

The question is on agreeing to the motion to concur in the House amendment to the Senate amendment to H.R. 3979.

Mr. BEGICH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 89, nays 11, as follows:

[Rollcall Vote No. 325 Leg.]

#### YEAS—89

Alexander	Franken	Murkowski
Ayotte	Graham	Murphy
Baldwin	Grassley	Murray
Barrasso	Hagan	Nelson
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Roberts
Boozman	Hirono	Rockefeller
Boxer	Hoeven	Rubio
Burr	Inhofe	Schatz
Cantwell	Isakson	Schumer
Cardin	Johanns	Scott
Carper	Johnson (SD)	Sessions
Casey	Johnson (WI)	Shaheen
Chambliss	Kaine	Shelby
Coats	King	Stabenow
Coburn	Kirk	Tester
Cochran	Klobuchar	Thune
Collins	Landrieu	Toomey
Coons	Leahy	Udall (CO)
Corker	Levin	Udall (NM)
Cornyn	Manchin	Vitter
Donnelly	Markey	Walsh
Durbin	McCain	Warner
Enzi	McCaskill	Warren
Feinstein	McConnell	Whitehouse
Fischer	Menendez	Wicker
Flake	Mikulski	

#### NAYS—11

Brown	Lee	Risch
Crapo	Merkley	Sanders
Cruz	Moran	Wyden
Gillibrand	Paul	

The motion was agreed to.

#### PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 3979

#### DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 3979

The PRESIDING OFFICER (Ms. BALDWIN). Under the previous order, H. Con. Res. 121 and H. Con. Res. 123 are considered and agreed to en bloc and the motions to reconsider are considered made and laid upon the table en bloc.

The Republican leader.

Mr. MCCONNELL. Madam President, I wish to take a moment to speak on something that I think there is an overwhelming bipartisan desire to achieve, and that is to finish tonight. There is no good reason not to.

We are working to clear an agreement on our side to process the CR/omnibus, the extenders bill, and TRIA tonight—tonight

UNANIMOUS CONSENT REQUEST—H.R. 5771.

As for right now, I can tell you we are prepared to go forward on the extenders bill. Therefore, I ask unanimous consent that at a time to be de-

termined by the majority leader, after consultation with the Republican leader, the Senate proceed to consideration of H.R. 5771, the Tax Increase Prevention Act; that there be up to 1 hour of debate equally divided between the two leaders or their designees prior to the vote on passage of the bill; further, that the vote on passage be subject to a 60-vote affirmative threshold.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Reserving the right to object, we have had bipartisan conversations about having a more than 1-year extension of the tax extenders, bipartisan conversations about moving to a 2-year bill or maybe doing what we did in the Senate and passing the extend bill.

So I respect my friend, who is trying to get us out of here as quickly as possible, but we have to have a path forward to make sure we understand what is happening with the extenders.

The Senator mentioned TRIA. We also have some problems with that. So I believe we need a path forward on the omnibus and a way forward on the nominations before we start dealing with whether there should be a 2-year extension or a 1-year extension and what amendments, if any, we would have on TRIA, so I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. I would briefly make the point that we are very close to being cleared on this side to finish. I want everybody to understand that it is possible to finish tonight. Very shortly, we will be able to announce that there are no impediments toward getting to that goal on our side of the aisle.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. We have the omnibus we have to do, we have to do the tax extenders, we have to do TRIA, and we have some nominations that we have an obligation to the American people to do, so we are not going to finish tonight. I think we could finish the omnibus tonight, but we are not finishing tonight.

#### EXECUTIVE SESSION

NOMINATION OF MARK GILBERT TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE INDEPENDENT STATE OF SAMOA

NOMINATION OF ROBERT C. BARBER TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ICELAND

NOMINATION OF DAVID NATHAN SAPERSTEIN TO BE AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM

NOMINATION OF AMY JANE HYATT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PALAU

NOMINATION OF ARNOLD A. CHACON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DIRECTOR GENERAL OF THE FOREIGN SERVICE

NOMINATION OF VIRGINIA E. PALMER, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALAWI

NOMINATION OF DONALD L. HEFLIN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CABO VERDE

NOMINATION OF MICHAEL W. KEMPNER TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS

NOMINATION OF LEON ARON TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Mark Gilbert, of

Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Independent State of Samoa; Robert C. Barber, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iceland; David Nathan Saperstein, of the District of Columbia, to be Ambassador at Large for International Religious Freedom; Amy Jane Hyatt, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Palau; Arnold A. Chacon, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Director General of the Foreign Service; Virginia E. Palmer, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malawi; Donald L. Heflin, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cabo Verde; Michael W. Kempner, of New Jersey, to be a Member of the Broadcasting Board of Governors; and Leon Aron, of Virginia, to be a Member of the Broadcasting Board of Governors.

## VOTE ON GILBERT NOMINATION

The PRESIDING OFFICER. There is 2 minutes of debate equally divided prior to a vote on the Gilbert nomination.

Mr. REID. Madam President, I yield back all time on all of these nominations.

The PRESIDING OFFICER. All time is yielded back on all nominations.

The question is, Will the Senate advise and consent to the nomination of Mark Gilbert, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Independent State of Samoa?

The nomination was confirmed.

## VOTE ON BARBER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Robert C. Barber, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iceland?

The nomination was confirmed.

## VOTE ON SAPERSTEIN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and

consent to the nomination of David Nathan Saperstein, of the District of Columbia, to be Ambassador at Large for International Religious Freedom?

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from Vermont (Mr. SANDERS), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

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

The result was announced—yeas 62, nays 35, as follows:

## [Rollcall Vote No. 326 Ex.]

## YEAS—62

Alexander	Hagan	Murray
Baldwin	Harkin	Nelson
Bennet	Heinrich	Paul
Blumenthal	Heitkamp	Pryor
Blunt	Heller	Reed
Booker	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Rubio
Cantwell	King	Schatz
Cardin	Kirk	Schumer
Carper	Klobuchar	Scott
Casey	Landrieu	Shaheen
Collins	Leahy	Stabenow
Coons	Levin	Tester
Corker	Markey	Udall (NM)
Cruz	McCaskill	Walsh
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murkowski	Wyden
Gillibrand	Murphy	

## NAYS—35

Ayotte	Flake	McConnell
Barrasso	Graham	Moran
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Lee	Vitter
Enzi	Manchin	Wicker
Fischer	McCain	

## NOT VOTING—3

Begich	Sanders	Udall (CO)
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The nomination was confirmed.

## VOTE ON HYATT NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Amy Jane Hyatt, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Palau?

The nomination was confirmed.

## VOTE ON CHACON NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Arnold A. Chacon, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Director General of the Foreign Service?

The nomination was confirmed.

## VOTE ON PALMER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Virginia E. Palmer, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malawi?

The nomination was confirmed.

## VOTE ON HEFLIN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Donald L. Heflin, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cabo Verde?

The nomination was confirmed.

## VOTE ON KEMPNER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Michael W. Kempner, of New Jersey, to be a Member of the Broadcasting Board of Governors?

The nomination was confirmed.

## VOTE ON ARON NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Leon Aron, of Virginia, to be a Member of the Broadcasting Board of Governors?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The majority leader.

## INSULAR AREAS AND FREELY ASSOCIATED STATES ENERGY DEVELOPMENT

Mr. REID. Madam President, I ask the Chair to lay before the Senate a message from the House with respect to H.R. 83.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House agree to the amendment of the Senate to the bill (H.R. 83) entitled "An Act to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous clean-energy resources, and for other purposes," with an amendment.

## MOTION TO CONCUR

Mr. REID. Madam President, I move to concur in the House amendment to the Senate amendment to H.R. 83.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.R. 83.

CLOTURE MOTION

Mr. REID. Madam President, there is a cloture motion at the desk. I ask the Chair to order it reported.

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

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 concur in the House amendment to the Senate amendment to H.R. 83.

Harry Reid, Barbara A. Mikulski, Brian Schatz, Benjamin L. Cardin, Martin Heinrich, John E. Walsh, Richard J. Durbin, Thomas R. Carper, Patty Murray, Tim Johnson, Angus S. King, Jr., Mark R. Warner, Tom Udall, Dianne Feinstein, Bill Nelson, Mark L. Pryor, Tammy Baldwin.

MOTION TO CONCUR WITH AMENDMENT NO. 4100

Mr. REID. Madam President, I move to concur in the House amendment to the Senate amendment to H.R. 83, with a further amendment.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.R. 83 with an amendment numbered 4100.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4101 TO AMENDMENT NO. 4100

Mr. REID. I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4101 to amendment No. 4100.

The amendment is as follows:

In the amendment, strike "1 day" and insert "2 days".

MOTION TO REFER WITH AMENDMENT NO. 4102

Mr. REID. I have a motion to refer the House message with respect to H.R. 83 with instructions.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer the House message on H.R. 83 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 4102.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4103

Mr. REID. Madam President, I have an amendment to the instructions which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4103 to the instructions of the motion to refer.

The amendment is as follows:

In the amendment, strike "3 days" and insert "4 days".

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4104 TO AMENDMENT NO. 4103

Mr. REID. I now have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4104 to amendment No. 4103.

The amendment is as follows:

In the amendment, strike "4" and insert "5".

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

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

Mr. REID. Madam President, we now are waiting for a vote to occur. Under the rules, this will occur 2 days from now, 1 hour after we come into session. So I would hope we can work something out to get this done tonight. Remember, midnight on Saturday the government is out of money.

I hope that cooler heads would prevail and we can move forward and get this done. There is just no sense in our waiting around. This bill has been talked about for days now. It has been very good work to get it where we are.

The two managers of this bill, the distinguished Senator from Maryland and, of course, the senior Senator from Alabama, have worked hard to get this bill done. I hope we can move forward on this as quickly as possible. There is no reason we have to wait until Sunday to do this.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I just wish to underscore the point that it is urgent we take up this Omnibus appropriations bill; that we do this in order to have a budget for our country and that we don't threaten another government shutdown—we know how damaging that is to this country; and that we don't have another continuing resolution.

Another continuing resolution provides uncertainty to our agencies.

They can't do the critical work they need to do. It establishes last year's priorities rather than trying to establish the priorities for this year and represents a failure of the Congress.

So I start by first thanking and congratulating my colleague from Maryland, Senator MIKULSKI, for her incredible leadership through this process, working with Senator SHELBY and their counterparts in the House of Representatives.

This is not easy. We have sharply different views in this Congress, and we have seen over and over again gridlock where we are unable to make decisions. I congratulate Senator MIKULSKI for bringing the negotiations of the omnibus to a successful conclusion. When we look at the work she did in the appropriations part of this Omnibus appropriations bill, I am very proud, and I think we all should be very proud and very supportive of the work she has done.

As I pointed out earlier, if we don't pass an Omnibus appropriations bill, we are either going to have a government shutdown or we are going to resort to a short-term continuing resolution. In either case, it is very damaging to our country and to our economy.

The Omnibus appropriations bill we have before us allows us to set certain priorities. I know Senator MIKULSKI has gone through many of those priorities. I just wish to outline a few: the fact that we give additional resources for missing and exploited children; the fact that we provide law enforcement with rape kits to help in law enforcement against those who have perpetrated violence against women; the fact that we provide an additional \$5 billion-plus to fight the Ebola crisis globally. This has a direct impact on the world economy, on world health, and directly affects the United States; the appropriations for our Department of Defense to be able to combat the extremist ISIL in its fear that it has invoked not just in that region but globally.

This Omnibus appropriations bill provides the resources in order to carry out these important responsibilities of government. The alternative is a continuing resolution, at best. How do we fight a war on a continuing resolution? How do we fight Ebola on a continuing resolution? We will not have the ability to be able to do it.

I thank Senator MIKULSKI. She has provided funds in here for our Farm Service Agencies, which is particularly important to keep open the 250 threatened closures of farm services offices. I mention that because in Maryland these offices are very important to our agricultural community. Maryland farmers in their conservation efforts to help us on the Chesapeake Bay work in conjunction with the service agencies. The closing of these agencies would be devastating.

The omnibus provides a modest pay adjustment for our Federal workforce, our Federal workforce which has been asked to do more with less people—less people, more responsibilities. They are on the front lines of public service. This omnibus recognizes their service by giving them a modest adjustment to their pay.

The transportation program, which is critically important for economic growth—I can go over the differences here if we don't get the omnibus. For example, the funds for our transit projects—I know in Maryland there is \$100 billion here for the Purple Line in Prince George's County and Montgomery County. For those who travel in this region, we know firsthand the gridlock problems on our roads. The only good thing about being here tonight is that I don't have to fight the traffic going home to Baltimore. We need the transit funding, and thank you, Senator MIKULSKI, for providing that. If we have a continuing resolution, we lose it. The funds for Baltimore—lost, if we don't have the omnibus appropriations bill.

There are funds for dredging of the Baltimore Harbor. I particularly appreciate the Appropriations Committee continuing the commitment we made in 2008, the legislation that I authored for the full funding of the Federal contributions to the WMATA system.

The funds that are here for our contract air traffic control towers. You know, not too long ago there was a threat of a shutdown. We were going to have to close the contract offices that worked the air traffic control towers in our small airports, including in Maryland. Well, we are protected by the omnibus so that will not occur. Go to a continuing resolution, and there is no such protection.

The Appalachian Regional Commission gets a bump-up in this appropriations bill, for good reason. The work they do is critically important to the rural part of Maryland, the western part. They need that. If you go to a continuing resolution and those initiatives are gone, we don't get that.

We can go on and on and on. There is \$1.4 billion of additional money for community health centers—community health centers. Thank you. In Maryland we have used those funds to expand community health centers, to expand prenatal care, increasing infant survival in our State. We have used it for community mental health services, we have used it for pediatric dental services, and in the omnibus bill we will be able to continue to make that progress. If we don't get the omnibus, all bets are off. On a continuing resolution we cannot move forward in those programs.

I would thank you on behalf of the veterans of this country. What you have done requiring advanced funding is that you have protected our veterans and the benefits that we promised them regardless of the problems we have had getting our appropriations

bills done. It is the right thing to do. They fought to preserve the liberties of our country, so they should at least know we are going to live up to the commitments we made to protect our veterans.

I also appreciate that in this omnibus you have extended the TAA's benefits that help our workers in transition who otherwise would not have jobs due to the international trade issues. My colleague Senator BROWN has been very instrumental in this. We extend that through fiscal year 2015.

Military construction. Military construction is critically important. We have gone through a BRAC process. We have gone through ways in which we have consolidated our military, but we also have to modernize our facilities and the military construction budgets would come to a standstill if we don't have a budget in Maryland, and we will have projects that move forward in Havre de Grace, Annapolis, Indian Head, Pax River, and Andrews. All of that is very important.

Money has been provided in this omnibus to help in regard to the problems of Central America. We saw what happened on our borders. I think we all agree we want children to be safe. It must be a horrible choice for a parent to put their child on a transit to come to the United States because of what is happening in their Central American country. We begin on this omnibus bill to say, hey, let's try to work for safer conditions in Central America which will give us more stability in regard to what is happening on our own borders. That makes sense. That is in there.

I also thank Senator MIKULSKI for an initiative I requested that deals with Holocaust survivors. For the first time we have a direct appropriation to help Holocaust survivors. These are individuals who have a great fear of ending up in an institution. You can understand why. So access to fundamental services in the community is particularly important. This omnibus is sensitive to make sure that we provide that. Again, if we don't have the omnibus, that initiative is gone.

You are protecting our Pell grant recipients so they can continue to receive their Pell grants at current levels. All of this is so important in the omnibus if we don't get it.

There are some things in this omnibus I don't like at all. As I said earlier, this is a compromise. I know that we have seen the bills come over from the House of Representatives. We have seen the antienvironmental, antifinancial consumer protection bills. So many bills have come over. And we know there were efforts made on numerous of these policy riders to the appropriations to the omnibus bill. Unfortunately, some got on, and I certainly understand the political process. I am not naive to understand that we could win on every issue; but I feel compelled to point out the policy riders that are on this omnibus bill that I hope we will work together to remove the harmful

impacts that they could possibly have on policy in this country.

On the environmental front, there is a policy rider that restricts EPA's authority to deal with tackle and ammunition as it relates to lead content. Our policy should be based to allow EPA, based upon best science for how they protect public health. I think that is compromised by that rider.

There is a rider that could compromise how the agriculture community works on our clean water bills. All stakeholders have to be in together to deal with clean water. We do that with the Chesapeake Bay in Maryland. I think that rider could have some very negative impact. We have heard a lot of talk about the sage grouse which is a species that could become endangered. The Environmental Protection Agency should be able to do what is right in establishing the right conservation efforts, but instead there were restrictions placed on EPA, and I regret that. I hope we can work around that.

The definition of fill in mining regulations could open up more mountaintop removal for coal mining, the most obscene way to obtain coal, to blow up mountains and pollute streams. There are better ways. We shouldn't put these arbitrary restrictions on the Environmental Protection Agency.

There is a provision here you have heard a lot of comment on the floor on dealing with financial consumer protection which would repeal the Dodd-Frank provision where banks had to push out some of the derivative trading into separate accounts so they weren't subject to the FDIC, the government insurance program. That provision could be used for risky trading and could result in government bailout. That is bad. Let's work to make sure that doesn't happen. Let's work together to restore that type of protection in our financial services.

The IMF doesn't receive funds over this omnibus bill. I think that is a mistake. I think our responsibilities internationally require us to cooperate in that.

There are provisions in here that interfere with the District of Columbia home rule. That won't be the first time we have done that, and I regret that. So it is not unusual to see those provisions in an appropriations bill. It still doesn't make it right. It is not right.

There are some missed opportunities here. I am sorry we are not participating in the Green Climate Fund. This is an international effort to deal with the realities of climate change. The United States needs to be a leader. We are missing an opportunity by not participating in the Green Climate Fund.

I regret that this is an omnibus appropriations bill for all agencies except one: Homeland Security. That is wrong. Our Homeland Security needs the protection of a budget, not a continuing resolution. We may have very different views on what we should do on immigration policy, but that shouldn't stop us from allowing those

who serve in Homeland Security to have the confidence that we will support their budget for a year, and that they can go forward with an initiative. I regret that. That is a missed opportunity that is in the omnibus bill.

Lastly, let me mention the two extraneous issues that made their way into the omnibus appropriations bill. That was a mystery, I think, to Senator MIKULSKI and others who worked so hard in negotiating back and forth in good faith only to find that the Rules Committee in the House of Representatives added two extraneous provisions to an omnibus appropriations bill. The process is wrong. They shouldn't do that. That is an abuse of power. They are also, by the way, wrong on the policy.

One, it is a very serious issue, how to deal with multi-employer plans. I have been working on pension issues ever since I came to the Congress. We have a problem with the multi-employer plans, there is no question about that. But we should have a bill on the floor of the Senate and debate that. We shouldn't be passing a bill that could very well have some very stark consequences on individuals who are currently retired. That could very easily happen under this provision.

The second, which adds new categories of giving in our political system to political party conventions and to the building funds, and to recount, we don't need more money in politics in this country and we shouldn't be taking up that bill on an omnibus appropriations bill.

Let me conclude my remarks as I began. To me, this is an easy decision to make. It is an easy decision because the public does not want to see more gridlock in Washington. They know the House of Representatives has gone home. They know that our leaders have negotiated an omnibus budget for the next fiscal year, and they are saying at long last could we at least get this done, or are we going to have another threatened shutdown? Are we going to put the government on autopilot for a 3-month period?

I think we have a responsibility to see issues to conclusion, and on the appropriation issues that are in this bill, you should be very proud to support the work of Senator MIKULSKI and the entire group behind the negotiations of this omnibus bill, Senator SHELBY and others. We should support that and recognize that what we need to do next year—I know my colleague from Maryland has been the champion of this. I heard her speak so eloquently in our caucus about this and on the floor of the Senate, but what we need to do is get a budget done in regular order so the appropriators know what their budget limits are and they can work on the individual appropriation bills. We can bring them to the floor, we can debate them, have amendment votes, and then we won't be as frustrated as we are tonight, in the eleventh hour dealing with issues for the very first time

that we see on the omnibus appropriations bill.

I know Senator MIKULSKI has been the great champion of saying let's get back to regular order. She did that in her committee. We are not surprised. We saw the work of her committee. It was done very openly. We had a chance for input, and that is why a lot of what is in this omnibus appropriations bill represents the work of each Member of this body. But we can do this in a more open and transparent way by considering individual appropriation bills on the floor of the Senate, reconciling those differences at the House, and really doing the people's business and not just confront ourselves with another omnibus appropriations bill.

I encourage my colleagues to support the good work that has been done and I hope we can approve the omnibus appropriations bill this evening well in advance of the hour of midnight, which will be here sooner than we think, in order to avoid a government shutdown and let the people of this Nation know we are doing our very best.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I rise to speak on the consolidated and further continuing appropriations for fiscal year 2015.

Every year we have a particular responsibility that is mandated by the Constitution, which is that the Congress of the United States shall pass an annual revenue bill to fund the government. The power of the purse is vested in the Congress. It is not vested in the executive branch. Our subcommittee on appropriations is a constitutionally mandated committee. The reason for that is, if one reads the Federalist Papers, it says that if the leader of a country controls the purse, they tend to be kings. But if the executive branch has to share power with the legislative branch controlling the purse, you have checks and balances.

Tonight is the night we talk about what is in our annual bill. It had been the hope of myself and my vice chairman, Senator SHELBY, that we could file something here called regular order, where the 12 subcommittees in Appropriations would have brought up one bill at a time. For a variety of reasons—mostly deep partisan politics—we were not able to bring up 12 individual bills, and I regret that.

As a new party takes over, I hope we listen to the message of the voters—end gridlock, end deadlock, end the partisanship that is crippling our country. One way to correct that is to return to regular order. I look forward to continuing to work with both sides of the aisle to do that.

Tonight we are where we are. We are bringing the consolidated bill to the Senate floor which represents the work of 12 subcommittees: Defense, Interior, Labor, Education, Health, Foreign Operations, the State Department, and Homeland Security will be on a con-

tinuing resolution. I could call all their names. We will be looking at a \$1 trillion expenditure, which is the discretionary funding of the United States of America; \$550 billion of that is in defense—DOD only. The remaining amount is in domestic agencies which is also considered the State Department.

We need to pass this bill tonight so we can show that there is no government shutdown. The funding for the Government of the United States of America expires at midnight. We want to be sure there is no government shutdown, but we also don't want to be on a continuing resolution. A continuing resolution simply says take what you have done in 2014 and put it on autopilot.

If we pass the continuing appropriations, which I hope we do, the government will be able to show that we have exercised thought and set national priorities and worked on this. I hope today we will be able to do our job.

The House passed the bill on Thursday night by a vote of 219 to 206. We will now take up that bill.

It is remarkable in today's era of slam-down politics, that those of us who have been working on this committee have been able to set aside our differences, work across the aisle, and work across the dome to find a way to compromise without capitulation on principles. The American people said they wanted us to do that, and that is the job we have done.

My wonderful colleague from Maryland, Senator BEN CARDIN, explained a good part of the bill. We are so close and we think so much alike, we could have given each other's speech. He kind of gave my speech.

I will reiterate what is in this bill. This agreement provides for our national security. It ensures readiness for our troops. It funds training for the troops, as well as our maintenance facilities, so that our military assets, such as aircraft carriers and ships, are ready to go and our soldiers receive the training they need.

Military leaders say readiness is our top priority, and the bill will provide \$162.5 billion for readiness.

It also includes important funds for our National Guard and Reserve so our units are ready for the job we ask them to do, and we have included \$200 million more for our national. We also included a 1-percent pay raise—a 1-percent COLA, cost of living for the Defense Department's 3 million employees.

We worked very hard on a variety of issues, one of which of course has been the way we serve our veterans. One of our greatest accomplishments is this bill is what we do for them.

Veterans service organizations came to me and many of the members this evening and said: We not only need funding to implement the reforms that were passed by the Congress, but we also want you to do it for this year and a year in advance. We said: We don't do

that. And they said: You have to do that because we are concerned that often with the dysfunction and delay as a strategy in Washington, it creates chaos for veterans and their survivors. Guess what. We were able to do it.

For the first time ever, we provide funding for this year and 1 year in advance. It means that no matter what happens to the government, veterans can count on their disability check, their pension check, a check to help fund the GI bill, and their health care will be paid for. We also deal with the incredible problem of veterans backlog, and we put in the money to able to do that. For the VA backlog process, over \$2.5 billion, adding another \$40 million to do that.

I have been horrified—in my own home State of Maryland—that the claims backlog at one point took more than 125 days. We are doing our reform.

I also wish to talk about compelling human needs. We know that one of the most able Members of the Senate, Senator TOM HARKIN, is retiring. But during the years he has served, he has never let up in championing the little guy and the little gal to make sure we had access to health care, access to education, and truly looking out for our constituents. I am so proud that—working with him—we were able to fund the child care development block grant, which passed the Senate overwhelmingly, by adding over \$75 million. That means they will be able to ensure that thousands more children will be able to qualify for daycare, and it will be safe and affordable.

I wish to talk about college affordability as well—a great passion of Senator HARKIN, myself, and I know many Members of the Senate. We increased the maximum Pell grant by \$100, we reformed the Pell grants to give students a chance to be able to go to college and get their GED. This has been a tremendous problem for many single mothers and they would drop out.

They now know they have to earn, and they are ready to learn. But in order to be eligible to go to community college, they had to have their GED, and they are now able to do both. It also restores the community colleges' efforts to be able to fund scholarships from their own endowments.

I will take a moment to speak about jobs. We need to create jobs in the United States of America, and what we did when we focused in on jobs was to fund the infrastructure. Guess what. We put in money in the Federal checkbook for the highway trust fund and the harbor maintenance fund so our harbors could be dredged, our roads and bridges would be safe, and also included more money for dam safety.

In my own home State, we funded the Metro and made a big downpayment on the Purple and Red Lines. These are jobs to improve our infrastructure and are absolutely crucial.

I know there are others who wish to speak, and I am going to show that we looked at trying to fund jobs and infra-

structure. I will talk about what we did in the commerce committee and how we came up with a way to end the backlog on patents in the area of intellectual infrastructure. There were over 400,000 patents pending. We wanted to make sure in this America, that if you invent something, you get to protect your idea so you can move it into the marketplace.

We also funded these regional innovation centers in manufacturing. We promoted 3D manufacturing and made it local. In many of our States where we lost it, we had major advances. I will talk more about it, but I see my colleague, Senator UDALL, is on the floor. I will yield the time and allow him to speak.

I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from New Mexico.

Mr. UDALL of New Mexico. I thank Chairwoman MIKULSKI and the Presiding Officer.

I will say a few words about Chairwoman MIKULSKI.

First of all, I am honored to serve on the Appropriations Committee. For the last couple of years I served as the chairman of the Subcommittee on Financial Services and General Government, and with her guidance and work, it has been a truly fulfilling task.

I thank Senator MIKULSKI for the last 2 years since she has taken over and putting us on track in terms of having a good, solid appropriations process, where we make every attempt to get the appropriations bills through the Senate and in place at the beginning of the budget year. That could make a real difference, as she has indicated, for veterans, for jobs, and for all of the agencies that are funded throughout government, and particularly in my State where we have two premier national laboratories—Los Alamos and Sandia National Laboratories. We have three Air Force bases, national parks, and national monuments. There is so much that is a part of this appropriations bill that is very important to my State.

We have a lot of work to do today, and I will speak for a few minutes on some of the issues that are important to my State and our country.

First, I will start out on a positive note. The Senate just recently passed the Defense authorization bill. That bill is critical to our Nation's security and for our troops at home and abroad who deserve our support and respect.

In addition, this year it also includes landmark conservation measures to protect some of the most beloved landscapes in New Mexico. These are measures we have worked on for many years—since Senator Bingaman was in office—and they are the result of many years of dogged hard work by a diverse group of sportsmen, conservationists, local businesspeople, and others.

With this bill, we are designating Columbine Hondo Wilderness, giving permanent congressional protection to

this special area. We are increasing public access to the Valles Caldera by transferring management to the National Park Service. This will ensure financial stability for one of the best places in New Mexico for hiking, hunting, and fishing.

We are dedicating a historical Manhattan Project a national park that will include Los Alamos, NM, where Americans can learn about and remember our complicated Cold War history.

This bill protects the special and important places, increases tourism, and creates jobs. We also renewed a BLM pilot program to improve the permitting process for the oil and gas industry. This is critical to energy development in New Mexico and other Western States.

It ensures that BLM has the resources to do all parts of its job—managing land for conservation, grazing, and permitting for oil and gas development.

I thank my colleague Senator HEINRICH, who serves on the Energy and Natural Resources Committee, for being a strong partner in getting these measures passed.

Now the Senate has another important duty pending before us—passing an appropriations bill to fund the Federal Government, including many vital programs in my home State of New Mexico. We have not had regular spending bills in recent years, and here we are at the eleventh hour with an omnibus bill at the last minute.

The fact that we have a bill is due, in great part, to the leadership of Chairwoman MIKULSKI, and I am glad to be part of her team on the Appropriations Committee.

The alternative to this bill is a short-term CR or a couple of short-term CRs for the whole year. I think that is an unacceptable way to do business, and it would cost jobs and hurt our economy in New Mexico. New Mexico's labs and bases need certainty in their critical jobs to keep our Nation safe. Communities in my home State rely on funding through the Payments in Lieu of Taxes Program to provide basic services, such as schools and public safety.

I know Chairwoman MIKULSKI understands the PILT Program, has worked hard to make sure that PILT is funded in this bill, and it is greatly appreciated in the rural parts of the West.

Let me say again that continuing resolutions are disruptive. They are inefficient. They lock in place programs that prevent us from evaluating what is working and what isn't and keep us from rooting out wasteful spending. But trying to put this omnibus bill at the end of the year is far from ideal.

There was a time not long ago when having to pass an omnibus bill was a sign that work had broken down. Today it is the best possible option. I am extremely happy to have it. Again, I credit our chairwoman with fighting hard to get us to this point. It has not been easy. But the American people deserve better than this broken process.



They deserve a Congress that works, that is open and deliberate, not last-minute deals and gimmicks for special interests. Our duty is to the American people, not Wall Street billionaires and bankers.

I will continue to do all I can as a member of the Appropriations Committee to get back to the regular order. We cannot keep getting in just under the wire.

In that respect, our colleagues in the House have to stop sending over all of these riders. We had more than 100 riders sent over from the House. As Chairwoman MIKULSKI knows, this isn't the way to legislate on an appropriations bill. We are not supposed to be putting riders in there. So they sent more than 100 of these over from the House of Representatives. It is disruptive. Senator MIKULSKI took them off and was able to work through them and get a decent, good final product. I am going to continue to do all I can to make sure we get back to the regular order.

Now I wish to speak about why this bill is important and why it is important to pass this omnibus bill.

First of all, this bill is critical to my State of New Mexico. New Mexico has two fine national laboratories—Sandia and Los Alamos; three Air Force bases; White Sands testing range; and a number of other Federal institutions, national parks, and national monuments. They are all funded, and when they are funded on a regular basis at the beginning of a fiscal year, it is a much better situation for everyone.

For PILT funds, which our counties depend on for schools, roads, law enforcement, and anything they feel is important in their county, they can rely on these PILT funds.

At this point my State is in severe drought. We have water projects such as the Navajo Gallup project that can't keep waiting. There is money in this bill to keep that project going. Communities can't just put their needs on hold because Congress is broken. Navajo communities in New Mexico still need clean water. In fact, every day we delay, their situation gets worse. That is true of so many projects that are funded by the Federal Government. Communities and businesses have to plan, and they need certainty. The needs don't go away. So let's get this done.

Finally, I wish to speak a little bit about the authorization, of course, that we just produced out of the Foreign Relations Committee. I urge Congress to address another important issue—this issue of the authorization of force. We need to update the authorization of force for our military in light of our changing involvement in a variety of Middle Eastern conflicts—most notably, ISIS. If we leave without doing this, we are failing the American people, our troops, and shirking our constitutional duty.

ISIS is a brutal terrorist group, and it must be stopped. We must continue to work with our allies, including those

in the region, to use strategic force to stop ISIS. I am proud of the Senate Foreign Relations Committee for recognizing our essential duty in defining the parameters of this fight. This is the first step, but our Constitution requires the full Congress to authorize war. This is a matter that deserves debate. It should not be taken lightly. The last 13 years of conflict in Afghanistan and in Iraq illustrate this—why it is so important to be thoughtful and deliberate about war.

I urge my colleagues to stay until the work is done and we give the AUMF consideration by the full Senate. This is not easy work, but this is not a normal situation. ISIS is a rapidly growing terrorist group recruiting young people from the West. It spans two countries, with very expansive ambitions.

We must defeat ISIS, but at the same time we cannot allow another open-ended war. That will yet again strain communities in my State and across the country and put us in a situation we cannot pay for.

Since July I have received over 1,100 letters and hundreds of phone calls from my constituents. They are clear, and I want to be equally clear: Congress should rise to its constitutional oversight of the Nation's war powers. This is a solemn responsibility, one I have taken very seriously throughout my time in Congress. I voted for the 2001 authorization for the war in Afghanistan. I voted against the 2002 authorization for war in Iraq.

I believe the new AUMF is strong in that it prohibits ground operations except in limited circumstances. Those circumstances, such as rescuing servicemembers or U.S. citizens, are specified in the text of the resolution. It also repeals the 2002 Iraq AUMF and sets a 3-year timeline for the 2001 AUMF, which is currently supporting military engagements around the world that we never intended when we originally passed them. But I would still caution that we must be watchful so that this engagement doesn't vastly change in scope without the approval of Congress or the support from our constituents.

I fought to provide Congress with an even stronger role. I proposed an amendment to limit authorization to 1 year. I also cosponsored a proposal with Senator PAUL to require a new authorization with Congress if U.S. forces were to be deployed outside of Iraq and Syria. We need this authorization to pass now, as the conflict has been ongoing for months, but we also must continue to be watchful. Costs should not just be charged to a credit card. Let's make sure we have a real conversation on how the generation that has decided to go to war will pay for it.

Again, I urge Congress to honor its responsibility to stay and finish this critical duty.

Just to wrap up, I once again want to say to my chairwoman Senator MIKULSKI that she has taken on a very dif-

ficult task in terms of looking at what was sent to us by the House of Representatives—more than 100 riders on all sorts of things, trying to dismantle the Affordable Care Act, trying to tackle and get into the IRS and diminish its ability to carry out its responsibilities, and on and on. The Senator from Maryland has worked through these amendments diligently and come up with a good product. This is much better than struggling through continuing resolutions 2, 3 months at a time and then coming back again. This gives certainty to government, gives certainty to businesses, and it shows that we are trying to react responsibly to the situation that is before us.

Again, I applaud Senator MIKULSKI. It is a real honor to work with her on the Appropriations Committee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am delighted to be on the floor this evening to take, first of all, a minute to thank my good friend and mentor Chairwoman MIKULSKI for her tremendous work on the product that is before us tonight. We want to get something done when we come here. In order to get anything done in Congress, we have to be willing to compromise. We have to fight hard for our principles and what we believe in. But at the end of the day it is a give-and-take. It is never easy, and no one never ends up with a bill they have written on their own.

Chairwoman MIKULSKI deserves so much credit for what is in this bill that puts our country on a better track. Putting jobs and economic growth first is a principle she always speaks to, and she fought for them in this bill.

She fought off so many policies and riders that were thrown at her. I know because I have spoken with her time and time again as she has tried to say: What can I absolutely draw a line in the sand on, and what can I put in here in order to make sure I am doing what is right for my country? It is not easy to do that.

She fought off many riders that all of us on this side of the aisle would have found extremely difficult to ever vote for. She took those out.

She maintained the budget levels Chairman RYAN and I agreed on last year. That was very hard to do. She is trying to put together a bill to fund our government across the board, from defense, to agriculture, to transportation, to so many areas that people take for granted every day until our government shuts down. Then they remember how much they rely on our national parks or our research and our investment or the protection that is so important in our Homeland Security bills. She worked hard under very strict requirements that we all supported in another compromise a year ago and maintained that in this bill.

Critically, her work on this bill avoids another government shutdown.

Running this place by crisis we know doesn't work. It hurts our economy. It hurts our families. Certainly, it hurts the stature of the Senate.

So her work to put this together and have this bill before us tonight is truly a remarkable accomplishment and really is proof of the stateswoman she is. I commend her for that.

I am especially grateful that she put so much into this legislation that really helps our everyday, average, middle-class families who are struggling so hard in this country and really lays down a strong foundation for long-term and broad-based economic growth. She did not forget that principle at all in what she fought for, and that is embedded within the legislation.

There are, of course, provisions in this bill that any one of us can pull out and oppose, and there are certainly some provisions with which I do not agree. I am really disheartened that the House Republicans put Wall Street interests ahead of middle-class families and demanded a provision in this bill. I am very concerned that some of the provisions could increase health care premiums for our families and our businesses. And I strongly oppose the policy change that was slipped into the bill that could lead to a reduction in pensions for many of our retirees. I share the concerns of many of us on this side that that is in this legislation.

This is a compromise piece of legislation, and we had to swallow and the other side had to swallow. Why? It is because at the end of the day, we do not want to run our country in continuing resolutions, in this economic upturn, in crisis management every 30 days or 60 days for the next 2 years. That is why we had to look to the greater good of this bill, and I am very pleased with some really significant pieces of legislation in this bill.

I worked very hard with my good friend and colleague on the other side of the aisle, Senator COLLINS, who is my partner on the Transportation, Housing and Urban Development Subcommittee. Senator COLLINS and I worked very hard to find a compromise that makes significant investments in our transportation infrastructure to help our commuters and our families and our businesses and our economy.

I want my colleagues on this side of the aisle to know that the investments in this bill that are in Amtrak, in public transit, in air traffic control modernization, and in airport improvements are very critical for all of our communities. I am going to vote yes for those tonight. The bill makes it possible for the FAA to keep sufficient numbers of air traffic controllers and inspectors on the job. This is a key safety issue that I will be supporting in this bill. And our bill puts to work new, targeted investments to help the Department of Transportation to do everything possible to keep our communities safe as the number of oil shipments by rail continue to increase in the country.

I am especially proud of our part of this legislation that continues to support a very successful TIGER program, and so many Members have come to me and said they really appreciated that in this bill because it allows investments in critical pieces of transportation infrastructure in their home States that helps create jobs and boosts their regional economy. I know this has been important in my State. I know the demand is very high. We were not able to have the number we liked, we did have to reduce it, but it remains in this bill as a very strong investment in our communities, and I would be proud to be supporting that in this bill.

On the housing side of our bill, we maintain the housing assistance for low-income families that is so important today that they have the support while they get back on their feet.

To not pass this bill tonight means we put a lot of people who are struggling today at risk in their communities to not have the home that is so important to their family's stability.

I am especially proud we are going to continue funding the HUD-VASH Program. It is a program so many Members have told me is important to them and takes the important steps of expanding HUD-VASH to Native Americans who are at risk of homelessness living on reservations. We increased the number of public housing units that can be part of the public assistance demonstration that allows public housing authorities to leverage private capital and to make capital improvements to more than 100,000 additional units of affordable housing. We worked hard to make sure this bill continues to support public housing and economic development projects in communities across the country through the CDBG Program. I will say that virtually every Member of the Senate has said we need to maintain the CDBG Program on how important it is. There are local communities to make decisions about the local communities, and the funding is absolutely critical. This isn't just about spending. Our legislation contains a number of reforms that are going to improve government and save taxpayer dollars. Let me repeat that. We are voting to save taxpayer dollars because we approved the process for administering emergency preparedness grants, and we make sure property owners are held accountable if they fail to take care of housing funded with taxpayer resources.

We included a provision that supports efforts to improve the coordination between domestic violence service and housing systems to make sure our domestic violence survivors are getting the care and support they deserve. I know much has been made of the provisions that people don't like, and I share that angst.

But I think it is so important that we, as adults, stand up to the responsibility we have, as the Senate and as Congress, to pass a funding bill through the next year that makes sure

we don't have gridlock and dysfunction running this economy again.

The alternative to a bipartisan compromise spending bill is just another short-term continuing resolution and another short-term continuing resolution. We cannot run this government by crisis or short-term resolutions. That is an irresponsible autopilot approach and would cut off our ability as Senators to make decisions about how our government operates.

I again want to thank my colleague and my mentor, the amazing Senator from Maryland, the chairwoman of this committee, BARBARA MIKULSKI, for the work she has done and for the drive she has. She never lost sight of what her goal is, despite some very difficult negotiations, and I want to remind all of us that tonight hopefully we will be voting on a compromise.

I know personally that in this country what everybody says to me constantly is: We are tired of the partisan bickering. We want you to compromise. That is what this is. We want our country to work again. That is what this bill does. I urge our colleagues to support this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I rise in opposition to the spending bill before us. I rise in opposition to the cynical substance of the legislation. I rise in opposition to the un-Republican and undemocratic process by which a small collection of political and economic insiders crafted it to benefit each other at everyone else's expense.

Finally, I rise in particular opposition to the signals that this so-called CROmnibus sends, the signal it sends to political insiders on both ends of Pennsylvania Avenue in Washington, the signal it sends to special interest cronies on Wall Street and K street, and the signal it sends to working families struggling on Main Streets across this country who have been waiting for a decade for someone in this city to start putting them first.

Those problems with this bill—each one alone enough to merit opposition—do not even speak to its greatest weakness, its failure to correct the President's lawless Executive amnesty. Since last night when it was taken up in the House of Representatives, supporters of the CROmnibus have couched their support in the language of compromise: "This isn't a perfect bill," they say.

But on the contrary, it is perfect. As a representation of everything wrong with Washington, DC, as an example of exactly the kind of unfair, unrepresentative legislating that triggered successive electoral waves of bipartisan condemnation in 2006, 2008, 2010, and again in 2014—the CROmnibus is perfect.

Members of my party do not have the luxury of blaming this latest failure on the outgoing Senate majority. No. This one is on us.



Americans just last month thought they went to the polls and voted for change to stop this kind of thing: unread, 1,000-plus page bills written in secret, filled with hidden favors for special interests while funding the lawlessness of an out-of-control President.

Americans looking for that change will not find it in this bill. Rather, they will find what the discarded revolutionaries of "Animal Farm" found at the end of George Orwell's classic:

The creatures outside looked from pig to man, and from man to pig, and from pig to man again; but already it was impossible to say which was which.

Americans across our country are facing a new and unnatural kind of squeeze, an opportunity deficit that is warping our free enterprise economy and our voluntary civil society. This opportunity deficit is not simply the result of globalization or technology or free trade. No. It is the result of politicians creating a welfare system that traps poor families in poverty—sometimes for generations at a time—and locks lower skilled workers out of potential jobs, an education system that traps poor kids in bad schools and college students into a lifetime of debt, a health care system that locks the poor in second-class care and erases what few wage gains the middle-class families ever see, a tax system that unfairly discourages work, saving, investment, marriage, and children.

Government policy unfairly protects the privileges of those who have already climbed the ladder of success, while putting that ladder out of the reach of those who have not yet grasped its very bottom rungs.

On Wall Street, corporate profits continue to soar. In Washington the influence economy booms and booms on. Almost everywhere else, take-home pay is flat. Jobs remain scarce. Small businesses are struggling to grow, while new businesses are struggling even to get off the ground.

More and more today in America, the people who work hard and play by the rules are being forced to subsidize political and economic elites who don't. It is not big business or big special interests who created this toxic environment. All they can do is ask. Only government—big government—can rig the system. Only government can carve out a regulatory exception for certain big banks while intensifying its regulatory squeeze on smaller banks or tweak accounting rules to line the pockets of certain big insurance companies or create new taxpayer subsidies for certain industries and cynically present all of the above as unamendable—take it or leave it, take it or shut down the government propositions, as this bill does.

We wonder why the American people distrust their government, distrust this government. We wonder why the principled grassroots of both political parties—conservatives and progressives—are up in arms against their Washington establishments over this

bill. The American people do not trust Congress because, as we are proving once again today, Congress is not trustworthy.

Yet as rotten as the CROmnibus before us is, I want to state for the record that this week leaves me with nothing but optimism about the prospects we have for real reform and revival in the coming years.

The miserable process we witnessed this week represents the last gasping throes of a discredited Washington status quo. Ten years ago this bill would not have been controversial. Five years ago an easy majority would have been purchased with earmarks. This week, with the full weight of both party's leaderships, it barely made it over the finish line. Change comes slowly, as we know, and it comes most slowly to those institutions that make the rules, but change is coming. The era of passing 1,600-page bills, written in secret, via a process that includes lobbyists but excludes the American people is coming to an end. The era of big government rigging the rules for special interests while leaving everyone else behind is coming to an end. A new era is coming in which Washington will once again be forced to work for the American people instead of the other way around. To those Americans who have watched with dismay what Congress did—and did not do—this week, who made their voices heard by flooding both sides of the aisle with phone calls and emails, my message is simple. Take heart. It may not look like it today, but you are winning. America is winning.

The beltway establishments of both parties are exhausted, out of ideas, and running out of time. Next year a new unified Congress has an opportunity, a real open opportunity, to reshape the national debate, to challenge Washington's failing status quo and its failed champion in the Oval Office.

We can finally begin the hard, overdue work of rescuing our economy from the grips of government dysfunction and political privilege, of rescuing our health care system from ObamaCare, of reviving our education system and modernizing our transportation system, of ending special interest manipulation of our tax system and reforming regulations to level the playing field for small and new businesses, of fixing our broken immigration system.

Next year, just next month, we can begin to craft a new reform agenda, to increase access to and opportunity within America's middle class, an agenda that grows the economy and increases take-home pay, an agenda that restores mobility and opportunity to working families and communities while putting political and corporate elites back to work for everyone else. We can look to our own House of Congress to reform the way Congress conducts the people's business, the way we budget and spend the people's money, so embarrassments such as this CROmnibus might become relics of the

past. We can do this. We must do this and we will.

For too long the working families of and aspiring to America's middle class have been fighting an all-too-lonely battle to keep up and to get ahead. For too long, Washington has been an obstacle, even an opponent, in that fight. That fight will remain uphill, but the first time in a long time there is hope. There is a real chance that fight may get a little less steep, and it might get a little less lonely. Help is on the way.

I know it is hard to see right now. It is hard to see it in Washington, and it must be even harder to see out in the country, but change is coming. A new Congress is on the way, with new ideas and a new renewed reform sense of purpose.

Temporary setbacks such as this bill should not discourage us, and they will not deter us, for the only way to keep winning is to keep fighting. Washington may still be broken, but America is ready to fix it, no matter how long it takes and no matter how much Washington resists it. Our opportunity to finally begin that work is almost here. We just need to know where to look for it, for:

. . . not by eastern windows only  
When daylight comes, comes in the light;  
In front the sun climbs slow, how slowly!  
But westward, look, the land is bright!

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I commend the distinguished senior Senator from Connecticut. I realize when presiding he cannot respond. But I just want to say what a pleasure it is, as a fellow New Englander, to serve with him in the Senate. Sometimes you feel like you are on a graveyard shift on a Friday night presiding over the Senate. But I must tell him, after decades here, it is extremely important. To have someone of his integrity, his ability, his competence, and his experience presiding over the Senate should make every Senator, both Republican and Democratic, proud.

After late night theatrics in the House yesterday, I hope the Senate will soon vote on the fiscal year 2015 omnibus appropriations bill. I support this comprehensive spending package.

Chairwoman MIKULSKI has done an outstanding job. She has been a giant of the appropriations process. She should be congratulated for her perseverance in getting us to this point.

I spoke yesterday about the funds included in the bill for the State Department and foreign operations. I commended members of my staff, Senator GRAHAM's staff, and the editorial and printing staff who worked so hard on that.

We included important funding for the environment, for AIDS prevention and treatment, for United Nations peacekeeping, and for emergency funding for Ebola. This bill protects U.S. security, humanitarian, and economic interests around the world.

But it also funds many of the domestic priorities that face budget cuts, that the people of our States depend upon, from law enforcement to transportation, health care, and protecting our national parks. This Congress and a past Congress, in what I believe was a terrible mistake, voted to spend \$1 to \$2 trillion for the war in Iraq that we should never have been involved in. As a result, we did not have the funds for our police, health care, national parks, or to fix our decaying bridges and roads in America.

I think most Americans think we should take care of those things. This omnibus spending bill does that. It includes critical investments in our rivers and lakes, including an increase in funding for one very near and dear to my heart—Lake Champlain. That is done through the EPA's geographic program.

Lake Champlain is a great treasure to this country. It is the largest body of fresh water outside of the Great Lakes. It borders Vermont, New York, and Canada in the Province of Quebec. Some parts of it are hundreds of feet deep. It is special to me as a Vermonter, and because my wife Marcelle and I first met on the shores of Lake Champlain.

I want to thank Senator JACK REED, the chairman of the Appropriations Subcommittee on the Interior, Environment, and Related Agencies, for his assistance in protecting the funding for all of the geographic programs receiving funding in this bill—not just Lake Champlain but all of them.

We fund critical investments that address the heroin crisis. Some may think of rural States as being some kind of an enclave that are immune from what happens in the rest of the country. Well, those of us who live in rural America know differently. The heroin crisis has had a devastating impact on communities in small, rural States like Vermont.

It does not make any difference if they are a red State or blue State; they have been hurt. With Senator MIKULSKI's support, I was pleased to include funding for anti-heroin task forces, to provide Federal assistance to law enforcement efforts to investigate and combat the distribution of heroin. Ensuring our local agencies have the tools they need is just one portion of our effort to deal with this crisis.

But it is also unacceptable that Americans face a waiting list when seeking help to recover from their addictions. This legislation provides crucial funding to expand treatment services for those with heroin dependence.

The omnibus makes important investments in our students by providing funding to increase access to a college education through the Pell Grant Program. It increases funding for the TRIO Program, which helps low-income first-generation students get a college education. They are the future of this country.

The bill provides \$30.3 billion for the National Institutes of Health—that is a

treasure in this country—and funding for the development of a vaccine against Ebola. Can anyone be against that?

It raises the cap in the Crime Victims Fund to a historic \$2.3 billion. It means more money for victims assistance grants at the State and local levels. This is a program I have supported from my early days in the Senate. I compliment the Presiding Officer who always also voted, in the Judiciary Committee, to help victims of crimes. Like me, he knows from his own past experience as a prosecutor that we have money to go after those who break the law, but we also have to help the people who are the victims of crime.

The compromise package invests in housing for veterans and seniors. It supports grants to help schools purchase critical equipment for their school lunch programs. It provides funding for a new food safety outreach program, helping the Food and Drug Administration work with farmers and small businesses to understand complex new food safety laws.

The bill protects our Nation's forests through a strong investment in the Forest Legacy Program. Coming from a State that values its forests I know how important this is. The list goes on.

So obviously, as I have praised the chair of the committee, Senator MIKULSKI and what she has done, I do intend to support this appropriations bill. She knows that I am disappointed with some last-minute negotiations that forced the inclusion of several controversial riders. It would have been a lot worse if she had not stood her ground. They had nothing to do with funding the operations of the Federal Government. She knew those provisions forced us into a choice between shutting down the government or enacting this omnibus bill.

There is no doubt Congress has to do something to address vulnerable pension plans. We all agree on that. The 11th-hour provision that we were forced to accept by the Republicans in the House of Representatives to reduce hard-earned benefits for retirees is shameful. For decades these retirees have worked hard. They have contributed to pension plans. They assumed those benefits would be there when they needed them the most.

Now the game is being changed. I cannot help but wonder how the Republicans in the House who are responsible for this provision would react if it affected their pensions?

This legislation includes a particularly offensive rider that rolls back an important provision of the Dodd-Frank Act that protects taxpayers from another Wall Street bailout.

We know that elections have consequences. I worry this is the start of a pattern we can expect to see over the next 2 years of protecting the rich on Wall Street at the expense of hard-working Americans on Main Street. Frankly, like Senator MIKULSKI, I

stand with the hard-working people on Main Street. They are the people I feel comfortable with. Those are the people I know. When I walk down the streets of Montpelier or Burlington or Brattleboro, those are the people who call me by my first name. Those are the people paying the bills. Those are the people representing businesses like the one my mother and father ran, the Leahy Press.

I am also dismayed that this spending package includes another body blow to what little remains of campaign finance law. By increasing the amount of money wealthy donors can contribute to political parties, we further roll back long-held campaign finance limitations that protected the voice of every voter at the ballot box—not just those who paid to have their voices heard.

It is unfortunate that pressure groups and special interests prevailed in making this happen. It is also unfortunate that when we had a chance in this Senate to do something, to restore part of what has been called McCain-Feingold, after Citizens United, we failed by one vote. Every Democrat in this Senate voted to restore many of the provisions of McCain-Feingold. Every single Republican voted to gut McCain-Feingold. It was gutted by a one-vote margin.

Finally, while I am pleased this omnibus bill will fund most of our government through fiscal year 2015, I am disappointed that programs and agencies funded through the Department of Homeland Security will only be funded through February 2015. Yet, for months—for nearly 18 months—House Republican leaders refused to bring to a vote the bipartisan Senate-passed immigration reform bill.

We had hundreds of hours of mark-ups, hearings, and a debate on this floor. Two-thirds of Senate Republicans and Democrats joined together to pass the immigration bill that came out of the Senate Judiciary Committee. It is political hypocrisy on the other side when they say: Oh, look what President Obama is doing on immigration. We have to stop him. They had the chance to pass a bill that would have trumped whatever the President might do. They refused to even vote on it because they were afraid that it would pass.

They wanted to talk about it. They wanted to talk about immigration. They want to talk about what they wanted to do, but they never wanted to vote one way or the other. We stood up here in the Senate, Democrats and Republicans together, and we passed an immigration bill. They refused to even vote on it so they could talk about what is wrong with immigration. It is political hypocrisy at its worst. The bill would have passed, and we would not be where we are today.

No bill is perfect, especially one of this size. There are certainly provisions in here that I wish were not, as I have said. But this bill moves us away

from governing by autopilot and takes off the table the threat in 1, 2 or 3 months of yet another government shutdown. If we fail to pass this bill, under Republican majorities in the House and Senate next year it will only get worse.

Senator MIKULSKI and Chairman ROGERS in the House have kept us from a government shutdown. It is easy to criticize, but waiting until next year is not an option. This bill provides essential funding for this country, for programs the American people depend on. And I would say from a parochial point of view, it will do a great deal to help Vermont.

Any Senator opposing this bill because of the riders it includes should remember that a continuing resolution or omnibus spending bill next year will contain many more, and some far worse.

Chairwoman MIKULSKI has done a heroic job in getting us to this point. I hope we can do as well next year.

I know Senator COCHRAN of Mississippi, one of the closest friends I have had in this body since coming to the Senate, and the incoming Appropriations Committee chairman, agrees that we should return to the regular order of debating and passing individual appropriations bill.

We will be well off with Senator COCHRAN and Senator MIKULSKI. These are the people who know the difference between rhetoric and reality. They are legislators. They believe in solving problems. The American people do too. They are tired of partisanship, drama, and the harmful consequences of shutting down the government.

Is this bill everything I wanted? No. Is it everything the chairwoman would like? No. Is it everything that any one of us would like? No. But it is a lot better than shutting down the government, or leaving it to the next Congress. I will support it.

I yield the floor.

Ms. MIKULSKI. I note the Senator from Massachusetts wishes to speak and I will yield to her.

But before the Senator from Vermont leaves, first I thank him for his leadership in chairing the Subcommittee on the State Department and Foreign Operations.

What he has done is make sure that we continue to be able to conduct public diplomacy, to ensure money for embassy security.

There are many here who pound their chests and call for investigations, but he actually puts money in the Federal checkbook, meets with the State Department and the embassy security people so that if you work for the U.S. Government, and you are in the embassies, at least you will have the security you need.

The other is his work on foreign operations, making sure the poor, dispossessed, and the marginalized of the world have the assistance of the United States as a partner—whether it is curing malaria, fighting AIDS in Africa, fighting Ebola.

Also at the same time I remember the great honor and how touched I was to visit Madagascar with him when we looked at the children who were the victims of land mines. This man has done heroic work, not only to prevent the ghastly consequences of the land mines, but to make sure that the children who have been injured by this ghastly weapon had the means to recover their limbs and in that way their livelihood. Really, we owe you a debt of gratitude and it is an honor to serve with you.

Mr. LEAHY. I thank my dear friend from Maryland.

Ms. MIKULSKI. I yield to the Senator from Massachusetts.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Massachusetts.

Ms. WARREN. I thank the Senator from Maryland and the senior Senator of Vermont. They both show extraordinary leadership and we learn from them every day.

I am back on the floor to talk about a dangerous provision slapped in a must-pass spending bill at the last minute solely to benefit Wall Street. This provision would repeal a rule called prohibition against Federal Government bailouts of swaps entities.

On Wednesday I came to the floor and talked to the Senate Democrats to ask them to strip this provision out of the omnibus bill and to protect taxpayers.

On Thursday I came to the floor to talk to Republicans. Republicans said they don't like bailouts either, so I asked them to vote the way they talk. If they don't like bailouts, then they could take out this provision that puts taxpayers right back on the hook for bailing out big banks.

Today I come to the floor to talk about not Democrats or Republicans, but to talk about a third group that also wields tremendous power in Washington—Citigroup.

In recent years many Wall Street institutions have exerted extraordinary influence in Washington's corridors of power, but Citigroup has risen above the others. Its grip over economic policymaking in the executive branch is unprecedented.

Consider just a few examples. Three of the last four Treasury Secretaries under Democratic Presidents have had close Citigroup ties. The fourth was offered the CEO position at Citigroup but turned it down.

The vice chair of the Federal Reserve system is a Citigroup alum.

The Under Secretary for International Affairs at Treasury is a Citigroup alum.

The U.S. Trade Representative and the person nominated to be his deputy, who is currently an assistant secretary of Treasury, are Citigroup alums.

A recent chairman of the National Economic Council at the White House was a Citigroup alum.

Another recent chairman of the Office of Management and Budget went

to Citigroup immediately after leaving the White House.

And another recent chairman of the Office of Management and Budget is also a Citigroup alum—but I am double-counting because he is now Secretary of the Treasury.

That is a lot of powerful people all from one bank, but they aren't the only way that Citigroup exercises power. Over the years, the company has spent millions of dollars on lobbying Congress and funding the political campaigns of its friends in the House and Senate.

Citigroup has also spent millions trying to influence the political process in ways that are far more subtle and hidden from public view. Last year, I wrote Citigroup and other big banks asking them to disclose the amount of shareholder money they have been diverting to think tanks to influence public policy.

Citigroup's response to my letter? Stonewalling. A year has gone by and Citigroup didn't even acknowledge receiving my letter.

Citigroup has a lot of money. It spends a lot of money, and it uses that money to grow and consolidate power—and it pays off.

Consider a couple of facts.

Fact 1: During the financial crisis, when all the support through TARP, FDIC, and the Fed is added up, Citi received nearly half a trillion dollars in bank loans. That is half a trillion with a t. That is almost \$140 billion more than the next biggest bank received.

Fact 2: During Dodd-Frank, there was an amendment introduced by my colleagues Senator BROWN and Senator KAUFMAN that would have broken up Citigroup and the other largest banks. That amendment had bipartisan support and it might have passed, but it ran into powerful opposition from an alliance between Wall Streeters on Wall Street and Wall Streeters who held powerful government jobs. They teamed up and they blocked the move to break up the banks, and now Citi is larger than ever.

The role that senior officials from the Treasury Department played in killing the amendment wasn't subtle. A senior Treasury official acknowledged it at the time in a background interview with "New York" magazine and said:

If we'd been for it, it probably would have happened. But we weren't, so it didn't.

That is power.

Democrats don't like Wall Street bailouts. Republicans don't like Wall Street bailouts. The American people are disgusted by Wall Street bailouts. Yet here we are, 5 years after Dodd-Frank, with Congress on the verge of ramming through a provision that would do nothing for the middle class, do nothing for community banks, do nothing but raise the risk that taxpayers will have to bail out the biggest banks once again.

There is a lot of talk lately about how Dodd-Frank isn't perfect. There is

a lot of talk coming from Citigroup about how Dodd-Frank isn't perfect.

So let me say this to anyone who is listening at Citi. I agree with you, Dodd-Frank isn't perfect. It should have broken you into pieces.

If this Congress is going to open Dodd-Frank in the months ahead, then let's open it to get tougher, not to create more bailout opportunities. If we are going to open Dodd-Frank, let's open it up so that once and for all we end too big to fail—and I mean really end it, not just say that we did. Instead of passing laws that create new bailout opportunities for too-big-to-fail banks, let's pass Brown-Kaufman. Let's pass the 21st Century Glass-Steagall Act, a bill I have sponsored with JOHN MCCAIN, ANGUS KING, and MARIA CANTWELL. Let's pass something, anything, that would help break up these giant banks.

A century ago, Teddy Roosevelt was America's trust buster. He went after the giant trusts and monopolies in this country. A lot of people talk about how those trusts deserve to be broken up because they have too much economic power. But Teddy Roosevelt said we should break them up because they had too much political power. Teddy Roosevelt said break them up because all that concentrated power threatens the very foundations of our democratic system.

Now we are watching as Congress passes yet another provision that was written by lobbyists for the biggest recipient of bailout money in the history of this country, and it is attached to a bill that needs to pass or else the entire Federal Government will grind to a halt. Think about that kind of power. If a financial institution has become so big and so powerful that it can hold the entire country hostage, that alone is reason enough to break them up.

Enough is enough. Enough is enough with Wall Street insiders getting key position after key position and the kind of cronyism that we have seen in the executive branch.

Enough is enough—with Citigroup passing eleventh hour deregulatory provisions that nobody takes ownership over, but everybody will come to regret.

Enough is enough.

Washington already works very well for the billionaires, the big corporations, the lawyers, and the lobbyists, but what about the families who lost their homes or their jobs or their retirement savings the last time Citi bet big on derivatives and lost? What about the families who are living paycheck to paycheck and saw their tax dollars go to bail out Citi only 6 years ago?

We were sent to the Senate to fight for those families. And it is time, it is past time, for Washington to start working for them.

I yield the floor.

THE PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. I will be supporting their bill. I will gladly support the bill.

I am not pleased with every aspect of it, but let me respond to my good friend from Massachusetts.

You are tired, you are frustrated, you are upset about a provision in the bill that you don't like and think the country is going down the wrong road. You have every right to be upset. You have every right to vote no and to argue to bring the bill down.

Do you know what a lot of people on our side are tired of? The President changing the law whenever he would like. Taking ObamaCare and changing it unilaterally to fit the political needs of the President and his party, by Executive action, turning the ObamaCare statute upside down.

Do you know what people on my side are tired of? A President who feels like he is more of a King than a President. Unilaterally reaching out and conferring legal status on 4 million to 5 million people without coming to the Congress because he is frustrated.

I have been working on immigration since 2006. I will put my frustration up against yours, Mr. President, but democracy is democracy. You can be frustrated all you like, but there are rules to play by that keep us all safe.

So there are people on my side who want me to bring this bill down because they have had enough. They have had enough of President Obama going it on his own, taking the laws that we pass, ignoring some, rewriting others, and the Executive action is the straw that broke the camel's back. It is one thing to defer prosecution on people in terms of your discretion, it is another thing to reach out to 4 to 5 million people and say: You now have a legal status, without going through the Congress. That should scare every Democrat, Republican, Libertarian, and vegetarian.

So people on my side—and we will hear from some of them, saying that this is an outrage and we should shut the government down and defund all the parts of the government that would be used to implement this illegal executive amnesty. I understand where they are coming from, and I understood a year ago when people in my party said ObamaCare is bad for the country, we need to stop it, and I am willing to shut the entire government down or at least that part of the government that depends on funding of ObamaCare, because I am upset with this law. I have been on the side of listening to this on my side and understanding the frustrations but always rejecting that temptation because we do have a country to run.

As much as I am upset about the Executive action, I am not going to heed the call of not passing this bill because I am mad because within this bill we have money to fight ISIL, and God knows we need to fight them. In this bill we have money to contain and fight Ebola, and God knows we need to do that. In this bill we have infrastructure improvements that God knows are long overdue.

So to my good friend from Massachusetts, there is something in here you don't like? Welcome to democracy. You have absolutely the same right as people over here on my side to blow up the whole place, but I hope most of us will listen to your concerns and not follow your lead.

And listen to what the Senator from Massachusetts said when the shoe was on the other foot, when people on my side were willing to take it all down because they were mad. I was one of a handful who said no. I would like to repeal and replace ObamaCare, but I don't believe defunding the government is going to make the President repeal his signature issue, and we don't have enough votes to override a veto. It takes a long time to say that, and the people I was responding to were mad and emotional because they thought they were wronged. I understood they were mad. I understood they were emotional. But I thought I had a duty beyond just worrying about me.

If you follow the lead of the Senator from Massachusetts and bring this bill down and do a CR—which is the worst possible way to run the government—I will tell you what will come your way. It is what came our way. People are not going to believe you are mature enough to run the place. Seventy percent of the Democrats in the House voted against this bill, and three out of four Republicans voted to get it over here—a level of maturity and judgment I haven't seen in my party in quite a while. Speaker BOEHNER and your team: Well done.

To the Democrats, I am sure on MSNBC and on the liberal version of talk radio you are a hero and you will have your moment with that crowd. I can promise you this: There are people on our side who are having their moment on other channels. But almost one-third of the Democratic Party resisted that temptation, and I know how they feel. Some of them will get a primary. I had six primary opponents. I am glad I did not follow the lead of people who were trying to get me to shut down the government because I felt I was wronged. That is not the way to run a country.

So here is what the Senator said: For this rightwing minority, hostage taking is all they have left—a last gasp for those who can not cope with the realities of our democracy. The time has come for those legislators who cannot cope with the reality of our democracy to get out of the way.

Those were good words then, and you should read them now and apply them to yourself.

What you are offering, there are plenty of people on our side who would serve it up too. What you are offering is to take one part of a complicated bill and try to convince people throughout the country that some horrible wrong is being done and the rest of us who want to get on with governing are the problem.

My advice: Don't follow her lead. She is the problem. There are people on my side who are the problem.

We will address the Executive amnesty action in a responsible way next year, attack it on every front, but we will not deny our troops the money they need to fight the war to protect us all. We will not deny those who are working to contain Ebola and doing heroic things the money they need to protect us all. We will not deny the infrastructure improvements that have long been overdue.

So to my Democratic colleagues, welcome to my world. It may seem tempting to go the road of least resistance, but you will regret it. It hurt our party, and it will hurt yours. If you do what is best for the country, over time it will work out for you.

To my colleagues on this side, remember last year? Did we learn anything? I hope so. I will make a prediction. To the voices on my side that say "Burn it down, blow it up, start all over again" because they are mad at President Obama's Executive amnesty and the voices coming from the Democratic side, mainly through the Senator from Massachusetts, saying "Blow it up because we have done something for Wall Street we shouldn't have done," I think most of us will put this in context. Most of us will understand there are things in this bill we don't like, but we do have an overriding duty to our country to govern.

I hope that next year we can do our appropriations process in the normal course of business, that we don't find ourselves in these messes. But all I can say about democracy is that it is messy, it is emotional, it requires give and take, it requires some people not to follow the hottest person in the room, and there will always be somebody running hot.

And something else about democracy: As bad as it is, I can't think of a better idea. I have seen the other way of doing business in the Mideast and throughout the world. I certainly don't want any part of that.

So tonight, tomorrow, or whenever that day comes—and to my Democratic colleagues who have put this bill together with my Republican colleagues on appropriations, I applaud you. I will vote for your effort and for the product you created, knowing it is not perfect. To the people on my side who want us to tear this down because you are mad at President Obama, that is not the way to do business. To the people on the other side who want to have the same result for a different reason, don't follow their lead.

#### TRIBUTES TO DEPARTING SENATORS

Mr. President, I will now speak very briefly about my retiring colleagues and then turn it over to the Senator from Florida. I promise I will be brief.

Everybody will face retirement, voluntarily or involuntarily. There will be a last vote to cast and a last speech to make. Only God knows when that day comes because we are all just one car wreck away from ending our careers.

To the retiring Members, I have had the pleasure of serving with you, and I know you all. You did what you thought was best for our country and your State, and what more could anyone ask? My good friend MARK PRYOR, who tried to find common ground at a time when it is hard to find. MARY LANDRIEU, who is—MARY would drill under the Capitol if she thought it would help American energy independence. We have good friends on the other side, and I will miss you, and I wish you well. But I would like very briefly to speak about four.

#### SAXBY CHAMBLISS

SAXBY CHAMBLISS and Julianne and the Chambliss family have become my family. If you are lucky in politics, you will make a few friends. I have been very lucky, and I have made lifelong friends with the Chambliss family, not just SAXBY.

SAXBY represents the best in being a Senator. He looks the part, and he acts the part. And I would say to the people of Georgia that he worked very hard on your behalf. He protected our country against terrorism. He helped the farmer. He did everything he knew how to do to serve the people of Georgia, and I will miss my friend.

#### MIKE JOHANNIS

MIKE JOHANNIS—he introduced me to Bono. I said: Who is Bono? I don't follow that music that much, but I actually did know Bono.

MIKE introduced me to Africa. He was the Secretary of Agriculture for the Bush administration, and he had a passion for the developing world, particularly Africa. And through MIKE I got to know The One Foundation and the Gates Foundation. Through MIKE and Stephanie I have been to Africa many times, and you represent the best in our country. You are absolutely wonderful people. You will be missed. And my way to repay you is to stay involved in the developing world.

#### TOM COBURN

To TOM COBURN, when I grow up, I want to be like TOM. I don't see that happening anytime soon, me growing up. TOM COBURN has been at this for 20 years. We came in together. He was one of the first people I met in the freshman class of 1995—the 1994 Contract with America class. He was full of ideas and determination from the first day I met him until the very last day he leaves.

I cannot tell you, TOM, how proud I am to call you my friend. You and Carolyn have become dear friends, and you, my friend, have changed this body for the better. You had an awesome staff, and you will be missed, but what you contributed to the Senate will last long after I am gone, and we will all be the better.

#### CARL LEVIN

The last person is CARL LEVIN. If I had to describe to somebody from a foreign country what a good Senator was like, I would pick CARL. CARL understands the details of the government—

very studious. He was the chairman of the Armed Services Committee and ran it very evenhandedly. He had a disposition that I don't know how he held on to in these fractious times, but he was a gentleman.

I can promise you, working with CARL LEVIN, we both resisted the temptation to go down some very dangerous roads on this detainee contentious issue. All I can tell the men and women in uniform and the people of Michigan is that you never had a better friend.

To all of you, Godspeed. I wish you nothing but the best.

I am fortunate enough to go into my third term. To my colleagues, as we go into the next Congress, let's try to do better. I know we can. And if we do, all boats will rise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, one of the great things about America is that two Senators with different outlooks, from different States, can come to the same conclusion, as we have on this legislation.

What the Senator from South Carolina has just said is not only my hope and my prayer, but I hope it will be the hope of the whole of the Senate as we embark on the Nation's business next year. And let's see if we can get along. Let's see if we can work together in a civil way. Let's see if we can find that elusive consensus that has been so elusive in the course of these past very contentious and highly partisan and highly ideological years. Let's see if we can get it done.

There is a lot to be done. I am going to have the privilege of serving with the new chairman of the Commerce Committee, JOHN THUNE of South Dakota. I will be the ranking Democrat on that committee. JOHN and I have already started having personal and private conversations about working together and getting things done, and I am looking forward to it.

So in the words of the Senator from South Carolina—of which he is very sincere—I want to echo those words, and I am not only sincere, I am very determined. Now, we will see if it works, but this we know: The people of this country want it to work, and they want us to work together. They are tired of this nonsense they see.

So we come here late on a Friday night and we have in front of us our responsibility to spend taxpayer money, hopefully wisely and responsibly. It is one of our chief duties.

So the appropriations bill is in front of us. I will vote for it. There are a lot of good things in it. Previous speakers have mentioned those things.

We have to be prepared to take on the Nation's enemies, those whom we identify and those whom we don't identify. They are all lurking out there in many different ways.

We have to help the health of this country by continuing to try to give the appropriate amounts to institutions such as the National Institutes of

Health. There was a time a few years ago that they were being cut. That didn't make sense. The head of NIH, Dr. Francis Collins, came to us and said: I have to stop dead in the tracks 700 research grants going out the door to universities and hospitals across this country, research grants for trying to find cures for diseases.

That doesn't make sense. So we are beginning to correct that in this bill, and this bill across the spectrum of government will be able to fund the needs of government. But we have before us what is nothing more than a blatantly partisan attempt to undermine the legislative process and ram through a number of provisions that have no business being in there.

We can hear the note of sadness in my voice that in the process of making legislative sausage, some odiferous ingredients got in the sausage because tucked into this spending bill is a provision to once again bail out big banks and undo some of the reforms we made after the financial crisis of 2008.

Have we forgotten that just 6 years ago our economy was on the verge of collapse? Do we remember when the Republican Secretary of the Treasury got on his knees in front of the congressional leadership and begged them to pass the Troubled Assets Relief Program to try to buoy up the financial institutions so that the entire country would not go into a financial death spiral? Have we forgotten the lessons we learned from that crisis? Have we forgotten what happens when we allow banks to make extremely risky bets and tell them that if they win they can keep the profits, but if they lose the U.S. Government will bail them out?

In this case, this bill would undo part of the financial reforms that say the government isn't going to cover or subsidize the banks' so-called credit default swaps. This is no way to legislate.

There is also a provision in here that would let truckdrivers drive even longer hours without having to stop to rest overnight. Eliminating this rule—this rule that simply requires truckdrivers to stop for some rest once in a while—is a direct threat to public safety. It endangers motorists on America's highways.

What we have seen is that what happens when truckdrivers make a mistake because of the lack of sleep, that lack of sleep increases risk. We enacted these rest requirements to protect folks, to make traveling on our highways just a bit safer. They are common sense. But this safety provision is reversed in a spending bill, of all places.

I intend to raise this issue in the commerce committee next year and hope to have the support—and I know I will—of the Senator who is now presiding in the Senate.

It doesn't stop there. Look what they are trying to do to health care. There is a provision in here that would gut part of the new health care law that helps to keep insurance premiums stable. Why would we want to make peo-

ple pay more for health care? Do you want to score some political points with your base? Do you want to do it on the backs of millions of hard-working Americans who are already struggling to make ends meet? Well, the American people deserve better. If we want to change policy, let's have an open and honest debate on the issues, not some backroom deals tucked into a spending bill.

But we are down to the moment of truth, and it is either this spending bill—which in large part is very good. The alternative is uncertainty and a stop-start kind of appropriations process that will do no one any good.

It is essential for there to be financial fiscal certainty in the funding of the government for the remainder of this fiscal year. So I am going to vote for the bill.

As I conclude, I, too, want to say a word about the Senators who are retiring, and I will make this very short.

I am glad the chairman of the Appropriations Committee is coming back to the floor, and I will happily yield to her very wise stewardship. Having already spoken about the extraordinary measures, I would just mention one thing while she is here. I have told this to her privately.

Today I spoke to former Senator Kay Bailey Hutchison of Texas. Kay Bailey and I had the privilege of being in the right place at the right time when this Nation's human space program was at a crossroads. There was no direction. There was uncertainty and debate in the administration as to what direction it would take, and the task fell to Senator Hutchison and me to try to give that direction with passage of the NASA Authorization Act of 2010.

That act has served as the template for the direction of NASA. It needs to be updated with other authorization bills because that was 4 years ago. Yet there are Senators in this Senate who have prevented us, when there is no other objection, from getting unanimous consent to pass the NASA authorization update.

But there is a safety valve, and the safety valve is the Senator from Maryland and the Senator from Alabama, as they have taken the template of the 2010 NASA authorization bill and fleshed it out and put flesh on the bones of the structure each year, including this bill.

I will speak at length at another time about our colleagues who are all such personal friends of mine who are departing: Senator HAGAN; Senator PRYOR—one of my best friends in the Senate, someone with whom I have met in private prayer sessions each week we were in session; Senator BEGICH; Senator UDALL; and that mighty fighting force known as LANDRIEU of Louisiana as well.

Some of our other retiring Senators I have had the privilege of speaking to at the time they gave their farewell speeches on the floor. I look forward to further comments.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. NELSON). Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I wish to give an update. The leadership on both sides of the aisle is negotiating the time and method by which we will continue to proceed with this bill, the omnibus spending bill for fiscal year 2015. But what I have been happy about is that people have actually come to the floor to make presentations on the substance of the bill, both pro and con and sometimes in the same speech. I think that has been both enlightening and informative. I thank all of my colleagues, including the Presiding Officer, for coming.

I would like to make a comment about my Subcommittee on Financial Services and General Government. This is a subcommittee that has been chaired by the very able Senator from New Mexico, Mr. TOM UDALL. He has done an outstanding job.

Much is being discussed about Dodd-Frank and Wall Street bailouts. Are we throwing our soul into the fires of greed? I can appreciate the passion and the concern because I, too, remember, as the Presiding Officer said, that grim day when the leadership in the Bush Administration kept telling us that fundamentally we are OK, fundamentally we are OK. Well, there was nothing fundamental about our American values being thrown under the bus, and more than that, really we were very concerned that the entire economy of the United States America could be at risk.

Now, I come from a family who are Roosevelt Democrats. My dear father and mother opened a small neighborhood grocery store the year they were married in Baltimore. That year was 1935. It was the height of the depression, and this young couple—second generation immigrants—opened a business. Years later when I had the opportunity to have conversations with my father about the decisions made, what he did and why, I said: Dad, why did you open a business in the middle of the depression? We lived in a neighborhood where there were all these working class people, men who—it was at that time primarily men—worked at General Motors, worked at Bethlehem Steel, making steel or at least hoping they would have jobs to make steel. The shipyards—we were a blue-collar manufacturing town, and all those jobs were at risk with high unemployment and the travesty of the Great Depression.

So I said: Dad, why did you do it? How could you have the verve to do it? He said: I did it because I believed in



Roosevelt. I believed Roosevelt was going to lead us forward, and Roosevelt was doing things with the banks where if you put a dollar in you could get a dollar back out—the famous FDIC. Roosevelt was leading the way, and I believed in Roosevelt, and Roosevelt believed in me. They believed then that a President believed in them. I went for it.

Well, that wonderful grocery store was open to lots of people in good times and bad. When there were good times, we were there. When there were rough times in the community, my father dealt on credit. When my father passed away from the ravages of Alzheimer's, over 700 people came to his funeral. They all had a story for my two great sisters and me.

So we are Roosevelt people. We do believe in the public institutions and the safeguards that were created so many years ago to protect the little guy and the little gal against gouging.

I believe in this bill. By and large and far from perfect we have continued to do this.

This bill does protect the public and consumers by focusing on five priority areas. It protects investors from fraud and manipulation of financial markets. I will elaborate on that. It safeguards the financial system from abuse and illegal practices, such as money laundering and deciphering complex Tax Code provisions so taxpayers can accurately file returns. It promotes a fair, safe, and robust marketplace by preventing fraud and enforcing against it and other unfair business practices. It works with small business by making sure that our agencies that are in charge of enforcing the rules to protect against abuse are funded.

Let's go to the Securities and Exchange Commission. Without enforcement, you could have every law on the books, you could have every good intention on the books, you can say that we are going to stop it, but unless you fund the Securities and Exchange Commission and the Commodity Futures Trading Commission, and unless you also make sure that the now Consumer Financial Protection Bureau is protected against being defunded, you don't have a law.

So what did we do? We actually worked on a bipartisan basis. It took a little shove from some of us Democrats, but both sides of the aisle want to look out for the little guy. So, guess what. This legislation that is being so scrutinized needs also to take a look at the fact that it includes \$1.5 billion so that the Securities and Exchange Commission can actually do its job. This funding level is \$150 million more than it was in fiscal 2014. This will help protect investors, promote capital formation, and maintain fair, honest, and efficient stocks and securities. We funded the Securities and Exchange Commission.

Then there is the Commodity Futures Trading Commission. Farmers and businesses use the futures market

to manage risk as well as pensions and endowments. They rely on the CFTC to properly monitor markets to guard against fraud, manipulation, and systemic risk. They work to bring more transparency and accountability into the futures and into that derivative market that everybody has been talking about for several days. So I don't want the derivative market to go wild. This is not the wild West. So we made sure we put money in the Federal checkbook so that the Commodity Futures Trading Commission, the CFTC, would have the money it needs for enforcement. The funding level is actually \$35 million more than in fiscal year 2014. It is more money than 2014 to make sure the needed staffing and sophisticated technologies are in place to foster open competitive and financially sound futures and the swap markets.

A lot has been said about that swap market, right? We are worried about it, too. We are absolutely worried about derivatives. We are worried about the exploitation and manipulation of derivatives. But you can have section 716, whatever that number is—and I am not trivializing it; people worked very hard to create that legislation—but unless you fund the enforcement agency, what does it mean?

Now, for whatever we did or didn't do, we actually put money in to keep these agencies functioning. I am really proud of that. I am absolutely proud of that.

A lot has been said about backroom deals and secret negotiations: Why can't we do this out in the open? Guess what. Every single rider that we faced—98 riders that came over for us to deal with in our conference report—all passed the House of Representatives. They all passed the House of Representatives. They had mark-ups in full committee. They had debate on the floor. They passed them.

The so-called 716 problem that has everyone concerned—and it has me concerned—passed the House of Representatives. They supported it by passing it 292 to 122. There was nothing secret about it when they passed it in the House. Seventy Democrats voted for it. It was dumped in our lap. It was also dumped in our lap with several other riders in that area, but we had a total of 98. So when people say in middle of the night, every rider that came over that was so controversial had come over from the House—very few came from the Senate, very few—and we had to deal with them.

In the financial services subcommittee alone, where Mr. UDALL was the subcommittee chairman, we had six of these—six. They were tough. But you know what. We were able to deal with them. There was a whole rider to make the Consumer Financial Protection Bureau weaker by taking away its mandatory funding. We stopped the weakening of the Consumer Financial Protection Bureau that the wonderful Senator from Massachusetts had stood up for. We protected it. We protected

the agency, and we protected its money.

Also there was this whole attempt on a rider from the House to stop the IRS from implementing the Affordable Care Act. We were able to deal with that and eliminate that. Then there was the SEC. There was an attempt to make sure that legislation would have affected the investors by making sure we prevented the securities exchange with the fiduciary standard of care for brokers. We also prevented the Treasury from a rider that would have stopped the Treasury from designating certain insurance companies as too big to fail. So it was not like we were asleep at the switch here. It is not like we were all sitting around saying, oh, Wall Street, our dear friends—these were hard fights.

So, what did we do? This is the Appropriations Committee. We would have preferred to do an individual bill, open a debate. But guess what. It wasn't meant to be. We had to fund it. We had to deal with all 11 committees and with Homeland Security on a continuing resolution, and we worked, we debated, we argued, we fought. We won some, and we lost some. One we did lose. This is the subject of great controversy and debate here. But I want everybody to know it was one out of six. It is a big one, but it is one out of six. And I want everyone to know we added 11 percent more for the Securities and Exchange Commission to do their job in enforcement. We added 15 percent more to the Commodity Futures Trading Commission to do their job. Every one of those poison pill riders to shrink the effectiveness of Dodd-Frank was voted on in the House and came over, just like the controversial one on gutting section 716. I will repeat: That passed the House 292 to 122, with 70 Democrats voting for it. That doesn't make it right. That doesn't make it right, but it is not like we invented it. It is not like we brought this up in a secret backroom deal.

So I want everybody to know, when they look at what we did in the financial services, we did what I think my father would have wanted me to do: Make sure that these institutions that were created to enforce the law against fraud and gouging investors, taking advantage of the taxpayers—I think we have done our job by making sure they were funded adequately to do the enforcement job we asked them to do. Second, out of six riders that would have really limited or handicapped the enforcement to protect investors or to implement other laws such as the Affordable Care Act, we were able to achieve, I think, some significant victories.

So, I want the record to show this. Are we a quiet committee? Yes. Did we work? Oh, yes, we did work. You know the secret meetings everybody likes to talk about over the next several days, do you know when they occurred? They occurred this summer when we were trying to get the bill ready to come to

the floor and we were stopped in September, when everybody worked on weekends, when we went out at Thanksgiving, when both that Senate Republican staff and the Senate Democratic staff worked through the weekend. So while everybody else was having a good time eating pumpkin pie, they worked all the way up to Thursday night and were back on the job Friday so we would not have a government shutdown and so the government would not be on autopilot.

If you don't like what we did and the way we did it, then let me and Senator COCHRAN—for whom I have so much respect—get back to regular order. I need everybody who is cranky about this—and I don't dispute the validity of their concerns because I share them myself, but I have won some, I lost some, but I sure fought for them all—and don't like the process, then why did they stand for this process? I wanted to bring up individual bills. The vice chairman—the gentleman from Alabama, Senator SHELBY—wanted to bring up individual bills. We were bringing them up.

We held 60 hearings in 60 days on these topics so that we could have regular order and the Senate could consider them one at a time. So for everyone who is concerned, I am ready for a new process. I have been trying to do this for a couple of years now. Now we will be under Senator COCHRAN's watch, and I will talk more about the process later.

I know there are other Senators waiting to talk, but I would like to say a word to Senator COCHRAN. I have been informed that his beloved and dear wife of so many years, Rose, has passed away. I personally want to express my condolences, and I want to do it for several reasons: one, just as a Member of the Senate, we should be concerned about one another and what other Members are going through.

I also wish to express my gratitude to Rose herself. When I came to the Senate—now many years ago—there were only two women in the Senate, Senator Nancy Kassebaum, a wonderful Republican Senator from Kansas, and myself. When I came, I was welcomed in the Senate. As the Democratic woman, I often said although I was by myself, I was never alone. I had Senator Paul Sarbanes, Senator Ted Kennedy, and Senator Bob Byrd, who helped me learn the ropes of the Appropriations Committee that I now chair.

I also had some other special help from the women of the Senate—the spouses of the Senate. There were only Senator Nancy and myself in those days, but the spouses of the guys in the Senate really reached out to me, and the Southern women were particularly gracious to help me learn the ropes—even learn about the building and how to maneuver here in so many ways.

Senator Howell Heflin's wife, Mike; Sam Nunn's wife, Colleen; and then there was Rose. She was vivacious, charming, fun, and savvy. We often

took trips together. Thad and I were on the NATO Committee, and it was always Rose who said, come on, Barb, come with us. Not only did she make sure I was included, she made sure that I was welcomed.

It was the sense of hospitality that made me think, my gosh, what a wonderful institution. We are not Democrats or Republicans, we are working together. The Senators were working together, the spouses were welcoming. It was not so much a club as it was a family. I wish we could get back to that.

Rose died from Alzheimer's. I spoke earlier about my father. My father died from Alzheimer's, so I know what Senator COCHRAN went through. Even when an illness is so ravaging, so cruel, where you hope that death is either anticipated, or part of your heart even hopes for it, when it comes, you just can't believe it.

I know he is going through his own grief, but I want him to know that in his grief. I not only want to express my condolences, but I want to express my gratitude to Rose, who made me feel so welcome and made me feel like the Senate was a family. I hope we can get back and honor her memory and act more that way.

Mr. President, as chairwoman of the Commerce, Justice, Science, CJS, Appropriations Subcommittee to discuss funding in the 2015 omnibus bill, I am pleased to have worked with Senator SHELBY on this bill. He is a true partner.

The CJS bill totals \$50.1 billion in discretionary spending. That is \$1.5 billion below the 2014 level of \$51.5 billion. Our bill focuses on two priorities: jobs and the Economy and keeping communities safe. We used those priorities to guide all our funding decisions, from Federal law enforcement to space exploration.

The bill provides \$8.5 billion for the Department of Commerce, which is \$286 million more than 2014 level of \$8.4 billion. The Commerce Department keeps America open for business—helping businesses to keep the jobs they have, and helping entire industries to create new jobs. The department works with business to promote business. Protecting patents, promoting trade, and providing economic development projects in every state.

The bill includes strong support for manufacturing. The National Institute of Standards and Technology is funded at \$864 million, creating the standards that drive new technologies and new industries and make household products safer and more reliable. The Omnibus also includes the "Revitalize American Manufacturing and Innovation Act", which creates public-private partnerships that revitalize U.S. manufacturing in areas such as nanotechnology, photonics, microelectronics.

The U.S. Patent and Trademark Office is funded at \$3.4 billion in this bill, which is \$434 million more than last year's level of \$3 billion. This funding

means the USPTO will hire 1,000 new patent examiners, reducing the patent backlog, resulting in shorter wait times for companies seeking patents and sending new ideas out to markets. USPTO protects American ideas.

The Economic Development Administration is funded at \$250 million, providing funding for local projects like, water infrastructure for new hospitals which support thousands of local workers. Funding for EDA also provides grants for projects, such as those through the Trade Adjustment Assistance for Firms, that promote infrastructure and innovation, setting our small businesses up for success. Every \$1 issued in EDA grants leverages \$10 in local investment and creates jobs in our home States, not in DC.

Commerce Department also promotes American goods and services around the world, supporting more than 11 million jobs in the U.S. I support President's pivot to Asia, but I believe that if we can put guns in Southeast Asia, we can put Commercial Service Officers there too to create new markets for American products and create American jobs. So this bill puts more Commercial Service Officers on the front lines getting products from American small businesses into the hands of buyers around the world, including markets like Asia and Africa where it's difficult for new companies to do business.

Commerce doesn't just promote American business, it also protects communities. The National Weather Service warns Americans to get out of the way when hurricanes, tornadoes and other severe storms threaten our communities. Accurate weather information is important to every mom trying to get a kid to school, every school superintendent trying to decide whether to close school, and every state emergency coordinator trying to decide when to deploy snow plows. Deploy too early and communities waste money. Deploy too late and roads and highways become commuting catastrophes.

However, reliable weather data doesn't come from an App. That is why our CJS bill includes more than \$3 billion for keeping flagship weather satellites on-track and on-budget, and keeps our weather forecasting offices fully staffed and ready to make sure it gives citizens the weather predictions they need.

The Omnibus provides \$28 billion for the Justice Department. That is \$393 million more than 2014 level of \$27.7 billion, and \$156 million more than the President's request. The Justice Department's mission is to keep America safe from crime and terrorism, to protect communities and families, and to administer justice fairly. The bill funds key law enforcement and prosecution agencies including: FBI; Drug Enforcement Administration; Bureau of Alcohol, Tobacco, Firearms, and Explosives; U.S. Marshals Service and the U.S. Attorneys.

We can't have strong, vibrant communities unless they are safe. I have heard from Senators from every state about the rise of heroin. Heroin is relatively inexpensive—\$10 a hit. It is readily available and highly addictive. The Department of Health and Human Services reported that heroin use rose 79 percent nationwide between 2007 and 2012. We need to take action now so the bill funds several programs that tackle the heroin problem.

That is why the bill funds a new anti-heroin task forces with \$7 million of grants for State and local law enforcement to investigate distribution of heroin in an effort to keep these drug dealers off of our streets. The bill also funds residential drug treatment with \$10 million so that when drug offenders are released from jail, they don't relapse. Finally, the bill provides \$11 million for Prescription Drug Monitoring that helps States monitor and prevent those who "doctor shop", getting real time info to police and doctors to prevent overdoses and showing where overdoses are occurring so police can see patters and stop drug rings.

I am proud to include \$430 million in this Omnibus for Violence Against Women Act programs. This is a record funding level for VAWA grants to prevent and prosecute rape, and help women escape their abusers.

Too many women are being doubly assaulted, first by a predator, then by a broken system that fails to test DNA evidence. A Justice Department investigation found 400,000 rape test kits sitting on shelves and in police lockers. This bill tries to break the back of the backlog by funding proven grants to test DNA in crime labs, such as \$125 million for programs like Debbie Smith DNA Grants, and \$41 million for new grants to test rape kit in police storage. These new grants will not only test kits but also reform the system so rape victims aren't victimized twice.

The bill also triples funding for the Crime Victims Fund to \$2.36 billion, which will go to help victims of violent crime. This is an increase of \$1.5 billion over the fiscal year 2014 level of \$745 million. States can help more victims pay their medical bills and get counseling and legal assistance.

The Science portion of the CJS bill supports jobs and the economy by driving innovation. The bill provides \$25 billion for science agencies: NASA and the National Science Foundation. This funding for innovation, research and discoveries creates American ideas, American products, and American jobs in the private sector.

The National Science Foundation is funded at \$7.3 billion in this bill, \$172 million more than the 2014 level. NSF will be able to fund 290 more competitive grants in 2015, supporting 4,100 more technicians, scientists, and students. NSF research and education programs provide scholarships to the next generation of Cyber warriors, bridge and building engineers, and chemistry laboratory technicians. STEM edu-

cation builds jobs and builds an opportunity ladder for students.

NASA is funded at \$18 billion. This will provide for a balanced space agency with reliable space transportation, cutting-edge aeronautics, and strong Space science. This funding directly supports NASA's high tech workforce at Goddard Space Flight Center, Wallops Flight Facility and other NASA facilities around the country: machinists grinding precision parts for spacecraft exploring the galaxy; computer operators compiling data used to make forecasts or understand the big bang; engineers designing rockets that expand our reach to other planets; and scientists rewriting the textbooks and inspiring our next generation of explorers.

NASA funding also supports NASA's Turbo Contractors who build rockets and satellites and design computer systems, providing jobs.

The Omnibus is not just a spending bill, it is also a reform bill. Appropriators are shrewd stewards of federal funds, getting value for every taxpayer. The CJS Subcommittee puts a premium on oversight, inviting Inspectors General to testify at every hearing. The CJS bill includes robust funding for IGs who help us root out waste, fraud, abuse, and mismanagement. IGs give us good ideas for how to save money in areas like addressing growth in the prison population and improving management of the Census. CJS has dealt with its share of techno-boondoggles, such as 2010 Census handhelds, satellite costs, and IT systems that never worked. To prevent techno-boondoggles, the bill includes early warning systems when costs begin to escalate, audits of grants and contracts, specific IG and GAO oversight of costly items like the 2020 Census, weather satellites, the James Webb Space Telescope, the patent backlog, and Crime Victim Fund spending.

This Omnibus is a good bill, with balanced spending. It protects community safety, keeping the thin blue line from getting thinner and making our weather forecasts better. The bill invests in jobs and the economy, generating new ideas through research and discoveries and creating markets for more American products throughout the world.

I urge my colleagues to support the omnibus.

I yield the floor.

THE PRESIDING OFFICER (Mr. DONNELLY). The Senator from Delaware.

Mr. COONS. Mr. President, I rise to speak tonight in support of the omnibus appropriations package that Senator MIKULSKI, the Chair of our Appropriations Committee, has spoken at great length about, and that Senator COCHRAN has also dedicated so much of his time and effort and energy to, and that so many Members of this Chamber have contributed to. There are questions on the minds of my constituents from the home State of Delaware and questions on the minds of colleagues of mine who have spoken earlier this

evening about this very large package—this \$1.014 trillion spending bill—appropriations package.

There have been questions raised about some specific provisions—an issue here about pensions, an issue there about Dodd-Frank and swaps, an issue about an environmental concern. There are a few issues that have Members—particularly of my caucus—who are very concerned. I have messages coming in to me in my office from social media and email saying: Why on Earth would you support this? My Senator, CHRIS COONS from Delaware, why would you support this?

We are going into the holiday season and I want us to take a few minutes and look at what is actually in this package, to unwrap it a little bit and to better understand why on Earth I would stand on this floor and speak in favor of this package.

You have heard of the hard work of our Appropriations Committee Chair. What you don't know is the tireless and determined and dedicated work of all of the Appropriations Committee members and staff who, across 12 different subcommittees, held more than 60 different hearings to hammer out provision after provision, department after department, and it is difficult sometimes to know what that means. Let me put this in some context.

First, in terms of bad avoided and good invested. In terms of bad avoided, the version of this that came over from the House—11 full appropriations bills out of 12 that had within it all sorts of provisions. We call them riders because they are provisions that ride on top of the underlying appropriations bill.

You have heard about some of these riders that have been defeated and beaten back. It is not one or two or three. They cover all the same areas where concerns have been raised by colleagues in my caucus—the environment, protections for organized labor and labor concerns, protections for the safety of our communities related to firearms, protections for the safety and soundness and transparency of our financial system through preserving the Dodd-Frank act, preserving a woman's right to choose and protecting the implementation of the Affordable Care Act.

Dozens and dozens of riders came over in the bill from the House, which our committee Chair and her dedicated staff worked tirelessly to remove from this bill, and you have heard about some of them in the speech just concluded by Chair MIKULSKI.

There was everything from fish and wildlife rules to fiduciary rulemaking, from issues around union elections to concerns about the strength and ability of the ATF to keep our community safe, strengthening and supporting the CFPB and SEC and their ability to enforce Dodd-Frank or ensuring a woman's right to choose. The actions of our committee Chair ensure that these dozens and dozens of bad—from our perspective—riders were removed from the bill.

Now we stand here on the verge of the end of the authority of the government to continue to function, and we have a package in front of us, and we have two choices. The choices are simple and clear. If we do not pass this omnibus, we will continue government by crisis, government by continuing resolution, government by chip shot down the lane, and we will fund the government for a temporary 3-month extension, and then this entire package will be put back together, not by a Democratic Senate and a Republican House, but by Republicans on both sides of this Capitol. We won't have one or two or three riders from the perspective of my caucus to be concerned about, we will have dozens and dozens. All of this that has been removed and taken out of the package by the hard work of our committee Chair and her staff will be right back in the mix.

If we turn away from enacting this package, we will do two things: We will fail to give the certainty and clarity and predictability to our government agencies and entities that they will have authorization and funding through next September, and we will face a package toxic—far more difficult for us to accept. It will have dozens and dozens of problems riddled throughout it, and frankly, everyone in my caucus, I expect, will vote against it and perhaps the President will even veto it. We cannot let the perfect or the ideal be the enemy of the good.

I will take a few minutes and talk about what there is in this package that is good because you only heard speeches tonight that have highlighted concerns and focused in on the three or four provisions that cause great alarm or concern to all of us who are on my side of the aisle. I don't think there has been quite as much exposition as there should be about what there is in this package that I hope to unwrap for you that is actually good.

Why would I be standing here, as the Senator from Delaware, defending this hard-crafted, hard-wrought, hard-won package if it were not full of things that are important for the working families of Delaware, for our community and our country, and that didn't advance our core values?

Well, I will take a few minutes and touch on a couple of things that I think bear your consideration.

Infrastructure. The bridges, the roads, the rails, the ports that from the very founding of our Nation have been the work of the Federal Government and that are woefully behind to the point where we are not competitive globally and where we could put people to work right away by infusing more responsible investment and upgrading our infrastructure.

As far as rebuilding American infrastructure, this package includes \$54 billion for transportation and housing programs that communities and States such as Delaware care deeply about. It is \$1.8 billion more than what passed in the House package.

This covers things from the TIGER grants program that encourages and incentivizes and leverages cutting-edge investments in infrastructure to funding for Amtrak. For the east coast of the United States, Amtrak is such a vital means of transportation. It also includes funds for harbor maintenance and dredging, which are so vital to our maritime industries. This is just one of dozens of areas we could talk about this evening.

It will put Americans back to work, it will make our country more competitive, and it will give us more resources in these areas than we would ever get from renegotiating this package from the ground up.

Second, there was an unfortunate story about my hometown of Wilmington in the past week that drew real alarms about the murder rate and violent crime rate. This is a pressing issue in my hometown of Wilmington. There is real concern because we have a record murder rate and a record gun violence rate in my town.

This omnibus package includes financial resources that will help communities large and small all over this country keep themselves safe with these sorts of targeted and wise Federal investments in State and local law enforcement that we have come to rely on and that we need. There is something called the Byrne Justice Assistance grant. When I was a county executive, my county police department relied on that critical program. There is \$2.3 billion, which is \$55 million more than last year, for the Byrne Justice Assistance grants and will affect States and localities all over the country.

Something that I fought hard for on this floor and I care about—the bullet-proof vest program that has saved the lives of law enforcement officers in the small towns of Delaware and in our biggest cities. That grant made it possible to fund for state-of-the-art vests that are correct and appropriate and current and save officers' lives.

There is a regional information system called RISK that provides current intelligence and data so that law enforcement can be more effective regionally.

There is the implementation of Violence Against Women Act programs—all of these are at least sustained or increased over previous years and make the sort of investments that are vital for our communities and their safety.

There is \$1.1 billion in this omnibus package to help the ATF, FBI, and DOJ fight gun violence, and that matters to my hometown. That matters to the families who wonder whether what we are doing here is relevant to them. To turn back from this omnibus and turn away from those investments in keeping our community safe, I think is unwise.

There is more money for criminal enforcement by the ATF to fund straw gun purchases and their investigation and their prosecution, to fund keeping

guns away from traffickers and criminals, to improve interstate background checks, to train law enforcement for the responsible carrying out of their public responsibility, to intervene and stop active shooter situations in schools or in public facilities, and, last, the sort of resources we need for the victims of crime.

There is \$2.3 billion in this omnibus for helping the victims of violent crime and their families to get access to badly needed services. I could go on, but in the area of law enforcement and criminal justice, there are investments that matter to me and that matter to my hometown as we work together to fight violent crime.

Let me lastly take on two other areas. No. 1, I am on the Foreign Relations Committee. I am concerned that if we turn away from this package, the vital investment in our central ally, Israel, and in the Iron Dome program, which has been shown to keep Israel safe, will not be made; and the multi-billion dollar investment in fighting the scourge of Ebola in West Africa, at this moment when the tide is turning and we have a chance to heal three nations and contain this plague, which otherwise may get out, get loose, and become a global pandemic, will not be made. We need to make these investments. To not do so now is to put our children's future at risk. Imagine if we could go back in time to where HIV/AIDS was just beginning to spread around the globe and for a modest investment, with an international effort, we could have contained it to just two or three countries, instead of the hundreds—the thousands of communities across dozens of countries that have suffered through HIV/AIDS now for nearly 25 years. If we fail to invest in turning the tide in the fight against Ebola now, we put at risk the future public safety of not just a continent, but the world.

We also have to be mindful of what this omnibus makes possible for our health and our safety and our future. Entities most Americans don't think about or haven't heard of that perform basic science research or advanced research, from the National Science Foundation to the National Institutes of Health—institutions that are doing cutting-edge, world-class science and developing the cures and the treatments for everything from Alzheimer's to cancer—we continue to sustain and support investment with billions of dollars in these areas in this bill. Again, to walk away from this package means to wrap back up and put away the potential for enormous progress.

There is \$172 million more for basic science research programs in this bill over last year. It raises up to \$7.3 billion the level of NSF funding. That may sound abstract and disconnected from our lives at home, but in my State of Delaware, that funds education, training, and research at the University of Delaware, Delaware State University, and in public schools

across our State. At a time when we need science education and when we need the outcomes, the fruits of our labors and research more than ever, I think that is vital funding.

Last, there is an area that I have spoken about on this floor many times in this Congress and that I am passionate about because it is how I came up. I spent years in the manufacturing sector. As a young man working in the private sector for a family manufacturing business, I saw its power to create good, high-wage, high-skill jobs. Manufacturing is an area where most of the research and development in this country that is privately funded is done, and manufacturing is an area that many mistakenly think we have lost our edge in and can never regain. But the truth is quite different. Over the last 3 years, we have grown more than 750,000 new manufacturing jobs in this economy, and those are great jobs—jobs people can raise their families on, jobs that provide a renewed growth back to the middle class. If we fail to invest in the things that will make manufacturing grow in this country, we miss a vital opportunity.

There is an entity called the Manufacturing Extension Partnership. In the scope of all of this, it is a tiny little program. But for the dozens of small and medium manufacturers in Delaware that I have visited and that the Delaware Manufacturing Extension Partnership has helped, it makes an amazing difference. It helps them understand how to compete internationally. It helps them with upgrading the skills of their workforce. It helps them with deciding what capital equipment to buy.

I have stood on manufacturing floors from Bridgeville to Lewes, from Dover to Claymont, and heard stories of companies transformed by this powerful investment of Federal services—a public-private partnership that really, genuinely makes a difference.

Lastly, in this provision of the bill, there isn't just renewed funding for the National Institutes of Standards and Technology, or NIST—a provision that includes the Manufacturing Extension Partnership and the Advanced Manufacturing Technology Program—there is also renewed opportunity for the funding and sustainment of manufacturing hubs, a strategy that our competitor, Germany, has used very well and very wisely to have doubled their GDP in manufacturing—a strategy that this administration has led on and that we hope to emulate, and where I think the investments made in this bill are wise and lay the foundation for middle-class job growth and prosperity.

There are a dozen other areas I could speak to this evening, where throughout this bill the investments made have been cut in some areas that needed to be reduced and increased in others that are wise for our States and our communities.

Some from my home State, watching the speeches on this floor earlier this

evening, have contacted me and said, Why on Earth would you vote for a bill with this or this or this provision that concerns me? It is a fair question. I hope in these few minutes I have helped my people hear that our choice is not between a perfect bill from the perspective of Democrats in the Senate or the country and a terrible bill, but a choice between a great bill and no bill at all—a choice between returning to regular order and ending what has been a nearly 4-year pattern of government by crisis, by short-term extension, by chip shot, and by near default, and instead respect and honor the very hard work of the dozen subcommittees of this great Appropriations Committee, and move forward a package that strengthens our country, that honors our veterans, that invests in our future, that lifts manufacturing, that makes us safer and healthier, and that does the job of bringing America into the future.

That is why I will be voting for this package, and that is why I hope all of my colleagues will consider doing the same.

Thank you, Mr. President.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

MR. SESSIONS. Mr. President, I will not be voting for the bill.

I am frustrated that we have gone through now 8 years of domination by the majority leader in the Senate, denying votes on even simple amendments as part of the entire funding of the discretionary accounts of the United States of America. There is over \$1 trillion in spending, not one amendment, refusing to bring up the bills individually as they should have been, refusing to pass the bill by September 30 when the fiscal year ends, and appropriations should be done before that date to fund the next fiscal year.

So what do we do? Well, they didn't want to vote because an election was coming up. They didn't want to vote the previous year when an election was coming up, I guess 18 months later, so there is always some excuse. But the fundamental thing that has occurred in this Senate is the majority leader, through the device of filling the tree, places himself in control, places himself in a position to block amendments to any bill. That is what he has done, to a degree that has never before been done in the U.S. Senate.

Chairman MIKULSKI says she looks forward to getting on a better path next year under Republican leadership, so we will have a more regular process. Maybe the Republicans will allow the minority Democratic Party next time to have rights that have been denied us for all of these years. This is a fact. People can spin it any way they want to. I have been here for 18 years, and I know what is happening. We have demolished the collegiality in the Senate. It has caused the kind of frustration and tension that has resulted in these failures to pass bills.

So what do they do? They cobble the entire funding of the United States together in one omnibus bill, bring it up at the last minute, and say, If you don't agree to vote it out without getting any amendments, we will accuse you of shutting the government down. We will accuse you of shutting the government down. It is all your fault. For some reason, our friends in the media seem to think that is true. And if anybody has the gumption to stand up and object to this abusive process, they are shutting the government down. What planet are we on? Don't we know what really has happened?

So I have an amendment and I wanted to offer it to this bill. It would simply say that Congress is going to fund the United States government; we are going to fund the entire discretionary account in this country, but we are not going to provide money to allow the President of the United States to execute an unlawful, illegal amnesty. He has already established a building across the river in Crystal City, and they have ads out to hire 1,000 people, salaries up to \$150,000. And they are going to process people who are here unlawfully, give them a photo ID, a Social Security number, and a work authorization, and allow them to participate in Social Security and Medicare. They will allow them, if their incomes are low—and statistics tell us their incomes are lower—they are entitled to child tax credits of \$1,000 per child and they are entitled to the earned income tax credit. Combined, according to the recent article by David Frum in "The Atlantic", that is almost \$5,000 if you are a working person with a family of four earning up to \$40,000 a year—you will be entitled to a direct check. A tax credit is not a tax deduction. It is a direct check from the Treasury for an average of nearly \$5,000. It is a stunning situation that should not be happening.

So I just wanted to have an amendment that funds the government, allows the country to go forward, but just say to the President: Mr. President, we don't authorize any funding for this project. It can easily be done. It has been done hundreds of times. In fact, that is why Guantanamo prison in Guantanamo, Cuba, where the terrorists are being held—that is why it has not been closed, because Congress has told the President, who wants to close it, we are not going to allow you to spend a dime to close that prison. It has been successful. Because Presidents can't spend money not authorized by Congress, not appropriated by Congress. He cannot spend that money. It is wrong. It is actually a criminal offense to spend money. The Antideficiency Act says that anyone who pretends to represent the U.S. Government and spends money not appropriated by the Congress of the United States—not authorized by the Congress to be spent—violates a law, because the Congress has the power of the purse.

We don't have to fund everything the President asks for. We don't have to

fund programs we think are bad, that are unworthy of funding. What is Congress for? Otherwise, it is a rubberstamp that cannot make an independent judgment. We absolutely have a duty, a responsibility to not fund a program that violates the law, violates the Constitution; to allow the President to eviscerate and fail to enforce huge chunks of our immigration law and, at the same time, allow him to create an entirely new scheme of immigration law.

So the President's Executive amnesty say: I am not going to enforce the law with regard to 5 million people. And not only that, the law says if a person is here unlawfully, they can't work; and the law says if a person is a businessperson, they can't hire somebody who is here unlawfully—I am not going to enforce that, either. In fact, I am going to go even further. I am going to get an office in Crystal City and I am going to bring in 1,000 people and we are going to give the people who are here unlawfully, as defined by the American people through their Congress—I am going to give them a certificate, a photo ID that says they are here lawfully. And I am going to say despite the fact that a person is not supposed to work here if they are here unlawfully, I am going to give them the right to work. And, by the way, they are not entitled to Social Security or Medicare, and I am going to give that to them, too. By the way, when they filed their tax return using that Social Security number, if their income falls in this range—up to \$40,000—they can get a tax credit and a child tax credit. And for people making, say—a typical family making \$40,000 and with 2 children will not owe any income tax.

They are not going to owe any income tax. What they are going to do is file their return and wait for their \$5,000 check from Uncle Sam. At this time I am on the Budget Committee, ranking Republican, and I can tell you: we are going broke. The last thing we need to do is put Social Security and Medicare in a worse condition. The last thing we need the country to do is for our Treasury Department to be sending out billions of dollars in tax credits to people who have come to the country unlawfully. We have to borrow money. Do we not know?

We borrow money every day in huge amounts to keep this government afloat, and all this is going to do is add more. I am not happy about it. I don't think the American people are happy about it. Poll after poll, election after election—in November people said they were going to come to Washington and do better. People who have been complicit in this kind of activity are not going to be here next year, many of them.

I think Congress needs to listen to the American people. What is wrong with what they are telling us? What is wrong with them saying we want a lawful system of immigration? We don't

care what Big Business wants. We don't care what the special activist groups want. We want a lawful system of immigration that is fairly applied and we can be proud of and that serves our interests; that helps my child, my husband, and me have a job. We would like to see wages rise. We expect the people in Congress to look after us, not people who violate our laws.

Let me share some further thoughts that I believe are important. A lot of people are ignoring this. They don't want to hear about it. They don't believe it. They have taken the view they are going to dismiss it. I want my colleagues to be aware of this, and I intend to continue to press this issue:

The U.S. Department of Commerce informs us that “today's typical 18- to 34-year-old earns about \$2,000 less per year, (adjusted for inflation), than their counterpart in 1980.”

It is a painful and a sharp decline for young Americans.

What has happened to the labor markets since 1980? Data from the U.S. Census Bureau offers this insight:

From 1930 to 1950, the foreign-born population of the United States declined from 14.2 million to 10.3 million . . . [but] Since 1970, the foreign-born population of the United States has increased rapidly due to large-scale immigration.

Let me just stop here and say America has been generous in this immigration policy. We have the largest number of people entering our country on a lawful immigrant status than any country in the world by far.

What I want us to do is to understand that we need to ask ourselves how many people the United States can absorb without damaging the wages and job prospects of unemployed, underemployed Americans.

The U.S. Census Bureau statistics report that in 1980, the foreign-born population stood at 14.1 million. But from 1980 through 2013, the immigrant population tripled from 14 million to more than 41 million. The large increase in the size of the immigrant population is the direct product of policies in Washington, creating both an expanded lawful system and an expanded unlawful system.

Legal immigration during the 1980s averaged around 600,000 people a year. But since 1990 through today, it has averaged about 1 million annually—meaning the annual rate almost doubled. The sustained large-scale flow of legal immigration—overwhelmingly, this group are lower-wage and lower-skilled—has placed a substantial downward pressure on wages.

I don't think there is any doubt about that. Some try to ignore it and talk around it, but I think the facts are clear. We have right now a very slack labor market with more jobseekers than jobs. The White House has itself estimated that there are three unemployed Americans today for each one job opening. We don't have a shortage of workers. We have a shortage of jobs. The Economic Policy Institute esti-

mates that in the construction industry there are seven unemployed persons for each available job opening.

This is huge. Some in the construction industry said they need more foreign workers, even as these statistics shows large numbers of unemployed American construction workers.

This large-scale immigration flow, paired with the forces of globalization and automation and robotics, has made it ever more difficult for American workers to earn a wage that can actually support a family.

Consider this report just published in *The New York Times*.

Working, in America, is in decline. The share of prime-age men—those 25 to 54 years old—who are not working has more than tripled since the late 1960s, to 16 percent. More recently, since the turn of the century, the share of women without paying jobs has been rising, too. The United States, which had one of the highest employment rates among developed nations as recently as 2000, has fallen toward the bottom of the list.

Continuing the quote from the *New York Times*—

At the same time, it has become harder for men to find higher-paying jobs. Foreign competition and technological advances have eliminated many of the jobs in which high school graduates . . . once could earn \$40 an hour, or more.

That is what the *New York Times* is telling us. It is not just a recent development. It is a development of some years. Since the end of the 1960s—the timeframe identified by the article, during this period we have seen this decline in employment—the share of the U.S. population that is foreign born increased from less than 5 percent to more than 13 percent. As a total number, the size of the foreign-born population has quadrupled over the last four decades.

Due to current Washington policy, these figures are only going to rise. The nonpartisan Congressional Research Service estimates that the foreign-born population could reach as high as 58 million within a decade based on recent trends.

Again, let's be frank and talk honestly. Prime Minister David Cameron of the United Kingdom recently said it is not wrong to talk about this. Our Nation needs to talk about the wages of its people, the financial status of its people, and it is all right and proper to ask the question of whether immigration can impact that in an adverse way.

I just want to say I am not being anti-immigrant. There are many good people who want to come be a part of America. I am not denying that. What I am saying is that we are hurting, not helping, those who come to America when we bring in more people than there are jobs. We also don't have jobs for those who are American-born. Now we are bringing in millions more. We need to ask ourselves honestly: Is this a good policy for the Republic which we are supposed to serve? Only an adjustment in policy, I suggest, will change this trajectory—just as policy



has changed early in the 20th century to allow labor markets to be tightened and wages go up. This is an issue that affects all residents, our foreign born who are here wanting to work and the U.S. born. Among those most affected by the size of these large immigrant flows are the new immigrants themselves who want to get a good job that pays a good salary.

By continuing to admit these large numbers over such a sustained period of time, many immigrants themselves are unable to find jobs. For instance, less than half of the immigrants who entered California since 2010 are participating in the labor force. They are not finding jobs. There are not enough jobs for them. Half the entire number of immigrants who entered California since 2010 are not working. In Los Angeles, where 4 in 10 residents are immigrants, one-third of those who recently arrived are living in poverty.

We have an obligation to those whom we lawfully admit not to create a circumstance where, by admitting continuing to admit many more, we are diminishing their job prospects. A sound immigration policy must serve the needs of people who are lawfully here and who are native-born. That has to be the primary focus of what we are doing. This discussion has to be had. We can't ignore this. We can't make like we can absorb an unlimited number of workers; we don't have jobs for the workers we have.

Immigrants and native-born workers are also competing with a large flow of temporary guest workers. Temporary guest workers are brought into the United States from abroad for the explicit purpose of taking a job, not on a path to green card and citizenship. They come just to work for a limited period of time. Each year the United States admits roughly 700,000 guest workers. They fill jobs that otherwise might go to people here. Of those 700,000 guest workers, roughly about 10 percent are in agricultural work. A lot of people think the guest workers are working on a farm somewhere. That is not so. Only about 10 percent are. Ninety percent take jobs in almost every industry in America, from good-paying construction jobs to coveted positions at technology firms in Silicon Valley.

The pressures on the middle-class are great. We have a large flow of permanent immigration and temporary workers. The elimination of many good-paying jobs at factories and plants due to advances in robotics, the shedding of manufacturing jobs due to overseas competition, a sluggish and overregulated economy that is growing too slow to keep pace with the population growth and the high costs of energy, health care, income and household goods. Policymakers in Washington need to be reducing the burdens on working families, not making their lives more difficult—but that is exactly what we have been doing.

Professor George Borjas—an top expert on these matters who has worked

on them for decades—estimates that high immigration flows from 1980 to 2000 reduced the wages of lower skilled American workers by 7.4 percent—about \$260 per month—as a direct result of the size and flow of immigration from 1980 to 2000. I don't think it is defensible for colleagues to say it will help wages to bring in more people. That's why the Congressional Budget office said the Senate immigration bill, rejected by the House, would have reduced wages for the next dozen years.

Professor Borjas estimates a current net loss of \$402 billion for American workers who compete with foreign labor.

Mr. President, \$402 billion. Furthermore, as documented for the Center for Immigration Studies, relying exclusively on government data, all net employment gains among the working-age since the year 2000 have gone to immigrant workers—net gains.

This remarkable trend occurred even as the number of working-age native-born Americans increased by nearly 17 million. So the 17 million is a dramatic figure. There is not a decline in native workers, as some businesses try to say. Oh, we have a demographic decline. We have to deal with it. The figures show we are still growing in the working-ages, a nearly 17 million increase in the age group since 2000.

Here are a few more statistics. There are not temporary trends but prolonged trends. Nearly one in four Americans in their prime working years—25 to 54—is not working. This includes 10 million American men and 18 million American women.

Real, median weekly earnings are lower today than in the year 2000. Median family income is down \$4,000 since November of 2007. Our wages and earnings for families have declined dramatically—\$4,000 is almost 350 a month.

So it is in this context that we must consider the economic fallout from the President's unconstitutional Executive amnesty.

In plain violation of law and the express will of the American people, the President has ordered 5 million work permits to be issued to those illegally here. Those illegal workers will now be able to compete for any job in America. They can now compete for jobs with the power company, the county commission, city hall, working at construction companies—good-paying jobs for which they are not now eligible to compete.

The President's order will give illegal immigrants unfettered access to compete for any job in America. If they are not hired at city hall because the mayor thinks he should not hire someone who entered the country illegally, they can file a lawsuit and demand to be hired. They have been given lawful status ordered by the President of the United States, an ID card with a Social Security number and a worker authorization. They will be participating in Social Security and Medicare, weak-

ening those programs which are already in deep financial trouble.

So this illegal amnesty is part of a broader immigration vision from the President, legislation he endlessly champions, a bill written behind closed doors with billionaire activists and open-borders enthusiasts and immigration lobbyists. This legislation surges immigration levels every year. That is his vision.

After four decades of record immigration, the President's bill, supported unanimously by Senate Democrats, stopped in the Republican House, tripled the issuance of permanent residency cards over 10 years. In the next 10 years, had that bill passed, it would have tripled the number of people given permanent legal status in America.

The Center For Immigration Studies explains that this legislation would, in a mere 6 years from today, increase the percentage of the U.S. population born abroad to a level never before reached in American history. And by 2033 nearly one in six residents, under this plan, would be foreign-born. This is a dramatic and historic change in our immigration policy. Unsurprisingly, the nonpartisan Congressional Budget Office projected that the results of such legislation would be lower wages, higher unemployment, and reduced per capita GNP.

All of this begs a simple question: Who is looking out for Americans? Who is looking out for their interests, fighting to help them get a better job and better pay, or working to help their communities climb out of poverty? Who is looking out for their interests?

The immigration debate in our Nation's Capital is always centered, it seems to me, on the needs of illegal immigrants, foreign workers, or large employers. Is it not time, after decades of open immigration, that we focus on what we can do to help Americans? Is not time to focus on how we can grow their wages and improve their job prospects?

We have seen declining wages and higher unemployment. Is it not the sensible and rational thing to just slow down a little bit, allow wages to begin to rise some, assimilation to occur more effectively, and help those who are already here today, including foreign immigrants who have come to America, who are struggling to rise into the middle class? Will this not help them be more successful, more prosperous, and flourish better in America?

The American people have begged and pleaded for a lawful system of immigration that serves the national interest—not special interests. But the politicians have refused, refused, refused. This summer alone the White House met 20 times, it was reported, with business executives, amnesty lobbyists, and immigration activists to craft their executive orders legalize people who are here unlawfully. They have been meeting for years with those

groups. They have spent \$1.5 billion, according to one independent group, to promote their rejected amnesty legislation since 2007. But you know who was not invited into that room? You were not invited into that room. You, the American citizen, were not there. Do you not get a say in these secret meetings?

We just had a meeting 2 days ago with sheriffs from all over America. They said: Do not allow this unlawful amnesty to occur. They weren't invited to these secret meetings either.

So the super-elites in Washington and on Wall Street dream of a world without borders, a paradise, I guess, where little things like law and rules and national boundaries are not a problem. Do not get in the way of their wild chimera, their vision.

The only challenge these great global citizens face are these pesky people called the voters who cling to the old-fashioned idea of a nation as a home and a border as something real and worth protecting. These elites, you see, know better.

If you are worried about your jobs or wages; if you are concerned that the pace of immigration into your community is too fast and too large; if you feel as though your needs are not being considered, well, you are just a nativist, you see. You are selfish.

So when an election happens and the people rebel against this open-borders agenda, there is really one thing for these wise elites to do: They just impose their own law.

How Congress answers this challenge will shape the future of this Republic. Will we defend and protect the people who sent us here, their laws duly passed, their Constitution, and their communities, or do we once again abandon them, give them lip service but no real action? I pose that question to the body.

I suggest there is no purpose to our being here if it is not to serve and protect and defend the loyal people who sent us here on their behalf.

It is time for us to get busy.

I am deeply disappointed that the majority leader is blocking an amendment that would deal with this matter. In the Senate, a Senator from any State should be able to have an amendment that deals with the crises of our time. We are being blocked once again. It denies accountability. It is wrong. It is improper. The American people are tired of it. And those who facilitate this conduct in the future will hear that message clearly from the American people.

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

The PRESIDING OFFICER (Mr. MURPHY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### THE AMERICAN DREAM

Mr. RUBIO. Mr. President, I appreciate this opportunity to speak on the floor tonight. People watching at home—to the extent there is anyone watching at home tonight—but to those who have gathered here and are still in the gallery watching the Senate, the Senate is debating a budget. It is a massive budget. It is the largest in the world in terms of any entity—I was about to say any government but of any entity on the planet.

As of right now, if that budget is not passed I believe by tomorrow night, the Federal Government will not have authority to keep operating beyond the bare minimum. That is what the debate is about that you are watching. We will see what is going to happen over the next few hours in terms of ultimately getting a vote and what the leaders of the respective parties have agreed on.

But what I wanted to talk about is related to the budget but goes much deeper than that; that is, the state of America and the state of our economy.

Last night I had the opportunity to come here and speak a little bit about foreign relations and an international situation we were facing. But I wanted to speak for a moment because that is what the budget is about—it is about our domestic affairs. I think the budget is a reflection of that.

You have heard a lot of different speeches here tonight—to the extent you are watching—about different things that are happening in our country. The Senator from Alabama spoke a moment ago about immigration, but in talking about immigration, he talked about the constraints that are upon the middle class. Before that, we have seen others speak about issues. So at the end of the day, as we talk about the budget, increasingly the debate is through the lens of those factors that people are facing in their daily lives throughout this country.

I always tell the story of my parents because, for me, it puts a different framework to my vision of this country. My parents were very poor. They grew up in another country. My father lost his mother when he was 9 years old. He had to go to work literally the next day. He would work for the next 70 years in Havana, Cuba.

My mother was one of seven girls who remembers that she never went hungry, but she is pretty sure her parents did so that their children would have enough to eat. She was raised by her father, my grandfather, who was disabled as a young man. He had polio and struggled his whole life to provide for his girls.

They came to America in 1956 in search of a better life. They came here with nothing more than the dream of a better life and the hope of a better life. They did not know anyone. They barely had any money. They barely had any formal education. They arrived in this country in 1956. They never made a lot of money here. My father ended up set-

ting into a job as a bartender, at a hotel primarily. My mother was a cashier. She was a stock clerk at Kmart. She worked as a maid at a casino in Las Vegas. My parents never became rich, but my parents achieved the American dream because the American dream is never about how much money you make.

The American dream has always been about achieving happiness as you define it. And while they weren't rich, my parents were able to afford and own a home in a safe neighborhood—a neighborhood safe enough that they would allow us, my sister and me, to walk to school when we lived in Las Vegas.

My parents were able to retire with dignity. My parents—just a generation removed from poverty and a lack of any formal education—lived to see all four of their children go to college and have a life much better than their own. They fully lived the American dream.

It is the American dream that has been possible because this Nation was founded on the powerful idea that all people are created equal and that all people deserve an equal opportunity to achieve happiness as they define it.

That American dream isn't just a talking point. It defines us as a nation and as a people. It makes us different, special, and, in my opinion, better than any other nation that has ever existed.

But today something that troubles us is that American dream seems to be eroding in the minds of way too many people, and we understand why. There are people, when they open the newspaper every day and they read—today is a perfect example. The Dow Jones closed over 300 points. Wall Street is setting record profits.

They keep reading about how the economy is rebounding and unemployment is down, but they don't feel any of this. They are working as hard as they ever have, but their paychecks haven't gone up in more than a decade. In the meantime, everything in life costs more.

Think about that. You are working hard, making less than ever relative to how much things cost, and you are frustrated to read that all these other people seem to be doing so great. Everybody keeps telling you about how the economy is doing fantastically, and meanwhile you are being squeezed in your own life. You can't get a pay raise, there is nothing you can do about it, and everything costs more: your rent payment, your health care, your children's education. This squeeze is real and the middle class is feeling it.

We ask ourselves, but why is this happening? This is not just because of a downturn. We had a very serious financial crisis in this country. We had a very serious downturn.

But what I describe to you is not just a feature of that, because if this were just a cyclical downturn, it would go up, down, and back up again.

We have had a very dramatic change in the structure of our economy. Our

policies have not reacted to that, have not changed with those structural changes that have happened in our economy.

Even in this debate about the budget, you will see evidence of that. I didn't come to the floor to be critical of people who worked on it, I know they have worked hard, but our policies do not reflect these structural changes. They are very real.

In the 20th century, practically anybody who wanted a job in America could find one. There were plenty of blue-collar jobs for people such as my parents and there seemed to be plenty of white-collar jobs for people such as their children. But in the 21st century many of those jobs are gone. They have been sent overseas or they have been replaced because of technology or innovation. New jobs have been created, but they require skills that too many of our people still don't have.

In the 20th century, ours was a national economy. Your clients and your competitors were halfway across town, maybe halfway across the country.

In the 21st century, we operate in a global economy where your customers, your clients, your investors, your competitors, and your partners are just as likely to be halfway around the world as they are halfway down the street. That has made a dramatic structural change to our economy.

Last but not least, everything costs more. In the 20th century a bartender and a maid could afford to own a home, own a car, take a vacation once a year with their kids. If my parents tried to do today what they did in 1956, they couldn't. Those jobs just don't pay enough and all those things I just described cost so much more money.

We have to respond to these structural changes. We have to turn the page on these old ideas and, quite frankly, on the leaders who have those old ideas. We cannot continue to confront 21st century challenges with 20th century strategies.

We need new leaders, and we need new ideas that respond to these deep structural changes. For 4 straight years that I have been talking about this in the Senate, the progress in that regard unfortunately has been slower.

I didn't come here today to be overly partisan, but I know in 2008 a lot of people thought that our current President would be that kind of new leader, but that is not what we have gotten. They thought he would be that kind of new leader because he talked about being a champion for the middle class. He talked about a modern agenda of hope and change.

But that is not what we have received. Instead of focusing on working families, he focused on things such as the liberal dream of government-run health care.

He focused on radical environmental policies instead of focusing on the middle class.

Instead of modern ideas, what we got was just old-fashioned big government

and crony corporatism. A startling example of it is how the insurance companies have gamed ObamaCare.

Imagine for a moment if you were in a business and the government came in with a law that said: We are going to make the people buy the product that you sell. We are going to give them the money to buy the product that you sell. By the way, if you lose money selling the products, we are going to bail you out with taxpayer dollars.

That is what big insurance companies were able to get out of ObamaCare. People are required to buy insurance, they get a subsidy to buy that insurance, and if they lose that money, they get a bailout with taxpayer dollars. That is outrageous, and it is not surprising that the stock prices of big insurance companies have doubled since ObamaCare passed.

Meanwhile, working Americans are paying more, higher deductibles, higher copayments, higher premiums, and they are getting less coverage. That is an example of corporatism.

Despite all this rhetoric that they are fighting on behalf of the middle class, the past few years have been a bonanza for big business, a bonanza for people who can hire the lawyers and the lobbyists to navigate the complexities of government.

So it is very simple. If you can hire an army of lawyers and lobbyists in Washington, DC, you get your priorities and bills like the one that is before us today, or others, for that matter. But if you are trying to start a business out of the spare bedroom of your home, if you are a small businessperson who works 7 days a week, 16 hours a day just to stay afloat, you can't hire the best law firm in Washington, DC, to navigate those regulations. And you sure can't afford to hire a lobbying firm to come here to write those laws to your advantage.

In fact, I would go farther and say that big government is a competitive advantage for big businesses, because they know that the bigger and more complicated the rules are, the harder it is for someone new to come along and compete with them for that same business.

We have seen that time and again. I saw it during my time as a State official, as the speaker of the State house in Florida, and I see it in Washington, DC.

This is corporatism and both parties are guilty of it.

That is why it shouldn't surprise us that under the past 6 years of this presidency, 95 percent of the income gains in this country have gone to the top 1 percent of earners and 93 percent of Americans have seen virtually no income growth in the past 6 years. Yet we continue to see an effort to push policies from this administration that keeps us on the same course. Here is the course that we are on—radical environmental groups are going to get their way, their policies, and their Executive orders written. Meanwhile, peo-

ple who work at factories, people who are dependent on energy jobs, they get nothing.

Public employee unions that are well represented and spend a lot of money influencing government, they get all the rules they want from the NLRB and the government. They get their help.

Do you know who doesn't? The UPS truckers, the plumbers, the pipefitters, the electricians, and the construction workers. All these elites who are going around begging for more government spending, they are going to get their way in this bill from this administration—and middle-class Americans who are working as hard as they ever had, they get stuck with the tax bill to pay for it.

We can't keep doing this. If we keep doing this, we are going to lose the American dream. We are going to lose what makes us different, and we are going to lose what makes us special.

But I believe with all my heart that if we can turn the page on these policies, not only can we save the American dream but we can have another American century. To do that, there are three key things we have to do, and I wish more of this was reflected in the bill before us.

The first thing we need is we need better jobs. Jobs that don't just pay more—and that is important, but jobs that provide enough flexibility as well so that you do have time if you need to take time off to go take your kids to a field trip or a doctor's appointment.

Do you know how many Americans out there can't take their kids to a dental appointment because that requires them to take 2 hours off of work? Do you know how many Americans don't have the flexibility to be able to watch their son or their daughter at the Christmas pageant this year in school because their job doesn't have flexibility?

These better jobs that I am talking about are jobs that pay more but ultimately provide the flexibility so you have the time to be a better spouse, a member of your community, and a better parent—and jobs that won't disappear with the next advancement in technology, jobs that give you an opportunity for promotion and upward mobility. These are the kinds of jobs we need.

In order to have those jobs in America in the 21st century, we need to become globally competitive. We are engaged in a global competition with the rest of the world for these jobs. It is the economic olympics every single day.

We can win that competition. We can win it if we had a Tax Code that no longer made America one of the most expensive places in the world to create those jobs. We could win it if we reformed our regulatory code so that we are no longer such a burdensome place to create those jobs. We could win it if we got our national debt under control, which scares people from creating those jobs here because they believe we

are headed for a debt crisis in the future.

We can win that competition if we fully utilize our energy resources in a safe and responsible way. We have already seen the benefits of American energy exploration, the jobs it creates, not only in energy but in manufacturing.

You have already seen the benefits of American energy production in the falling price of gasoline at the pump, and that has real-world implications. Being from Florida, we expect that many more people are going to take the drive to Disney World this winter because getting there is a lot cheaper than it was a year ago. Ticket price is another matter, but getting there is a lot cheaper than it was before. This has real implications.

The other thing is we can win that competition, but we have to keep our edge on innovation. We are the world's greatest innovators. We can't lose that edge. By the way, winning that global competition requires us to be globally engaged.

We must remain involved in global affairs. Strong American leadership on this planet is a factor in allowing the world to have the prosperity and the stability it needs for a rising middle class—people who can afford to buy the things we sell, the products we offer, the services we offer. We will benefit from that.

But creating more of those jobs is not enough. The second thing we have to do is to make sure people have the skills for those new jobs because these new jobs in the 21st century are going to require a higher level of skill than ever before. The problem is we have an archaic 20th century education model.

We tell kids in high school that the only way you will ever be successful is you all have to get a 4-year degree. There is nothing wrong with getting a 4-year degree, but it is wrong to tell children and students in this country that is the only way to get ahead when we know in the 21st century there are going to be millions of quality middle-skilled, quality-paying jobs that require more than high school but less than 4 years of college.

We have a system that does nothing, absolutely nothing, about that. We don't offer nearly enough vocational problems in high school.

Why have we stigmatized jobs where people work with their hands, when we know that we need airplane mechanics, electricians, plumbers, and pipefitters? We need high-tech welders and people who know how to do 21st century welding and machinists for 21st century factories and manufacturing.

We can teach these people skills while they are still in high school so they can graduate ready to go to work. We also need more apprenticeship programs, and that is something we can partner with labor unions so we can train and retrain Americans in these higher skilled jobs. We also need to help people who have to work full time.

Imagine for a moment a single mother raising two kids on her own and she is a receptionist at a law firm. She is never going to get a significant raise working as a receptionist. The only way she is ever going to get ahead is if she can become a paralegal. But to become a paralegal, she has to go to school. How is she going to go to school under this current system?

She wakes up at 6 o'clock in the morning, makes her kids breakfast, drops them off at school, drives to work, works 8 or 9 hours, rushes to the daycare center or the afterschool program before it closes, picks them up and brings them home. She is already tired, but she is not done. She has to make them dinner and make sure they finish their homework.

By 11 o'clock she hits that bed and she is exhausted. When is she going to go to school—4 o'clock in the morning?

We need to have an education system that is flexible enough so that she can acquire the skills to become a paralegal while she works full time and she raises that family, allowing her to package learning from online courses and work experience.

If someone is a receptionist at a law firm and has worked there for 8 or 9 years, there are some skills they have picked up working there that should count for credit hours, instead of forcing you to sit through a 2-year program so the college they are going to can make the money off of them. We need to create programs so that people like her can acquire those skills for 21st century jobs.

We also need to create alternatives to traditional college. It doesn't matter where you acquire the learning. You should be able to package all of your learning. Take, for example, someone who has worked 10 years, served in the military, has extensive experience at volunteering, has taken a number of courses at a community college, and wants to get a degree in something. We should be able to package all of that lifelong learning, all of those sources of learning, into the equivalent of a degree program.

Do you know how many Americans out there are sitting on 30 or 40 credit hours from a community college? But having 30 hours of college credit is the same as having zero because you don't get any degree certificate for it. So the private sector looks at you and says: We are glad you went to class, but where is your degree or your associate's degree?

I wish we had a more concerted effort in helping people who are halfway there to get all the way there by using things such as online coursework and giving them credit for life and work experience.

We need to think outside the box on these issues because if we don't empower people with these skills, they won't be able to take advantage of the opportunities of the 21st century. This is what a 21st-century educational system looks like.

I would make one more point when talking about schools. The most important school a child will ever attend is their home. We cannot ignore the fact that the breakdown of American families is having a dramatic impact on our economy and the quality of life of our people. There is a reality here about this. A growing number of children are born into single-parent homes or are born into broken families. We have to help them because we know that, statistically speaking, children being raised in broken families and single-parent homes with low incomes will struggle to succeed. They will not have an equal opportunity unless someone does something to help them out.

We can help. We can help by helping their parents acquire the skills they need for better jobs, such as the single mother I talked about earlier, but also by giving their parents the opportunity to send them to the school of their choice. It is immoral, it is un-American that the only people in this country who cannot choose where their children go to school are poor people. It is outrageous. Rich people can send their kids to any school they want, and that is their right. The middle class will move to a better neighborhood or struggle to put together just enough money to put their kids into a better school. But if you are poor and the school in your neighborhood is a dangerous school and you are not learning, there is nothing you can do. That is outrageous. The answer to that is, well, improve that school. I agree. But in the 5 years it takes to improve that school, that child has gone from first grade to sixth grade, and you are never getting those years back. Every parent in America—especially low-income parents—deserves the opportunity to put their children in the school of their choice.

There are other ways we can help families. Primarily that is our responsibility as individuals and communities. But we should have a promarriage Tax Code, a promarriage government program. We shouldn't have marriage penalties. We shouldn't tell people "If you get married your taxes are going to go up" or "If you get married you will lose Medicare, Medicaid." We have to get rid of those things. We have to remove those marriage penalties in our Tax Code and in our programs.

By the way, we should also protect our faith communities. They are an important part of instilling values because you can have all the diplomas on the wall you want, but if you don't have the values of hard work and discipline and self-control and respect for others and respect for the dignity of the life of all people, you will struggle to succeed. No one is born with those values; those values have to be taught by strong families in a strong home, and they have to be reinforced by strong communities. One of the pillars of a strong community is our faith community, whatever faith you choose.

That is why protecting religious liberty is so important.

Last but not least, restoring the American dream isn't just about better jobs and better training and better skills; it is also about dealing with the cost of living. That is why I think in the coming year we desperately need a profamily Tax Code. Instead of all these loopholes that are designed to help big business or the cronies of the people who serve here in Washington, we need a profamily Tax Code. For example, let's increase the child tax credit because it costs money to raise children in the 21st century and these working families are struggling to provide for their children. Let's have a profamily Tax Code like the one Senator LEE of Utah and I have proposed. Let's increase the child tax credit.

We also have to deal with the cost of higher education. It is completely out of control. Do you know who is getting destroyed by that? The middle class.

I had the honor of teaching a course at Florida International University. There are many working-class students there. And here is their frustration, and they are right: Their parents make too much money for financial aid, but they do not make enough money to be able to afford the school. So do you know what they do? They take out loans in the tens of thousands of dollars.

I know about this firsthand because when I was sworn into the Senate here 4 years ago, I owed over \$100,000 in student loans. My parents could never afford to pay for my school. I was blessed to be able to receive Pell grants and other assistance, but I still had to use loans.

When we first got married, it was our single largest expenditure. I used to joke with my wife: You didn't just get married to me; you got married to Sallie Mae. Every month Sallie sent us a \$1,300 or \$1,400 bill.

There are tens of thousands, hundreds of thousands of young people across America who are stuck with big loan debt and degrees that don't lead to jobs. I hope we will tackle that this year, and there are a couple of proposals that I think will help. The first is we should make income-based repayment the repayment method for everyone unless you opt out of it.

Second, I think people deserve the right to know before they take out a loan how much they can expect to make. Before you take out a loan to pay the tuition of the school, that school should be required to tell you: This is how much people who graduate from our school make when they graduate with this degree. So you can decide whether it is worth borrowing \$100,000 to be a Greek philosophy major because the market for Greek philosophers is very tight these days.

Last but not least, I think we need alternatives to traditional student loans. One of the things I have proposed is something called the student investment plan, which allows people

to invest in your future. Basically, it is a venture fund in you. Someone will come forward and say: We will give you the money to go to college. In exchange, you will pay us back 1 or 2 percent of your income for your first 10 years.

They are investing in you. It is a student investment plan. It is not for everyone. It is not a panacea, but it is an alternative to student loans.

One of the things that would help, by the way, that would be an alternative to student loans, is what I mentioned earlier—if you were able to package learning and turn self-directed learning into the equivalent of a degree.

There are other big items contributing to the cost of living. Health care I don't need to tell you about. How many people out there today, particularly in the middle class, are starting to find out they have higher deductibles, higher copayments, higher premiums, and are getting less coverage than they used to have. This is not a myth. It is not a rumor. This is happening to millions of people. We get the calls, and so do you in your office about all these things.

One last point on the cost of living is dealing with poverty. Our antipoverty programs don't work. There are antipoverty programs in this Cronibus—a term, by the way, none of us have ever used before. I don't know who makes these things up. But anyway, there are antipoverty programs in this bill. Our antipoverty programs alleviate poverty, but they don't cure it.

Imagine if you broke your arm and you went to the hospital and they said: Here is a lifetime supply of pain killers. I am not saying you shouldn't help people with the pain from the broken arm, but you have to fix that broken arm.

Our programs don't fix poverty. They do not cure poverty. We need programs that will cure poverty. That is why I believe we need what is called the flex fund, where we take all of our existing antipoverty dollars—I am not saying cut it; I am saying take our existing antipoverty dollars and put them in a flex fund and allow States and local communities to design specific plans that work in their communities.

I can tell you that in the State of Florida, urban poverty and rural poverty have different elements to them. A program that might work very well in the inner city of Miami doesn't work at all with the rural poverty in South Dade. We should allow States and local communities to design programs that help cure poverty.

The ultimate cure for poverty is a good job. That means everyone who is on these assistance programs should either be in school acquiring the skills they need for a better job or they should be working, improving their skills through experience.

Let me just say this about that, and I have talked about one of the aspects of the reforms we want—a wage enhancement. If the only job you can find

pays \$8 or \$9 an hour but you need \$15 an hour to provide for yourself, I would rather come up with government money and make up the difference through a wage enhancement than give you \$9 or \$10 an hour or the equivalent of \$7 or \$8 an hour in a welfare check. Because while you are working, you are gaining experience, and we are also helping supplement your paycheck so you can pay your bills.

That condition isn't forever. It can't become a way of life. But if you have been unemployed for 5 or 6 years and you show up somewhere to get a job and they ask you what you have been doing for the last 6 years and you say you haven't been doing anything, your chances of getting that job have just diminished dramatically. It is not good for people to be unemployed long term in terms of their long-term job prospects. That is why I have talked about a wage enhancement program as well.

I think if we do all these things I have talked about—make ourselves a globally competitive economy so the jobs are created here, give our people 21st-century skills, help people deal with the cost of living—I think we have every reason in the world to be optimistic about our future.

I will close by saying that I think sometimes we get confused here about how we measure the greatness of our country or the progress we are making. We look to facts and figures, such as the unemployment rate, and we look at the GDP of the country, and these are important figures. We shouldn't ignore them. But let me tell you how I measure the progress of this country.

I mentioned earlier that my father was a bartender. At many of the events I have been involved in through public service over the years, I give a speech somewhere, and there is a bartender standing behind a bar in the back of the room. Almost every time I see that, it reminds me of my father, who stood for so many years behind a bar. He was happy for the work he had, but that is not the life he wanted for us. He wanted something more for us. My father stood behind that bar all those years so that one day I could have the chance to stand here on the floor of the United States Senate and talk about things like the American dream. That journey from behind that bar to where I am standing here tonight is the American dream. That is the American dream.

A few years ago someone heard me give that speech in New York City, and after I was done speaking the employees there came up to me and handed me this name tag. It said "Rubio, Banquet Bartender." It was one of the most touching gifts I ever got from anyone, but it was also a reminder that whether we remain a special nation will be determined by whether people today can do what my parents did; by whether people today can still make that journey my father made from behind that bar to where I stand today. Can the single mother provide her children

the life she always wanted but never had? Can that worker at that hotel open doors for their children that were closed for him? That is how we will know we are still special. If they can, then this new century is also going to be an American century.

We do have real challenges, but we also have real opportunities. And there is no time in history that I would rather be in than right here, right now. I believe technology will allow us to collaborate and reach more people than ever before. I believe innovation will solve problems we once thought were insurmountable. I believe a rising global middle class will provide more prosperity to more people everywhere than we have ever seen. That is what I believe the 21st century can be about.

I believe you and I live on the eve of another American century. All we have to do now is to reach for it and grab it. All we have to do now is do what our parents did for us—whatever it took to leave for their children a better life and a better future. If we do that, then we will leave behind for our children what every generation of Americans before us has left behind: the single greatest nation in the history of all mankind.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, anyone watching Congress right now would have little reason to think that an historic election occurred only a few weeks ago.

Washington, DC, sadly, continues to remain deaf to the American people. Washington, DC, continues to refuse to listen to the American people.

Even though millions of voters rose up just 1 month ago to protest how President Obama and the Senate Democrats were running Washington, business as usual is continuing inside the marble halls of the Congress. What is happening here?

Last night we saw chaos in the U.S. House of Representatives as they were there until late in the night, voting on a bill that the vast majority of the Members had never even sat down to read. Yet somehow, at the last minute, just in the nick of time, with an arm twisted here and a nudge there, it passed the House. Now it is here in the Senate.

Before the Senate today is a \$1.1 trillion bill full of Christmas presents for the lobbyists and special interests here in Washington. I know it is Christmas-time, but it is not our job to be playing Santa to K Street.

This bill is not designed to help working Americans. It is designed to pay off all the promises made to lobbyists who funded campaigns over the past year. It is designed to make sure that a whole lot of folks can fly home and ensure that more campaign dollars will be coming in the coming weeks.

Before the Senate is a bill that continues to fund the train wreck that is

ObamaCare, and does nothing to provide relief to the millions of men and women who are hurting, who are suffering, who lost their jobs, who lost their health care because of this disaster.

And before the Senate is a bill that does nothing—absolutely nothing—to stop President Obama's illegal and unconstitutional amnesty. That is why I rise to speak here today.

The President's Executive amnesty is lawless and unconstitutional. To be clear, the dispute over Executive amnesty is not a dispute between President Obama and Republicans in Congress. It is a dispute between President Obama and the American people.

In this last election President Obama said something that was absolutely correct. He said his policies were on the ballot all across this country. The President was right. This election was a referendum on amnesty.

I spent roughly 2 months on the road campaigning for Senate candidates all over the country, one after the other, in race after race. Front and center was: If you elect Republicans, we will stop President Obama's amnesty.

The American people's verdict on that referendum was not ambiguous. Over and over again voters in States across this country decided not to send back the incumbent Democrats, but to elect a new Republican.

I recall 2 years ago when the Presiding Officer and I were freshmen. There were nine Democratic freshmen that year and just three Republicans. Today there are 12 Republican freshmen—12 new Senators, a quarter of the Republican conference—elected as the result of a referendum on amnesty. The people have spoken loudly. Yet, sadly, President Obama has reacted to the voters in a way that, frankly, is unprecedented in American history.

Previous Presidents, particularly second-term Presidents, have been repudiated by the voters, and there is a way Presidents typically responded: They react with humility. They react acknowledging the American people, trying to course correct. Sadly, President Obama didn't do that.

Instead, he came out angry and defiant. He came out and declared to the American people: It doesn't matter, in his view, what the American people say. And it doesn't matter, in his view, what the Congress, elected by the American people, says. He is instead going to unilaterally decree amnesty for some 5 million people who are here illegally.

We are going to have a vote in time on this omnibus bill. But critical in that vote should be a vote on President Obama's illegal amnesty.

We should consider the constitutionality of his actions. Every Senator in this body should be put on record whether he or she believes it is constitutional for a President to disregard—to ignore—Federal immigration laws, and grant blanket amnesty to millions in defiance of both the laws on the books and the voters.

This President believes he can unilaterally alter laws he disagrees with. There is a form of governance where one man or one woman can make the laws, can change the laws, can enforce the laws. It is called a monarchy. There are countries on Earth right now that have monarchies that vest the legislative and executive power in one person.

I would note Americans historically are not unfamiliar with monarchy. We fought a bloody revolution to free ourselves from a tyrannical monarch. And when our Framers drafted our Constitution, it was designed, as Thomas Jefferson put it, to serve as chains to bind the mischief of government.

The danger we are facing here right now is profound insofar as it concerns amnesty, and is even greater as it concerns the checks and balances in our government and the protection of individual liberty. Because a President who can set aside the law, who can pick and choose which law to follow and which law to ignore, is no longer a President. That should concern all 100 Senators here.

If President Obama can decide I don't agree with the immigration laws, so I will not enforce them, I will unilaterally change them—I promise you there is going to come another President—another President with different policy views. And the next time it may not be immigration laws that he or she is changing, it may be tax laws or environmental laws or labor laws.

I fervently believe we need tax reform, labor reform, and environmental reform, but there is a proper way to do it. The proper way to do it is this body debating and making legislative changes to the laws, not one President by dicta setting aside the law. A Presidential temper tantrum is not an acceptable means of discourse.

One of the characteristics of a monarch is he or she need not compromise. The President has justified this illegal amnesty by saying he told Congress what he wanted, and Congress refused to give it to him. Well, the relationship in our constitutional Republic between the President and the Congress is not the relationship between a parent and a child. The President does not get to demand of Congress: Here is the policy I want. Either give me what I want, or I will decree it to be so and ignore the law. That is the President's bargaining position.

The President wants to reform immigration. And let me be clear: We need commonsense immigration reform. I support commonsense immigration reform. But the way it works in our constitutional system is if you want to change the laws, you have to work with the other branches. And that means you have to compromise. It means the President doesn't get everything he wants. And this is a President who is barely willing even to talk to Congress, much less to compromise on anything.

As Alexander Hamilton explained in Federalist 69: A monarch decrees, dictates, and rules through fiat—which is



what President Obama is attempting to do right now.

When the President embraces the tactics of a monarch, it becomes incumbent on Congress to wield the constitutional power this body has as the elected people's representatives to stop it.

The Congress representing the voice of the people who just spoke resoundingly in an election should use every constitutional tool available to prevent the President from subverting the rule of law.

When the President usurps the legislative powers and defies the limits of his authority, it becomes all the more imperative for Congress to act. And Congress should use those powers given to it by the Constitution to counter a lawless executive branch, or this body will lose its authority. If the President will not respect the people, Congress must.

Second, let me ask a question. Why are we here today in a lameduck? Why is there a session of Congress the second week of December with so many Members voting who the American people just said they no longer want to be represented by? Why are there so many Members getting ready to land at cushy law firms and lobby jobs in industry and trade associations? All of our colleagues, a whole bunch of them, we are going to see them again—except they will have more expensive suits, more finely tailored, and come with an army of lobbyist aides with them.

Both the House and the Senate are filled with people who won't be here next year. And that is not of accident, because these bodies are voting to fund a \$1 trillion spending bill, and those Members who were defeated or retiring aren't accountable to anybody. They won't have to answer for this.

But it is even worse. I mention this omnibus is a payoff to K Street. That is where a lot of these retiring Members are going to go. So what a perfect way to start your job is to ensure that you come with goodies for the rich and powerful.

Look, the American people are disgusted by the way Washington works. Washington under the Obama administration takes care of the rich and powerful, those who walk the corridors of power, and ordinary working men and women are left in the dark.

People who have been hurt the most under the Obama economy have been the most vulnerable among us. They have been young people, they have been Hispanics, they have been African Americans, they have been single moms. And yet, I am sorry to say, in this current Senate there are very few advocates for the people who are really hurting.

Let me give one example. One of the elements of this bill is the so-called expatriate health insurance plan fix that this omnibus exempts from ObamaCare.

Now what is this about? Well, American insurance companies that sell in-

surance policies to expatriates—Americans living abroad—are subject to all of the oppressive mandates of ObamaCare. All of the mandated coverage mandating things—like maternity care for women who are no longer in child-bearing years—all sorts of mandates that drive up the costs. And they are also subject to the crushing impunity taxes.

So what has happened? Insurance companies have come to Congress and said: It is not fair. It is hurting our business, it is hurting our jobs. It is amazing. Get enough lobbyists together, and suddenly you get bipartisan agreement.

This provision has Republicans and Democrats together saying we should carve a special exemption for the big insurance companies.

There are a lot of things about this body that they don't teach in civics class. There are a lot of things in this body that would horrify the typical junior high or high school student learning about how government operates.

One of them is something called the hotline. An awful lot of legislation gets passed on the hotline. That is, someone introduces legislation, sends around an email and says, unless you object, this will be treated as automatically passed. All sorts of items get done on the hotline without this body ever debating it, ever considering amendments, ever taking it to the floor.

Well, this ex-patriot insurance amendment was hotlined. Senators, both Democrats and Republicans, want to shoot it through in the lame duck in the quiet of night. Now listen, I think there are some good arguments on its merits for this ex-patriot bill. It is not unreasonable to recognize that ObamaCare is costing jobs, and it is hurting. But I will tell you the way a hotline works is any single Senator can object. So I objected. Let me tell you why. I said listen, this may make sense, but we shouldn't do it with no amendments, no debate, in the dark of the night. We should do this on the floor of the Senate, with a debate and with amendments. In particular, I want to take the opportunity to ask my friends and colleagues who are Democrats, who are supporting this exemption, if you think these provisions of ObamaCare are so onerous, so damaging, are killing so many jobs, why won't you provide an exemption for the people that live in your State? If it is right that these are harmful, why discriminate against the people living in your State? I want to take it up on the floor in a context where you could offer amendments to say, listen, it is all fine to take care of the big insurance companies, but how about somebody stand up for single moms—single moms who are in vast numbers being forced into part-time work, forced to work 28, 29 hours a week because in ObamaCare the threshold that kicks in is 30 hours a week? How about somebody stand up for the average working men and women.

But I will tell you what. The single moms, the African-American teenagers, the legal immigrants—they don't have fancy lobbyists. There is no provision in the past several months that I have been more heavily lobbied over than this ex-patriot bill. I had an insurance company CEO on the phone with me. I had Senators on the phone and lobbyists on the phone all saying, look, take care of this provision. I responded very reasonably. I said look, we could take it up in just a couple of weeks. In January, with a new Congress, we could take this up, we can debate it, we can consider it. But if we are going to be making exemptions for ObamaCare, how about if we not start with the richest and most powerful corporations? How about instead we start with working men and women, put working men and women first because they are the ones paying the biggest price. Yet I am sorry to tell you this is a great illustration of how Washington works. When it couldn't get hotlined in its own bill, what happened? It magically appeared on the omnibus, tacked on at the last minute because they knew it would go just right through Congress in the dark of night—how profoundly corrupt.

Listen, if you are a Fortune 100 company, you should feel thrilled because you can marshal armies of lobbyists to get special carve-outs for you. But if you are a steelworker out of work, if you are a single mom, if you are a Hispanic teenager trying to get her first job to start climbing the economic ladder and moving towards the American dream, you know what; you don't have a high-paid lobbyist, and unfortunately, this Senate is not listening to you.

We need to change that. We need to change that. Another provision of this omnibus is a special carve-out for Blue Cross Blue Shield. Blue Cross Blue Shield is a very fine company. Blue Cross Blue Shield spent more than \$15 million on lobbyists this year. Now it is all fine and dandy that Blue Cross Blue Shield gets a carve-out. What about working men and women? Under the Harry Reid Senate, do you know how many bills we have debated on the floor to provide meaningful relief to the millions of Americans who have lost their jobs, lost their health care, have been forced into part-time work, who face skyrocketing insurance premiums and lost their doctors? Zero, not a single one, because working men and women don't have \$15 million to hire fancy lobbyists. And the corrupt culture of Washington listens to the lobbyists and not the people.

Let me be clear on this. This is a bipartisan bill. HARRY REID, the Democratic Senate, has shut this institution down and has ceased working for working Americans. But Republicans share in that sin, share in that embrace of corporate welfare. Enough with the corporate welfare. God bless big companies that provide jobs. We don't need to be providing corporate welfare. How

about instead we have fundamental economic reform that brings back growth, that helps small companies start and grow and create jobs. How about we stop playing favorites and picking winners and losers, and instead how about Washington listening to the American people?

Another provision in this bill—another bit of corporate welfare—is Brand USA, a travel promotion company. That is one of the current majority leader's pet projects because it helps promote casinos in his home State. Last I checked, casinos were very profitable endeavors that didn't need the taxpayers helping them out, didn't need the Congress serving your hard-earned dollars and handing it out to promote casinos.

Another example is the Overseas Private Investment Corporation. It is also reauthorized in this bill. Most people haven't heard about it, but let me tell you what it does. Over the past few years, OPIC has approved a \$20 million loan to help luxury cars be built in Eastern Europe. Coincidentally, the man who owns the company is a donor to President Obama and Vice-President BIDEN. OPIC has also backed hundreds of millions of dollars for solar farms in South Africa. It has also helped finance the Ritz Carlton in Istanbul. It has backed \$150 million in insurance for Citibank to open branches in Pakistan, Jordan, and Egypt. How is it that one of the largest banks in the world cannot get its own insurance? Why should taxpayers take on that risk? They shouldn't.

Also spread throughout this bill are all kinds of provisions mandating what kind of vehicles the U.S. Government may buy for use, limits on how much the car can weigh, rules on how it must be powered, where the corporation is based and put together. They all together work to give U.S. corporations that produce expensive electric cars an advantage. Instead of saving the taxpayer money, this bill is pushing the government to purchase Chevy Volts and Teslas, instead of other more affordable cars.

Yet another problem in the lameduck was seen in a bill we considered earlier today, the National Defense Authorization Act. The NDAA had a lot of good provisions in it. I serve on the Armed Services Committee. I introduced amendments that were accepted and included in the bill, including one that is near and dear to my heart, a provision that finally, finally, finally, allows the 14 innocent souls who were murdered by Nidal Hassan of Fort Hood to be eligible for the Purple Heart. It has been far too long that this administration has declared that terrorist attack to be workplace violence. That was a good provision. There are other good provisions in that bill. Yet in the last minute, a giant chunk of legislation got added to the Defense authorization that had nothing to do with defense. Instead it was a giant land grab. Once again it was bipartisan—Demo-

crats and Republicans coming together and saying, let's have the Federal Government seize a bunch of land. So the Defense authorization bill added 250,000 acres of new wilderness designation.

The Defense authorization bill resulted in 400,000 acres being withdrawn from productive use. It added three new wild and scenic river designations, three new studies for additional designations. Some of these provisions may have been sound on their own, but there was a reason they weren't brought up on their own. There is a reason they weren't debated on the floor of the Senate—because they couldn't withstand the scrutiny. So instead, the way corrupt Washington works, they were stuck on to a Defense authorization that was deemed must-pass, and suddenly the Federal Government takes roughly one-half million acres of land out of productive use, out of use by the citizenry.

You know that is disrespectful to the men and women in the military. It is a disservice. We shouldn't be using the Defense authorization as a tool for congressional pork.

I will make an additional point about President Obama's amnesty. In all likelihood, in a matter of hours or a matter of days, the Senate is going to pass this massive pork-filled mess of a bill, a \$1 trillion-plus amnesty that is paying off lobbyists throughout this land.

Yet leadership from both parties—Republican leadership in both the House and Senate have promised this bill is designed for Congress to stand up to President Obama's illegal amnesty. They have said repeatedly that in just a few weeks help is on the way. In just a few weeks Republicans will be the majority in this body and in just a few weeks we will have a new majority leader.

The new majority leader, my friend the senior Senator from Kentucky has said:

If President Obama acts in defiance of the people and imposes his will on the country, Congress will act. We're considering a variety of options. But make no mistake. When the newly elected representatives of the American people take their seats, they will act.

I take the soon-to-be majority leader at his word.

The Speaker of the House has said: "Come January, we'll have a Republican House and a Republican Senate, and we'll be in a stronger position to take action." The Speaker went on to say that the current plan is "the most practical way to fight the President's action."

Again, I take him at his word. When the Republican leaders promise this bill is all designed so that come January and February—just a few weeks from now—we will see both Houses stand together and make clear that when the continuing resolution expires for the Department of Homeland Security, this body will not appropriate money to DHS to carry out President

Obama's illegal and unconstitutional executive action, I take them at their word, because the alternative would be that elected leaders are saying something to the American people they don't believe and they don't intend to follow through with. And I very much hope that is not the case.

Indeed, I am reminded of Reagan's famous admonition: Trust but verify.

So I take them at their word, but I would note that a whole lot of citizens across this country feel a little bit like Charlie Brown with Lucy and the football. Where in fight after fight, leadership in Congress says: We will fight next time. Not this time—no, no, no—the wise thing to do is fight in a month, fight in 2 months, fight in 3 months—not now. It always seems to be when the month or 2 months or 3 months happens, the same statement is made: No, no, no—not January, maybe March. No, no, no—not that. How about June? No, no, no. How about September?

There has been a time when Charlie Brown has kicked the football and fallen on his rear end one too many times. So when our leaders in both Chambers say as a commitment, we will fight, and we will stop President Obama's illegal amnesty, I take them at their word. But I am confident that the American people will hold them to their word. The American people may not be quite so trusting, as am I, because they have seen far too many Members of Congress say one thing and do another.

We will learn soon enough if those statements are genuine and sincere. We will learn in just a few weeks if leadership intends to follow through on the promises they have made over and over again.

I would note that over the course of this election, Republican Members of the House, Republican Members of the Senate campaigned all over this country and they said two things repeatedly. They said No. 1, if you elect us we are going to do everything humanly possible to stop the train wreck that is ObamaCare, and they said, No. 2, if you elect us, if you give us a Republican majority in the Senate, we will stop President Obama's illegal action.

All over the country, that is what Republican candidates said, and it is the reason they told the American people to elect a Republican majority.

My admonition to my friends—especially to the newly elected Republicans—is very simple: Do what you said. Simply do what you said.

Virtually every Republican on this side of the Chamber told the men and women in his or her State: If you elect us, we will stop President Obama's amnesty.

We must do what we said because it is profoundly unfair. This amnesty is unfair to millions of legal immigrants who followed the rules and waited years in line yet see those who came illegally being rewarded nonetheless by the Obama administration. This Executive amnesty is profoundly unfair to

the 92 million Americans who are not working right now and to all the working men and women struggling to just put food on the table to feed their kids. This Executive amnesty is profoundly unfair, especially to the African-American community, which is facing historic unemployment.

If Congress acquiesces and does not stand up and assert the prerogative of this institution to legislate, to pass laws, and prevent the President from ignoring the laws on the books, then we will have ceded our authority not just on immigration but across the field.

It is incumbent on all of us to defend the Constitution, and it is my hope that the Senators who take an oath to uphold the Constitution will honor that oath more than party allegiances.

I will note that in recent weeks no fewer than a dozen Democratic Senators have publicly criticized President Obama's illegal Executive amnesty. I welcome that criticism. It is nice to see that sort of candor coming from Democratic Senators, but, as my wife is fond of telling me, talk is cheap. If those dozen Democratic Senators who criticized President Obama's Executive amnesty as illegal and unconstitutional mean what they say, then the only responsible action is to use our legislative authority to stop it.

I hope my Democratic colleagues will put partisan politics aside—even those who may agree with President Obama's amnesty—and say that the way to change the immigration laws is to work with Congress and compromise. You may not get everything you want, but we have a system of checks and balances.

It is striking—in many ways the simplest and best explanation of what the President has done came from “Saturday Night Live.” The week after the President's illegal amnesty, “Saturday Night Live” reprised the classic “Schoolhouse Rock—How a Bill Becomes a Law.” They had a giant dancing, singing bill come out and say: “First I go to the House, then I go to the Senate, and if I'm lucky, the President will sign me and I become a law.” Then on “Saturday Night Live,” President Obama walked out onto the steps of the Capitol and pushed the bill down the steps of the Capitol. He pushed the bill down the steps of the Capitol four separate times, and then out walked an Executive order smoking a cigarette, as it so happens, and it simply said: “I'm an Executive order. I pretty much just happen.”

Do you know what? “Saturday Night Live” is exactly right. The President is ignoring the basic checks and balances of our Constitution and trying instead to decree the law. That is unconstitutional, and a portion of this bill that has been sent over from the House of Representatives funds the Department of Homeland Security to carry out that unconstitutional action.

Therefore, Madam President, I am now offering and raising a constitu-

tional point of order against division L of this bill on the grounds that it violates the following provisions of the Constitution: the separation of powers embodied in the vesting clauses of Article I, Section 1 and Article II, Section 1; the enumerated powers of Congress stated in Article I, Section 8; and the requirement that the President take care that the laws be faithfully executed, as stated in Article II, Section 3.

It is incumbent on this body to resolve those constitutional questions and to honor and protect the constitutional authority of the United States Congress.

The PRESIDING OFFICER (Ms. WARREN). Is the Senator raising the point of order at this time?

Mr. CRUZ. I am.

The PRESIDING OFFICER. At this time, a motion to refer is pending barring other actions on the measure.

Mr. CRUZ. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. I appreciate everyone's patience. You have all been waiting.

I ask unanimous consent that at 5 p.m., Monday, December 15, the Senate proceed to vote on the motion to invoke cloture on the motion to concur in the House amendment to the Senate amendment to H.R. 83; that if cloture is invoked, there be 30 minutes postcloture debate time remaining on the motion to concur.

The PRESIDING OFFICER. Is there objection?

Mr. LEE. Madam President, reserving the right to object. The American people have grave concerns with the President's decision to take action unilaterally with regard to Executive amnesty. This is an action that is rather unprecedented and rather unsupported by law, notwithstanding the President's insistence to the contrary. It is an issue that is of concern to a great many people.

Right now we are being asked to punt all of our activity until Monday at 5 p.m. I don't see any reason to do this. I don't see any reason why the Senate should suspend its operations while the American people are waiting for us to act. I don't see any reason why we should wait until Monday at 5 p.m. I certainly don't see any reason why we should agree to move forward then and not have any assurance that we would at least have an opportunity to vote on an amendment that would impose a spending limitation on the President's ability to implement his Executive amnesty action.

I would respectfully request that the majority leader modify his request and that he modify his request to assure us that we would receive a vote on a

spending limitation amendment that we could have in connection with the CR/omnibus when we reconvene.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I am unable to do that.

Mr. LEE. In that case, I object.

The PRESIDING OFFICER. Objection is heard.

## MORNING BUSINESS

### FOIA IMPROVEMENT ACT

Mr. LEAHY. Madam President, I am deeply disappointed that last night the House failed to pass the FOIA Improvement Act. This bipartisan bill was reported unanimously by the Senate Judiciary Committee last month, and it was the product of months of hard work by Senator CORNYN and me. Our bill is supported by more than 70 public interest groups that advocate for government transparency, and it passed out of the Senate unanimously. I would think that Members of the House Republican leadership, who have spent so much time on oversight of the Obama administration, would support the goal of making government more accountable and transparent, but instead of supporting this bill, they have chosen secrecy over sunlight.

The FOIA Improvement Act would codify what the President laid out in his historic Executive order in 2009 by requiring Federal agencies to adopt a “presumption of openness” when considering the release of government information under FOIA. This bill would require agencies to find a foreseeable harm if they want to withhold information from the public. Prioritizing the people's interest in what their government is doing, our bill will reduce the overuse of exemptions to withhold information. Federal agencies have been required to apply this standard since 2009. They also used this same standard during President Clinton's terms in office. It was only during President George W. Bush's term of secrecy that this standard was rolled back. It appears the House leadership wants to return to that era. It should not matter who is in the White House, information about what their government is doing belongs to the people.

In a political climate as divided as this, I had hoped that we could come together in favor of something as fundamental to our democracy as the public's right to know, that government transparency and openness would not just be the standard applied to the Obama administration but what is applied to every future administration. The FOIA Improvement Act would have done just that.

### SUCCESSFUL EFFORTS TO ADDRESS CYBER BULLYING

Mr. LEAHY. Madam President, I want to take a moment to share with the Senate one successful story coming out of Vermont.