

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 4:30 p.m.

Thereupon, the Senate, at 3:47 p.m., recessed until 4:30 p.m. and reassembled when called to order by the Presiding Officer (Mrs. ERNST).

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 240, which the clerk will report.

The senior assistant legislative clerk (Mary Anne Clarkson) read as follows:

Motion to proceed to Calendar No. 5, H.R. 240, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Madam President, in just a few minutes Democrats will have another opportunity to end their weeks-long filibuster of Homeland Security. It will be the first opportunity our friends on the other side have to show where they stand after a Federal judge preliminarily enjoined the administration from moving ahead with actions President Obama himself referred to as "ignoring the law." President Obama said that just over a year ago.

The point is that it is time to allow this Homeland Security funding measure to come to the floor. Democrats say they want the ability to amend DHS funding legislation, but then they keep voting to block their own ability to offer amendments. It doesn't make any sense. So in a few moments we will give our Democratic friends another opportunity to reconsider. They can vote to allow the Senate to debate the Homeland Security funding bill. They can vote to allow the Senate to consider amendments from both sides, and that is what they actually should do. That is what constituents have a right to expect. Let's take up this funding bill and get to work.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Madam President, in just a few days—5 to be exact—the Department of Homeland Security will run out of money. This unique entity was established right after 9/11. President Bush believed there were too many agencies trying to take care of the security of this Nation, so he got Congress to work with him, and they came up with 22 entities for the Department of Homeland Security. They have protected our homeland since 9/11, and they have done a good job.

I am very disappointed that the political ploy used by my congressional

Republican leadership to force a shutdown of Homeland Security will only hurt our Nation, but it does make very clear where Republicans stand on fixing our broken immigration system.

Twenty months ago some valiant Senators, Democrats and Republicans, worked together for almost a year. Democrats were led by Senators SCHUMER, DURBIN, BENNET, and MENENDEZ. Republicans were led by Senators MCCAIN, GRAHAM, RUBIO, and FLAKE. They worked night and day. They came up with a bill that they presented to us, Democrats and Republicans, and we worked hard. We had lots of amendments. There was a wonderful debate. It was one of the great days of this body. And we passed it with a bipartisan vote. It was such a good day for the Senate and our country. But now, after 20 months, suddenly people are not interested.

Even Senators FLAKE, GRAHAM, and MCCAIN have stated that we should fund Homeland Security—fund it. We have all kinds of Republican Senators who have said the same thing in the last few days. Senator JOHNSON said it should be fully funded. He said that today.

I don't understand what my Republican friends are trying to do. They want to hold up DHS funding in order to deport DREAMers and their parents. That doesn't make any sense. Their plan is destined to fail. I have said that many times. Republicans are not listening to me, and I understand why, but my Republican colleagues are not listening to a lot of people.

They are not listening to the President of the United States, who has warned them that blocking Homeland Security funding will hurt our ability to respond to these new threats.

Tom Ridge and I came to Washington at the same time in 1982, to the House of Representatives. Here is a man who was valiant in Vietnam. He was a highly decorated soldier. He has had a stunning career in government. He was the Governor of the State of Pennsylvania and the Secretary of Homeland Security. He, along with another Republican Secretary of Homeland Security, Michael Chertoff, who has a great record of his own as a prosecutor and Federal judge, and a Democratic Secretary of Homeland Security, Janet Napolitano, who was a former Governor of the State of Arizona—so three former Secretaries of Homeland Security—two Republicans and one Democrat—have said the Republicans should do this. In fact, here is what they said in a letter Senator MCCONNELL and I received a month ago:

Funding for DHS is used to protect our ports and our borders; to secure our air travel and cargo; to protect the federal government and our nation's information technology and infrastructure from cyber-security attacks; to fund essential law enforcement activities, and to ensure the safety of the president and national leaders. . . . Funding for the entire agency should not be put in jeopardy by the debate about immigration.

That is what the former Secretaries of Homeland Security said. They did not mince words.

In fact, Tom Ridge said yesterday on national TV that the Republicans' plan "irritates the hell out of me. I think it is bad policy. . . . The men and women of Homeland Security deserve better."

Jeh Johnson, who has certainly been as down the middle as anyone could be on this issue, said that to not fund Homeland Security is "unacceptable from a public safety and national security view."

The majority leader and Speaker BOEHNER are not listening. They are obviously not listening to me, they are not listening to the President, and they are not listening to former Homeland Security Secretaries.

They are not even listening to their newspaper—it has been referred to as their newspaper—the Wall Street Journal. The Wall Street Journal said that the Republicans' game of Russian roulette with our homeland security is destined for "a spectacular crack-up." Republicans obviously are not listening to the Wall Street Journal. The Fraternal Order of Police has lambasted the Republican scheme. The Republicans are not listening to the police. The United States Conference of Mayors said: Please don't do that. If you do not fund the Department of Homeland Security, and even if you go with a continuing resolution, it is going to affect our ability to protect our cities. The Governors have said the same thing.

Republicans are not listening to anyone. They are bound and determined to see this doomed plan to the end. This is all because Republicans want to overturn DHS directives that prioritize the deportation of national security threats, convicted felons, and individuals apprehended at the border. It doesn't make sense. The administration sought a stay of the proceedings in Texas, but the trial judge in Texas never ever declared anything the President did as unconstitutional. If you read every word he wrote, the word "unconstitutional" is not written. He said the Administrative Procedure Act was not followed.

The President has the right to determine who is to be deported, and the families of these DREAMers are way down the list. So the President is well within his established constitutional authority and legal process to hear this out. So why would we divert resources from real threats just so Republicans can deport DREAMers, long-term permanent residents, mothers and fathers of U.S. citizen children who pose no security risk? Republicans say they are attacking the President's actions, but they are really attacking families.

I suggest to my Republican colleagues that if they won't listen to me, the President, the Secretary of Homeland Security, the Wall Street Journal, the Fraternal Order of Police, and the United States Conference of Mayors, maybe they should at least heed what

our enemies are saying. We can all picture in our minds what happened just a few weeks ago. They put a Jordanian pilot in a cage and burned him, and they showed the world that for 22 minutes. We have seen the beheadings. They have not stopped. Twenty-one Egyptian Christians were beheaded just a few days ago.

Yesterday on national TV Secretary Johnson said that we must remain vigilant against threats because now they told us they are going to go to malls around America, including the Mall of America. We must listen. Why would our Republican friends want to shut off funding for Homeland Security in this environment? Listen to reason. Let's fully fund Homeland Security and do it now. Republican Senators are saying the same thing. I don't understand what is going on here.

Republicans reportedly have a backup plan—fund Homeland Security by passing short-term continuing resolutions. That is not an answer. It is not an answer. A continuing resolution will prevent the Department of Homeland Security from working with communities and States and their first responders in addressing new threats and emergency situations.

Our Nation is depending on the Department of Homeland Security, and fully funding it is what is needed to keep us safe. More than 230,000 Homeland Security employees are depending on a paycheck for their families. A simple way of doing this is to fully fund the Department of Homeland Security, not some Rube Goldberg procedure where they make something very simple very complicated. It doesn't need to be complicated. We simply need to give the Department of Homeland Security the resources it needs to do its job, as said by Republican Senators in the past week.

Why are we doing this? Is it to please the House Republicans who cannot agree on anything? It is important that we fully fund this agency and do it now.

Would the chair now announce the business of the day. I am told the motion to proceed is now pending. Is that true?

The PRESIDING OFFICER. The Senator is correct.

The Senator from Pennsylvania.

Mr. CASEY. Madam President, I rise to speak as in morning business.

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

TRIBUTE TO JOANNE A. EPPS

Mr. CASEY. Madam President, as I have every year since 2007, I rise today to commemorate Black History Month. This year we are privileged to recognize Dean JoAnne A. Epps, the dean of Temple University's Beasley School of Law. Dean Epps is a woman who has made significant contributions to the Commonwealth of Pennsylvania and the Nation by promoting opportunity and diversity throughout our legal institutions. JoAnne's life and career have been a testament to hard work

and following her dreams. Her achievements are substantial, and she has worked to inspire others to fulfill their dreams, while advancing the cause of social justice to ensure that everyone has the opportunity to reach their full potential.

Today I am proud to honor JoAnne Epps as a leader in law and education and highlight some of the ways in which she has demonstrated the power of dreams by opening doors of opportunity for women and minorities throughout her career.

JoAnne Epps's story serves as an example of where our dreams can take us. She is a native of Cheltenham, PA. For those who don't know the geography of our State, it is in the southeastern corner of our State in Montgomery County. She attended Trinity College in Connecticut. As an undergraduate JoAnne planned to follow in her mother's footsteps and become a legal secretary; however, she distinguished herself throughout her undergraduate career, and her mother and professors encouraged her to dream big. She applied to and was accepted by Yale Law School, where she was one of 40 women and just 10 African Americans in her class of 150. JoAnne entered law school having never known an adult attorney and often experienced discomfort that her background differed so significantly from those of many of her classmates. Despite these challenges, JoAnne Epps remained focused on the opportunities ahead of her.

Following graduation in 1976, JoAnne devoted herself to public service, becoming a deputy city attorney for the city of Los Angeles, CA, and ultimately returning to Pennsylvania as an assistant U.S. attorney for the Eastern District of Pennsylvania.

After that work as a prosecutor, in 1985 she joined the faculty of the Beasley School of Law at Temple University, utilizing the experience she had gained as a prosecutor to instruct students on criminal procedure, evidence, and trial advocacy. Exhibiting strong leadership qualities and a gift for teaching, JoAnne was soon named associate dean of academic affairs, and in 2008 was named dean of Temple Law School.

As dean, JoAnne has worked tirelessly not only to advance the quality of legal education but to instill in students the values she believes define the legal profession. They are service, integrity, and passion. JoAnne has expanded opportunities for students at Temple to apply these values to a legal career by implementing programs that focus on hands-on legal experience, both through high-quality clinical programs and through an innovative experiential first-year course as curriculum. This work has led to the creation of the Stephen and Sandra Sheller Center for Social Justice at Temple Law School, and we are honored today to have both Steve and Sandy Sheller with us.

The Sheller Center encourages early community involvement and a com-

mitment to social justice in Temple Law students by facilitating collaboration with community groups, the university community, and the Philadelphia and Pennsylvania legal communities to improve access to justice for underserved communities.

It is a truly inspiring project. Even as JoAnne innovates at a schoolwide level, she has not lost her dedication to the individual connections fostered through teaching. She continues to share her experience and insight with first-year law students by teaching a course in litigation basics each fall.

JoAnne has employed her talent for teaching not only to the benefit of Temple University and the Pennsylvania legal community but to further social justice objectives on an international scale. JoAnne has been an advocacy instructor for attorneys at the United Nations International Criminal Tribunal for Rwanda and the Beijing Supreme People's Procuratorate. In 2007 and 2008, she worked with a small group of lawyers to provide training for Sudanese lawyers representing victims of the crisis in Darfur on evidence, advocacy, and substantive international criminal law with a focus on practice before the International Criminal Court.

JoAnne's service and impact on Temple Law School is made all the more impressive in light of the myriad of other roles she has taken on to advance the causes of social justice through legal institutions. In 2001, JoAnne was appointed by the mayor of Philadelphia to chair the Mayor's Task Force on Police Discipline, and in 2011 she was appointed by the U.S. District Court for the Eastern District of Pennsylvania to monitor the city of Philadelphia's compliance with a settlement concerning stop-and-frisk procedures. She has a long history of service on various commissions designed to increase access to justice, including the Philadelphia Bar Association's Committee to Promote Justice, the board of directors of the Defender Association of Philadelphia, the advisory board of the Public Interest Law Center, the Pennsylvania Commission for Justice Initiatives, and too many others to name today.

In recognition of this work, in 2003 Temple Law School presented her with the Gideon Award, given to acknowledge dedication to the cause of justice.

JoAnne Epps has had a great career and has had great success as a lawyer, as a teacher, as an advocate, and as a prosecutor despite the challenges of being an African-American woman entering a field that is predominantly white and male. She consistently worked to open the doors of opportunities to women and minorities who face similar challenges. At Temple, JoAnne served as a member of the Women's Studies Program Steering Committee, and she remains an affiliated member of the Women's Studies Department at the law school. She has also previously served as an adviser to both the Women's Law Caucus and the Black Law Students Association.

Outside of Temple Law, JoAnne served as vice chair of the Pennsylvania Gender Task Force and as a member of the Third Circuit Task Force on Equal Treatment in the Courts, also serving on the Third Circuit task force commission on race and ethnicity.

JoAnne testified on behalf of the National Association of Women Lawyers at the confirmation hearing of Supreme Court Justice Sonia Sotomayor. In 2014, she was awarded the Justice Sotomayor Diversity Award by the Philadelphia Bar Association in recognition of her work on behalf of women and minorities in the legal profession.

JoAnne has said the following about her legal career, and I am quoting:

I spent much of my career not seeing ahead of me someone who was at all like me, and I've had to make my way without that. I want to be a resource for young people entering the profession that I never had.

Joanne's dedication to both legal education and the legal profession has helped empower countless young attorneys to exceed expectations and fulfill their dreams.

JoAnne Epps is here today in the gallery of the Senate, and as the rules tell us, we are not allowed to acknowledge those in the gallery. I am saying that for my friend. But she is joined by family and friends, and I am going to go through a list here. If I miss someone, someone will tell me later.

Starting with her husband L. Harrison Jay, her uncle Harold Ashton, and her cousins Eric Ashton, Joan and Tommie Frye, Donnie, Debbie, Adrienne, and Christopher Jackson, and Marcia and Glenn Yarbrough—I will hear if I missed someone a little later, but we are honored she is here with us. We are honored her family is here on this special day. Today we honor JoAnne Epps, the dean of Temple Law School, for her significant work to advance access to justice and for inspiring and empowering new generations of attorneys to emulate their commitment to service, integrity, and passion.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. 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. BARRASSO. Madam President, as I come to the floor today, the Senate is continuing to try to debate a bill to fund the Department of Homeland Security. We have made no progress on this bill for weeks, as Democrats continue to filibuster our efforts to actually even get on the bill, to have a meaningful discussion on the subject. The bill has already passed the House of Representatives.

The way the Senate is supposed to work is that if Democrats don't like

something about the bill, then they should offer amendments and change it. That is how the process has worked in the past. It is how the process is supposed to work today.

It is the process as it worked about a month ago when we debated the Keystone XL Pipeline. We had more than 40 different amendments debated on the floor, voted on the floor. That is more than double the number of amendments the Senate Democrats allowed all last year in debate on the floor of the Senate.

We could be debating those and voting on those amendments right now. My question is, why aren't we doing that? It is because Senate Democrats are filibustering to keep us from even considering this bill. This is a very important piece of legislation. Funding for the Department of Homeland Security is scheduled to expire on Friday. Everyone in this Chamber, both sides of the aisle, should agree that funding the Department of Homeland Security is something we need to do. Why are Democrats being obstructive in the way that they are? Why are the Democrats so eager to cut off funding for the Department of Homeland Security?

The answer is this is a disagreement not about funding Homeland Security, it is about our Nation's immigration policy and the President's Executive amnesty, an action which I believe is illegal. Congress is the appropriate place to make laws about America's immigration policy. It is not something the President gets to decide on his own. It shouldn't be controversial either. At least eight Senate Democrats have said they disagreed with the President's Executive actions or they have doubts about them.

Senator DONNELLY said back in November "the President shouldn't make such significant policy changes on his own."

On the same day Senator HEITKAMP said the President's actions "could poison any hope of compromise or bipartisanship in the Senate before it has even started."

Even the President himself has on 22 separate occasions said he lacked the authority to rewrite immigration law—22 times. He said in March of 2011:

There are enough laws on the books by Congress that are very clear in terms of how we have to enforce our immigration system, that for me to simply, through Executive order ignore those congressional mandates would not conform with my appropriate role as President.

He did it anyway. He knew it wasn't appropriate, but that didn't stop him. Now a Federal judge has made it crystal clear the President does not have the authority to act on his own as he did. The President cannot make a new law just because he doesn't like the laws passed by Congress. This was a U.S. district court ruling in a lawsuit that 26 States brought against President Obama.

Here is how USA TODAY described it in a front-page headline last Wednes-

day. They said, "Obama Immigration Plan Blocked."

Rollcall ran its own headline the same day that said, "Immigration Ruling Casts Shadow on Obama's Legacy." What the court did was to stop the Secretary of Homeland Security from implementing any and all aspects or phases of the President's plan. The Federal court said, "It is Congress, and Congress alone, who has power under the Constitution to legislate in the field of immigration." Let me repeat that. "It is Congress, and Congress alone, who has power under the Constitution to legislate in the field of immigration."

The judge added that the President's plan "clearly represents a substantive change in immigration policy." This is not just a minor change. It is not the same thing that other Presidents have done before. The judge completely rejected the Obama administration's claim that it was simply exercising "prosecutorial discretion."

I know the President did not understand the last election. I am starting to think Democrats in this body do not understand why they lost. It is strange that Democrats want to continue trying to protect the President who does not have the strong support of the American people. It was a losing strategy in November and it will be a losing strategy now.

Democrats in this body are continuing to prevent the Senate from doing anything, again, in an effort—they are doing it to protect President Obama. Now that a Federal judge has agreed the President exceeded his own authority, it is time for Democrats to stop defending the President and the White House. Senate Democrats have already voiced their concerns about what the President did and how he did it. It is time for those same Democrats to convince the rest of their Members that enough is enough.

It is time for them to stop pretending this is about immigration, when it is now clear this is about the President's overreach. It is time for Democrats to end their filibuster and to fund the Department of Homeland Security.

I yield the floor.

The PRESIDING OFFICER (Mr. COATS). The Senator from Maryland.

Ms. MIKULSKI. Mr. President, today the Senate will vote for the fourth time on a procedural vote to take up the House Homeland Security funding bill. We are going to be voting on the cloture of the motion to proceed because it is a parliamentary way of dealing with the funding for the Homeland Security Department, which runs out on Friday.

The Presiding Officer is the ranking member on the homeland subcommittee. The Presiding Officer did a fantastic job, working with Senator Landrieu, creating a funding framework that had bipartisan and bicameral support. I congratulate the Presiding Officer and the way the committee worked.

We should be voting on the final passage for a clean Homeland Security bill. The bill—when we say “clean,” this is Washington speak. People do not know what a clean bill is. Is there a dirty bill? Is there a dusty bill? Is there a muddy bill? No. What we are talking about is meaning no riders on the bill. In this case, no poison pill riders. There was no disagreement, finally, because of the excellent bipartisan work on the funding of the bill, but the Senate is locked in a game of parliamentary ping-pong on moving this legislation forward, where the losers are the American people.

Look at what is going on in our country right now. We are absolutely relying on Homeland Security for some of the biggest challenges—not facing in the abstract but facing us right now.

There are the terrorists and there is cold weather and there are other issues. Right now in my Chesapeake Bay there is a Coast Guard cutter called Chock. It is out there breaking the Maryland icy conditions—frigid and windy. What is it they are doing? This enables commerce to get up and down the Bay so people are working and getting important supplies. They even work—because the Bay is in both Maryland and Virginia. They went out to the famous Tangier Island to free residents that were iced in, to take food and fuel. The Coast Guard is on the job. They are working in the cold. They are working in the wind. They are breaking up ice not only in Maryland but all over—to these frozen ports. What do we say? Good job, guys. There they are on TV. We love you, but we might not pay you. What is this? They are out there saving lives. We are playing parliamentary ping-pong.

Then there is this whole issue of this despicable, barbaric group called ISIL who essentially says: We are out to get you. Not only are they out to get us, but then they threatened that there could be attacks on malls, the shopping malls in the United States.

We need then additional security from Homeland Security. We also need to be able to work with our local and State partners. What is Congress's response? We are going to talk about increasing that defense budget in 2016, but we are not going to fund the appropriations from 2015 on Homeland Security. What is wrong with that picture?

I am for a strong national defense and having the muscular way of dealing with the threat of ISIL and any other terrorist group, but they are talking about our malls. They also go on their Web—I hate to even say this in public. They say attack anybody who is in uniform. Well, that is my firefighter, that is my police officer, that is my EMT person. I mean, really. We are worried about lone wolves?

Well, I am worried too. We need to be able to protect them. One way to do it is we need to fund the Homeland Security Department so people who are on the job protecting us can get paid. There are Members on the other side of

the aisle who continually ask the President what he is doing to defend America. Let's put boots on the ground. Let's put more missiles in the air. Let's put more flights for airplanes.

Right here in America we have boots on the ground. They are called Border Patrol agents, Customs officers, TSA personnel, intelligence analysts. We have to fund our own Homeland Security boots on the ground. I want to make sure we do it now, so we do not have some big crisis at midnight on Friday.

Where we are is this: We have agreed on the funding on both sides of the aisle and both sides of the dome. The House has added five riders on immigration. Immigration is an important topic. I do not minimize it. I do not dismiss it. It should be debated but not on this bill.

The other issue is that the courts have now made a decision—the Texas court—on the Obama action on Executive orders and immigration. It is now going to go through the courts. The Texas judge made a decision. That is America. It will go to the Fifth Circuit for an appeal and maybe even higher. While it is working its way through, we are debating it. Let the courts decide whether the President exceeded his Executive authority. Whatever the courts decide, I think we will be able to accept it. We cannot hold up the bill waiting for the courts to decide.

We should not hold up the Homeland Security bill waiting for the courts to decide. So with the court decision pending, I say to my friends on the other side of the aisle—who I know are patriotic, who I know want to protect the homeland—put immigration aside on the Executive orders and all of those others, let the courts decide on the Executive authority, but between now and, say, Wednesday let's pass this Homeland Security bill.

We can pass it, send it to the House, and we can get on with the protecting America rather than what we think about President Obama. I respect what other people think about President Obama. I do not also respect what some people say in their attacks on him: Is he American? Is he patriotic? I think that is despicable to attack our President. But if you think this is a constitutional question on Executive authority, it is now in the courts. That can be a valid consideration.

But right now we have a Homeland Security funding problem. I want to fund the Coast Guard. I want to fund Border Patrol. I want to fund Customs. I want to fund the TSA at the airports. I want to protect us on threats related to cyber security. This is for the 22 subagencies that make up Homeland Security. So I would hope, for the 162,000 people who work for that agency, they do not get IOUs.

Given what they are doing in this cold weather and on this incredible intensity and escalation of chatter and threats to the United States, we have

to help them be them. We have to give them respect. We have to pay their salaries. We have to give them the right technology to be able to do their jobs to protect us. I say to the Presiding Officer and to all of my colleagues on the floor: Let's stop playing parliamentary ping-pong with the Homeland Security bill.

The politics in that are over. The issue is going to be resolved in the courts, but what cannot be resolved is the fact that on February 27 the money to fund the salaries for every single man and woman who works at Homeland Security will run out. The time is running out. The money is running out. We cannot run out on Homeland Security. We have to help them make us a safe country, protect our country, and do their job.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator MIKULSKI. She has been joined by Senator SHAHEEN, both of whom have been leading this very important bill to pass this funding for Homeland Security. I thought the points Senator MIKULSKI made were so well taken about the fact that there has been a new development since we left this Chamber; that is, that the courts are taking on some of the immigration provisions our colleagues have been trying to attach to this bill.

I would hope they could look at this in a fresh way now and see that we should just simply allow this bill to go forward while the courts are considering this matter. To me, that is the answer. I do not think they should see it—our colleagues on the other side—as a concession. It is simply a fact. It is something that has changed. So I come to the floor to talk about the importance of the Mikulski-Shaheen bill. The critical importance of this funding has been driven home in the last few days in my State, the State of Minnesota.

Just this weekend the terrorist group al-Shabaab released a video encouraging attacks on shopping malls throughout the world—a shopping mall in Minnesota, the Mall of America, a shopping mall in Canada, in Edmonton, a shopping mall in London. I do not think we could ever think they would be limited in their threats when it comes to shopping malls in America.

This is the same terrorist group that actually carried out a major attack on a shopping mall in Kenya, killing more than 60 people. It has also called for attacks, as I said, in other countries. In this video, an al-Shabaab spokesman bragged about his previous attacks and the chaos future attacks can cause. He talks about if just a handful of fighters could bring Kenya to a complete stop for weeks, he talks about what they could do to—in his words, obviously not mine—American- or Jewish-owned shopping centers across the world.

That is what we saw this weekend. That is what the people in my State

awoke to. They awoke to that video and those words. I spoke yesterday with Homeland Security Secretary Jeh Johnson, with our U.S. attorney for Minnesota, Andy Luger. We are working with the FBI, and they have boosted the security at the Mall of America. It already had good security. We have fine law enforcement in Minnesota on the Federal, State, and local levels.

The FBI has advised people, clearly, to go on with their lives in Minnesota. The Homeland Security Secretary has clearly said people shouldn't be discouraged from going to the mall in any way.

So the people in my State are standing tall when it comes to this threat, and our law enforcement is standing tall when it comes to this threat, but in Congress our message to these terrorists cannot be that we are going to shut down the Department of Homeland Security. That cannot be the message coming from the Senate of the United States of America.

Rather than acting to protect my State from the threat, there are people who are actively contemplating a shutdown of the Department of Homeland Security—the Department we created after 9/11 to protect our homeland, to protect our country from these kinds of terrorist threats.

This would mean—if it was to go forward and we weren't to fund it this week—over 1,700 Department of Homeland Security employees in Minnesota would be forced to work without pay or be furloughed, including 472 Customs and Border Patrol personnel, 953 Transportation Security Administration officers, 156 Immigration and Customs Enforcement personnel, and 74 Federal Emergency Management Agency personnel.

We need to act to fund Homeland Security. Think of the people in my State who were going to spend a normal day going to the mall, waking up to see that video. Think about the fact that I have to tell them there are people messing around with this bill over extraneous provisions that are now being battled out in court—and not on a bill that funds our Homeland Security.

Now we also know terrorist organizations such as al-Shabaab and ISIS are trying to recruit people in my State to take up arms and do harm to Americans.

Why do we know that? The first American who was killed fighting for ISIS in Syria was from Minnesota. His name was Douglas McArthur McCain. We also know our law enforcement, because they have worked so well with our Somali community—we are so proud of that community. We have half the Somalis in the Nation in the State of Minnesota.

They were able to work with our law enforcement over the last few years. Twenty people were indicted. Twenty people were indicted for helping al-Shabaab or trying to go over to fight on the terrorists' side. We have already had nine convictions in Minnesota.

Those convictions would not have happened without this community. This Muslim community basically said: We don't want our kids to go over and be suicide bombers. We don't want our kids to go fight next to ISIS.

That community has worked with law enforcement in Minnesota and they will continue to work with law enforcement. We have already had four people from the Twin Cities area who have been charged for crimes relating to travel for the purpose of going to aid ISIS.

But it is not only our national security that the people in my State see as at stake here. I know Senator SHAHEEN, who is on the floor, is also from a border State and understands how important that work is as we go up to our northern neighbor of Canada. This is 5,500 miles—the longest border in the world. Over 400,000 people and nearly \$2 billion in goods and services cross our borders every day.

That is economically significant for my State. Canada is my State's top international trading partner, with over \$19 billion in total business across the board. Over 1 million Canadians visit Minnesota every year—by the way, many of them going to the Mall of America—contributing \$265 million to the local economy.

But that relationship relies on a seamless U.S.-Canadian border, with U.S. Customs and Border Patrol keeping that border secure and efficiently screening all cross-border traffic. We have made important strides in recent years with trusted traveler programs to make our northern border more secure, while encouraging the cross-border tourism and commerce that is the lifeblood of my State. Withholding critical funding from the Department of Homeland Security could threaten that progress, leading to a less secure border and hindering economic opportunity.

Without that critical funding, we risk security. Even a cursory look at world headlines shows the threats the United States and our allies face—from the terrorist attacks in Paris and Sydney to the cyber attacks by North Korea. We need to be stepping up our security, not stepping down our security.

So last night I spoke to a group of workers—about 500 Minnesotans—who were honored in the city of Bloomington, MN, for the work they do in the hospitality industry. These were desk clerks, these were pizza delivery people, these were people who man our hotels and clean the rooms when we have guests. Many of them work in that Mall of America, and I told them I was coming back to Washington and that this Senate would stand tall in the face of threats such as videos from al-Shabaab, people who will not even show their faces but make a video to threaten our country.

We have to show our faces. We have to stand tall. We now have a very good reason—my colleagues on the other

side of the aisle. I implore them, they have a good reason. This is in the courts now. It is being battled in the courts. These extraneous measures should not be on this bill and we should fund our Homeland Security. I want to go back and tell those workers in Bloomington and in Minnesota that we have done that.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I applaud Senator KLOBUCHAR for her comments and for pointing out there are real threats that we heard this week-end from al-Shabaab against the Mall of America. I heard a news report this morning about that, and one of the things they have talked about are the very good relations the State of Minnesota and Senator KLOBUCHAR have built with the Somali community.

But her remarks, just as those news reports, underscore the fact that we have to address funding for the Department of Homeland Security. We are just days away from a shutdown, a shutdown of the Department whose mission it is to protect the citizens of this country while we are under threat of attack by terrorist groups. That is reckless and it is dangerous. What kind of message does it send to ISIS, to cyber criminals, to drug cartels if Congress can't keep the Department of Homeland Security open?

Because of the real and dangerous threats we face, we need to have our counterterrorism, our intelligence, and our law enforcement officials functioning at their highest level.

I met this morning with a group of law enforcement officials and firefighters from the sea coast of New Hampshire, and they were talking about how important the funding from the Department of Homeland Security is to them as they do their jobs. They said two things that I think are very important. First, they said they have been able to be proactive about planning to address threats because of the Department of Homeland Security, and second is they can share those resources. New Hampshire, similar to Indiana, is a State with a lot of very small communities, and we need to be able to share those resources if we are going to be prepared for the threats.

It is time for us to put politics aside. We can debate immigration. We can debate the President's Executive orders. I am pleased to do that, but we should do it in another place. We should not be doing it on the bill to fund the Department of Homeland Security.

I hope my colleagues will come together and support a clean funding bill so we can make sure the resources are there to fight the threats that we face.

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

Mrs. SHAHEEN. I yield to the Senator.

Mr. NELSON. Would the Senator believe that if the Department of Homeland Security is shut down that essential personnel will be required to work,

but essential personnel—the following—will not be paid? For the first time people engaged in the war—namely, the U.S. Coast Guard that is in fact involved in the Middle East in the war, along with the services from the Department of Defense—for the first time in the history of this country they will be essential to continue work but will not be paid.

Would the Senator believe that in addition, Customs and Border Patrol personnel who are essential, as well as TSA, which is essential, will continue to work but without pay and that is what will happen this Friday if we do not fund the Department of Homeland Security?

Mrs. SHAHEEN. My colleague makes a very important point. I visited the Coast Guard station in Portsmouth, NH, on Friday and heard about their drug interdiction efforts and their search and rescue efforts. As the Senator points out, they—similar to so many other Homeland Security employees—will not be paid. We should not let that happen. That is not conducive to making sure we protect this country.

I thank my colleague from Florida.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I am pleased to follow my esteemed colleagues from the State of Florida and the State of New Hampshire in discussing the legislation before this body. I worked with the Senator from New Hampshire on the Homeland Security Appropriations Subcommittee, and we are working to fund Homeland Security. That is what this bill does. The bill we are trying to proceed to fully funds Homeland Security.

My question is, How do we finish a bill if we can't start? All we are asking for is to proceed to a bill that fully funds the Department of Homeland Security. So I have been listening to my colleagues talk about the need to fund Homeland Security and that is exactly what this bill does—fully funds the bill.

Now I understand they want to make changes to the bill, but again I ask the question how do they make changes to a bill if they are not willing to proceed to the bill, get on the bill, debate the bill, and offer their amendments?

So that is where we find ourselves and that is why it is so important that we proceed to this DHS funding bill. This is a bill that has passed the House.

At the end of the day, both Houses of Congress have to pass the bill. We can't just pass it in the Senate and they can't just pass it in the House. The House has passed this bill.

Now we need to take it up. We need to have the debate, we need to offer amendments, have votes on those amendments, and pass the bill—pass the bill that fully funds DHS. Again, I emphasize, this bill fully funds the Department of Homeland Security.

We are ready to legislate. We are willing to go back and forth on amend-

ments, one Democratic amendment for every Republican amendment, but when that was offered last week on this floor by the majority leader, it was rejected by the other side of the aisle.

This leads me to believe that what my Democratic colleagues are asking for is that the only DHS funding legislation the Senate consider is legislation endorsed by the President. Moreover, they don't seem to be interested in amendments, in allowing the Senators and those Americans—whom we represent—to have a voice in this process.

My colleagues know that is not how the Senate works. When our Founders sought to build a government of checks and balances, with a strong legislative branch and mechanisms to prevent the Executive, the President, from imposing his or her will on the rest of government, I doubt this is what they had in mind; that we simply rubberstamp what the President wants.

Today's cloture vote on the motion to proceed to the DHS appropriations bill offers all Senators a choice. We have a choice today. Senators can choose to legislate a solution to this DHS funding impasse to prevent a DHS shutdown or they can choose to defend the President's Executive action.

That is exactly what is going on. As Senators we must be willing to engage with one another to pass a bill. We must be willing to engage, to debate, and to vote on amendments.

Often there are many sides to an issue. In fact, sometimes it feels as though there are 100 different perspectives, and of course there are. But the ability to merge our diverse viewpoints into legislation, that is the strength of the Senate. That is the only way, short of one party possessing 60 votes, the Senate can function. Many of our friends on the other side of the aisle are asking this body to rubberstamp the President's approach, but the Senate was not intended to be a rubberstamp. We must be willing to take that first step toward funding DHS together, and that first step is proceeding to a bill. In order to consider amendments and develop consensus, we simply must be able to move to the legislation and consider it on the floor today.

Let me remind my colleagues why this funding is so vital.

The Department is responsible for so many essential security programs. I think it is important that we take a few minutes to talk about the funding that is in this bill, full funding for the Department of Homeland Security.

This bill provides \$10.7 billion for Customs and Border Protection, CBP, including record levels of personnel, tactical infrastructure, technology, and air and marine assets. It provides \$5.96 billion for Immigration and Customs Enforcement, ICE, and maintains a record 34,000 adult detention beds and 3,828 family detention beds.

This bill strongly supports the vital missions of the Secret Service and pro-

vides for our cyber security efforts. The bill provides more than \$10 billion for the Coast Guard for its many missions, including search and rescue.

Since Homeland Security is a national effort, the bill continues critical funding for grant programs to State and local firefighters, emergency managers, and law enforcement. The bill also provides for research and development, TSA's aviation security screening operations, the Federal Law Enforcement Training Center, and E-Verify, which supports businesses across the United States in hiring legal workers.

The PRESIDING OFFICER. All time has expired.

Mr. HOEVEN. I ask unanimous consent for 1 additional minute to complete my remarks.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

Mr. HOEVEN. This bill does not fund the President's Executive actions—and rightly so.

Since we haven't had regular order in this Chamber in years, it seems there may be some reluctance to allow the Senate to work as it is designed to do: to proceed to legislation so that we, as a legislative body, can engage in a healthy debate. It is time the Senate proceed to the DHS appropriations bill without further delay. I urge my colleagues to vote to proceed to H.R. 240, the DHS appropriations bill.

With that, I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk (John Merlino) read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015.

Mitch McConnell, John Cornyn, Thad Cochran, Tom Cotton, Roger F. Wicker, David Vitter, Jerry Moran, Daniel Coats, Michael B. Enzi, Mike Crapo, Bill Cassidy, John Boozman, John Thune, Tim Scott, John Hoeven, James Lankford, Jeff Sessions.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 240, an act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Florida (Mr. RUBIO), the Senator from Arkansas (Mr. SULLIVAN), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH) and the Senator from Michigan (Mr. PETERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Michigan (Mr. PETERS) would have voted "no."

The yeas and nays resulted—yeas 47, nays 46, as follows:

[Rollcall Vote No. 57 Leg.]

YEAS—47

| | | |
|-----------|----------|-----------|
| Alexander | Daines | Murkowski |
| Ayotte | Enzi | Paul |
| Barrasso | Ernst | Perdue |
| Blunt | Fischer | Portman |
| Boozman | Flake | Risch |
| Burr | Gardner | Roberts |
| Capito | Grassley | Rounds |
| Cassidy | Hatch | Sasse |
| Coats | Hoeven | Scott |
| Cochran | Inhofe | Sessions |
| Collins | Isakson | Shelby |
| Corker | Johnson | Thune |
| Cornyn | Lankford | Tillis |
| Cotton | Lee | Toomey |
| Crapo | McCain | Wicker |
| Cruz | Moran | |

NAYS—46

| | | |
|------------|-----------|------------|
| Baldwin | Heitkamp | Nelson |
| Bennet | Heller | Reed |
| Blumenthal | Hirono | Reid |
| Booker | Kaine | Sanders |
| Boxer | King | Schatz |
| Brown | Klobuchar | Schumer |
| Cantwell | Leahy | Shaheen |
| Cardin | Manchin | Stabenow |
| Carper | Markey | Tester |
| Casey | McCaskill | Udall |
| Coons | McConnell | Warner |
| Donnelly | Menendez | Warren |
| Durbin | Merkley | Whitehouse |
| Feinstein | Mikulski | Wyden |
| Franken | Murphy | |
| Gillibrand | Murray | |

NOT VOTING—7

| | | |
|----------|----------|--------|
| Graham | Peters | Vitter |
| Heinrich | Rubio | |
| Kirk | Sullivan | |

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 46.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, today Democrats voted to continue blocking funding for the Department of Homeland Security to protect actions President Obama himself referred to as "ignoring the law." The vote came after a Federal judge enjoined the administration from moving ahead with that overreach. I was certainly glad to

see that court decision. The issue will continue winding its way through our courts. In the meantime, Congress is trying to do what it can. Yet even Democrats who had previously been critical of the President "ignoring the law" voted again today to defend his overreach.

My preference is still to debate and pass the funding legislation that is currently before us. It has already passed the House. It is the simplest and easiest way forward. If Democrats think it needs to be amended, I am sure they will try to do that, but first we need to bring it to the floor. As long as Democrats continue to prevent us from even doing that, the new bill I described offers another option we can turn to. It is another way to get the Senate unstuck from a Democratic filibuster and move the debate forward.

MORNING BUSINESS

TRIBUTE TO ERMA H. ROSENHAN

Mr. HATCH. Mr. President, I would like to take a moment to recognize Erma H. Rosenhan in honor of her 100th birthday on February 28, 2015.

Erma has devoted years of her life to genealogical research, submitting over 400,000 names—many of them German—to the Family History Department of the Church of Jesus Christ of Latter-day Saints for ordinance work in LDS temples. She has served the Church of Jesus Christ of Latter-day Saints in many different capacities, including as an employee, as a member of the Mormon Tabernacle Choir, and as a missionary. Her extensive genealogical work and her service to the LDS Church have blessed both her extended family and all those who know her. On her 100th birthday, she shows no signs of slowing down; in fact, she still conducts research 3 days a week at the Family History Library in downtown Salt Lake City.

Erma H. Rosenhan is an example of kindness, hard work, and humble perseverance. She deserves our recognition for her lifetime of selfless, diligent service.

TRIBUTE TO ROGER COCKRELL

Mr. REID. Mr. President, I wish to pay tribute to one of the finest staffers I have encountered in my years in the U.S. Senate. Roger Cockrell is retiring this week after 15 years of service to the Senate Appropriations Committee, which was preceded by more than 20 years with the U.S. Army Corps of Engineers, mainly in Vicksburg, MS.

I spent many years as either the chairman or ranking Democrat on the Energy and Water Appropriations Subcommittee. It is a great bill. It not only funds a lot of important energy and science priorities, it also provides the annual funding for the U.S. Army Corps of Engineers and the Bureau of Reclamation, both of which are tre-

mendously important to my home State of Nevada. Sorting through all of the projects and programs that are funded through these two agencies is tremendously technical and complicated work.

I realized fairly early in my time at the top of that subcommittee that I needed an experienced engineer to ensure that we were prioritizing and funding these thousands of projects according to both technical merit and also national priorities. So, I brought in Roger as a fellow from the Corps of Engineers and it turned out to be one of the best decisions I ever made. As all Members have been known to do, I kept him as a fellow for as long as the Corps would pay him and then I hired him away.

Roger is exactly what you want in a staffer, particularly one who represents you on the Appropriations Committee: Smart, extremely well-prepared, hard-working, and, in the case of Roger, more willing to work with the staff of other Members to make their priorities work within the rules than anyone I have ever met. If Roger could not make your project work within the rules, regulations, and laws regarding a water project, it is a pretty safe bet that it was a bad project. So far as I know, Roger never turned down a meeting with anyone and his eternally sunny and friendly nature always made him a delight to work with.

I left that subcommittee many years ago now, but Roger stayed there and has gone back and forth to both the Republican and Democratic staffs several times depending upon who is in the majority around here. I can think of no higher compliment to a Senate staffer than to be held in such high esteem by both sides that he or she is retained by the majority year-after-year, Congress after Congress because of his or her expertise and, more importantly, fairness. And Roger is nothing if not fair to all who have appeared in his doorway over the years. The Senate is a better place because of people like Roger Cockrell.

I wish Roger and his wife Anna Lisa all the best as they move on to whatever is next in their lives. I am sad to see him go, but he has earned more time with his family, including his daughter Melissa. I have known him long enough to know that he won't be able to sit still for long. I join my colleagues on both sides of the aisle in expressing my gratitude for his long and dedicated service to our Nation.

TRIBUTE TO CHRISTINE PRIETSCH

Mr. REID. Mr. President, Christine Prietsch, the director of the Senate's Employee Assistance Program, is leaving the Senate family after 11 years of dedicated service to Senators, staff, and family members. Before joining the Senate, Christy served with the Secret Service, Department of Justice and the Department's Offices of U.S. Attorneys EAP programs. We often celebrate those who dedicate so much to