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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:
Let us pray.

O God of wisdom and order, who filled the universe with the mysteries of Your power; sustain Your lawmakers with the knowledge of Your mercy and providence. May they always look to You, the architect of destinies, for guidance in the precarious journey of defending freedom. Lord, help them to

grow in grace and in a knowledge of Your will and purposes. Sustain them and their loved ones with Your everlasting arms. May Your hand lead our Senators and Your right hand protect them.

We pray in Your mighty Name.
Amen.

NOTICE

If the 113th Congress, 2nd Session, adjourns sine die on or before December 24, 2014, a final issue of the *Congressional Record* for the 113th Congress, 2nd Session, will be published on Wednesday, December 31, 2014, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-59 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Tuesday, December 30. The final issue will be dated Wednesday, December 31, 2014, and will be delivered on Monday, January 5, 2015.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman*.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

TAX INCREASE PREVENTION ACT OF 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 627, which is H.R. 5771. It is the tax extender legislation.

The PRESIDENT pro tempore. The clerk will report the motion.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S6869

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 627, H.R. 5771, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume executive session and vote on the confirmation of the Santos and Rose nominations. Those will be done by voice.

Following disposition of the nominations, there will be up to 3 hours for debate equally divided and controlled between the two leaders or their designees in relation to the Saldana nomination.

The time from 2:15 p.m. to 2:30 p.m. will be equally divided and controlled in the usual form, followed by two roll-call votes on cloture and confirmation of the Saldana nomination.

There will be our usual party caucuses today at noon. Rollcall votes will occur for sure this evening at 6 p.m.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

DANIEL J. SANTOS TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD

FRANK A. ROSE TO BE AN ASSISTANT SECRETARY OF STATE (VERIFICATION AND COMPLIANCE)

The PRESIDENT pro tempore. Under the previous order, the Senate will resume executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Daniel J. Santos, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board; and Frank A. Rose, of Massachusetts, to be an Assistant Secretary of State (Verification and Compliance).

Mr. REID. Mr. President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

VOTE ON SANTOS NOMINATION

The PRESIDING OFFICER. If there is no further debate on the Santos nomination, the question is, Will the Senate advise and consent to the nomi-

nation of Daniel J. Santos, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board?

The nomination was confirmed.

VOTE ON ROSE NOMINATION

The PRESIDING OFFICER. If there is no further debate on the Rose nomination, the question is, Will the Senate advise and consent to the nomination of Frank A. Rose, of Massachusetts, to be an Assistant Secretary of State (Verification and Compliance)?

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.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there is 3 hours of debate equally divided in the usual form on the motion to invoke cloture on the Saldana nomination.

Mr. REID. Mr. 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. Mr. 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. Mr. President, it would probably be appropriate that I suggest the absence of a quorum but ask unanimous consent that the time be divided equally.

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

Mr. REID. This would be during all quorum calls today—because there will be several of them—that the time be divided equally on the Saldana matter.

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

Mr. REID. Mr. 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. CORNYN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CORNYN. Mr. President, more than 3 months ago I was proud to introduce a fellow Texan, Sarah Saldana, to the Homeland Security and Governmental Affairs Committee in connection with her nomination to become the Nation's top immigration enforcement official, a position important to our country and particularly to Texas.

Ms. Saldana was born in Corpus Christi, TX, and became the first Latina U.S. attorney in Texas history and only the second woman to hold that position in the 135-year history of Texas, in the northern district, a region that includes the Dallas-Fort

Worth metroplex, spans 100 counties, and stretches across 95,000 square miles. I, along with former Senator Kay Bailey Hutchison, was proud to support her nomination to that important job.

In her role as U.S. attorney and previously as a line prosecutor, Sarah Saldana has fought public corruption. She has fought organized crime, sex traffickers and other dangerous criminals. She has also prosecuted numerous high-profile public corruption cases, including the very publicized corruption trial that resulted in the conviction of the former Dallas mayor pro tem, Don Hill, and the ongoing case against Dallas county commissioner John Wiley Price—both members of her political party—which put her in some disfavor, as you might imagine, in Democratic political circles. But it was something which demonstrated to me that she was a person of courage and conviction and she believed in enforcing the law beyond purely deferring to personal political interests.

Throughout her career she has developed an outstanding reputation, and based on her qualifications alone, we would be hard-pressed to find a person better suited for the job at Immigration and Customs Enforcement than Sarah Saldana.

Unfortunately, the President changed everything this last November by his Executive action on immigration. To be clear—I have said this before on the floor, but I will just repeat—I believe the President's actions are beyond his constitutional authority and are a reckless political stunt.

Here are the sorts of things the President is claiming to do. The Department of Homeland Security has issued a series of directives pursuant to the President's instructions on November 21, doing everything from repealing the Secure Communities Program, by which local law enforcement cooperates with Immigration and Customs Enforcement and when a person is arrested who also is in the country illegally, they are detained by local law enforcement, even though they have served their time or otherwise are subject to release so that ICE can come pick them up and return them to their country of origin. The President's Executive action and the Department of Homeland Security directives pursuant to that eliminate the Secure Communities Program.

It also purports to prioritize immigration enforcement according to three priorities. The problem is these add even more confusion to what is already an indecipherable and confusing mess, and it also puts to the lowest priority people who have been convicted of crimes such as child abuse, stalking, theft, some child pornography offenses, possession, distribution of alcohol to minors, hit-and-run, including some hate crimes, property destruction, false imprisonment, some abduction offenses and the like. In other words, the President's priorities for immigration enforcement really represent a wholesale