

residents, to dealing with over \$250 million in budget cuts when the economic downturn hit. Through the highs and lows, Walt Ruffles has worked to give the school district, its teachers, and students the consistency that must accompany a quality education.

The recognition of his work has gone far beyond the borders of the Silver State. Just this year, he was one of the four finalists for National Superintendent of the Year, awarded by American Association of School Administrators. In making their selection, the judges cited student achievement, his empowerment program, fiscal responsibility, and staff development in the nation's fifth largest school district. I congratulate him on this honor and appreciate all the improvements he has brought to the district.

I join with my fellow Nevadans in honoring Walt for his great work as Superintendent of Clark County Schools. "My whole obsession in Nevada has been to increase the number and quality of our graduates," he once noted. For that, we will always be grateful.

#### DREAM ACT

Mr. CORNYN. Mr. President, I rise today to discuss the upcoming cloture vote on the motion to proceed to the DREAM Act. I have great sympathy for students brought to the United States at a very young age who have no moral culpability for being in this country in violation of our laws. I have listened to many stories about how our broken immigration system has failed these students, and I have discussed this issue with many Hispanic leaders in Texas and across the Nation.

Last week, we learned that the unemployment rate went back up to 9.8 percent in November—and more than 15 million Americans cannot find a job. In the Hispanic community, things are even worse. The unemployment rate is up to an astonishing 13.2 percent the highest rate in 27 years. And it has been above double digits every month since the stimulus bill became law in February 2009.

That's why I agree with my Republican colleagues that the only items on our agenda during this lameduck session should be time-sensitive issues focused on the economy. Those time-sensitive issues include passing a continuing resolution to keep the government running, as well as preventing the largest tax hike in U.S. history. Everything else that can wait should wait until the new Congress convenes in January.

Nevertheless, I do have sympathy with students who would benefit from the DREAM Act. And that is why I voted for a version of this legislation in the Judiciary Committee in 2003. But as I said then and continue to say today: it is important to get the details right with sensitive legislation like this.

Unfortunately, the version of the DREAM Act before us has several problems we have identified previously over the last several years. Under this version of the DREAM Act, a 30-year-old illegal immigrant with only 2 years of post-high school education would be eligible for a green card—regardless of whether he or she ever earned a degree.

Under this version of the DREAM Act, a thirty year old illegal immigrant who has been convicted of two misdemeanors would be eligible for a green card—and let's remind ourselves that many misdemeanors are not minor offenses. In many States, they include: driving under the influence; drug possession; burglary; theft; assault; and many other serious crimes. In New York, "sexual assault of a minor in the third degree" is a misdemeanor offense. Someone with two convictions for any of these crimes would be eligible for a green card under this legislation. And that doesn't even include people who are prosecuted for felonies—but who plead guilty to a misdemeanor as part of a plea agreement.

This version of the DREAM Act also has very weak protections against fraud. As we saw in 1986, any time we expand eligibility for an immigration benefit we will create a new opportunity for fraud if we are not careful. Yet this bill actually protects the confidentiality of a DREAM Act application—even if it contains false information.

These are just some of the problems in this version of the DREAM Act that should have been debated in the Judiciary Committee, and subject to amendment under the regular order. None of these concerns with the DREAM Act are new, by the way. Like other Senators, I have made clear for years my concerns about loopholes for convicted criminals as well as protections against fraud.

Washington's credibility is the obstacle to broader immigration reform and rushing a flawed version of the DREAM Act in a lameduck session will only weaken Washington's credibility even further.

I also believe that these tactics show a lack of respect for those of us who want to see credible immigration reform. We all know that the majority—as well as the White House—have not kept their promises on immigration reform. They clearly hope a last-minute push for the DREAM Act during a lameluck session will outweigh 2 years of inaction and broken promises on this issue. These tactics clearly represent political gamesmanship: a cynical attempt to play on the hearts and minds of those who want real reform.

I continue to believe that our Nation would benefit from the DREAM Act being introduced and debated in committee; amended to address concerns with the bill; and incorporated into a credible immigration reform package that begins with border security and can win the support of the American people.

That is the kind of approach we need—the kind of approach I hope we can get once the new Congress takes up its responsibilities in January.

#### TAX CUTS

Mr. CASEY. Mr. President, last weekend I voted for legislation that would extend tax cuts for all Pennsylvanians. This legislation also included a continuation of expired unemployment insurance, a series of tax incentives that have created jobs in Pennsylvania like the R&D tax credit, the biodiesel tax credit which is essential to companies like Hero BX in Erie, the new markets tax credit and the payroll tax credit known as the HIRE Act. I also voted for permanent extensions of the enhanced child tax credit and earned income tax credit and the expanded adoption tax credit that I included in the health care reform law, all of which place money back into the pockets of working people across the Commonwealth.

According to the Pennsylvania Department of Revenue, out of 6.5 million filers in the Commonwealth in 2008, 98 percent had adjusted gross income below \$250,000. There is a consensus in Congress to extend tax cuts for these families. We should pass the middle income tax cuts, renew the job creation tax cuts and preserve unemployment insurance. We can then have a debate about the upper income tax breaks without using middle-income families and those laid off through no fault of their own as political bargaining chips. However, a long-term extension of tax cuts for upper income taxpayers, multimillionaires and billionaires, is not fiscally responsible for one reason: it adds hundreds of billions to the deficit without creating jobs or stimulating economic growth.

In recent months, I spoke to both business owners and economists to get their views on how Congress should handle the expiring tax provisions. What I learned is that certainty and consistency are needed when the economy is in such a fragile condition. We must reach a compromise. At most however, this might entail a short-term extension of upper income tax cuts and other ideas that could bring certainty without unduly increasing the deficit.

#### BOYS & GIRLS CLUBS

Mr. LEAHY. Mr. President, November and December bring with them a contagious holiday spirit. During a time when many Vermonters are struggling to feed their families and heat their homes, community members across Vermont are stepping forward to provide a helping hand to their neighbors. I am proud that Vermont takes to heart our country's great tradition of offering a helping hand to those in need.

While many of us were at home with our families this Thanksgiving, the