able to get this up. I have a couple of points. One, we have a catch-22. Our Members want to make sure they have a chance to offer amendments, and we want to do that. At the same time, our leadership on both sides has to pay attention to when and how we get it to a conclusion. I think it is incumbent upon our leadership from the committee to work with Members to get amendments but also not to let this become a punching bag and have Members throwing everything out but the kitchen sink.

I believe we can move this through in a reasonable time. My attitude is, when Senators have amendments, come over and offer them. We will debate them and then have a vote. We will not shove it over until 9 or 10 o'clock tomorrow night. I think there is hesitation on both sides of the aisle, and we have to work through that. But we have done this before. We did this bill 2 years ago, or so, and we got 90-something votes. So we can do that.

Mr. President, one other observation: As I have worked on this, another part of the equation of having a good national rail passage system is encouraging our States to be able to do more on their own and build lines like we have in San Francisco to the L.A. area—there is incentive to do more—and at the same time, not telling poorer States that they have to do way more than they are capable of doing.

Also, a couple of weeks ago, I thought about this bill. I was at Big D's Barbeque at Pocahontas, MS. The City of New Orleans, a sleeper Amtrak train, came whizzing by Big D's Tee Pee. They were ballin' the jack headed to New Orleans. It had about six or eight cars, which is relatively short. But the important thing was that they were going lickity-split.

If we are going to be able to get these trains, in a reasonable way, where they want to go, part of the problem is a problem the freight lines have. If they are going to get off on a side track and let the Amtrak go through, they have to build side tracks. We need more lines all across America. Union Pacific, Burlington Northern, Santa Fe—they need to build more lines across this country. We need to encourage the freight lines to build more capacity, more lines, and more side tracks, so they can work with Amtrak, so that Amtrak is not adding to the cost of doing business of the freight lines. So I am looking at that equation too. We don't want a conflict between Amtrak and freight lines. We want them both to be able to make a profit and deliver the goods and services to the American people.

So we are working on that side of the equation too, to make sure that Amtrak has a way to be on time.

Mr. LAUTENBERG. The Senator from Mississippi remembers that yesterday we had a hearing on freight railroads, and that traffic is going to be up some 44 percent by 2020. They are concerned about how to get it done. At the same time, we have to provide for passenger rail service. This is a good time for all sides to get together and start moving.

Does the Senator remember this bill was processed on the Senate floor last year? We had a vote that was 93 to 6. I lost a year. It was actually in 2005.

Mr. LOTT. Yes, I think that is right.

Mr. LAUTENBERG. The vote was 93 to 6, I remind everybody. This was popularly supported, totally understood. We were on our way to the next station, and it just didn't work out. Things were a little tumultuous, to put it mildly. Now there is a cooler moment to think about it and present it. We have time available on the floor, and I think to waste it would be a terrible loss when we can discuss this important problem with a solution for the country.

Mr. LOTT. Mr. President, I thank my colleague. The occupant of the chair, the Senator from Maryland, I suspect, supports this too. I am ready to do business when we get the go-ahead to take up this legislation.

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

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

Mr. MARTINEZ. Parliamentary inquiry, Madam President: Is the Senate in morning business?

The PRESIDING OFFICER. The Senate is in morning business, with 10-minute grants.

Mr. MARTINEZ. I wish to speak for a period of 10 minutes.

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

CUBA

Mr. MARTINEZ. Madam President, in the last couple of hours, the President took the opportunity to speak at the State Department on the condition of relations between the United States and Cuba. For me, as an immigrant from Cuba, born on that island and an immigrant to this country, it was a very moving and transcending kind of moment. The President, for the first time, I think, in many years that any American President might do this, detailed the problems in Cuba and the cruelty of that regime toward its own people.

The President put a human face on the suffering of the Cuban people by inviting to the stage with him three families of Cuban political prisoners. These families, each with their own tale of hardship and suffering, were representatives of what I think is the now almost half century long suffering of the Cuban people. He spoke about their plight, the unjust nature of their relatives' incarceration, which is nothing more than a representative sampling of what the Cuban people have suffered over so many years of brutal repression.

He also detailed the many failed promises of the Cuban revolution toward its own people. He spoke of the failed promises; that the revolution would bring a better life and so many other things that have simply not occurred. He detailed frankly, the economic misery the Cuban people suffer from today, the fact that housing is deplorable and difficult and that many families have to, obviously, live together. He spoke about the irony that while the Cuban system touts the greatness of their medical prowess; in fact the Cuban people do not have access to the kind of quality medical care that medical tourists can obtain.

Just as an anecdote, sitting next to me was a foreign diplomat who mentioned to me that she had been to Cuba for eye surgery some years earlier. I mentioned to her that at about that same time—I think she said that was in 1992—I had a relative, an uncle of mine, whom we had brought to this country so he could have eye surgery here because he couldn't get it in Cuba. So foreign visitors, for dollar amounts, can get first-rate medical care in Cuba, but it is not always available to the Cuban people.

He spoke about the oppression of those who seek to be a voice for change and the fact that many of those in prison, these patriots, are in prison for nothing more than having a fax machine in their home or a willingness to speak and talk about the human rights conditions on the island. The fact is that each of these brave souls takes great risk in order to facilitate the opportunity for Cubans to speak to one another, for the opportunity to speak in freedom, the opportunity to freely express an idea. These are things which are abhorrent to the Cuban regime.

The President made an offer. He made an offer that the United States, through non-governmental organizations and religious entities, would send computers and provide Internet access to the Cuban people, if only the Cuban Government would allow the average, everyday Cuban—what today is part of international trade, commerce, and communications—Internet access. Internet access in Cuba today is only allowed under the strictest of Government authority, and it is a way in which the Cuban people are held back from achieving the promise that the 21st century has for so many people, in so many other places.

He also spoke about the opportunity for Cuban children to be a part of a scholarship program and all they would have to do is to be freely allowed to participate.

He spoke to the international community using the example of the Czech Republic, Hungary, and Poland, which have, with such determination, stood clearly on the side of freedom, stood clearly on the side of those in Cuba

who are not satisfied with the current conditions but look to the moment of their liberty, look to the moment of freedom. These new democracies in Europe, who still well remember the days of their oppression at the hands of another Communist dictator, are very much involved in helping the Cuban dissident movement, in allowing them to come to their embassies and just stand in their lobbies and have access to a magazine or a newspaper or a book that would otherwise not be permitted by the Cuban authorities.

We can all do more. The United States has been at the forefront of assistance to a free Cuba, but no doubt many other countries, many other capitals across the world could well heed the example these Eastern European governments are today giving to the rest of the world as they stand clearly on the side of freedom.

The fact is that the most important take-away, if you will, that I heard today in this very moving, emotional, and I thought historic speech was the fact that the President today said that in the future of Cuba, we should be clearly on the side of freedom and not on the side of stability.

You see, the Cuban people are in the throes of change. Change is happening on that imprisoned island today, and that change can take one of several forms. One of them would be for us to side with stability and more of the same, for the sake of stability. The other would be to chart that uncertain path that freedom often brings but a path that ultimately leads to the opportunity for free people to live freely, that opportunity to simply stand in a town square and speak your mind.

So often people ask me: Have you ever been back to Cuba?

And I say: No.

They ask: Will you ever go back?

And I say: Yes, I will go back the day I can stand in the park of my little town where I grew up, in Sagua La Grande, Cuba, and stand there and freely express my thoughts or the day I can pick up a book and read it freely.

Those are the times and those are the conditions under which the Cuban people will really begin to taste freedom.

All of Latin America today in one measure or another is moving to the march of democratic governments and clearly enjoying the fruits of a free market. The free-trade agreements currently pending with Latin American countries will only continue to expand the wave of prosperity that is today sweeping that continent. But one example remains, one example of absolute tyranny, one example of an old-fashioned, brutal military dictator, and that is Cuba.

The fact is, I do believe freedom is on the march and that freedom can come to the Cuban people. I hope we can continue to encourage the voices of freedom within the island.

The President spoke to the military, he spoke to the governmental structures of the Cuban Government, and he pleaded with them to side with the people of Cuba who seek to live free and not use the elements of repression at a critical and decisive moment in the future of Cuba.

I have no doubt that many of those who today might have been, at one time, supporters of the Cuban regime, who believed in the promises of the revolution, as at one time or another all of us did, that they would now understand that this failed system has a limited lifespan and that it is time to side with the forces of freedom and not with the forces of repression and tyranny. For those who have no blood on their hands, they do have a future in a free Cuba.

One of the more touching moments today was when the President discussed dissidents, such as Oscar Elias Biscet. Oscar Elias Biscet is a physician who has been sentenced, to I believe 20 years, for merely speaking and expressing his own beliefs and his desire to see a change within Cuba. He is in deplorable conditions, in rat-infested conditions, needing medical care and getting none. He is the face of the future of Cuba. He is the face of the dissidents in Cuba. He is a young man, born and raised under the Castro regime. He does not belong to any rich families of the past. In fact, he happens to be an Afro-Cuban. He is a physician. He believes in life at all stages, from conception to death, and that was one of the big sins for which he has been punished in Cuba.

So I would say that today is an important day in the history of U.S. relations with Cuba. I hope it will also be a historic marker for the future of the Cuban people. The President spoke about a popular song, both in Cuba and outside, and it basically talks about ''our day is coming.'' I don't think there is any doubt that the freedom of the Cuban people is coming and that our day, without a doubt, is coming.

I look forward to continuing to help the dissident movement inside Cuba in any way that we can, to continuing to help the voices of freedom that so much yearn for an opportunity. I believe the President made it clear that the standard by which we should judge our future relations with Cuba is the way in which the Cuban Government treats its own people; by releasing political prisoners, by allowing freedom of expression, by allowing freedom of the press, and by ending these despicable acts of repression or repudiation, which are nothing more than a government-organized gang of neighbors ganging up on someone who, for whatever reason, seems to be out of step with the orthodoxy of the Government of the day. These are horrible beatings and harassment that cut across age groups. It is not just about the head of the household who has expressed himself in a way the Government deems negative or maybe being guilty of that ill-defined crime of dangerousness. But the children of that family suffer, the elderly, and all of the members of any family who is chosen for these repudiation acts. They all suffer. Those are despicable acts. Those have to end—that kind of repression—and the freeing of political prisoners. These simple things.

When people talk about what is going to be the future, the future is in the hands of the Cuban people. I know the United States will stand clearly on the side of freedom. That is, what makes our country so very different and so very special, is the fact we do put freedom first; that we do put a value on every human being, every human life, and the dignity of each one; that we do understand there is a difference between freedom and oppression and we choose to stand clearly on the side of freedom.

I will always be proud to stand with our President, who so clearly spoke today about his desire to stand on the side of freedom. I hope many of my colleagues in the Senate will take the time to read the speech the President gave today. If you care about Latin America, if you care about Cuba, if you care about the future of that oppressed island, I think this was a very good moment.

I see my dear colleague from New Jersey and fellow Cuban American here on the Senate floor, and I know we share the same passion for the opportunity for Cuba to be free. This isn't a partisan issue between us; this is about the right of the Cuban people to live freely. I say to Senator MENENDEZ that it was a momentous speech and I think one that will be a historic marker, as I said, in the relations between our countries and the opportunity for the Cuban people to live in freedom. I think it was an important moment, and I hope my colleague will have an opportunity to see it and read it. It was the kind of speech so many of us have wished for and were delighted to hear today.

Madam President, I appreciate the indulgence of the Chair, and I yield the floor.

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

Mr. MENENDEZ. Madam President, I come to the floor primarily to speak about a vote we took earlier today on the DREAM Act. I do appreciate my distinguished colleague from Florida's comments about the President's speech. We look forward to getting a further focus on what the President had to say. We certainly appreciate any movement, any policy that tries to create an opportunity for freedom for the people of Cuba, for them to be able to achieve what we enjoy here in the United States—the right to choose our Representatives, to worship at the altar that we chose freely, to be able to associate with others freely, to be able to protest when we believe our Government is moving in the wrong direction. We have freedom of the press, freedom of religion, freedom of speech. All of those things are denied the Cuban people.

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

THE DREAM ACT

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

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

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

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

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

I don't know how those who want to see the AgJOBS bill move think it can move when we turn down children who had no choice of their own. Our friends in industries that request H1–B visas say we need to bring people from other countries in the world to America because we don't have enough human capital here to meet our Nation's high-tech demands, but in that case it doesn't make much sense to refuse to take advantage of the proven capacity of so many children in this country, some of whom have graduated as valedictorians and salutatorians from high school. A vote against the DREAM Act says, we are not going to use that intellect; no, let's bring in somebody from outside the country to perform that service.

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.