applaud the senior Senator from Illinois for his statement, and I will say publicly on the floor of the

Senate what I have said to him privately, what I have said to him in our leadership meetings, and what I have said to him in our caucuses, that he is the champion of the DREAM Act. That act—when it finally passes, will give these DREAMers a better life, and there will be one person they can thank most and that will be Senator DICK DURBIN of Illinois. Because for the time I have known him—and it has been years—this has been first and foremost over and over again, and I just want to state my admiration for the Senator from Illinois for doing that.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 744) to provide for comprehensive immigration reform and for other purposes.

Pending:

Leahy modified amendment No. 1183, to strengthen border security and enforcement.

Boxer-Landrieu amendment No. 1240, to require training for National Guard and Coast Guard officers and agents in training programs on border protection, immigration law enforcement, and how to address vulnerable populations, such as children and victims of crime.

Cruz amendment No. 1320, to replace title I of the bill with specific border security requirements, which shall be met before the Secretary of Homeland Security may process applications for registered immigrant status or blue card status and to avoid Department of Homeland Security budget reductions.

Leahy (for Reed) amendment No. 1224, to clarify the physical present requirements for merit-based immigrant visa applicants.

Reid amendment No. 1551 (to modified amendment No. 1183), to change the enactment date.

Reid amendment No. 1552 (to the language proposed to be stricken by the reported committee substitute amendment to the bill), to change the enactment date.

Reid amendment No. 1553 (to amendment No. 1552), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, yesterday the Senate voted to adopt an amendment offered by Senators CORKER and HOEVEN relating to border security.

I have some misgivings about the policy contained in that amendment, and I have spoken to that on the floor. But, at the same time, I commend these Senators for engaging on this legislation and taking the steps they feel are necessary to gain broader support for the underlying bill. We are now one step—one big step—closer to a