

of heated rhetoric around the issue of immigration. I ask that before any of them make a final decision, they step back and take a fresh look at the facts and the reality facing these youth.

Support for the DREAM Act is not only a matter of conscience for me since it is the right thing to do, it is also a practical solution. Continued delay is an irresponsible waste.

We owe it to the taxpayers who have invested in the education of these youth, the teachers who have fostered their development, and our military who can benefit from these new recruits to move forward on the DREAM Act. I plan to vote yes and strongly urge my colleagues to do the same.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 3:30 p.m.

Thereupon, at 12:31 p.m., the Senate recessed until 3:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. MERKLEY).

#### PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2009—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes of debate equally divided and controlled between the two leaders or their designees.

In the absence of anyone seeking recognition, time will be charged equally to both sides.

The Senator from Vermont is recognized.

#### EMERGENCY SENIOR CITIZENS RELIEF ACT

Mr. SANDERS. Mr. President, later on this afternoon, we are going to be voting on a very simple and straightforward piece of legislation called the Emergency Senior Citizens Relief Act. This legislation is cosponsored by Majority Leader REID, Senators LEAHY, SCHUMER, SHERROD, BROWN, WHITEHOUSE, STABENOW, BEGICH, CASEY, GILLIBRAND, LAUTENBERG, and MENENDEZ.

What this legislation would do is, at a time when, for the second consecutive year, seniors and disabled veterans have received no cost-of-living adjustment, or COLA, on their Social Security, this legislation would provide the equivalent of a 2-percent increase by providing them with a one-time \$250 check.

In addition to the Senate cosponsors, this legislation is supported by President Obama, and I appreciate that. It is also supported, for all the right reasons, by virtually every senior organization in the country and every veterans organization, because this benefits not just seniors, many of whom are struggling hard to pay their bills, when their health care costs and prescription drug costs are rising, but it also impacts disabled veterans.

Also supporting this is AARP, the largest senior organization in America; the American Legion, the largest veterans organization in America; VFW; National Committee to Preserve Social Security and Medicare; Disabled American Veterans; The Alliance for Retired Americans; The National Association of Retired Federal Employees; The Vietnam Veterans of America; and many other veterans and senior organizations.

Just this morning, earlier today, 253 members of the House, including 26 Republicans, voted to provide the same \$250 COLA included in the bill that we are going to be voting on within a short time. So it won overwhelmingly in the House. In the House, they put it on the suspension calendar and it needed a two-thirds vote, but they didn't quite get that. I am confident that if we can come together here and get the 60 votes that we need, the House will reconsider the measure and pass it with a strong majority over there.

In the state of Vermont—and I think all over this country—seniors are wondering as to why they are not getting a COLA this year when they are experiencing significant increases in their expenses. And the reason they are not getting their COLA is that, in my view, we have a very flawed methodology in terms of how we determine COLAs for Social Security. What the Department of Labor now does is kind of combine all of the purchasing needs of all Americans—people who are 2 years old, kids who are 16 years old, and people who are 96 years of age. The flaw there is that while laptop computers, and iPads, and other communications technology may in fact have gone down, lowering the cost of inflation, the needs of seniors and what they spend money on have not gone down.

Most seniors spend their disposable income on health-related costs—visits to doctors, health care, prescription drugs. Those have in fact gone up. So it is unfair for seniors when all of the Americans' purchasing habits are combined, because I think what is not fairly appreciated is what they are spending money on.

To give you one example, the New York Times reported last year that 2009 marked the highest annual rate of inflation for drug prices since 1992, with the prices of brandname prescription drugs going up by about 9 percent. Seniors spend a lot of money, not on flat-screen TVs or iPads or computers but in fact on prescription drugs.

According to the AARP's Public Policy Institute, the average price of brandname prescriptions most widely used by Medicare beneficiaries rose by 8.3 percent from March 2009 to March of 2010.

Since 2000, Medicare Part B premiums have more than doubled, and deductibles have increased by 55 percent.

Seniors enrolled in Medicare Part D prescription drug plans have seen their premiums increase by 50 percent be-

tween 2006 and 2010, including an 11-percent increase between 2009 and 2010.

In other words, the seniors who are calling my office, and I suspect your offices, and offices all over this country, are saying: Excuse me, our expenses are going up and we need some help.

This is especially true for the millions of seniors and disabled veterans who are living on limited incomes. They are in trouble. Furthermore, what I would say is that, in the midst of this great debate we are having now on how we go forward in terms of taxes, there are a lot of seniors out there wondering how we can provide hundreds of billions of dollars in tax breaks for the top 2 percent, yet we cannot provide a \$250 check to a disabled veteran or a senior on Social Security.

This is a very simple piece of legislation. The House has already passed it with a strong majority. I hope very much we can pass it this afternoon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. How much time do we have?

The PRESIDING OFFICER. Five and one-half minutes.

Mr. HARKIN. Mr. President, I yield myself the remainder of the time. I see no Republicans on the floor now.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, our first responders are genuine heroes. On a routine basis, they walk into burning buildings, confront criminals, and put their lives on the line to protect our families and communities. These dedicated workers are on the front lines every day, and they have invaluable skills and knowledge about how to best protect the public and stay safe on the job.

Unfortunately, under current law, many of our first responders have no voice in the decisions that affect their own lives and livelihoods. Their workplace input is disregarded because they are denied the same basic rights that other American workers enjoy. Currently, private sector employees are covered by the National Labor Relations Act and have the right to form a union if they choose, but we leave it up to States to determine whether police and firefighters have the right to form a union. Over half of the States allow collective bargaining, but almost 300,000 police officers and 141,000 firefighters nationwide are legally forbidden from exercising their basic, fundamental right to collective bargaining. That is an injustice to our police and firefighters and is inconsistent with American values. That is why I support the Public Safety Employee-Employer Cooperation Act, which would extend this basic right to thousands of brave public servants. This bill has the support of a broad bipartisan coalition of Senators.

The Public Safety Employee-Employer Cooperation Act protects the

fundamental rights of our first responders by requiring States to provide them with four basic protections: The right to form and join a union; the right to sit down at the table and talk; the right to sign an enforceable contract if both parties agree; and the right to go to a neutral third party when there are disputes.

The benefits of this bill go to both our first responders and the communities they serve. We know that collective bargaining helps improve safety for workers. The firefighter fatality rate in States without collective bargaining is about 52 percent higher than in States that honor these rights. Collective bargaining relations have also helped to address worker fatigue, on-the-job errors, employee fitness, and safety hazards like asbestos. Equally important in these times of State fiscal crisis, there are countless examples across the country of union firefighters and police officers voting to forego scheduled salary increases, defer pension payments, pay increased benefit premiums, or reduce overtime hours in order to help States cut costs and avoid layoffs.

While guaranteeing the fundamental right to organize, the act preserves maximum flexibility for States and localities to shape their own laws. The 26 States that already allow collective bargaining will not have to change their laws at all. Other States will have to ensure the four basic protections, but everything else about how to craft their labor laws is left entirely to the States' discretion.

It is long past time to ensure that our dedicated public safety officers have the same basic rights that private-sector workers across the country already enjoy. This is a matter of fundamental fairness, and an urgent matter of public safety. I urge all of my colleagues to support this important bipartisan bill.

Mr. President, earlier today my colleague from Wyoming was on the Senate floor and made some statements about this bill—my ranking member, Senator ENZI. I just want to respond to a couple of those.

My friend from Wyoming said the bill didn't go through the HELP Committee during this Congress, and we weren't given a right to consider the bill in the appropriate venue. Well, Senator GREGG, on the Republican side, has introduced this bill for the last five Congresses. The HELP Committee has marked up this bill and approved it twice, and a majority of the Senate has twice voted to consider the bill. So we have been debating this bill for years. Simply because it didn't go through the committee this time doesn't mean it didn't go through the committee many times before, which it did.

Secondly, the bill does not impose an unfunded mandate on our States. That was mentioned. It does not require cities and States to spend money, only to engage in a dialogue. It does not allow strikes, and it does not impose arbitra-

tion or require particular terms. These are indeed left up to the States.

Mr. SESSIONS. Will the Senator yield for a question?

Mr. HARKIN. Yes.

Mr. SESSIONS. I think the Senator is using my time.

The PRESIDING OFFICER. The Senator is still in his own time.

Mr. SESSIONS. All right. I was wrong, I am pleased to say.

I thank the Chair.

Mr. HARKIN. Mr. President, the American people are united in their desire to provide generously for the new generation of veterans, including those who have served in the wars in Iraq and Afghanistan. We want these veterans to have every opportunity to reintegrate successfully into civilian life, to find good jobs, and to build solid careers. To that end, the Federal Government has provided opportunities for these veterans to pursue advancement through higher education. That is why we passed the post-9/11 G.I. bill on June 30, 2008, and it is why we expanded existing education programs through the Department of Defense—DOD.

The Committee on Health, Education, Labor, and Pensions, which I chair, has been conducting an in-depth inquiry into the for-profit sector of higher education. Most recently, we have taken a look at the unprecedented surge of dollars from military educational benefits programs to for-profits. I am here today to have printed in the RECORD a new report that committee staff has prepared titled, "Benefitting Whom? For-Profit Education Companies and the Growth of Military Educational Benefits." This report documents that between 2006 and 2010, combined Department of Veterans Affairs and Department of Defense education benefits received just by 20 for-profit education companies increased from \$66.6 million to \$521.2 million, an increase of 683 percent.

Mr. President, I will have more to say about the report in the upcoming days.

Mr. President, I ask unanimous consent that a report and an appendix be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Post-9/11 Veterans Educational Assistance Act: Enacted in June 2008, the Post-9/11 GI Bill has been in effect for only one year. Even a look at this brief window illustrates that students eligible for these benefits are being aggressively pursued by for-profit schools. The 30 for-profit schools that received document requests reported 23,766 students receiving military benefits of any type in 2006, but 109,167 students receiving benefits in 2009, and 100,702 students through approximately just the first half of 2010.

Rapidly Increasing Veterans' Benefits: Of 20 for-profit schools that provided usable data to the HELP Committee, between 2006 and 2010, the combined VA and DoD total military educational benefits increased from \$66.6 million to a projected \$521.2 million in 2010, an increase of 683 percent. For each year analyzed, growth in revenue from military educational benefits was much higher

than overall revenue growth, and the growth accelerated dramatically after the Post-9/11 GI Bill was enacted. Between fiscal year 2006 and 2007, overall revenue increased 8.4 percent while military educational benefit related revenue increased 23.8 percent. Between 2009 and 2010, while overall revenue increased a healthy 26.1 percent, military revenue increased 211 percent. DoD programs are also increasing rapidly.

Eighteen companies that provided documents to the HELP Committee differentiated revenues from the Department of Veterans Affairs and the Department of Defense for the entire period 2006 through 2010. In that period, Department of Defense educational benefits paid to these schools increased from \$40 million in 2006 to an expected \$175.1 million in 2010, a 337.4 percent increase. Department of Veterans Affairs educational benefits paid to these schools increased more than tenfold from \$26.3 million in 2006 to an expected \$285.8 million in 2010, including a five-fold increase from \$55.3 million to \$285.8 million just between 2009 and 2010. Increases in both programs occur across schools and are not dependent on the size of the school or whether it offers classroom-based programs or operates primarily online. For one primarily online school, DoD revenues increased more than seven-fold from \$220,528 in 2006 to \$1.64 million in 2010. For a smaller privately owned school, they increased ten-fold from \$7,300 in 2006 to \$75,300 in 2010. At a school with a long history of serving active duty servicemembers, DoD revenues increased from \$26.44 million in 2006 to an expected \$98.14 million in 2010. When looking at VA benefits, a primarily online school specializing in graduate programs saw an increase from \$375,108 in 2006 to an expected \$12.35 million in 2010. At a smaller privately owned school, VA benefits increased from \$321,450 in 2006 to a forecasted \$8 million for 2010.

Company 1: To better understand the dramatic impact that changes to the DoD and VA programs have had on the amount of funding flowing to for-profit schools, it is helpful to look at three individual education companies. Company 1 operates a for-profit school that is not publicly traded. It has a strong physical presence near military installations, with a history of enrolling students who are servicemembers or veterans. The school actively recruits servicemembers and veterans, and has military-oriented marketing on its website, noting that it offers classes on, near, and around military installations as well as online. It encourages active-duty servicemembers to utilize the Top-Up program to spend Post-9/11 GI Bill benefits in addition to Tuition Assistance in order to cover tuition. In 2006, the school had 1,338 military students. With the availability of Post-9/11 GI Bill benefits and the overall growth in enrollment, some growth in both the numbers of students attending the schools and the amount of military benefit dollars going to the schools would be expected. In fact, steady growth is evident from 2006 through 2009, with military funding increasing from \$3 million in 2006 to \$3.4 million in 2009 and the number of eligible students varying from 1,100 to 1,400. However, for 2010 the growth is dramatic, with the school enrolling 5,223 eligible military students and receiving \$23 million in military benefits. At the same time, according to the Committee's analysis of all the students enrolling in the school's associate's degree programs between August 1, 2008 and July 31, 2009, 47 percent had dropped out by mid-2010, as had 52 percent of students enrolled in the school's bachelor's degree program. Students who dropped out of these programs within the first year did so in an average of 180 days, during which they would likely have

paid about \$6,550 in tuition. The school also has an overall repayment rate of just 33 percent, while one campus has a repayment rate of just 8 percent. Although military students may fare somewhat better than the overall student population in completing the programs, the fact that such a significant portion of military educational benefits are going to a for-profit school with high tuition, in combination with problematic outcomes and poor repayment rates, raises serious questions about whether the school might be shortchanging veterans.

Company 2: A second company, this one publicly traded, similarly saw a significant increase of military benefits in 2009 and 2010. Unfortunately, it is impossible to examine the increase because the company never tracked the amount of military educational benefits received prior to 2009, and has failed to provide a breakdown of how much of the military educational benefits they receive is from the DoD and how much is from VA. Similarly, the company failed to provide the HELP Committee with the number of students receiving military benefits for any year except 2009, when they stated that they enrolled 2,764 students receiving military benefits. This company, which received \$1.02 billion in federal financial aid dollars in 2009, generated \$488.8 million in profits, and spent \$120,000 on lobbying in the first three quarters of 2010, has not produced basic information about company revenues or its student body requested by the HELP Committee. Supplementing the \$1.02 billion in revenues from federal financial aid dollars the company received in 2009, it is on pace to receive \$101.4 million in federal military educational benefits in 2010, the highest dollar figure of any for-profit school. In the first year of Post-9/11 GI Bill eligibility (August 2009–July 2010), the company’s campuses received at least \$79.2 million in benefits just from the

Post-9/11 program for 6,677 students, at an average cost of \$11,855 per student. Like Company 1 discussed above, the overall student outcomes for this particular school were poor. For students entering between summer 2008 and summer 2009, 53.1 percent of associate’s degree students and 44.5 percent of bachelor’s degree students had dropped out by the summer of 2010, and had dropped out within a median of 90 days, or just under 3 months. The company has a loan repayment rate of 31 percent with two campuses with repayment rates of only 4%, and has 11 campuses with 3-year default rates over 25 percent. Meanwhile, the company’s revenues provided a 37.1 percent profit margin for 2009. Again, these figures raise a troubling question: Is this school putting profit ahead of providing our veterans with a quality education that will lead to a good job?

Company 3: A second publicly traded company also helps to illustrate the dramatic and recent nature of the increases in military educational benefits going to for-profit schools, as well as the cost differentials among the schools. Company 3 received Post-9/11 GI Bill benefits for 6,211 students totaling \$47.9 million. Company 2 received benefits for a comparable 6,677 students, but received \$79.2 million in VA benefits. While Company 3 received an average of \$7,710 per student, Company 2 with similar programs and locations, received an average of \$11,855 per student! Company 3 provided clear data to the Committee showing that in 2006, the school received benefits from three students under the DoD Tuition Assistance program and 207 students through VA programs, for combined military educational revenues of \$2.69 million. These numbers remained relatively level through 2009, with six students receiving DoD Tuition Assistance and 148 receiving VA benefits for a total of \$1.44 million in revenues. In 2010, however, the same

school enrolled 5,754 veteran students, and received veterans’ benefits totaling \$57.99 million. Enrollment of active-duty students receiving tuition assistance also soared from six students to 148 students receiving \$2.43 million in benefits, a significant one year increase on its own. However, for students entering in 2008–2009, 56.4 percent of all bachelor’s students and 54.3 percent of all associate’s students had left Company 3’s schools within one year of enrolling, with the median student staying 112 days or just under four months. The repayment rate for the company’s student body as a whole is 35 percent. Looking at individual schools’ rapid acceleration in revenues from both VA and DoD military educational benefits makes clear that there is a concerted effort to attract students eligible for military benefits to the schools. It demonstrates that the increase in funds going to the schools has occurred very quickly and is likely to continue and possibly to escalate in the absence of increased oversight by Congress or the relevant agencies. Given the troubling short-term outcomes of many of the for-profit schools examined by the Committee, and the unknown, but potentially troubling prospects for students completing these programs, very serious questions exist as to whether our servicemembers and veterans are receiving the education intended by Congress.

With high tuition rates, and with half, or close to half of the general student population dropping out in the first year, it is incumbent on the Congress and the agencies to do more to ensure that the servicemembers and veterans attending for-profit schools are in fact getting the promised educational benefits in exchange for this significant federal investment.

MILITARY EDUCATIONAL BENEFITS RECEIVED BY 30 FOR-PROFIT EDUCATION COMPANIES

Company	Fiscal year	Department of Defense education benefits	Department of Veterans Affairs education benefits	Total military education benefits
Alta Colleges, Inc.	2006	\$0.00	\$0.00	\$0.00
	2007	\$0.00	\$0.00	\$0.00
	2008	\$0.00	\$0.00	\$0.00
	2009	\$0.00	\$0.00	\$0.00
	2010	\$0.00	\$12,794,916.35	\$12,794,916.35
	2010 Projected	\$0.00	\$15,353,899.62	\$15,353,899.62
American Career College	2006	\$0.00	\$1,930.00	\$1,930.00
	2007	\$0.00	\$0.00	\$0.00
	2008	\$0.00	\$0.00	\$0.00
	2009	\$0.00	\$186,117.42	\$186,117.42
	2010	\$0.00	\$662,251.00	\$662,251.00
	2010 Projected	\$0.00	\$1,135,287.43	\$1,135,287.43
American Public Education, Inc.	2006	\$26,438,624.99	\$2,241,622.12	\$28,680,247.11
	2007	\$42,666,884.40	\$3,293,956.56	\$45,960,840.96
	2008	\$65,338,857.08	\$4,807,090.49	\$70,145,947.58
	2009	\$85,377,635.60	\$7,194,847.69	\$92,572,483.29
	2010	\$49,070,768.25	\$7,070,234.33	\$56,141,002.58
	2010 Projected	\$98,141,536.50	\$14,140,468.66	\$112,282,005.16
Anthem Education Group	2006	\$0.00	\$27,500.21	\$27,500.21
	2007	\$0.00	\$26,272.65	\$26,272.65
	2008	\$0.00	\$22,908.17	\$22,908.17
	2009	\$0.00	\$0.00	\$0.00
	2010	\$0.00	\$588,476.04	\$588,476.04
	Apollo Group, Inc.	2006	\$34,429,054.89	\$4,305,292.85
2007		\$34,600,039.42	\$5,309,996.10	\$39,910,035.52
2008		\$32,581,190.54	\$6,782,860.27	\$39,364,050.81
2009		\$39,123,465.11	\$10,462,349.95	\$49,585,815.06
2010			NO DATA PROVIDED	
2010 Projected				
Bridgepoint Education, Inc.*	2006	\$0.00	\$12,366.45	\$12,366.45
	2007	\$0.00	\$30,229.09	\$30,229.09
	2008	\$640,590.82	\$91,495.61	\$732,086.43
	2009	\$1,926,211.44	\$2,225,403.61	\$4,151,615.05
	2010	\$20,593,019.48	\$6,139,962.76	\$26,732,982.24
	2010 Projected	\$41,186,038.96	\$12,279,925.52	\$53,465,964.48
Capella Education Co.	2006	\$56,335.00	\$375,108.11	\$431,443.11
	2007	\$58,459.40	\$318,253.00	\$376,712.40
	2008	\$161,197.00	\$381,233.53	\$542,430.53
	2009	\$304,482.05	\$2,484,172.59	\$2,788,654.64
	2010	\$174,333.49	\$6,173,139.32	\$6,347,472.81
	2010 Projected	\$348,666.98	\$12,346,278.64	\$12,694,945.62
Career Education Corp.	2006	\$7,913,267.48	\$15,964,584.60	\$23,877,852.08
	2007	\$7,532,830.67	\$13,917,067.94	\$21,449,898.61
	2008	\$7,190,440.67	\$15,474,386.19	\$22,664,826.86
	2009	\$10,589,096.30	\$27,954,755.10	\$38,543,851.40
	2010			

## MILITARY EDUCATIONAL BENEFITS RECEIVED BY 30 FOR-PROFIT EDUCATION COMPANIES—Continued

Company	Fiscal year	Department of Defense education benefits	Department of Veterans Affairs education benefits	Total military education benefits
	2010 .....	\$6,710,145.55	\$39,433,890.52	\$46,144,036.07
	2010 Projected .....	\$13,420,291.10	\$78,867,781.04	\$92,288,072.14
Chancellor University .....	2006 .....		DID NOT EXIST	
	2007 .....		DID NOT EXIST	
	2008 .....		DID NOT EXIST	
	2009 .....	\$0.00	\$0.00	\$0.00
	2010 .....	\$0.00	\$0.00	\$0.00
Concorde Career Colleges, Inc.* .....	2006 .....	\$21,137.33	\$97,271.44	\$118,408.77
	2007 .....	\$17,973.80	\$176,478.65	\$194,452.45
	2008 .....	\$86,697.86	\$244,802.49	\$331,500.35
	2009 .....	\$185,118.31	\$1,002,726.23	\$1,187,844.54
	2010 .....	\$357,937.20	\$1,697,880.32	\$2,055,817.52
	2010 Projected .....	\$715,874.40	\$3,395,760.64	\$4,111,635.04
Corinthian Colleges, Inc. ....	2006 .....	NO BREAKOUT PROVIDED		\$39,388.00
	2007 .....	NO BREAKOUT PROVIDED		\$31,133.00
	2008 .....	NO BREAKOUT PROVIDED		\$64,761.56
	2009 .....	NO BREAKOUT PROVIDED		-\$4,927.56
	2010 .....	\$485,045.00	\$15,277,378.79	\$15,762,423.79
DeVry, Inc. ....	2006 .....	\$21,648.55	\$2,667,497.87	\$2,689,146.42
	2007 .....	\$42,539.74	\$2,161,221.01	\$2,203,760.75
	2008 .....	\$27,035.46	\$2,119,896.25	\$2,146,931.71
	2009 .....	\$59,402.67	\$1,383,042.43	\$1,442,445.10
	2010 .....	\$2,428,761.15	\$55,557,510.47	\$57,986,271.62
Drake College of Business .....	2006 .....	\$0.00	\$0.00	\$0.00
	2007 .....	\$0.00	\$0.00	\$0.00
	2008 .....	\$0.00	\$0.00	\$0.00
	2009 .....	\$0.00	\$0.00	\$0.00
	2010 .....	\$0.00	\$0.00	\$0.00
ECPI Colleges, Inc. ....	2006 .....	\$1,730,565.36	\$1,250,382.30	\$2,980,947.66
	2007 .....	\$2,103,251.46	\$1,511,269.18	\$3,614,520.64
	2008 .....	\$1,092,668.22	\$1,243,855.32	\$2,336,523.54
	2009 .....	\$1,641,698.50	\$1,793,502.79	\$3,435,201.29
	2010 .....	\$3,258,238.06	\$19,850,057.30	\$23,108,295.36
Education America, Inc. ....	2006 .....	\$0.00	\$59,859.38	\$59,859.38
	2007 .....	\$0.00	\$113,752.59	\$113,752.59
	2008 .....	\$44,524.00	\$56,082.21	\$100,606.21
	2009 .....	\$18,183.74	\$22,690.19	\$40,873.93
	2010 .....	\$340,611.65	\$2,562,636.10	\$2,903,247.75
Education Management Corp. ....	2006 .....	NO BREAKOUT PROVIDED		\$217,571.77
	2007 .....	NO BREAKOUT PROVIDED		\$394,176.02
	2008 .....	NO BREAKOUT PROVIDED		\$676,842.99
	2009 .....	NO BREAKOUT PROVIDED		\$2,039,710.81
	2010 .....	NO BREAKOUT PROVIDED		\$52,469,077.71
Grand Canyon Education, Inc. ....	2006 .....	\$220,528.58	\$0.00	\$220,528.58
	2007 .....	\$470,346.33	\$0.00	\$470,346.33
	2008 .....	\$738,209.25	\$0.00	\$738,209.25
	2009 .....	\$1,637,330.33	\$0.00	\$1,637,330.33
	2010 .....		NO DATA PROVIDED	
Henley-Putnam University .....	2006 .....	\$0.00	\$0.00	\$0.00
	2007 .....	\$21,279.00	\$54,573.00	\$75,852.00
	2008 .....	\$172,581.00	\$347,384.00	\$519,965.00
	2009 .....	\$295,592.00	\$853,003.00	\$1,148,595.00
	2010 .....		NO DATA PROVIDED	
Herzing Educational System .....	2006 .....	\$7,320.00	\$0.00	\$7,320.00
	2007 .....	\$0.00	\$0.00	\$0.00
	2008 .....	\$2,750.00	\$268,649.33	\$271,399.33
	2009 .....	\$32,676.00	\$772,004.18	\$804,680.18
	2010 .....	\$46,000.00	\$871,401.97	\$917,401.97
	2010 Projected .....	\$75,306.96	\$1,426,578.94	\$1,501,885.90
ITT Educational Services, Inc. ....	2006 .....	\$0.00	\$0.00	\$0.00
	2007 .....	\$0.00	\$0.00	\$0.00
	2008 .....	\$0.00	\$0.00	\$0.00
	2009 .....	\$0.00	\$20,852,677.99	\$20,852,677.99
	2010 .....	\$0.00	\$50,696,494.57	\$50,696,494.57
	2010 Projected .....	\$0.00	\$101,392,989.14	\$101,392,989.14
Kaplan Higher Education (Owned by Washington Post Co.) .....	2006 .....	\$2,089,589.51	\$498,798.23	\$2,588,387.74
	2007 .....	\$2,369,904.04	\$425,830.28	\$2,795,734.32
	2008 .....	\$2,418,545.39	\$404,151.80	\$2,822,697.19
	2009 .....	\$5,972,872.54	\$4,402,022.45	\$10,374,894.99
	2010 .....	\$6,331,145.68	\$18,124,289.68	\$24,455,435.36
	2010 Projected .....	\$12,662,291.36	\$36,248,579.36	\$48,910,870.72
Keiser University .....	2006 .....	\$111,165.68	\$321,450.19	\$432,615.87
	2007 .....	\$86,536.96	\$518,763.27	\$605,300.23
	2008 .....	\$37,662.86	\$803,384.53	\$841,047.39
	2009 .....	\$105,582.62	\$2,055,617.94	\$2,161,200.56
	2010 .....	\$241,513.31	\$4,000,701.62	\$4,242,214.93
	2010 Projected .....	\$483,026.62	\$8,001,403.24	\$8,484,429.86
Laureate Education, Inc.* .....	2006 .....		NO DATA PROVIDED	
	2007 .....		NO DATA PROVIDED	
	2008 .....		NO DATA PROVIDED	
	2009 .....		NO DATA PROVIDED	
	2010 .....		NO DATA PROVIDED	
Lincoln Educational Services Co. ....	2006 .....	\$32,459.33	\$228,605.96	\$261,065.29
	2007 .....	\$76,337.52	\$373,731.31	\$450,068.83
	2008 .....	\$70,674.03	\$348,491.30	\$419,165.33
	2009 .....	\$178,680.11	\$1,692,342.53	\$1,871,022.64
	2010 .....	\$150,709.45	\$4,308,982.78	\$4,459,692.23
	2010 Projected .....	\$301,418.90	\$8,617,965.56	\$8,919,384.46
National American University Holdings, Inc. ....	2006 .....	\$1,509,102.41	\$137,834.34	\$1,646,936.75
	2007 .....	\$1,657,352.56	\$52,521.02	\$1,709,873.58
	2008 .....	\$1,574,078.54	\$55,651.56	\$1,629,730.10
	2009 .....	\$1,682,427.90	\$69,326.60	\$1,751,754.50
	2010 .....	\$1,586,327.84	\$1,159,039.09	\$2,745,366.93

MILITARY EDUCATIONAL BENEFITS RECEIVED BY 30 FOR-PROFIT EDUCATION COMPANIES—Continued

Company	Fiscal year	Department of Defense education benefits	Department of Veterans Affairs education benefits	Total military education benefits
Rasmussen, Inc. ....	2006 .....	NO BREAKOUT PROVIDED	NO BREAKOUT PROVIDED	\$132,175.72
	2007 .....	NO BREAKOUT PROVIDED	NO BREAKOUT PROVIDED	\$166,960.14
	2008 .....	NO BREAKOUT PROVIDED	NO BREAKOUT PROVIDED	\$234,823.43
	2009 .....	NO BREAKOUT PROVIDED	NO BREAKOUT PROVIDED	\$444,169.05
	2010 .....	NO BREAKOUT PROVIDED	NO BREAKOUT PROVIDED	\$4,004,291.44
	2010 Projected .....	NO BREAKOUT PROVIDED	NO BREAKOUT PROVIDED	\$5,339,055.25
Strayer Education, Inc.* .....	2006 .....	\$2,962,040.38	NO DATA PROVIDED	\$2,962,040.38
	2007 .....	\$3,741,602.49	NO DATA PROVIDED	\$3,741,602.49
	2008 .....	\$4,516,986.99	NO DATA PROVIDED	\$4,516,986.99
	2009 .....	\$5,347,676.78	\$5,385,138.68	\$10,732,815.46
	2010 .....	\$3,335,773.12	\$16,999,607.55	\$20,335,380.67
	2010 Projected .....	\$6,671,546.24	\$33,999,215.10	\$40,670,761.34
TUI University .....	2006 .....		DID NOT EXIST	
	2007 .....		DID NOT EXIST	
	2008 .....	\$16,609,992.55	\$3,234,619.17	\$19,844,611.72
	2009 .....	\$33,227,991.92	\$5,868,491.67	\$39,096,483.59
	2010 .....	\$38,595,867.15	\$7,155,399.56	\$45,751,266.72
Universal Technical Institute, Inc. ....	2006 .....	\$100,315.40	\$1,492,759.54	\$1,593,074.94
	2007 .....	\$160,044.19	\$1,390,395.57	\$1,550,439.76
	2008 .....	\$206,405.79	\$1,403,107.49	\$1,609,513.28
	2009 .....	\$209,842.94	\$2,091,255.61	\$2,301,098.55
	2010 .....	\$126,534.10	\$10,701,869.77	\$10,828,403.87
	2010 Projected .....	\$151,840.92	\$12,842,243.72	\$12,994,084.64
Vatterott Educational Centers, Inc.* .....	2006 .....	\$0.00	\$801,274.13	\$801,274.13
	2007 .....	\$0.00	\$733,508.98	\$733,508.98
	2008 .....	\$0.00	\$720,618.66	\$720,618.66
	2009 .....	\$0.00	\$1,468,029.08	\$1,468,029.08
	2010 .....	\$0.00	\$1,934,796.33	\$1,934,796.33
	2010 Projected .....	\$0.00	\$3,869,592.66	\$3,869,592.66

\* Includes VA vocational rehabilitation funds.  
 \* Data combined with student cash payments.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HARKIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

DREAM ACT

Mr. SESSIONS. Mr. President, I wish to share a few thoughts about the legislation that I understand we will be voting on—at least voting on cloture—later this afternoon, and that is the DREAM Act. One of the major themes of the recent election was an idea revolving around an idea set forth in the Declaration of Independence—the idea that is a bedrock principle of our country—and that is the government derives its just powers from the consent of the governed.

Many Americans have believed for some time now that Washington has become disconnected from the people it serves. Indeed, a recent poll found that only one in five Americans believes the government is operating with the consent of the governed.

Now, on the heels of a historic midterm election, the Democratic leadership in this lameduck session is, I believe, further eroding those bonds of trust by refusing to listen and moving an amnesty bill that violates a clear American view that border security should be first. The American people are correct in that. It is not negative, mean-spirited. The American people understand, and I think Congress is coming to understand also, that ending the lawlessness at our borders is the first thing that must be done, and at some point after that we can then wrestle with what to do about people here illegally or else we are surrendering to lawlessness.

So our Democratic leaders have introduced now four versions of the DREAM Act in just the last 2 months—

three in the last 2 or 3 days—a shell game that abuses the process. We have not had hearings on it in 7 years. Meanwhile, the DREAM Act has been proposed as a bill for ambitious youth on a track to graduate from high school or college and join the military. But the truth is far different from that talking point.

In reality, the DREAM Act would grant nearly unrestricted amnesty—a guaranteed path to citizenship—to millions of illegal aliens—adults and youth alike. They do not even need a high school diploma. They certainly do not need a college degree. And they do not need to join the military. In fact, the bill's eligibility provisions are so broad that even repeat criminal offenders would fall within its loose requirements and qualify for this masked amnesty.

The public has pleaded with Congress time and again to secure the border, but those pleas have been ignored by those who have been pushing this bill. Why aren't we seeing calls for that? Americans want us first to enforce the laws we have, but the bill will reward and encourage the violation of American laws. Americans want Congress to end the lawlessness, but this bill would have us surrender to it. It is a give-up type of approach.

Consider the DREAM Act's core features. It is not limited to children first. Illegal aliens as old as 30 or 35, depending on the bill, are eligible on the date of enactment, and they remain eligible to apply at any future age, as the registration window does not close. One does not need a high school diploma, a college degree, or military service. A person here illegally can receive indefinite legal status as long as they have a GED—the alternative to a high school diploma. They can receive that in a foreign language, and they can receive

permanent legal status and a guaranteed path to citizenship as long as they then complete 2 years of college or trade school, but their status changes upon application after having a GED.

My faithful staff has just discovered and made a copy of this Google page, and it had 273,000 hits. The title of it is "Fake Diploma," and it has places on here that one could obtain a fake diploma, fake degree, fake diplomas. Or how about another one: fake diplomas, fake degrees, fake GEDs, high school diplomas. Buy a GED, high school diploma, college diploma, college transcript, college degrees or high school transcripts at Diploma Company, your online source. It goes on down there: Fake diploma, fake diploma, fast delivery, fake diploma, transcript, birth certificate.

So this is not going to be easy to enforce. I would assure you we have insufficient personnel to go out and run down all these matters.

One version of the DREAM Act offers illegal aliens instate tuition, for which many Americans are not eligible. All four versions that are now pending provide illegal aliens with Federal education benefits, such as work-study programs, Federal student loans, and access to public colleges. These are already funded. We would like to have more money for these loan programs. But it has to be spread out, and the budget is tight. So more illegal aliens would then be rewarded by these programs.

The CBO—the Congressional Budget Office—has said the bill, over time, would add \$5 billion to the national debt. But I believe the number is likely to be higher because CBO clearly failed to account for a number of major cost factors with the DREAM Act, including public education costs, chain migration, and fraud. Nor does the CBO take

into account what history has proven—that passing amnesty will incentivize even more illegality and lawlessness at the border.

I wish it weren't so, but experience teaches us that it is. If you are here illegally, and you have a young brother, a nephew, they can get into our country and get into a high school. They can't deny them if they are here illegally. So they can get a degree or GED, and they are put on a guaranteed path to citizenship. At the point that occurs, they can even make application for their family member to be given a priority—the one who was here illegally to begin with, who brought them here. That is the reality under our immigration procedure.

In addition, the CBO assumes a large portion of these individuals will obtain jobs, but there is no job surplus today. Indeed, there is a surplus of labor that can't find employment. So this score does not count unemployed American citizens who can't get jobs because of additional competition. Estimates conservatively say between 1.3 and 2.1 million illegal aliens will be immediately eligible for the DREAM Act's amnesty. But that number will grow significantly, as the bill has no cap or sunset. Moreover, those who do obtain legal status can do the same for their relatives, as I indicated.

Many with criminal records will also be eligible for the DREAM Act's amnesty. They simply must have less than three misdemeanor violations—less than three. Those potentially eligible would include drunk drivers, gang members, even those who have committed certain sexual offenses. Many of those are misdemeanors. And the most recent version of the bill also gives the Secretary of Homeland Security broad authority to waive ineligibility for even the most severe criminal offenders and those who pose even a threat to national security.

Mr. President, I was a Federal prosecutor and State attorney general. I know for a fact that every day, for a host of reasons—maybe a witness didn't show up, maybe the caseload is overwhelming—prosecutors allow people to plead to misdemeanors when the offense they have actually committed is a felony. So allowing a person to have three misdemeanors is a serious loophole and does not suggest that the criminal activity they have been participating in is insignificant or nonconsequential.

Surprisingly, those who commit document fraud or who lie to immigration authorities are eligible for the amnesty as well. This is particularly troubling as it contains a potential loophole for high-risk individuals to be placed on a pathway to citizenship. One of the warning signs missed prior to 9/11 was the fraudulent visa applications submitted by the 9/11 hijackers.

The DREAM Act even contains a safe harbor provision that would prevent many applicants from being removed as long as their application is pending,

even if they have a serious criminal record. This provision would dramatically hinder our Federal authorities and will undoubtedly unleash a torrent of costly litigation.

One of the things that has been happening too much is what we call catch-and-release. People are apprehended and placed in jail and then they are released—illegal aliens—and told to report back to the court for a final disposition of their case. Not surprisingly, over 90 percent—I think 94 percent—don't show up. So when we allow these processes to be delayed significantly, it reduces the ability of the law enforcement officials to be able to process cases, and it allows many to be released on bail, whereupon they abscond and do not return.

Mr. President, how much time is left on this side?

The PRESIDING OFFICER. Twelve seconds.

Mr. SESSIONS. Twelve seconds. I thank the Chair.

So, Mr. President, this country needs to end the lawlessness, and after that is done—and it can be done shortly—the American people want us to wrestle with how to handle people who have entered our country illegally. The reverse is not true.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. They do not want us providing amnesty before the border is secure.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I see the minority leader, Senator McCONNELL, is on the floor. I will make a unanimous consent request, but I want to make certain he has his opportunity to speak.

So I would ask unanimous consent that after Senator McCONNELL has completed his remarks, I be given 10 minutes to speak, and an equal amount of time offered to the Republican side of the aisle, before the first rollcall vote.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Did the Senator say 10 minutes?

Mr. DURBIN. Ten minutes each side, and I would offer the same amount to your side.

Mr. McCONNELL. I would say to my friend from Illinois, we don't need 10 minutes.

Mr. DURBIN. Then I ask for 10 minutes to speak after the Senator has completed his remarks.

Mr. McCONNELL. Is my friend from Illinois asking a consent?

Mr. DURBIN. I ask unanimous consent after Senator McCONNELL completes his remarks that I have 10 minutes to speak, and I believe we will be able to accommodate everyone's schedule.

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

Mr. McCONNELL. Mr. President, I am just going to proceed for a couple minutes on my leader time.

The PRESIDING OFFICER. The Senator is recognized.

#### DEMOCRATIC MISPLACED PRIORITIES

Mr. McCONNELL. Mr. President, it is perfectly clear our friends on the other side are more interested in pleasing special interest groups than in addressing our Nation's job crisis. Once again, they are insisting the Senate spend its last remaining days before the end of the session voting on a liberal grab bag of proposals that are designed to fail. They don't even intend to pass these items. They just want to show they care enough to hold these show votes, which raises a question: Are we here to perform or are we here to legislate?

Our friends have focused on partisan votes for 4 years now. Meanwhile, millions of Americans have lost jobs and homes and in many cases hope. The Nation's debt has skyrocketed through misguided programs Americans did not want. It is time to put them aside and actually accomplish something the American people support. It is time to give back the legislative process to the people who sent us here.

That means preventing a tax hike that is about to slam every working American. It means doing something to address the jobs crisis, to give families and small businesses the tools they need to revive this economy and get people back to work. It is time to end the posturing and to work together to accomplish something, not for the liberal base, for the vast middle of America that needs us.

The White House has signaled its concern over the economy, that its policies are not helping, and that it is time to work with Republicans on forging a new path. We have reached a bipartisan agreement. It is time Democrats in Congress reach a similar conclusion and enable us to act for the good of the whole country. Americans are counting on us. They have waited long enough.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Illinois.

#### THE DREAM ACT

Mr. DURBIN. Mr. President, I thank the minority for giving me this opportunity to speak. Later in this queue of votes there will be a vote on an issue known as the DREAM Act. I introduced this bill 10 years ago. What I am attempting to do in this bill is to try to resolve an item of great injustice in America.

All across this country are young boys and girls, young men and women who came to this country with their parents when they were only children, who were brought in by parents who were here in illegal status. They could have been parents who came here on a student visa and stayed beyond when

they were supposed to. But the children have been raised in America. They have grown up in this country.

I learned of this issue in Chicago when a young Korean-American mother called and said: My daughter, I brought her here when she was 2 years old and I never filed any paperwork. She just completed high school. She has been accepted at Juilliard School of Music. She is an accomplished pianist. What should I do?

When I contacted our immigration authorities, they said: Send her back to Korea. She is not an American citizen. She has no status in this country.

Multiply that story many times over and you will know why I introduced the DREAM Act. If you or I were driving down the highway and speeding, pulled over by a policeman and given a ticket, we would understand it. But if they also gave a ticket to your young daughter in the backseat, you would say: That is not fair. She wasn't driving. These children were not driving when their parents came to America, but they have been trying to drive through the obstacles that are here for all new immigrants into this country, and they have achieved some remarkable things.

I met these young men and women across America. They are inspiring in terms of what they achieve coming from poor immigrant families. They are the valedictorians of their classes, they are presidents and stars on the sports teams and the people who win the college bowls and they are undocumented. They have no country and they have no place to go.

So we said, in the name of compassion and justice, give these young people a chance. I introduced the bill 10 years ago and I have been fighting ever since to pass it and this afternoon we will have the chance to move to this bill, the DREAM Act. But we don't make it easy on these young people. Despite the fact that half the Hispanics in this country today do not graduate from high school, we require, for example, that all children covered by the DREAM Act must graduate from high school. As to this argument by the Senator from Alabama that they may go to a phony or fake high school, let me tell you these young people are going to be carefully scrutinized. They have to meet the test.

That is not all they have to meet. There will be other tests too. Have they been guilty of a felony or criminal activity beyond simple misdemeanors? It disqualifies them.

Have they engaged in voter fraud or unlawful voting? It disqualifies them. Have they committed marriage fraud? It disqualifies them. Have they abused the student visa? It disqualifies them. Have they engaged in any kind of activity that would create a public health risk? It disqualifies them.

For 10 years, these young people will have a chance to do one of two things: To enlist in our military—think of that. We have young undocumented

people in this country today who are willing to risk their lives to serve in the U.S. military alongside our heroes, our men and women currently serving.

Let me tell you the story of one I have met. This is Cesar Vargas. This is an extraordinary young man who came to New York at the age of 5, brought here by his parents. When 9/11 occurred, Cesar Vargas went down to the recruiters' office and said: I want to sign up. I want to fight for my country.

They said: Mr. Vargas, this is not your country. You may have lived here all your life, but you have no place here. You cannot enlist.

He was disappointed, but he didn't quit. He went on to finish college. He is now in law school. Cesar Vargas is a student at the City University of New York School of Law, where he has a 3.0 GPA. He is fluent in Spanish, Italian, French and English and he is mastering Cantonese and Russian. When he graduates from law school, he will be a choice candidate at some major law firm, but that isn't what he wants to do. He wants to enlist in the military of the United States of America. He cannot do it today because Cesar Vargas, who has lived his entire life, to his knowledge, in this country, has no country. The DREAM Act will give him a chance to volunteer to serve America. If he does, it puts him on a path to become a citizen. I think that is fair.

We also say that if a young person completes 2 years of college, we will put them on the path to legalization. Do you know what percentage of undocumented students go to college today? Five percent, 1 out of 20. It is a huge obstacle for these people. Yet they are prepared to clear that obstacle and, if they do, they will wait for 10 years with conditional immigrant status. What does it mean? They have no legal rights for 10 years, even if they do these things—enlist in the military or go on to finish 2 years of college. For 10 years, they cannot draw a Pell grant, a Federal student loan, no Medicaid, no government health programs—they don't qualify for any of it for 10 years. Then, we put them in a process of another 3 years of close examination and scrutiny before they reach the stage of legalization—13 years.

Do you know what. Some of them are going to make that journey successfully because that is who they are. If you meet these young people, you will understand some of the things said on the floor are so wrong. These are the most energetic, idealistic young people you can meet in your life. They are tomorrow's lawyers and doctors and engineers. That is why major business groups have endorsed this legislation, saying we need this talent pool. That is why the Secretary of Defense has endorsed this legislation, saying we need these young men and women in our military to serve our Nation. We can give them a chance to serve, we can put them on a road that will be difficult but no more difficult than what they have gone through in their lives or we can say, no, wait for another day.

Some of my colleagues have said we will take up the DREAM Act once the borders of America are safe. I have signed up for every bill, virtually everything that has been proposed to make our borders safe. Come July, we put \$600 million more into border protection. I didn't object. Do it. Let's make our borders safe. But for goodness' sake, is it fair to say to these young people you cannot have a life until our borders are the safest in the world, when we have the longest border in the world between the United States and Mexico? Keep working on making those borders safe but give these young people a chance. These people embody what I consider to be the immigrant spirit which makes America what it is today.

I am proud to stand here as the 47th Senator from Illinois and the son of an immigrant. My mother came to this country at the age of 2 from Lithuania, and I thank God her mom and dad had the courage to get on that boat and come over here and fight the odds and give me a chance to become an American citizen and a Senator.

That is what America is about. That is the story of our country, the strength, the determination of these immigrants and their children.

These people are important to our future. These young men and women deserve that chance, and we will have an opportunity today. I know some vote against it for a variety of reasons, and I don't question their motives at all, but I hope they get a chance to meet these young people. They are all over Capitol Hill. They do not have paid lobbyists. They are walking around, usually in graduation gowns and mortar boards because that is what they want, a chance to go to school and improve themselves. If you meet them and talk to them, you will be convinced, as I am, that this is the single best thing we can do for the future of our country, the single best thing we can do in the name of justice. This is our current challenge when it comes to the future of immigration.

I urge my colleagues on both sides of the aisle to ignore and set aside some of the arguments that have been made that do not stand up to scrutiny. To understand what we are doing in this bill is to give these young people a chance but to hold them to a standard which very few of us can live up to. We want to make sure they apply within 1 year of this bill passing. We want to make sure they have their chance to succeed. When they do, we will be a better nation for it.

All across this country the leaders at universities and colleges tell us these are the young people we want who will make this a better nation. Some of the arguments that have been made suggest this is going to be a piece of cake, it is so easy for these young people. It will not be. It will be a hard process and a difficult road to follow. But in the name of justice, in the name of fairness, give these young people a

chance—a chance to be part of this great country.

Every single one of us, but for those who were Native Americans here long before the White people arrived, have come to this country as immigrants—not this generation perhaps but in previous generations. Those who were African American have come against their will. The fact is, they are here, and they are what makes America the great Nation it is. Our diversity is our strength and these young people are as strong as they come.

Let's pass the DREAM Act. Let's make these dreams come true. Let's stand, once and for all, and say this just Nation not only has room but welcomes all this talent that has come to our shores.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the DREAM Act. This important legislation would give eligible young people, who were brought to the United States as children, the opportunity to contribute meaningfully to the United States.

This bill addresses just one small piece of the immigration debate, but it has a profound impact on the lives of undocumented youth. I have supported the DREAM Act since it was first introduced in 2001 by Senators HATCH and DURBIN. Since then, the DREAM Act has had wide bipartisan support. It passed through the Senate Judiciary Committee twice.

Each year, approximately 65,000 undocumented youth graduate from American high schools. Most of these undocumented youth did not make a choice to come to the United States; they were brought here by their parents. Many of these young people grew up in the United States and have little or no memory of the countries they came from. They are hard-working young people dedicated to their education or serving in the Nation's military. They have stayed out of trouble. Some are valedictorians and honor roll students; some are community leaders, and have an unwavering commitment to serving the United States.

Through no fault of their own, these young individuals lack the immigration status they need to realize their potential. Because of their undocumented status, they are ineligible to serve in the military and face tremendous obstacles to attending college. For many, English is their first language and they are just like every other American student.

Now reaching adulthood, these young people are left with a dead end. They can't use their educations to contribute to their communities. They can't serve the country they call home by volunteering for military service.

The DREAM Act provides an opportunity for these students to fulfill the American dream. It would permit students to become permanent residents if they came here as children, are long-term U.S. residents, have good moral character, and attend college or enlist in the military for 2 years.

These students would have to wait for 10 years before becoming lawful permanent residents and undergo background and security checks and pay any back taxes. This is a multistep process, not a free pass.

In addition, DREAM Act eligible students would not be eligible for in State tuition at State colleges and universities or Federal education grants. These students would only be eligible for Federal work study and student loans.

The DREAM Act also contains tough criminal penalties for fraud and excludes students from participation in health insurance exchanges, Medicaid, food stamps, and other entitlement programs.

According to the Congressional Budget Office, the DREAM Act would increase Federal revenues by \$2.3 billion over 10 years and increase net direct spending by \$912 million between 2011 and 2020. In addition, the Congressional Budget Office and the Joint Committee on Taxation estimate that enacting the bill would reduce deficits by about \$1.4 billion over 10 years.

I would like to tell you about a few college students in California, who would benefit from the DREAM Act.

Arthur Mkoian came to the United States from Armenia with his mother when he was 3 years old. Arthur attended Bullard High School in California, maintaining a 4.0 grade point average. Arthur graduated in 2008 as his class valedictorian. He is now in his second year at U.C. Davis, majoring in biochemistry. Arthur maintains A grades, and is on the Dean's Merit List. He hopes to continue on to study medicine, but without the DREAM Act, his future remains uncertain.

Nayely Arreola came to the United States with her parents and younger brother in 1989, when she was only 3 years old. Her family made their home in California, working hard to succeed. The family was taken advantage of by a negligent immigration attorney, who was later disbarred, who took away their chance to legalize their status. Despite this, Nayely is an excellent student. She was the first member of her family to graduate high school and went on to graduate from Fresno Pacific University. While she was in college, Nayely maintained outstanding grades and became president of her class.

Ivan Rosales came to the United States when he was 10 months old. His family settled in San Bernardino, CA, where Ivan excelled in school. He found out about his undocumented status in the 7th grade when he could not accept an award he earned at a science fair because he didn't have a Social Security number. Ivan is a presidential scholar who graduated within the top 1 percent of high school graduates in San Bernardino County. He is currently a senior at the California State University and is a pre-med biology major. He hopes to become a doctor in the army someday and says that it would be an honor to provide care to the brave men and women risking their lives for this country.

The United States is worse off if it lets the talents of these young people go to waste. They have demonstrated their commitment to this country's ideals through their academic success, leadership, and dedication to their communities. It is in the Nation's best interest to provide talented young peo-

ple the ability to become full members of our society.

The DREAM Act has widespread support from labor, business, education, civil rights, and religious groups, who recognize that the potential of these young people should not be lost.

The presidents and chancellors of several universities including the University of California, California State University, the University of Washington, Arizona State University, the University of Minnesota, the University of Utah, and Washington State University recently wrote a joint letter expressing their support of the DREAM Act. In that letter, they state that in this age of international economic competition, "the U.S. needs all of the talent that it can acquire and these students represent an extraordinary resource for the country . . . it is an economic imperative."

Businesses such as the Microsoft Corporation support the DREAM Act. The Microsoft Corporation believes in the DREAM Act because, "It is essential to our nation's competitiveness and success to nurture the talent we have and to incorporate bright, hardworking students into the workforce to become the next generation of leaders in this country."

Retired GEN Colin Powell, a former Chairman of the Joint Chiefs of Staff and a former Secretary of State, and other current and former military leaders support the DREAM Act because it would greatly enhance military recruitment. The DREAM Act is included in the Department of Defense's fiscal year 2010–2012 Strategic Plan to help the military "shape and maintain a mission-ready All Volunteer Force."

In 2006, then-Under Secretary of Defense David Chu testified that many of the DREAM Act eligible students have the attributes needed in the military—"education, aptitude, fitness, and moral qualifications." They should not be prevented from joining the military because of their undocumented status.

These students have been raised in the United States and educated here. Often times, they did not choose to be here, but this is the only home they know. They have worked hard to graduate from high school under adversity. Many are willing to make the ultimate sacrifice to serve in the military of this country—the country they feel is their own. They are class presidents, gifted athletes and musicians, aspiring scientists, engineers, teachers, and physicians. We should not put up a barrier to their potential to give back to this country. Instead, we should pass the DREAM Act and allow these students to succeed.

Mrs. MURRAY. Mr. President, one of the many values that makes America so great is that no matter where we start off from in life, we believe that we all deserve to have a shot at the American dream.

We all deserve an opportunity to work hard, support our families, and give back to the Nation that has been there for us all of our lives.



This is an American value I cherish. It is one I feel very strongly we ought to maintain and strengthen. And it's why I stand here today to talk about the DREAM Act, which would help us do exactly that.

This bill is about giving those that know no other country but the United States an opportunity.

An opportunity to give back as a successful member of society, an opportunity to serve in the military and to risk their lives to defend the values we hold dear, an opportunity to reach a legal status that allows them to come out of the shadows, and an opportunity to reap the benefits of the fact that they have worked hard and played by the rules.

The DREAM Act would allow a select group of undocumented students a path to become permanent residents if they came to this country as children, are long-term U.S. residents, have good moral character, and attend college for at least 2 years or enlist in the military.

Under this bill, tens of thousands of well-qualified potential recruits would become eligible for military service for the first time.

These are young people who love our country and are eager to serve in the Armed Forces during a time of war.

It would also make qualified students eligible for temporary legal immigration status upon high school graduation which would lead to permanent residency if they attend college.

And most importantly—it would tell young people—who have studied, who have worked multiple jobs, who have often overcome poverty and hurdles that few other young people face—that the American dream is alive and well.

This is about our values as a Nation.

But it is also about real communities. And real people in my home State of Washington and across the country.

I recently heard from a student named Jessica who is a senior at Washington State University.

Jessica shared how she is on the verge of completing her degree and would like nothing more than to continue on to get her master's degree in education so she could give back to her community.

But like so many young people who would benefit from passage of this bill, for Jessica this is simply not a reality.

Because we cannot move this bill, Jessica's dream of helping to improve our education system has been dashed.

Jessica writes that while the rest of her classmates attend career fairs and interviews she battles with the nightmare of having to do menial labor for the rest of her life or returning to a country she has never known.

She ended her letter about the chance this bill would provide her by saying the following:

The DREAM Act is the only hope that I have to be a productive citizen in the future.

I am amazingly thankful for the opportunities that this country has offered me and my

family and the only thing that I want to do is to give back.

I would like to be given the opportunity and privilege to be able to obtain the American Dream which is entitled to the citizens of this beautiful country.

Please don't continue to close the doors on exemplary individuals.

We want to become a part of this nation and continue to live on the values and principles written in the Constitution because this is the only way we know.

The only way that can happen—the only way any of these young people can get that shot—is if we pass this bill.

Jessica is just one of the young people whose life this affects—but I have received hundreds of stories just like hers.

And this issue touches so many more across the country.

This bill is a first step towards fixing an immigration system that is clearly broken with real solutions that will help real people.

And for me, this isn't just about immigration, it is about what type of country we want to be.

America has long been a beacon of hope for people across the world.

And I believe that to keep that beacon bright we need to make sure young people are given a shot at the American dream.

The dream that was there for me, that is there for my children and grandchild, and that is there for millions of others across this great country.

So once again, I am calling on Senate Republicans to end their long efforts to block this legislation.

Let's pass this bill today. Let's allow young people who have lived nearly their entire lives here to help boost our economy, help enrich our schools, and help defend our country.

Let's get back to common sense.

And let's keep working toward comprehensive immigration reform that helps our economy, affords the opportunities we have offered to generations of immigrants, maintains those great American values that I hold so dear, and improves our security.

Mr. BROWN of Massachusetts. Mr. President, I come to the floor today because I have not forgotten what happened on September 11, 2001. I have not forgotten the brave men and women who risked their lives and lost their lives on that fateful day when 19 men brought the fight against terrorism to our American shores.

Today the Senate held a procedural vote on whether to proceed to a House bill that would create a program dedicated exclusively to provide screening and treatment to the first responders and other men and women who participated in rescue efforts at the World Trade Center.

As I have said repeatedly, the intent of the House bill and the work of my colleague, Mrs. GILLIBRAND, are honorable and good. As I have said in every meeting that I have held—whether meeting with firefighters and police officers in Massachusetts, whether it be

with Mayor Bloomberg of New York City or New York City Police Commissioner Kelly—I support their efforts and their good work and dedication to make sure that none of the heroes from September 11, 2001, are left behind or forgotten.

We should not forget the lives that were lost that day. The lives that were risked that day. And those who continue to live with scars from that day. And I can assure you, we won't.

I agree with my colleague, Mrs. GILLIBRAND that the House bill is a good start on how we can provide benefits to the first responders but that we need to do so in a realistic and pragmatic way.

Like many of my colleagues, I do not agree with how the House proposes to pay for these benefits. Taxing businesses—especially in this economic environment—is not a realistic way to generate revenue. And I think my colleague from New York and others agree that raising taxes on businesses to the tune of billions of dollars is neither appropriate nor realistic.

I am encouraged that the Senators from New York are serious about seeking a compromise and finding an alternative mechanism to provide a funding source. They have offered additional ideas for how we can provide these benefits. And I have offered ideas on how we can provide these benefits. This is not an easy task. Finding nearly \$8 billion in funding that will garner enough support in the Senate is not easy.

I remain committed to working with my colleagues on this issue.

Mr. DODD. Mr. President, I rise today to speak in support of the Public Safety Employer-Employee Cooperation Act, a bipartisan measure that will guarantee our Nation's law enforcement officers, firefighters and emergency medical personnel the right to bargain collectively with their employers. I have been proud to work with Senator GREGG on this important legislation for many years. I also want to acknowledge my good friend, Senator Ted Kennedy, who long championed this bill.

Now more than ever, the risks taken by our first responders are greater than they have ever been. From the increased risk of terrorist attacks, to the catastrophic hurricanes, tornadoes, and wildfires that have ravaged our country from coast to coast, each and every day we ask more from our emergency workers, and they always rise to the challenge. These are people who have chosen to dedicate their lives to serving their communities—making the streets safe, fighting fires, providing prehospital emergency medical care, conducting search-and-rescue missions when a building collapses or a natural disaster occurs, responding to hazardous materials emergencies, and so much more.

The Public Safety Employer-Employee Cooperation Act provides these brave men and women with basic rights to bargain collectively, a right that workers in many other industries have

used effectively to improve relations with their supervisors. This bill is carefully crafted to allow States a great deal of flexibility to implement plans that will work best from them. All it requires is that States provide public safety workers with the most basic collective bargaining rights—the right to form and join unions and to collectively bargain over wages, hours, and working conditions. It also will require a mechanism for settling any labor disputes. These are rights that a majority of States, including my home State of Connecticut, already provide these workers, and this bill does nothing to interfere with States whose laws already provide these fundamental rights.

This bill will allow States to continue enforcing right-to-work laws they may have on the books, which prohibit contracts requiring union membership as a condition of employment. This bill even allows States to entirely exempt small communities with fewer than 5,000 residents or fewer than 25 full-time employees.

Importantly, this bill takes every precaution to ensure that the right to collectively bargain will not interfere with the critical role these workers play in keeping our communities safe. It explicitly prohibits any strikes, lockouts, or other work stoppages. But the key to this bill is truly to foster a cooperative atmosphere between our first responders and the agencies they work for. Cooperation between labor and management will inevitably lead to public safety agencies being better able to serve their communities. Unions can help ensure that vital public services run smoothly during a crisis, and this bill will further that goal.

I would add that this legislation enjoys enormous bipartisan support. During the 110th Congress, the House passed it by a vote of 314-97, and the Senate voted to invoke cloture by a vote of 69-29. In the 111th Congress, the Cooperation Act has five Republican cosponsors, including the lead sponsor, Senator GREGG. Moreover, the House version has 50 Republican cosponsors. In an era that is all too often dominated by party-line votes, this is an extraordinary show of support from both parties. That is because we recognize the unique and essential role these workers play in every single community, and we recognize that by granting them these basic rights they will be able to better serve those communities.

This bill addresses some of the most critical concerns of our Nation's first responders. It goes beyond negotiating wages, hours and benefits. In this circumstance, for this group of people, it means so much more. It means that the men and women who run into burning buildings, resuscitate accident victims, and patrol the streets of our towns and cities can sit down with their supervisors to relate their real life experiences. They can discuss their concerns and use their on-the-ground expertise to help improve their service

to the community. Granting our first responders this basic right is not only in their best interest—it is in all of our best interests. It will allow these men and women to better serve their communities by fostering a spirit of cooperation with the agencies and towns that employ them.

When tragedies have struck us, from the September 11 attacks to Hurricane Katrina, it is these workers who are the first people on the scene and the last to leave. We owe them everything, and all they have asked of us in return is dignity and respect in the workplace. They stand with us every single day on the job, and it is time we stand with them. I urge all my colleagues to join me and the millions of first responders who form the backbone of our Nation's homeland security by voting to pass this crucial legislation.

#### CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion to invoke cloture.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 662, S. 3991, the Public Safety Employer-Employee Cooperation Act of 2010.

Harry Reid, Patrick J. Leahy, Tom Harkin, Carl Levin, Daniel K. Inouye, Richard J. Durbin, Byron L. Dorgan, Jack Reed, Jeff Bingaman, Dianne Feinstein, Mark Begich, Robert Menendez, Daniel K. Akaka, Sherrod Brown, Sheldon Whitehouse, Patty Murray, Debbie Stabenow, Barbara Boxer.

Mr. SESSIONS. Mr. President, parliamentary inquiry: Was there 10 minutes to both sides?

Mr. DURBIN. Mr. President, Senator MCCONNELL said his side did not want the 10 minutes.

Mr. SESSIONS. I ask unanimous consent to have 3 additional minutes before we vote.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from Alabama.

Mr. SESSIONS. Just briefly, I would say to my distinguished colleague, Senator DURBIN, who I know cares deeply about this issue, I think there is not an injustice today. The law is if you are born here, even from illegal parents, you are a citizen. But if you come into the country or are brought into the country, you are here illegally. That is what the law is. It is not an injustice to enforce the law.

No. 2, I would note that millions of people apply and wait for citizenship, but these individuals who came illegally—maybe at age 14, 15, 16—apply and get to the head of the line over people who have waited for a long time. I do not know that that is justice.

The military already allows people who are not citizens and people who are illegally in the country to join the military and they are given citizenship.

Lots of them achieve citizenship that way. This bill is not necessary to do that. For 10 years, the cost is scored by CBO. It is \$5 billion. There is a cost. In addition, for Pell grants—these are grants, not loans students get to go to college—these individuals would be eligible for those as soon as they get in college, after even a GED instead of a high school diploma.

This idea that we are already doing enough at the border and we are doing everything that is possible, I would note this administration has not completed the fence Congress authorized. We are not deporting people effectively. They have sued the State of Arizona that tried to help the Federal Government enforce the law. They have refused to make the E-Verify Program permanent. No workplace raids are being conducted. They were stopped soon after this administration took office.

So I would say, for a host of reasons, we are not doing what can be done and should be done to bring the lawlessness to an end, and to therefore put us in a position to wrestle, as a nation, with how to deal with people who violated the law and came illegally.

I yield the floor.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that the debate on the motion to proceed to S. 3991, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK) and the Senator from New Hampshire (Mr. GREGG).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 55, nays 43, as follows:

#### [Rollcall Vote No. 266 Leg.]

#### YEAS—55

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

#### NAYS—43

Alexander	Bond	Chambliss
Barrasso	Brown (MA)	Coburn
Bennet	Bunning	Cochran
Bennett	Burr	Collins

Corker	Inhofe	Roberts
Cornyn	Isakson	Sessions
Crapo	Johanns	Shelby
DeMint	Kirk	Snowe
Ensign	Kyl	Thune
Enzi	LeMieux	Vitter
Graham	Lugar	Voinovich
Grassley	McCain	Warner
Hagan	McConnell	Wicker
Hatch	Murkowski	
Hutchison	Risch	

## NOT VOTING—2

Brownback Gregg

The PRESIDING OFFICER. On this vote the yeas are 55, the nays are 43. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. REID. Mr. President, as always happens, there are always bumps in the road here in the Senate, most of which we don't foresee. We have scheduled now four votes. We are going to move to the next one as soon as we can. The House of Representatives is in the process of voting on the DREAM Act, but they may not get to it for a couple of hours. I need to have them finish their vote before we vote over here. So having said that, we may be in a little downtime here after we finish this vote for a couple of hours or whenever we can get to it. They have to have that vote completed over there. They know we are in a hurry. We also will get today from them the continuing resolution that will allow us to do something about spending. I am doing my best to work through these issues, including the issue that has overwhelmed us all the last few days, and that is the framework for the tax thing that has been negotiated. The main reason for interrupting is the next two votes will not flow automatically. We need to do them sometime tonight. I am working with Senator COLLINS and Senator LIEBERMAN, Senator LEVIN and others to try to come up with some way to move forward on the Defense bill. We will see if that can be done. There are a lot of other things going on around here such as the START treaty and a few other things. We are trying to work through that. I am sorry we will not be able to proceed right through these votes, but we may have to have a downtime for a few hours.

## EMERGENCY SENIOR CITIZENS RELIEF ACT OF 2010—MOTION TO PROCEED

## CLOTURE MOTION

The PRESIDING OFFICER. There are now 4 minutes of debate equally divided prior to the next vote.

The Senator from Vermont.

Mr. SANDERS. Mr. President, I would like a minute and a half, and I will yield to Senator WHITEHOUSE the remaining 30 seconds.

The reality today is that millions of senior citizens and disabled vets are hurting. They are spending a whole lot of money on prescription drugs, a whole lot of money on health care. Yet for the last 2 years they have not got-

ten any COLA because, in my view, of a poor methodology in terms of how we determine COLAs for senior citizens.

What this amendment does is provide a one-time \$250 check to senior citizens and disabled vets. That is what it does. This amendment is supported by AARP, the largest senior group in America; the American Legion; Veterans of Foreign Wars; the National Committee to Preserve Social Security and Medicare, and virtually every senior group and every veterans organization.

People are wondering how it could be that we could provide \$1 million in tax breaks to the richest people in this country but we cannot come up with \$250 for struggling seniors and disabled vets.

I hope my colleagues will support this important piece of legislation.

I yield to my colleague from Rhode Island.

Mr. WHITEHOUSE. Mr. President, Rhode Island seniors get an average Social Security benefit of \$13,500 a year, which makes it tough sledding to live on in the cold Northeast in the wintertime.

The COLA adjustment is misfiring for seniors. Their heating costs go up, their prescription costs go up, their pharmaceutical costs go up, and we have missed the COLA twice. We fixed it in 2008 with a one-time vote. We fixed it in 2009 with a one-time vote. Let's please do it again for 2010 and support Senator SANDERS' amendment and not be scrooges to our seniors while we are being fabulously generous to megamillionaires.

Mr. LEAHY. Mr. President, on October 15, 2010, we learned that next year Social Security beneficiaries will not receive a cost of living adjustment for the second year in a row because of the economic deflation, rather than inflation, our economy experienced in 2010. At a time when the economy continues to lag and seniors in Vermont and around the country will struggle to afford heat, food, and other daily living expenses, I believe strongly that Congress needs to act to help seniors who depend upon Social Security benefits.

For decades, Social Security has represented a strong commitment to our Nation's seniors. Ever since Ida May Fuller of Vermont received the first Social Security check issued, vulnerable seniors have had a safety net to fall back on in retirement and to supplement individual retirement savings or pensions. Nearly 70 percent of beneficiaries depend on Social Security for at least half of their income, and Social Security is the sole source of income for 15 percent of recipients.

I was proud to join Senator SANDERS once again in cosponsoring the Emergency Senior Citizens Relief Act, which would provide all Social Security recipients, railroad retirees, SSI beneficiaries and adults receiving veterans' benefits with a one-time additional check for \$250 in 2010, similar to the payment beneficiaries received as a

part of the American Recovery and Reinvestment Act. Today, we have the opportunity to move to debate this important emergency relief for America's seniors.

This legislation would benefit 58 million Americans and over 120,000 Vermonters, far too many of whom have seen a decline in their living standards as the economy worsened. The National Committee to Preserve Social Security and Medicare Foundation and the Economic Policy Institute issued a report this fall that showed similar payments included in the Recovery Act to seniors stimulated the economy and was an effective job creator. A minority of Senators, however, plan on once again blocking this legislation from a full debate in the Senate. The minority party seems content to bend over backwards to pass an extension of tax cuts to the wealthiest Americans, which will add hundreds of billions of dollars to the deficit, but helping seniors in tough economic times is just too costly a proposition. That is unfortunate, and I hope for enough support in the Senate to move this legislation forward.

By supporting this bill, Senators have the opportunity to express our continued commitment to providing a safety net to our Nation's seniors and those with disabilities in this uncertain economy. I urge my fellow Senators to support the motion to invoke cloture on the Emergency Senior Citizens Relief Act.

The PRESIDING OFFICER. Who yields time?

Mr. MCCONNELL. Mr. President, we yield back the time on this side.

The PRESIDING OFFICER. All time is yielded back.

Pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 655, S. 3985, the Emergency Senior Citizens Relief Act of 2010.

Harry Reid, Richard J. Durbin, Bernard Sanders, Sherrod Brown, Debbie Stabenow, Sheldon Whitehouse, Patrick J. Leahy, Byron L. Dorgan, John D. Rockefeller, IV, Charles E. Schumer, Al Franken, Barbara A. Mikulski, Jack Reed, Frank R. Lautenberg, Kirsten E. Gillibrand, Mark Begich, Robert P. Casey, Jr., Tom Udall.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 3985, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from