

of people protected here. You have to have been in the United States for 5 years in order to qualify here so any newcomers to the United States are not going to be eligible anyway. But let's get to the point. I support border security. We need a strong border. We need to make sure those who are illegal, undocumented, do not come across that border. I have voted for the money, I voted for the fences, I voted for the walls, I voted for everything they called for, and we have dramatically under this President increased the border security in America and I will vote for more. I will vote for more. I give my word to my colleagues I will.

I have said to Senators from those border States: Count on me to be with you. But don't hold these children hostage to that demand. Don't hold them hostage to that demand because border security in and of itself has nothing to do with justice for them.

Others have argued we want to make sure at the end of the day they can never become legal citizens of the United States. Never? After living their lives in this country, never? I would say: Go to the back of the line. And they should. Wait in line patiently, even if it takes 15 years. That is only fair. But never?

Others have said we should give them the military option. If they join the military, then we will let them become citizens. I don't think that is right and I don't believe the military would support that either because many would be applying for the military who are not inspired to serve in the military but are only doing it for the purpose of this law. Let's let those who are not going in the military have their own avenue, their own path to legalization by education and achievement in this society, not in the military.

I would also say to my friends and colleagues, some have argued it is a little too close to Christmas for us to worry about an issue such as this. We ought to go home. These young people are home and they are asking for us to pass the DREAM Act so that home will welcome them.

America is the only home they have ever known. I am willing to stay a day or two or more, whatever it takes, so we can pass this bill, right this injustice, and give these young people a chance.

The House has done its part. They passed a bill last week. Congressman LUIS GUTIERREZ and Congressman HOWARD BERMAN did a wonderful job in passing this legislation. It is good legislation. We have had 57 votes on the floor of the Senate but because of our rules you need 60. All I am asking is some of the Republicans who have told me in their heart of hearts they support this and worry about it politically, to put themselves in the shoes of our predecessors in the Senate who, when given a chance to expand the civil rights—of African Americans, of women, of the disabled—said that justice trumps politics. We will stand on

the side of justice and let history be the judge. That is the challenge we have with the DREAM Act.

I urge my colleagues, support the DREAM Act. Let's give these young people a chance to make America an even greater nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

#### OMNIBUS APPROPRIATIONS

Mr. JOHANNES. Madam President, I rise today to briefly discuss the so-called omnibus spending package that is apparently headed this way. This budget-busting, trillion-dollar spending behemoth is nearly 2,000 pages in length, and it is laden with over 6,000 earmarks for various special interests.

This is a debacle that could have been avoided. Today is the 349th day of this year. There are only 16 days until the end of the year. There are only 10 days until one of the most sacred Christian holidays—Christmas. Yet the majority waited until just now to unveil our first real appropriations bill that will be considered on the Senate floor in the entire year.

The fiscal year began on October 1 of this year. Yet we have waited over 2 months to even consider a fiscal year 2011 spending bill. How could anybody claim this is responsible management of our citizens' tax dollars? There is no way to sugarcoat it. Congress has been derelict in its duty to produce any of the 12 annual appropriations bills for the fiscal year.

We did not even bother to debate or pass a budget resolution this year to at least create the notion that Congress wanted to constrain spending. While Americans across this country are taking a hard look at their finances, prioritizing their spending, their government continues to max the taxpayer credit card. This one is a doozy: 1,924 pages, \$1.27 trillion in spending, \$9 billion more than even last year's unacceptable spending levels, over 6,000—let me repeat that—over 6,000 earmarks that were funded more on geography and political influence than on anything to do with merit. That is \$8 billion worth of earmarks when the American people are crying out for transparency and thought they had sent a strong message in November.

While we should have been considering how to constrain spending, the authors of this legislation were busy behind closed doors seeing how much pork they could return to their States. This "you get yours and I will get mine" mentality is one of the reasons we have the budgetary hole we have dug. Yet we see 6,000 earmarks tucked away in this legislation.

Let me just give three of the priorities, according to these earmarks: \$200,000 of somebody's hard-earned tax dollars for beaver management; \$1.5 million of somebody's hard-earned tax dollars for mosquito trapping; \$300,000 of somebody's hard-earned tax dollars for the Polynesian Voyaging Society.

The list goes on and on. I could be here for the next 24 hours going through the list.

When I was Secretary of Agriculture, we proposed a budget, and we would not have a single earmark in it. But after the logrolling occurred on Capitol Hill, we would get our funding back, and it would be absolutely stuffed with earmarks, spending somebody's hard-earned tax dollars.

It is a sad commentary that a few million dollars in home State pork can often convince someone to swallow \$1 trillion of government spending. Yet that is where we end up too often. It looks to me like this is greased, and it is going to happen again. The authors of this legislation simply missed the message of November 2. We should be passing appropriations bills that actually rein in spending instead of doubling down, spending more, and adding to the era of big government. Yet this massive bill is laden with end-of-the-year gifts.

One supporter of the spending bill actually admitted it was the Christmas tree of all time, adorned by spending somebody else's hard-earned tax dollars. This spending juggernaut is simply not what Americans want or deserve.

While we are faced with numerous challenges, none is greater than tackling this growing spending in our national debt. In fact, a bipartisan group of almost 20 Senators came to the floor yesterday—and I was part of that group—to pledge our commitment to address the national debt.

How ironic that this massive spending bill is being discussed the very next day. Maybe actions speak louder than words. It is time for us to actually back up the rhetoric on controlling spending. A look at the last appropriations bills just since I arrived a couple of years ago shows spending is growing by 17 percent. The sad truth of that number is there is no economy—no economy—that can grow the revenues fast enough to keep up with the spending appetite of Washington, DC.

In fact, in a few years we will be spending more on finance charges than the entire defense budget. It is like a family running up the credit card and then looking for more credit cards. But, unfortunately, it is now commonplace to pass bills that spend \$1 trillion when our citizens are saying: Please stop. Unfortunately, the spending has not stopped.

I will oppose this bill, and I will do all I can to advocate that my colleagues do the same. Government spends too much. We need to keep more at home with the people.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### FINISHING THE SENATE'S WORK

Mr. REID. Madam President, as a Christian, no one has to remind me of the importance of Christmas for all of the Christian faith, all of their families all across America.

I do not think any of us, and I do not need to hear the sanctimonious lectures of Senators KYL and DEMINT to remind me of what Christmas means.

My question is, Where were their concerns about Christmas when they led filibuster after filibuster on major pieces of legislation during this entire Congress—not once but 87 times, taking days and days of the people's time in the Senate on wasteful delay?

Senate Republicans need look no further than themselves in casting blame for the predicament we are in right now. In this Congress, I repeat, Republicans have waged 87 filibusters. They have used every procedural trick in the book to delay legislation that is important to the American people.

We have been able to work through most of that and have what, in the mind of Norm Ornstein, the most successful Congress watcher in decades says is the most successful, productive Congress in the history of the country. We have done that in spite of all of the roadblocks that have been thrown in our way.

In just a few minutes, we are going to proceed to the START treaty. I am told the Republicans are going to make us read the entire treaty in an effort to stall us from passing it. Isn't that wonderful. That treaty has been here since April or May of this year—plenty of time to read it.

These are additional days of wasted time that we could be using to pass legislation to get home for the holidays. Yet some of my Republican colleagues have the nerve to whine about having to stay in action and do the work the American people pay us to do. We make large salaries. We could work, as most American do, during the holidays.

Perhaps Senators KYL and DEMINT have been in Washington too long because in my State, Nevadans employed in casinos and hotels and throughout the State of Nevada—on our ranches, basically everywhere—have to work hard on holidays, including Christmas, to support their families.

The mines do not shut down in Nevada on Christmas. People work. They get paid double time a lot of times when they have good contracts. But they work on Christmas holidays. Most people do not get 2 weeks off at any time let alone Christmas week. These people who are lucky enough to have a job in these trying times need to work extra hard just to make ends meet.

So it is offensive to me and millions of working Americans across this country for any Senator to suggest that working through the Christmas holidays is somehow sacrilegious or disrespectful.

The path to finishing this year lies in the hands of Senators such as Senators KYL and DEMINT and any other Senate Republican who is trying to run out the clock or run out the door without finishing the American people's business. If they decide to work with us, we can all have a happy holiday. If they do not, we will continue until we finish the people's business.

#### TREATY WITH RUSSIA ON MEASURES FOR FURTHER REDUCTION AND LIMITATION OF STRATEGIC OFFENSIVE ARMS—MOTION TO PROCEED

Mr. REID. Madam President, I move to proceed to executive session to Calendar No. 7, the START treaty. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BAYH) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 32, as follows:

[Rollcall Vote No. 277 Ex.]

#### YEAS—66

Akaka	Gillibrand	Murkowski
Baucus	Graham	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bennett	Inouye	Pryor
Bingaman	Johnson	Reed
Boxer	Kerry	Reid
Brown (MA)	Klobuchar	Rockefeller
Brown (OH)	Kohl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Snowe
Casey	Levin	Specter
Collins	Lieberman	Stabenow
Conrad	Lincoln	Tester
Coons	Lugar	Udall (CO)
Dodd	Manchin	Udall (NM)
Dorgan	McCain	Voinovich
Durbin	McCaskill	Warner
Feingold	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

#### NAYS—32

Alexander	Crapo	Kyl
Barrasso	DeMint	LeMieux
Bond	Ensign	McConnell
Brownback	Grassley	Risch
Bunning	Gregg	Roberts
Burr	Hatch	Sessions
Chambliss	Hutchison	Shelby
Coburn	Inhofe	Thune
Cochran	Isakson	Vitter
Corker	Johanns	Wicker
Cornyn	Kirk	

#### NOT VOTING—2

Bayh  
Enzi

The motion was agreed to.

#### EXECUTIVE SESSION

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

The ACTING PRESIDENT pro tempore. The Senate will proceed to executive session to consider the treaty.

#### LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will return to legislative session for the remarks by the Senator from Arkansas.

The majority leader is recognized.

Mr. REID. Mr. President, could we have the attention of everyone in the Senate.

The ACTING PRESIDENT pro tempore. The Senate will come to order.

#### MORNING BUSINESS

Mr. REID. Mr. President, I have had a number of conversations in the recent minutes with the Republican leader. I think we would be well advised—and we are going to proceed along this avenue unless someone has an objection—that for the rest of the day and the evening, however long people want to visit, we will be in a period of morning business. As soon as Senator LINCOLN finishes her remarks, we will be in a period of morning business, and Senators will be allowed to speak for up to 15 minutes. I put that in the form of a consent request.

We have a number of Senators over here and on the Republican side who want to speak on the START treaty, but people are not going to be restricted to that. They can speak about anything they want. Then tomorrow morning we will return to the START treaty.

So this afternoon, I again ask unanimous consent that we be in a period of morning business and that Senators be allowed to speak for up to 15 minutes each during this period of morning business, with the understanding that tomorrow morning, at a reasonable hour, we will return to the START treaty and begin debate directly on that.

The ACTING PRESIDENT pro tempore. Is there objection?

The majority leader is recognized.

Mr. REID. And part of that agreement is that today will be for debate only.

The ACTING PRESIDENT pro tempore. Is there objection?

The Republican leader is recognized.

Mr. McCONNELL. Mr. President, reserving the right to object, and I am certainly not going to object, I want to thank the majority leader. I think it is a good way to go forward. There was some suggestion that some on this side of the aisle wanted to read the treaty. Our view is that that is not essential.