

Certainly, the efforts the President speaks about, trying to move in the direction that creates that moment in which those freedoms can be fulfilled for the people of Cuba, we applaud.

#### THE DREAM ACT

Mr. MENENDEZ. Madam President, I came to the floor to talk about the earlier vote on the DREAM Act. I have heard some of my colleagues define it in ways that make me believe the future of any other form of immigration reform is going to be incredibly difficult. We did not get to cloture and cannot move to have a full debate on the bill and a vote to move in a direction in which we could give young people in this country—who did not choose to come to this country themselves, as they were brought here by their parents at a young age, and who in many cases could achieve great success for the Nation—an opportunity to earn their way to a process of legalization. To see that those hopes have been snuffed out by the votes that were taken here leads me to believe the future of any other form of immigration reform is going to be incredibly difficult.

It was not the decision of these children to come to the United States. It's hard to make a decision about where you are moving to when you are in a stroller. If we cannot give hope to children, if we are going to insist that the children be responsible for the sins of their parents, in making the decision they did to come in an undocumented fashion to the United States, then this is not the America I know.

If, by no choice of your own, you came to this country and have now grown up—for many of those children I have met across the landscape of the country have grown up as Americans, and thought of themselves as Americans—and then came a point in time in which they wanted to go to college or enlist in the Armed Forces, they found their status was not that of an American. They wanted badly to either serve or to be able to fulfill their God-given abilities by achieving a college education. They had to earn all of this. All we need to do is give them a chance.

I have colleagues who represent a lot of sectors, and they want people to come to this country and use their human capital to do some of the toughest jobs that exist in America, to bend their backs and be on their knees picking crops for Americans to be able to consume.

There are some who suggest we are going to even change the nature of what AgJOBS is, so even though you come year after year, you bend your back, you give your sweat, you do some of the toughest jobs no one wants to do—we will not give you any pathway to earn legalization.

I don't know how those who want to see the AgJOBS bill move think it can move when we turn down children who had no choice of their own. Our friends

in industries that request H1-B visas say we need to bring people from other countries in the world to America because we don't have enough human capital here to meet our Nation's high-tech demands, but in that case it doesn't make much sense to refuse to take advantage of the proven capacity of so many children in this country, some of whom have graduated as valedictorians and salutatorians from high school. A vote against the DREAM Act says, we are not going to use that intellect; no, let's bring in somebody from outside the country to perform that service.

Those in the service industries, such as the hotels and motels of our cities and highways, who want people to clean the toilets and the bathrooms, or those who want workers to pluck the chickens at poultry plants or work at seafood establishments and the list goes on and on—let's give those people visas to come to this country and let's use their human capital. I am for any American who wants to do any of those jobs first and foremost. Whatever is necessary to create that opportunity, I am for. But in the absence of it, I wish to challenge some of our colleagues who talk about the big growers and their needs, who talk about the high-tech industry and their needs, who talk about the hotels and motels and poultry plants and seafood plants—and then vote against these children. I want to hear how they can justify the differences.

What the DREAM Act said was if you had no choice, you made no choice in coming to this country—your parents brought you here, you grew up here and you have been a good citizen, you have lived the type of life we want all our young people to live in terms of being good citizens, being of exemplary character, being individuals who have the intellectual capacity on their own to get into college—we want to give them the opportunity to have the status to do that. I would rather have our kids going to school than hanging out on the streets, but I guess we would rather have them hanging out on the streets rather than having them get an education and serving our Nation.

I don't understand how a military that is straining, in terms of the volunteer Armed Forces that we have, that has now downgraded whom they are willing to accept in the Armed Forces to include people who have criminal records and those who are high school dropouts, we will have those people serve, but we will not have young people who are incredibly talented, have no criminal record whatsoever, exemplary individuals, and some of them, some very smart ones, but who want to serve America because they believe themselves to be Americans—oh, no, let's not have them serve in the Armed forces of the United States. By virtue of that service, including the possibility that they could die on behalf of their adopted country, no, let's not give them that opportunity either. We

would rather take people who have criminal records. We would rather take people who have not even finished high school.

The first U.S. soldier who died in Iraq was someone who was not a U.S. citizen. Yet he died in Iraq in the service of the country he loved as his own.

I believe there are going to be challenges going forward. As Members of the Senate who represent different parts of our economy come forth and say, "I need to help the farmers because we need to get people in those fields, we can't get anybody to do the job;" or, "I need to have someone at that poultry plant and make sure that we are able to pluck chickens and go through the bone-breaking job, their hands are cut from the processing," I want to see how, in fact, that discussion is going to take place.

We will certainly be here to challenge our colleagues to think about how can you promote those desires and yet snuff out the hopes and dreams and aspirations of a young person who did not do anything wrong. On the contrary, they want to do everything they can to serve this country, and we say no to them. Yet we will bring in people from other parts of the world to do these things. It is going to be very difficult. It is going to be very difficult, without reform of the process, to make sure we are not outsourcing jobs in the process, without labor protections. I think it is all going to be very difficult.

I hope our colleagues will think about reconsidering their position on the DREAM Act because they say it is an "amnesty." Everything is amnesty to them. I can't wait until the AgJOBS bill comes up. I am sure we will get cries of "amnesty." I can't wait until the H-1B issue comes up. I can't wait until the H-2B issue comes up. I am sure it will be cries of "amnesty." So those sectors of the American economy will be halted, and we will not get the productivity we need because I am sure they are not going to find a way to say that it is not "amnesty."

At end of the day, I am looking forward to those debates as we move forward. I believe we have set a precedent in today's vote that people will rue as they try to understand the essence of some of the economic sectors of our country that are going to need help, have needed help, and need help today.

We should, hopefully, have a little introspection and figure out whether a process in which you have a journey to go through, in which you have to start with an exemplary record, in which you have to be willing to meet all types of challenges, in which you must give of yourself to the Nation or you must be able to create personal achievement that ultimately will be of value to the Nation—whether snuffing out that opportunity is in the national interests of the United States.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for 12 to 15 minutes in morning business.

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

The Senator is recognized.

#### MISPLACED PRIORITIES

Mr. WHITEHOUSE. Madam President, as my colleagues know, earlier this week President Bush announced he will ask this Congress to provide an additional \$46 billion for the war in Iraq next year. That is \$46 billion more than the \$150 billion he already told us he would ask for. Taken together, that is close to \$200 billion more than the hundreds of billions of dollars the taxpayers of this country have already poured into the sands and marshes of Iraq—for a war this President has made clear he has no intention of ending.

The people of Rhode Island are tired of watching their sons and daughters, their neighbors and their friends, sent off to war by a President who won't trouble himself to make a plan to bring them home. They are tired of spending money our country has to borrow on a war with burdens our country should no longer have to bear. And they are sick and tired of hearing this President veto or threaten to veto legislation passed by this Congress that supports the real and urgent needs of Americans and their families—all because he says it costs too much.

Clearly, this President is an expert when it comes to irresponsible and excessive spending. Look at the war. Look at the private contractors. Look at the national debt he has run up. But how can he keep a straight face and tell the American people it is more important to borrow and spend \$35 billion for 3½ more months of the Iraq war than it is to provide budgeted health insurance for 5 years to 10 million American children? What a sobering revelation of this administration's misplaced priorities.

No American should doubt for 1 minute what is going on here. Every time President Bush vetoes a bill to fund children's health care, every time he threatens to veto legislation that will send our Nation's children to college, keep families warm during the winter months, invest in job training and technical education programs, or offer the promise of medical cures through research at the National Institutes of Health, President Bush is making a choice. He is choosing prolonging a war in Iraq over battling cancer. He is choosing his no-plan war over helping families in poverty. It is a choice, and it is the wrong choice.

Last night, the Senate passed a bill to provide funding for the Departments

of Labor, Health and Human Services, Education, and other agencies. On October 17, the administration expressed its opposition to this appropriations bill based on what it calls "an irresponsible and excessive level of spending." As I said, this President is certainly expert at irresponsible and excessive levels of spending, but what does he mean? The President means that \$10.8 billion spent to help millions of Americans lead healthier, more productive lives is irresponsible and excessive, but the nearly \$200 billion additional he wants to borrow and spend on the war in Iraq is just fine.

Let's look at two areas in this bill where the funding levels we propose exceed those in the administration's budget to see just how irresponsible and excessive we are.

The first is at the National Heart, Lung, and Blood Institute at NIH. Our bill funds the institute at \$67 million more than the President's request. I want to introduce my colleagues to one man who does not think this increase is irresponsible and excessive.

This is a picture of Richard Pezzillo on his last visit to Washington, DC. Rich is a bright, kind, thoughtful young man from North Providence, RI, who hopes one day to become a meteorologist. Rich also suffers from hemophilia and right now lies in a hospital bed in Rhode Island, too sick to attend his classes at Western Connecticut State University where he hopes to graduate this May. Sadly, Rich, now 24, has missed 2½ years of school due to his illness.

One of these absences was caused by an activity most of us would never even think about—something we do, in fact, to save lives—putting on a seatbelt. Three years ago, Rich unfastened his seatbelt from the airplane, collected his things, and walked off into the airport and suddenly started to feel tremendous pain. He started vomiting blood. Simply wearing his seatbelt had caused Rich to bleed internally, inside of his stomach, eventually requiring that his gall bladder be removed. Rich spent roughly 3 weeks in the hospital, accumulating bills totaling nearly \$1.5 million. Luckily, Blue Cross-Blue Shield of Rhode Island, his family's insurer, covered most of these costs. But Rich is desperately afraid what will happen to him when he graduates from college and no longer qualifies under his parents' health care plan. Hemophilia is one of the most expensive conditions a person can have, one that few insurance companies will want to take on.

Richard Pezzillo is a fighter. He is an example for us all. But he will continue to face tremendous difficulties with his health throughout his life. Soon, thanks to research going on at the National Institutes of Health; specifically at the National Heart, Lung, and Blood Institute, hemophilia could be the first disease cured by gene therapy. The funding in this appropriations bill will go toward research which could save

Richard's life and the lives of 18,000 people across this country who suffer from hemophilia. This spending is not irresponsible. This spending is not excessive. This spending is vital and it is working and it has the potential to save thousands of people like Rich Pezzillo.

A second place where this bill calls for spending above the President's budget—\$128 million above his budget to be exact—is at the National Cancer Institute. Here I want to share the story of Benjamin Haight. I met Ben's parents this summer when they came down to my office from Warwick, RI, to share their little boy's story. Ben was diagnosed with neuroblastoma early in 1999 when he was just 4½ years old. At the time, Ben's dad was a senior chief in the Navy, serving aboard the USS Miami. He was airlifted off the submarine to join his son, as Ben underwent five rounds of chemo, surgery, radiation, and endured two stem cell transplants. These treatments left Ben with no high frequency hearing, requiring him to wear the two hearing aids, and they left him with a severely compromised immune system. But Ben refused to let any of this keep him from being a kid. He told his doctors there would be no treatments during science class, and that they would have to be out by 3 to go to Cub Scouts or baseball or soccer or other activities. He often left his chemotherapy sessions dressed in his Little League uniform. Ben was a snorkler, a sailor, a swimmer, a fisherman, a climber, an artist, and an animal lover. He was, as his parents say, a child first and a child with cancer second.

Though Ben and his family enjoyed 2 years of remission, he relapsed again in October 2001 at the start of second grade. This new round of treatment consisted of more chemo and over 200 blood and platelet transfusions. Ben lost his battle with neuroblastoma on August 8, 2003, at the age of 9. The night before he died, Ben turned to his mom and asked: "Can't we try a stronger medicine?"

Well, Ben, at the pediatric oncology branch of the National Cancer Institute, they are trying to create that stronger medicine. Ten phase I and four phase II clinical trials are currently being conducted on neuroblastoma, and scientists are closer and closer every day to the stronger medicine you asked for.

Is it really so irresponsible and excessive to provide the funding for these studies, to find the treatments that could have saved Ben Haight and could save so many more children like him?

To me, irresponsible and excessive is borrowing and spending \$450 billion for an endless war that undermines our national security and then asking the Congress for another \$196.4 billion without a plan to bring our troops home, all while nearly 50 million Americans go without health insurance and millions of families hover at the door of poverty.