

Veto message to accompany S. 1, a bill to approve the Keystone XL Pipeline.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the veto message on S. 1 be considered as having been read; that it be printed in the RECORD, spread in full upon the Journal, and held at the desk; and that the Senate proceed to its consideration at a time to be determined by the majority leader in consultation with the Democratic leader but no later than March 3.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The veto message of the President is printed in today's RECORD under "Presidential Messages.")

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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

Mr. SESSIONS. Madam President, a number of things have been happening today with regard to the funding for the Department of Homeland Security. There has been a lot of spin that somehow the Republicans are blocking the funding of the Department of Homeland Security. This gives new meaning to the word obfuscation, I suppose, or disingenuousness.

The truth is the House of Representatives has fully funded the Department of Homeland Security. It has provided the level of funding the President asked for. It has kept all accounts in Homeland Security as approved through the congressional process. It simply says: Mr. President, we considered your bill—this amnesty bill—that would provide work permits, photo IDs, Social Security numbers, Medicare benefits, and Social Security benefits, and you can't do that. We consider that and reject it. So we are not going to fund that.

Now, the President has already told us and the staff they have across the river in Crystal City where they are leasing a new building, and this building is going to house 1,000 workers paid for by the taxpayers of the United States as part of Homeland Security. Are those 1,000 workers going to be utilized to enforce the laws of the United States? Are they going to process applications for citizenship or visas? No, those 1,000 people—costing several hundred million dollars, in truth—are going to be processing and providing these benefits to people unlawfully in America.

So Congress said: Wait a minute. We didn't authorize money for that. You can't spend money to fund exactly the opposite of what we have enacted. So we are just going to put some language in the bill—the normal bill that funds Homeland Security—and say you can't spend the money to violate the law. You can only spend the money to enforce the law, as it was created to do.

The bill then comes to the Senate; and what spectacle do we have? We have Democratic Members in lockstep unity blocking even proceeding to this bill, contending we are not funding Homeland Security. Can you imagine that?

Now, my colleague, the senior Senator from Illinois, Mr. DURBIN, the Democratic whip, came down a couple of weeks ago and said: I am trying to figure out what is blocking this bill. So I took the floor and I said: Senator DURBIN, you and your filibusterers are filibustering the bill. That is why it is not being passed.

Does anybody want to dispute that? The Republican Senate has repeatedly brought up this bill and filed cloture to move to the bill so we can fund Homeland Security, and the Democrats are relentlessly and unanimously filibustering it, blocking even moving to the bill. Although Senator MCCONNELL said if we did move to the bill, he would allow them to have amendments. So this is the situation we are in.

Colleagues, this goes to the core of our constitutional principles about who controls the money in America. Congress is a coequal branch. It is not subordinate to the President. If anything, the legislative branch, through the Constitution, provides maybe even more power to Congress than it does to the Executive and more than it provides the courts. And the most powerful power of Congress is the power of the purse.

Congress is not obligated to pay for anything it believes is unwise, and it has an absolute duty not to fund anything that is unconstitutional or illegal, which is what we are dealing with here. So Congress—the House of Representatives—acted wisely and properly in funding Homeland Security and not allowing activities to be carried out that are unlawful and that Congress has rejected.

This is so fundamental, so basic. How my colleagues have the gall to come to the floor and have a press conference this afternoon and blame Republicans for shutting down Homeland Security is beyond me. I don't believe the American people are buying it.

Now, there are some, even on the Republican side, who say: Oh gosh, the President will blame us even if it is not our fault. So we might as well cave in and give him what he wants. But what he wants is something he can't be given. What he wants is for Congress to capitulate and erode its powers and responsibility. He wants Congress to violate its duty to fund something that is illegal and contrary to Congress's wish-

es. He can't demand that. He has no right to demand that.

Congress cannot fund—cannot and must not fund—an illegal action in hopes that another branch of government will intervene. Now, I say that because some have said: Well, a court in Texas has ruled that a part of this action by the President is unlawful. The court was narrow in its decision. It fundamentally said something similar to: It looks like a regulation to me, and if you are going to pass a regulation, you need to go through a process. And the President didn't go through a process. It is not lawful. It is not legal. You can't enforce it. The judge issued an injunction barring the President from carrying out these plans, he announced, which is plain law, it seems to me. They didn't even go into some of the other ideas of the constitutionality and separation of powers. He just blocked it on that basis.

So we are hearing it said that we can fully fund Homeland Security without any restrictions, allowing the President to do this, because the courts stopped it. I think that is unwise for a number of reasons. The first one is we don't know what the courts are going to do. This Congress has a duty to fund only things it believes are appropriate and lawful. So Congress shouldn't fund it on that basis, period. We should stand up for Congresses in years to come—for our children and grandchildren and great-grandchildren—and defend the power of the purse and defend the integrity of this Congress.

We know how this country was founded. It was founded on an understanding of the British Parliament, and the British Parliament wrested from the king the power of taxes and money. That was a huge historical development, and it has been part of our tradition since, that Congress has the power of the purse. The Executive can't do it. So we replaced the king with the President, and we adhered in our Constitution to that great tradition of restraint on the Executive by the legislative branch—by the Congress, by the Senate.

In the Texas court's injunction, let me go further and note the reasons why I think it is unwise for Congress to say that we, the Senate, have no duty to speak on this issue. The House has already spoken and said we are not going to fund this. But the Senate needs to ask what its position will be.

I would point out that the Texas court's injunction addresses only a part of Obama's lawless actions and could be lifted at any time. So the injunction could be lifted at any time. It only covers a part of his actions. If Congress relinquishes the power of the purse, then nothing will be able to prevent the lawlessness or amnesty from going forward.

As the Texas court noted in issuing its injunction, "This genie would be impossible to put back in the bottle."

That is absolutely true. He is evaluating whether to issue an injunction.

Sometimes you don't have to issue an injunction because there is not anything much happening right then. But he says, correctly, that: If this goes forward and millions of people are given amnesty, you can't put that genie back in the bottle in any practical sense. It would be a nightmare to try to do that.

Let me point this out:

One, the Texas court's injunction only addresses a small part of the President's recent Executive actions in November.

The Texas lawsuit challenges only the President's November 20 unconstitutional Executive action. And of that, the injunction prevents the administration from implementing only deferred action for parents of Americans and lawful permanent residents.

The Texas court injunction does not address the problematic enforcement priorities encompassed in the President's Executive actions.

He set all kinds of priorities that Congress disapproves of and that are bad—unless you don't want the laws enforced, in which case it is good. And we have some who believe in open borders in this country. They deny it when challenged, but they vote that way every time.

On November 20, 2014, the memo revised the administration's enforcement priorities which do not encompass certain criminal aliens nor do they encompass all aliens deemed to be subject to mandatory custody under the Immigration and Nationality Act. In fact, these new priorities effectively gut the enforcement of our immigration laws for all but a few select criminal aliens.

Congress passed the law that requires the deportation of persons involved in criminal activities and convicted of those activities. The President eviscerated large portions of that in this order, and he should not be allowed to do so. The judge did not address it.

Indeed, in response to the ruling, Secretary Johnson stated that the Texas court's order does not "affect this Department's ability to set and implement enforcement priorities."

Well, that is a big deal. They set priorities that violate statutory law, and they should not be allowed to do that. We can't effectively eviscerate law by prosecutorial guidelines.

According to a February 18, 2015 email from Customs and Border Protection Commissioner R. Gil Kerlikowske regarding the injunction, he said:

Officers and agents should continue to process individuals consistent with the enforcement priorities announced by the Secretary in his memorandum of November 20, 2014, titled Policies for the Apprehension, Detention and Removal of Undocumented Immigrants.

It deals in large part with criminal activities, people convicted of crimes who are supposed to be deported.

The funding bill the House passed would do much more to stop President Obama's unlawful Executive actions on

immigration, so the administration does not intend to change its course as it is still actively preparing for its rollout of Executive amnesty.

On February 17, just a few days ago, the President told reporters that the administration is still "doing the preparatory work because this is a big piece of business." He said:

The Department of Homeland Security will continue in the planning because we want to make sure as soon as these legal issues get resolved, which I anticipate they will in our favor, that we are ready to go.

So he is telling the Department of Homeland Security to spend money now to be ready to move forward and immediately process his Executive amnesty—providing Social Security numbers, photo IDs, Medicare and Social Security benefits for people here unlawfully. He says go ahead and do it.

The Texas court injunction is only temporary and could be set aside at any time. The administration has already filed for a stay of the injunction in the district court and has announced its intention to appeal.

Indeed, as I just read, the President said he expects to win. I don't think he will, but it is a technical part of the ruling. The judge still has many more that he could deal with that could overrule the President's action. He just chose one of them, and that one is rather technical. So who knows for sure what a court might rule.

In addition, the ruling does not address the substance of the case. It will take many months to resolve this litigation, and during that time there is a reasonable chance that some court will lift the stay and allow the President to begin implementing the amnesty pending a final ruling on the merits of the case. But Congress can stop it and has a duty to stop it in its appropriations bill.

In addition, Democrats refused to fund the lawful functions of the Department of Homeland Security. And this is important: The House-passed Department of Homeland Security funding bill funds all of the lawful, statutorily authorized functions of the Department, including the immigration law enforcement component of the agencies that, under the Obama administration, has been prevented from enforcing the laws.

Colleagues, Immigration and Customs Enforcement officers—now, I guess, 2 years ago—filed a lawsuit against their own supervisors declaring that they were being forced to violate their oath to enforce the laws of the United States.

I have never seen that. It is so bad that the ICE officers have filed a lawsuit to stop the administration from ordering them to violate plain law.

Let me note that the President has already shut down the Department by ordering immigration officers and agents to violate the laws and sabotaging enforcement in a number of ways. These are direct orders of this administration, dismantling systemic enforcement of our laws.

So I think the Senate Democrats and the President must answer why they believe funding Executive amnesty and unlawful immigration policies would make this country safer.

They say: Well, you won't pass a Homeland Security bill like we want it. You are not making America safe.

I say their policies eviscerating law enforcement are making America less safe, as the Immigration and Customs agents do, the ones who process the applicants.

Ken Palinkas, the President of the National Citizenship and Immigration Services Council, has written that: This amnesty executed by the President will make us less safe.

His amnesty makes us less safe. Passing a bill that stops his amnesty will make us more safe. As a matter of fact, he said that more than one time—a number of times. He is very concerned, as his officers are, that if they carry out these policies, the American people are going to be less safe. In fact, they have said explicitly there is no way they can carry out in any effective manner the unlawful orders of the President of the United States.

Is anybody listening to the people who do the work every day? Does anybody care what they think? Apparently not.

So they are going to come to the floor and accuse Republicans in the House and on this side of the aisle of not making America safe when their own officers say the President's policies are making America less safe.

They say there is no way they can effectively process the individuals they are asked to process. They can't process the numbers today, much less what will happen under this bill when they have to process another 5 million. It is just a very unwise thing.

So what did the courts say? I think this is an important quote from the Texas court. A Federal court found that the President had overstepped his bounds. That is what the court fundamentally declared, stating:

It is Congress, and Congress alone, who has the power under the Constitution to legislate in the field of immigration.

That is absolutely true. It is in the Constitution. As he said:

It is Congress, and Congress alone, who has the power under the Constitution to legislate in the field of immigration.

So after the President issued his order and his Department issued orders of amnesty on November 20, 2014, the President, amazingly, said this: "I just took an action to change the law." Don't we know from elementary school that Congress passes the law? The President doesn't pass the law. He said 22 times that he didn't have the power to do this, but now he has moved forward and admitted he is changing the law.

Well, some of our colleagues think: Oh, if we resist this, the President is going to accuse us of not funding Homeland Security, not protecting the Republic.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator's time has expired.

Mr. SESSIONS. Mr. President, I ask unanimous consent for 1 additional minute.

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

Mr. SESSIONS. But I don't think that is so.

They say: Well, the press is unfair.

Well, not always. I think sometimes we Republicans are right to complain but not always.

This is what the headlines are today. The headlines aren't saying Republicans are blocking the bill.

Politico: "Democrats filibuster Department of Homeland Security bill."

The Hill: "Shutdown looms as Dems block DHS bill."

McClatchy: "Filibuster continues as Senate Dems block DHS funding bill."

CNN: "Senate Dems block Homeland Security funding bill again."

Washington Post: "Senate Democrats block DHS spending bill targeting Obama's immigration actions."

Associated Press: "Dems Block Action on DHS-Immigration Bill."

New York Times: "Senate Democrats Block Vote on Homeland Security Bill."

Politico: "Dems filibuster DHS bill."

Well, that is absolutely true. We are bringing the bill to the floor. We are not blocking it. We want to fully fund Homeland Security. We want the laws enforced. We don't want to spend money from Homeland Security to eviscerate the law of the United States and undermine immigration law in America, and we don't want to fund an unlawful action by the President.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

KEYSTONE PIPELINE

Ms. CANTWELL. Mr. President, I rise today to applaud the President's veto of legislation that would have rubberstamped the construction of the Keystone Pipeline. This legislation allowed a circumvention of Federal review processes and allowed corporations not to adhere to various environmental safety standards that are important for the American people. So I am glad the President is vetoing this legislation.

The rules for siting cross-border pipelines are well established, and time and time again TransCanada has shown that it doesn't want to play by the rules. So with this veto by the President of the United States, he is clearly saying TransCanada must play by the rules.

The President's veto recognizes three important implications for Congress in the intervening and trying to pass this Keystone Pipeline process.

First, this bill was premature because it authorized the construction of the pipeline while legal and administrative processes were still ongoing in Nebraska and North and South Dakota and where landowners and tribes are

seeking review in the courts and before regulatory bodies.

The legislation also eliminates the need for a national interest determination, which is associated with the process of the pipeline, which was a key authority for the U.S. Government to insist on safety and environmental regulations. It is a process that should have allowed the State Department and the President to insist on pipeline safety conditions.

Finally, this legislation did not address the loophole for tar sands oil companies to avoid paying for oilspill cleanups.

By vetoing this bill, the President refused to throw hundreds of conditions out the window. These are things from 59 different pipeline safety conditions that would have been legally binding—but not if the legislation had passed.

My colleagues also remember that we talked about work—that we now have concerns on the existing Keystone Pipeline. So I am glad the President of the United States vetoed this legislation.

I hope we will get on to working on other important energy opportunities. I hope my colleagues will not try to override this veto but instead focus on renewing the energy tax credits that help employ hundreds of thousands of people in various industries—anything from solar, to wind, to hybrid electric vehicles—and get on to the other issues that are so important for us in talking about a 21st-century energy strategy.

Again, I am glad the President of the United States has vetoed this legislation that would have been a rubberstamp by Congress for a special interest. Instead, let's make sure all environmental and safety conditions are met.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the role.

Mr. SESSIONS. 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. SESSIONS. Mr. President, one of the measures that took place in this Executive amnesty that has been too little commented upon since the President signed these orders in November is another program which has not been authorized by law which would add several hundred thousand new workers to our country.

This is the headline from an article today: "DHS Extends Eligibility for Employment Authorization to Certain H-4 Dependent Spouses of H-1B Non-immigrants Seeking Employment-Based Lawful Permanent Residence."

The H-1B program was set up for certain individuals to come and work for 3 years and then extend maybe another 3 years only, to take a job in those industries and fields where there is a

shortage of workers, and it does allow the spouses to come. But since its beginning it has barred spouses from working; otherwise we would be doubling the number of workers. So this bill now just up and approves spouses of H-1B workers to work.

The U.S. Citizenship and Immigration Service, USCIS, estimates that "the number of individuals eligible to apply for employment authorization under this rule could be as high as 179,600 in the first year and 55,000 annually in subsequent years." This is a very large addition to the workforce.

One might say: Well, it is good that spouses can work.

Well, what if your child wants a job? What if you want a job? What if your spouse wants a job and is looking for a job? Now we will have another 250,000 job applicants, contrary to law.

There are many other aspects of the President's Executive order that have not been given attention. I think this one is worth commenting about.

There has been no sense at all by President Obama, the Department of Homeland Security, Jeh Johnson, the Democratic Members of this Congress—no concern about the employment prospects of lawful immigrants, green card holders, and native-born Americans. We have high unemployment and the lowest percentage of Americans in the working age group actually holding jobs in America that we have had since 1970. Wages are down. Professor Borjas at Harvard documents that excessive immigration pulls down wages. Since 2007 wages of median-income families are down \$4,000.

I would say to colleagues that the first thing we should do is focus on getting jobs for Americans who are unemployed. Are we going to keep Americans on welfare and benefits while we bring in more and more foreigners to take jobs when we have Americans ready and willing to take those jobs?

They like to suggest these guest workers are doing farm work. They are not. The overwhelming majority of guest workers admitted to the U.S. are not farm workers, but are taking jobs throughout the economy. A farm worker program, with temporary labor, if properly managed, is a good program. I do not oppose that. People come and work for a period of time, and if they return home and come back the next season and make enough money to take care of their families maybe for the whole year, that can work if properly managed. But look at this. The H-1Bs are people with high-tech degrees, high-tech skills. They are competing against college graduates who have computer skills and other skills.

This is what we get. This is how it is working in this country. A bunch of companies got together and they signed a letter to Speaker BOEHNER and NANCY PELOSI, the Democratic leader in the House, asking for immigration reform back in September 2013. They said they needed more H-1B workers, and they pushed for that.

I would just note this: Byron York from the Washington Examiner has written about this, and this is what the facts are. They are not hiring people. They don't have a shortage of workers. They are laying off workers in very large numbers. Hewlett-Packard had 29,000 job cuts in 2012—29,000. They signed the letter. Cisco Systems eliminated 4,000 jobs in August 2013 in addition to 8,000 cut in the last 2 years. They signed the letter asking for more H-1B workers. United Technologies cut 3,000 jobs in 2013; American Express, 5,400 jobs in 2013; Procter & Gamble, 5,700 jobs in 2012; and T-Mobile, 2,250 layoffs in 2012. These are companies that are asking for more foreign workers.

This is another report that was in the Los Angeles Times just a few days ago: "A loophole in immigration law is costing thousands of American jobs."

Since last summer, [Southern California] Edison—

The biggest utility company in California—

which serves nearly 14 million customers, has been firing its domestic IT workers and replacing them with outsourced employees from India. . . . The pay for Edison's domestic IT specialists is about \$80,000 to \$160,000 not including benefits.

Good pay.

The two Indian outsourcing firms providing workers to Edison, Tata Consultancy Services and Infosys, pay their recruits an average of about \$65,000 to \$71,000, according to federal filings.

They are laying off hundreds and requiring the California Edison employees to train the H-1B workers who shouldn't be coming into America unless there is a job need that is unfilled. How can you say we don't have qualified people? They are doing the job, and they are expected to train them. This is the kind of thing that is out of control. Somebody needs to defend the legitimate interests of middle America.

We need to ask ourselves: Does this make sense? Should the President be doubling up on it with his Executive amnesty that would add 179,600 new workers in the first year of his order and 55,000 more annually on top of the H-1B flow? We have legislation that has moved in this Senate that would more than double the number of H-1B workers coming into the country when the evidence indicates they are not needed. It might make businesses happy; they can pay half the salary of what they would otherwise be paying. But it would not be good for Americans who invested in education, trained themselves, worked themselves into a good job, and have it pulled out from under them.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

PRESIDENTIAL LEADERSHIP

Mr. PORTMAN. Mr. President, I wish I could rise today to talk about the underlying legislation we are supposed to be talking about, which is a bill to fund the Department of Homeland Security,

and also address the President's Executive order on immigration, which went around the Congress but also went around the American people.

A judge in Texas agrees with those of us on this side of the aisle who look at this as an illegal act. Instead, the President ought to work with us. The President should work with the House and the Senate and the elected representatives of the American people to actually pass a law to help fix what is broken in our immigration system.

We are not able to get on that legislation, and it is not because we have differences about the bill that we could talk about. We could have votes on amendments and debate this issue, but there are those on the other side of the aisle who have decided they don't even want us to have the opportunity to hash out those differences so we can vote. I think the constituents I represent in Ohio expect us to have that debate, and they want us to have that debate. I hope those on the other side of the aisle will let us have that debate, and we could have a good, honest discussion about this and address both of these problems—the need to fund the Department and also the need to address this Executive order. I think it is another example where Washington has let down the people I represent.

In the meantime, this is no time for political games. It is a dangerous world. We have a real problem, not just here at home in protecting the homeland, but also with fires burning all around the world. It is time we showed some leadership both here in this Chamber and down the street at 1600 Pennsylvania Avenue. It is time for Presidential leadership.

If you turn on the TV tonight, what you will see is those fires burning. You will see a world more dangerous than the one we had after 9/11. You will see threats to the United States and our allies that seem to grow with every passing day. But even as these threats grow, it seems as though our President is increasingly hesitant to lead.

Iran, despite the platitudes of the Obama administration, which seems really eager to find an agreement and make a deal, continues its march toward developing nuclear weapons.

ISIS, the group the President once described as the JV team when they were in Iraq flying the black flag of Islam extremism over cities such as Fallujah and Mosul, cities where American marines gave their lives to liberate—the President called them the JV team.

Russian soldiers now move freely through eastern Ukraine, and the separatists there are using Russian equipment, they are trained by the Russian military, led by Russian special forces, and they continue to wage war on an American ally, Ukraine. While we all hoped the recent cease-fire would hold, all indications are that Russia and its proxies are taking advantage of that cease-fire in Ukraine to continue their aggression.

Across Europe—in France, Denmark, and Belgium—innocent people have been murdered. Some were murdered for opposing terrorists aims, and some for the simple fact they are Jewish. These attacks are not random, as has been suggested by the administration. Unfortunately, they are designed to incite fear and weaken our resolve to oppose Islamic terrorism wherever we find it.

We must not allow them to succeed any more than we must stand silent in the face of Iranian threats and Russian aggression. What we must do is take a long, hard look at how we got here and what we must do going forward to change the situation.

In my view, a lot of the chaos we are seeing across the globe stems from a lack of leadership. Into that void, chaos ensues. The defining themes in the Obama administration's approach to foreign policy have been a preference for disengagement and an unwillingness to shoulder the responsibility of global leadership the way previous Presidents—Democrat and Republican alike—have done. As the administration itself has said, they prefer to lead from behind.

The President has said that "the trajectory of this planet overall is one toward less violence, more tolerance." I don't know about that. I don't think history moves inexorably toward more justice and more peace. These trajectories don't just happen, people make them happen. Leadership is the key.

When America is strong, when we stand unequivocally for freedom and justice and the right of all people to choose their own destiny, when we do not back down in the face of threats and intimidation, that is when we see a world that is more stable, less dangerous, and more free.

More wars, more conflicts, more threats to our security—these don't typically arise from American strength. They arise from American weakness. When we look around the world—whether it is in Gaza or Eastern Europe or Iraq or Iran or Syria, the increase in violence and instability has coincided with the growing perception that the United States of America is either unwilling or unable to take a stand against threats to international security and stability. Addressing these complex challenges—and many of them are very complex—requires a sustained and proactive American leadership role and American engagement. It requires strategies that seek to shape outcomes, not be shaped by them.

There is a lot at stake. Events in Ukraine, the Middle East, and elsewhere are a direct challenge to the United States-led international order, which has led to unprecedented global prosperity and stability for both the United States and for the world. Confidence in America's willingness to use our unmatched economic, political, and military capabilities to uphold our system deters potential challengers and incentivizes other countries to

play by the rules, which reduces the chances of war. If the credibility of this commitment is in doubt, then the stability and openness upon which U.S. economic prosperity and national security depend is jeopardized and the chance for violence, instability, and economic collapse increases. The world is watching. They are watching to see whether this American-led order can withstand these challenges or if we really are entering into a period of the post-American world.

In Ukraine, the administration's response has been incomplete, reactionary, and ineffective. There are many political and economic dimensions of this conflict, and Ukraine needs Western support to implement crucial reforms in these areas. But there is also a military dimension to this crisis that we cannot continue to ignore. Sanctions alone have not worked. The so-called cease-fire agreements have not worked. As President Obama, Angela Merkel, and Francois Hollande debate and discuss cease-fires and timelines, Russia is deciding the outcome on the ground in eastern Ukraine this afternoon as we talk. Unless we help provide Ukraine with the tools they need to prevent that from happening, any future agreements will only solidify this reality. Let's allow them to defend themselves. Russia continues to believe that military force is a viable option to achieve its goals, and unless the United States and its European allies and NATO help the Ukrainians prove otherwise, this behavior is unlikely to change.

It is well known by now that the President has refused to adopt policies that actually provide Ukraine with the capabilities it needs. A bipartisan coalition, on the other hand, has emerged here in Congress on the need to do more, and we will continue to advocate for a change in course and pursuit of a proactive, comprehensive strategy that actually works.

In the Middle East, proactive American leadership requires upholding our commitment to stand unequivocally with Israel. No other nation in the world would be expected to put up with tunnels into their cities with rockets raining down on people's homes. The press got it wrong last year, and with all due respect, I believe the President got it wrong too. There is no moral equivalence in Gaza.

I have made a few trips to Israel. I met with their people. I have walked the streets of Sderot and have seen the remains of missiles that were targeted against innocents with hatred and an intent to kill and maim. I have been out to the bomb shelters and the indoor fortified playgrounds built so children can have a chance to play without fear. I have spent time with an Iron Dome battery crew outside Ashkelon. I can tell you this: From what I have learned, the people of Israel want peace.

Unfortunately, we know the biggest winner from this administration's wa-

vering support of Israel is Iran. Iran continues to stall on negotiations meant to end their nuclear weapons program. They continue to ask for more time, and the administration continues to grant it. Meanwhile, Prime Minister Benjamin Netanyahu is coming to the United States next week to speak of the threat that Iran poses not only to Israel but to the world, and the President seems to be too busy to meet with him. Truly, the world has turned upside down.

A key test of U.S. leadership is ensuring that Iran does not retain nuclear capability in their continued march toward weaponization. If it were in my power, I would put the Kirk-Menendez Iran sanctions bill—which I am an original cosponsor—here on the floor on the Senate today, and, by the way, it would pass. I believe it would pass with over 60 votes because Republicans and Democrats alike recognize that Iran will not negotiate in good faith unless the United States is unequivocal in our commitment to ending the nuclear threat Iran poses.

You will recall that this legislation does not impose new sanctions that would be imposed now. These sanctions would be imposed if the Iranians do not agree to halt their nuclear weapons program as required, by the way, by the United Nations. These are leveraged for the White House, and the White House should use that leverage.

American leadership is needed for a more stable and peaceful world. I believe the future does not belong to bigotry and hate, but to freedom-loving people of the world, and the United States of America must lead the way.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PORTMAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise today to talk about the funding for the Department of Homeland Security and the continuing need for immigration reform.

We need to fund the Department of Homeland Security and we should pass a clean DHS funding bill. That is the only bill that can pass the Senate, and that is the only bill that should pass the Senate. Once that bill has passed the Senate and the House and becomes law, then we can and should move on to consider immigration legislation.

Republican leadership in the Senate has wasted a lot of time over the past month politicizing immigration and mixing it up with the issue of funding this Federal agency that helps to protect the United States from terrorists and other threats, and those threats are real. Just this past weekend, the terrorist organization al-Shabaab issued a threatening video suggesting that the Mall of America in my State of Minnesota could be a target for a terrorist attack.

Look, this issue is not something we should be politicizing. We should enact into law a clean funding bill for DHS,

and we should fund the Department for the whole year and not make the Department run for a short time on a continuing resolution and just revisit the issue in the near future. That is not what we want. And then we should and can debate immigration.

I have always believed the best way to accomplish meaningful and sustainable immigration reform is through congressional action. In the last Congress, the Senate took such action. As a member of the Judiciary Committee, I was very proud to play an active role in the comprehensive immigration bill the Senate passed with broad bipartisan support. For me, this was a model of how the Senate was supposed to work. Four Senators from each side of the aisle, known as the Gang of 8, came together and crafted a bill which we then marked up in the Judiciary Committee, and I was very pleased that a number of my amendments were included in the bill, which then went to the Senate floor and passed with 68 votes. That bill would have provided a real and comprehensive overhaul of our broken immigration system.

It would have significantly strengthened our border security, and it would have helped a lot of people—from small businesses to families in our legal immigration system to the many undocumented immigrants who would have an opportunity, through a tough but fair path, to get right with the law. There are millions of people in our country who want the same things that all of us want—a steady job, excellent education for our children, and a brighter future for their families. But they are living in limbo and often in fear. Our bill would help them come out of the shadows and get right with the law.

The Senate passed our bill in June of 2013. I was very hopeful the House would take up and pass the Senate bill. If the House had allowed a vote on the Senate bill, it would have passed the House and been enacted into law. That would have meant real and lasting reform to our broken immigration system. Unfortunately, over the course of the next year and a half the Republican leadership in the House failed to act on the bipartisan immigration reform bill passed in the Senate—again, with 68 votes. The President took a step forward that will help a lot of people and will help to address fixing our broken immigration system.

While I still believe Congress needs to act, I think we need to keep the Executive actions in place until we do. I will not support any legislative effort to undo President Obama's Executive actions. We are presented with a choice. Once we pass a bill into law to fund the Department of Homeland Security, we can take a step forward and help a lot more people by passing comprehensive immigration reform or we can take a step backward and harm a lot of people without getting any closer to the comprehensive immigration reform we need.

I will vote to move forward, not backward. We need a fully funded Department of Homeland Security, and we need a comprehensively overhauled immigration system.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. AYOTTE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CHILDHOOD POVERTY

Mr. BENNET. Mr. President, it is a privilege to be here with my colleague from Colorado.

I rise to talk about our schools and really to talk about our values and our morality—what we stand for as a country—and to ask whether we are able to look forward and create a better future for our children.

To set the record straight, let me be clear. When it comes to our children, I have fallen short, you have fallen short, and this body has fallen short. Let me explain why.

We have learned in the last couple of weeks that over half of the public school children in this country are now poor enough that they qualify for free or reduced lunches at school—children who, through no fault of their own, are reaping the whirlwind of 15 years of stagnant middle-class family income and the effects of the worst recession since the Great Depression.

By many measures, as the Presiding Officer knows, Colorado's economy leads the Nation. But even in our home State, we see more children living in poverty. In fact, the number of children in poverty is growing faster in Colorado than in most of the other 50 States.

As a country and as a State, we are making a lot of progress in a number of dimensions, but we are headed in the wrong direction when it comes to our kids. That is a bad sign for any country but particularly for a democracy that aspires to be the land of opportunity.

A girl in poverty in the United States is five times more likely to be a young single mother than a child from a middle-class family, and a boy in poverty is twice as likely to be incarcerated as his middle-class peers. Children from low-income families in this country are about three times less likely to graduate from high school. Someone from a family in poverty stands only a 9-in-100 chance of earning a college degree. Think about that. There are 100 seats in this Chamber. There are 100 desks in this Chamber. If they represented children living in poverty in the United States, that desk, that desk, that desk, those three desks, and three of those desks would represent college graduates. The entire rest of this Chamber would be people that would never earn a college degree or its equivalent and who would be constrained to the mar-

gins of our economy and our democracy as a result after that.

Interestingly enough, the equivalent number for children in the top quarter of income earners is almost 80 out of 100. So 80 of these desks from a more affluent family—80 of these desks would represent a person who graduated with a college degree or its equivalent, and 20 would represent people that had fallen short, but nine poor children would have a college degree. In other words, in a way that is profoundly at war with our founding ideals, poverty breeds deeper poverty, lack of educational achievement reaps deeper academic failure, and broken families are the surest predictor of more broken families in the next generation and the generations beyond that. This is a sentence of unequal opportunity for all poor Americans, no matter the color of their skin. It is a generational sentence for 7 out of 10 children who will remain at the bottom of the income scale their entire lives.

Are there people who defy these odds? Of course there are. As superintendent of the Denver public schools and in this job, I have met scores of children who have overcome the odds—sometimes alone—but often also with the help of a parent who wouldn't quit, a teacher who wouldn't take "no" for an answer, a former gang member whose sworn duty is to keep young people out of gangs, a philanthropist who insisted that Denver's kids would go to college. In these exceptional children I have seen the indomitable nature of the human spirit persevere against all odds and have recognized how little I and most of us have achieved by comparison.

I have met kids who take three buses both ways to school leaving as early as 5:30 in the morning just to have the benefit of a better school all the way on the other side of town, kids who can't get up in the morning because they have to work until 11 o'clock or 12 o'clock at night in a fast food restaurant to help pay the rent, kids who pour their heart and soul out into their studies and communities only to learn that college is not for them because of an immigration status they did not even know that they had.

I met kids who were the primary caregivers of younger brothers and sisters who are taking care of ailing parents and grandparents, who have made it to college for the first time in their family's history who are that 9 in 100, who represent the best of our human spirit. They are our heroes.

As one of our Denver public school students, Chaunsea Dyson from South High School, recently told a radio reporter, "When you are growing up in poverty, when you are 15 or 16 that means you are grown."

That means you are grown.

As the father of three girls who are 15, 14, and 10, I would say that is an awful lot to expect of a 16-year-old, especially one coming from circumstances few in this Chamber could

overcome. My point is that while there are many heroic people in our schools—kids, teachers, principals—succeeding in our school system today, heroism is not a standard we tend to count on for the success of human enterprise. We simply can't scale heroism. I wish we could—but we can't—to address the scope of our achievement gap. It is too much to ask, and it is not fair to our kids who have no control over the circumstances of their birth.

I don't think there is one Member in this Chamber who could come and say that is not true, that a child could control somehow the circumstances of his or her birth, because one of the enduring truths of being a human being is that we don't get to choose our parents. We don't choose to be born into a home of wealth or poverty, a home that values books or learning or a home which for whatever reason does not. That is a matter of good and bad luck. Yet those circumstances beyond our children's control—absolutely beyond their control—today almost always determine educational outcomes in the United States of America.

So the question is, What is our obligation? What is our obligation as a nation to remedy the burden of bad luck for millions of American children?

I believe at a minimum it means we have a moral duty to assure that our less lucky children have educational opportunities that let them make the most of their God-given potential. That is certainly what I would want for my own daughters. If we are honest, then by any reckoning we are failing to meet this moral duty and I would say failing very badly. If we ask ourselves why we are failing to do our duty—how can this be—in my mind it comes down to a sad and simple reality: We are treating America's children as if they were someone else's children rather than our own.

To demonstrate this let's consider what conditions we have allowed to exist for a child born, through no fault of her own, into poverty in the United States of America in the year 2015. We know that by the age of 4 she will have heard 30 million fewer words than her more affluent peers—30 million. Ask any elementary schoolteacher in the country whether that will make a difference in how prepared she is for kindergarten. Fewer than half of poor children start school with the skills they need to be ready to succeed in kindergarten. Every elementary schoolteacher in America knows that. What are the odds her neighborhood school will meet her needs? How about a school 1 mile away? How about a school 5 miles away? It is not likely in many American cities and rural communities.

When she reaches the fourth grade her odds are no better. She is 9 years old and there are 30 children in her classroom. On average, 24 of her classmates cannot read at grade level—24 out of 30. Her chances of being a proficient reader—20 percent—one in five.

One in five poor children cannot read at grade level in the fourth grade in the United States of America this week, today, this year. Would any of us accept those odds or outcomes for our own children? Would any one person in this Chamber accept that? Would any of us still be in Washington engaged in the Potemkin debates we are having if our child couldn't read by the fourth grade? Of course not—of course we wouldn't. But we act as if it is not our children who are the casualties, and so we smile and we stroke our chins on the cable TV and pretend this is all somehow out of our hands, too hard to solve, someone else's problem.

Here is where it ends. In this knowledge-based global economy, this unforgiving global economy, only 9 out of 100 kids, as I said in poverty, will graduate with a college degree or its equivalent and 91 will not. These are the results we have produced for our children in this unforgiving global economy.

But for once let's put aside the finger-pointing and the blame—although we should take our fair share of responsibility—and let's ask the questions our children might reasonably ask to judge their Nation's leaders.

For example, they might ask: Why do we trail behind 35 other developed countries in our math scores? Why does the United States rank 20th in increasing educational attainment from one generation to the next—20th; the least likely country to produce more educated people coming after us than there were before us.

Why are American children much more likely to be stuck in the economic class into which they are born than children in at least 12 other countries, including Canada, Japan, Germany, Australia, and Denmark?

These seem like reasonable questions. You wouldn't know they were on anybody's mind around here with what concerns us on this floor, but I can tell you it is of concern to people at home.

Why are we consigning, they might ask, our children and ourselves to a social economic framework that is increasing, not decreasing, inequality in this country, when other countries in the world are headed in the opposite direction?

Why are we putting up with a set of circumstances in which income and equality in America has grown significantly much faster than other industrialized countries in the world? If I were a child living in poverty in this country, those are the questions I would want to know, in addition to the fact that I can't find a school, not just down the street, not just in my neighborhood but in my city or even in the region of my State to go to. To put it another way, I can't find a school in my community that any Member of the Senate would be proud to send their child to.

Why can't I find that school?

I didn't pick my parents. That was a question of good luck or bad luck. In my case it was bad luck.

I know there are profound disagreements about whether the Federal,

State or local government should serve our kids and how. I am even sympathetic, believe me, as a former school superintendent, to many arguments about how poorly Washington is often situated to help. But surely as a nation, one way or another, we have a moral obligation. That is our legacy as Americans “in Order to form a more perfect Union, establish Justice, ensure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity. . . .”

Imagine how less powerful the Preamble to the Constitution would have been if it stopped with ourselves, period—but it didn't. It resolves the question in favor of our posterity—our posterity, not someone else's—our children, not someone else's. What would this debate sound like if we were serious about this moral obligation?

Without deciding today who would deliver and pay for these important social goods, something we should debate and understand, consult with our States and our school districts, our parents and our communities; but, without making those decisions today, if we just were treating the country's children as our own children, what would this debate sound like? What would we do?

We surely would provide every parent and her child with the choice to access early childhood education from birth to age 5 in order to attack that 30 million word deficit. Surely we would do that.

I am not saying we should do it. I don't think we should do that from here, but as a nation we should do that. Surely we would ensure that every child, without exception and regardless of where they live, has the choice to attend a high-performing school from kindergarten to 12th grade. Surely we would do that.

We would enable every young person, consistent with most of our postwar history, the chance to attain a college degree or other advanced technical training without bankrupting their family. I saw some data this weekend about this that showed that in 1975—and admittedly it was the high-water mark—the Pell grants covered roughly 76 percent of what it cost to go to college, the average cost of college. Do you know what that number is now? It is 22 percent, mostly because the cost of college has increased so much.

Bankruptcy is a real issue. These goals—early childhood education, a great K-12 school, affordable college—might seem obvious and even unimaginative to many of us in this Chamber, but that might be because we take them for granted for our own children. Of course we want high-quality early childhood education, of course we want a high-quality K-12 school, of course we want our young people to have access to college without bankrupting our family, and that is the experience of a lot of people in this Chamber. The

terrible reality for most poor children in America in 2015 is that these simple goals are as out of reach as flying to the Moon, all over this country.

Some say we can't afford to change, and I say we can't afford not to change. The costs of failure, as we know, are simply too high. Since the Industrial Revolution, we have had the greatest economy the world has ever known, and if we are to remain so in the 21st century, we must educate our people. We have no other choice. They are our greatest asset. We can do it.

I am not proposing today a new Federal program of any kind. However, I will say if it were left up to me, we would have a standing committee in the Senate focused exclusively on our children and their future. Such a committee would, for example, examine every funding stream in the Federal budget related to kids and ask what is working and what is not working. What redundancies exist? How are we going to align every single taxpayer dollar or tax credit to help support the health, education, and well-being of our children?

I suspect that in addition to increasing efficiency, we would decide to spend more of our resources in and around schools. That is where our kids are, after all, and that is where the people who have served them in our communities need to be instead of tied up in the redtape of compliance and outdated and unimaginative Federal rules and regulations.

In addition to that, we need to explore more efficient ways to finance social welfare programs, promote more creative ways to weave our social safety net in this country, and reform our criminal justice system. A good start would be to graduate children from high school, since around 80 percent of our prison inmates are high-school dropouts. That would help a lot. We need to better engage with the private and nonprofit sectors when the government isn't working well enough. This is all part of a broader but essential conversation, one this body continues to avoid while it wanders from one phony conflict to the next, and one that becomes more difficult and more expensive the longer we wait.

Our kids are waiting for us to have this conversation. We are wasting their time. It is one thing for us to waste our own time—although the capacity for doing that around here is beyond belief—but we ought to stop wasting our kids' time. As I said, it is only going to become more difficult and more expensive the longer we wait.

In the meantime, we have before us the potential to rewrite the Elementary and Secondary School Act. Fixing so-called No Child Left Behind is only one piece of the puzzle. Given where we are, this is all pretty modest stuff. There are some very encouraging signs, although the law has plenty of flaws. In fact, I said many times that if we had a rally out in front of the Capitol to keep No Child Left Behind the

same—if that is what the rally was for—not a single person in America would show up for that rally.

Incidentally, while we have this reauthorization in front of us, it is a reauthorization that should have happened 7 years ago. It expired 7 years ago. We are running education policy in this country by waivers from the Department of Education because this Congress cannot do its job. Almost 40 of 50 States have waivers from the law as it exists today. Let's change the law. Let's write it properly. Let's do our work around here instead of spending our time on things the American people don't want us to spend our time on.

Although everybody loves to hate No Child Left Behind, and I put myself in that category, it has some good things. It required us to face the facts about how our kids in poverty are doing in our schools. It shed light for the first time on the achievement gap—the brutal achievement gap—we have in this country, and some school districts stepped up. Denver Public Schools is one such district.

Over the last decade, Denver Public Schools has implemented a number of changes and has seen real results. My schoolboard and my principals and my teachers and our kids and I would be the first to say we have not yet gotten to a place where you can say the ZIP Code you were born into doesn't determine the education you are going to get, but we are a lot closer in Denver. We are a lot closer there than we are in a lot of other cities in this country. We have seen some real results.

Almost 30 percent more students graduated and went to college last year than in 2005. That is not enough. We are not satisfied with that. But if you could say that about every single city in this country, that we were graduating and sending 30 percent more students to college than we were in 2005, that might give us some hope for the future. That might suggest that some outcomes other than the ones we have been seeing with the result of 9 out of 100 poor kids getting a college degree is not where we have to end up, is not where we have to land.

I am here to tell you, not as a U.S. Senator, but as someone who was a superintendent of the Denver Public Schools, this is possible. It is possible to change these outcomes in urban districts and in rural districts for children who are unlucky enough to be born into poverty in the greatest Nation on the planet—unlucky enough to be born poor and not born rich.

Denver has recognized the importance of providing access to high-quality, early childhood education, and now an estimated 70 percent of Denver's 4-year-olds are enrolled in preschool. That was not true in 2005.

As the Presiding Officer knows, we live in a State that doesn't require or pay for 5-year-olds to go to kindergarten. That is a shame. But because of the changes we made in Denver, our 5-year-olds go to kindergarten—a full

day if they want it, which most of them do—and 70 percent of the fourth graders in Denver have early childhood education, and it is not only delivered by the Denver Public Schools, but by other providers as well and the Denver public schools.

This seems to be having an effect as kids who attend the Denver preschool program track higher in school readiness. They know more about the alphabet, words, and books. They have a higher vocabulary and are able to comprehend basic math. And in kindergarten, first, and second grade, they showed better literacy and math skills than their peers.

The dropout rate in Denver has decreased since 2005 by 60 percent. Incidentally, the teen pregnancy rate has also fallen by 60 percent. Denver Public Schools has gone from being the district with the lowest rate of academic growth among major districts in the State to the highest for 3 straight years. I am not taking responsibility for that. I am here, not there.

Last year DPS students from low-income families had stronger growth in math and writing than nonfree- and reduced-lunch students Statewide. And Denver's nonfree- and reduced-lunch students showed more growth than their State counterparts in math by nine points.

This was once labeled the failing school district in our State, but because of the data that we have as a result of No Child Left Behind, we can actually see what is happening—which kids are growing and which kids are not, which schools are driving growth among kids and which schools are not.

You can look at a map of our city and find a school that looks just like your low-performing school with the same percentage of free- and reduced-lunch kids where kids are succeeding beyond their wildest dreams. Then what parents can do is say: I want that school, not this school, for my kid. Because we have a robust system of choice in Denver, parents are able to take advantage of that data, and we simply would not have had the proliferation of high-performing charter schools if it had not been for No Child Left Behind. In addition, Denver has gone beyond that.

We have 33 innovation schools where teachers and administrators have the flexibility to modernize their teaching practices and have more autonomy to make decisions at the school level to better meet the needs of individual students. And it is not just Denver. We have seen progress all across the country—not remotely enough, but we have seen progress, and we cannot go backward.

In the 3 decades prior to No Child Left Behind being passed—30 years—the average 9-year-old's reading score on the National Assessment of Educational Progress increased only 4 points—4 points in 30 years. Is that acceptable? Contrast that to the gains from 1990 to 2012, which is roughly the

life of No Child Left Behind. During that span, 9-year-olds gained 9 points in reading, about 7 times as much annual progress. We have seen similar progress in math—9-year-olds only increased 2 points from 1990 to 1999, but from 1999 to 2012, they gained 12 points. In that same span, African-American students improved by 15 points and Latino students improved by 21 points.

The achievement gap shrunk as well. In reading, the gap between White and African-American 9-year-old students dropped from 35 to 23 points. It is still too big, but it is moving in the right direction. This represents progress, but as I have said, in the face of stiff competition worldwide, it is nowhere near enough.

Since the year 2000, we have dropped from second to twelfth in the world in the production of college graduates. We need to write a bill that builds on our successes and turns us away from the failed practices of the past, and we cannot do it if we are constrained by the typical politics—the small politics of Washington. We cannot afford to have the same tired fights. We won't always agree on everything, but I know we can find a way to pass a bill that helps our schools and school districts to make the decisions they think are best for the kids they are educating.

THE PRESIDING OFFICER. The Senator's time has expired.

We are under a 10-minute time limitation.

MR. BENNET. Mr. President, I ask unanimous consent for 7 more minutes.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MR. BENNET. I appreciate the indulgence of my colleague from Louisiana.

In a significant demonstration of leadership around here, Chairman ALEXANDER and Senator MURRAY have told us they intend to write a bipartisan bill. Their process has the potential to be a rare exception to the gridlock that has gripped this Senate, along with our bipartisan work on the farm bill and immigration.

Senators ALEXANDER and MURRAY have both expressed a willingness to work together because they appreciate the importance of this task. They understand the consequences of failure. They know enough about this issue, and they care enough about it.

In January of 1941, during one of the Nation's most difficult times—the height of the Great Depression and on the eve of our entry into the Second World War, Franklin Roosevelt declared that there were four universal freedoms that all persons possessed—freedom of speech, freedom of worship, freedom from want, and freedom from fear.

Today, in the 21st century, some of these freedoms may be obtainable, but an honest assessment tells us it would be impossible to achieve all of them without something additional, and that is freedom from ignorance. In the end, freedom from ignorance is the surest relief from the shackles of poverty.

Where does this leave us as we begin this important but long overdue national conversation on the reauthorization of the Elementary and Secondary School Act?

First, for all the reasons I have mentioned, America's children would benefit if we treated our work less as legislators than as parents and grandparents with a real stake in the outcome of what we decide.

Second, we must be clear-eyed about the Federal Government's proper role in American education and what is not. As a superintendent, I learned there are many things the Federal Government cannot and should not do when it comes to educating our children. And above all else, Washington cannot and should not micromanage our schools or our school districts or cultivate systems driven by compliance rather than creativity.

I believe the evidence of our failures and our successes over the last 15 years suggest three primary Federal responsibilities: equity, accountability, and innovation. After all, the deep and intractable inequities that persisted along lines of race and class and geography in America of the 1960s drove Lyndon Johnson to pass the first Elementary and Secondary Schools Act. They drove the creation of title I, specific funds targeted to the kids who needed the greatest support.

Sadly, for all the reasons I said, half a century later the data reveals these profound inequities persist and our students need our help now more than ever. But there is also reason for hope in this data, and maybe that is the most important message I can bring. We now have evidence that sustains support to make the difference in closing the pernicious gaps that remain for low-income kids around the country. Our deep commitment to equity, therefore, is as important today as it was in 1963.

This means not just committing title I resources, but continuing to expand efforts to open the best schools and attract the best teachers and principals to our communities in the greatest need. In particular, we must help teachers who are saying they want better preparation, they want an excellent principal in their school, they want a better compensation system and opportunities for leadership that allow them to continue working with students.

At DPS we have made some strides. We created the Denver Teacher Residency Program and introduced differentiated pay. We used Federal innovation dollars to help us improve and expand early on. We are creating leadership roles for teachers who demonstrate results with their students. We survey our teachers every year, and their satisfaction rates are higher than the national average. But there is still much more for us to do.

Second, those of us working in the field know we must have a clear, shared system of accountability, a system that allows us to monitor, under-

stand, and improve outcomes for students. This requires annual assessments that monitor progress and growth across all our cities and States. It requires breaking down data to show how and if we are closing the gaps for all students in our school districts. It means requiring States to take courageous action to turn around those schools that consistently fail our children.

That is not just about paying attention to how we are serving our low-income students in Detroit or Denver. It means examining how well we serve our historically disadvantaged students even when they live in some of the most advantaged neighborhoods. As we do this, we need to work to reduce the amount of testing in our schools. As the father of three daughters in the Denver public schools, I am concerned about how much they are tested. But as their father, I also want to know every year how they are doing against a set of rigorous standards and compared to kids in Denver, across Colorado, and around the world. Will they be ready for college? Do they have the skills they need to succeed in this global economy?

Third, we have learned over the last decade there is a vital Federal role when it comes to innovation in our schools. We can help provide the preconditions for success by providing incentives for educators on the ground to apply their own creative thinking to address our most persistent education problems.

I say to my colleague from Louisiana, through the Chair, I am coming to the end. I owe him 10 minutes whenever he would like it. I thank him for his indulgence.

We will never solve the challenges our teachers and students face in Washington, period. We will not do it from here. We can help local leaders break free from a status quo that will never succeed for enough of America's children.

We should help identify the challenges, provide resources to local educators to overcome them in the context that works best for their communities and their students, and we should continue to be the clearinghouse that gathers these stories of successful innovation and provide the resources to invest in scaling what works and sharing these practices across communities and States.

Equity, accountability, innovation—that is our charge and the commitment we must keep if we are to build an America where we treat every child as if she were our own.

As a parent myself, I am well aware the first responsibility any parent has is the education of her child. I am also aware that many people believe a bad education is just one more outcome produced by corrosive poverty in this country. Fix poverty, and you will fix education. Maybe so, but that is cold comfort for millions of children in our schools today.

In the end, we have a duty as a nation to ensure that education liberates our children, rather than reinforces the circumstances into which they were born. In that sense, America's children are our children, our responsibility, not someone else's. Can you really accept an America in which your little girl has just a 1-in-5 chance of being able to read well or a 9-in-100 chance to graduate from college? Can you really demand heroism as a precondition for success? If this were your child, would you still be in the Senate, or would you go home and solve the problem?

It has been said the future has no lobby in Washington, DC. Are we really content to have that depressing observation be the ultimate verdict on our leadership? I doubt we are. I would raise this as a bipartisan challenge as I close.

I know the Senator from Louisiana knows a lot about what I came to talk about today, and I look forward to working with him on the health committee.

Here is my bipartisan challenge. Let's forge a lobby for the future. Let's agree that the obligation we owe the Founders is to create more opportunity, not less, for the children coming after us. Let's pledge that every child in America is our child, and our future rests with her, as it most assuredly does.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I rise today in support of the House-passed Homeland Security appropriations bill. This bill is not just about whether we should fund the Department of Homeland Security to carry out the very important work of protecting our Nation, but also whether we will provide amnesty to those here illegally.

First, let's establish that the Constitution says Congress has authority over our immigration and naturalization laws. The President does not have the authority to waive legal requirements. The Supreme Court has upheld this on numerous occasions. The President has admitted more than 20 times he does not have this authority. That said, now his administration is attempting to block the ruling the judge recently made to protect his amnesty plan. As has been reported in the papers, Judge Hanen in Texas has put an injunction against proceeding with the President's amnesty bill. It is reported the Department of Homeland Security, at the President's direction, is moving forward with plans to seal large contracts with companies to process deferred-action applications for millions of illegal immigrants as soon as possible.

American families have seen President Obama rewrite the laws many times, and the outcomes of the recent elections show they do not support President Obama's Executive overreach. The President intends to grant amnesty to 5 million people. This will

not be done on a case-by-case basis as the law suggests it should be. It is going to be a rubberstamp, a rubberstamp at the expense of those who are legally attempting to come to our country. It will take longer for those who are attempting to come legally to gain admittance under the law. I support the efforts of those coming to the United States to make a better life for themselves and their family. We all believe in immigration. We just think immigration should be legal.

The President has rewritten the law to allow illegal immigrants the ability to receive work permits and drivers licenses which also includes receiving a Social Security number. After a certain period of time they will be eligible for Social Security. This goes far beyond his legal authority. By the way, many of my Democratic colleagues have expressed concerns about the President's action and whether he had the constitutional authority to take the action he has taken. Clearly he does not. While the President says this legal status is temporary, the reality is once work permits have been issued and Social Security cards are given, folks will be allowed to stay. They would not be deemed a priority for removal. On top of that, the temporary status may be renewed.

In 2011, the President took Executive action for the Department of Homeland Security to start prioritizing illegal immigrants for removal. In April 2014, several months before he took his most recent action, the Los Angeles Times quoted former ICE Director John Sandweg in an article where he said, If you are a run-of-the-mill immigrant here illegally, your odds of getting deported are close to zero.

The Associated Press reported in September 2014 the Department of Homeland Security admitted to a group of immigrant advocates during a confidential meeting that about 70 percent of illegal immigrants traveling as families failed to report back to ICE as ordered after they were released at the border.

A few weeks ago Louisiana school administrators and I met, and they expressed concern about how the President's immigration policies have stressed our school systems. Classroom sizes have grown. Their associated costs to hire more teachers, buy textbooks, and the required resources to educate these students all have grown. President Obama is giving Executive amnesty to suit his agenda but is stretching limited local and State resources. By stretching them, it is making it tougher on Americans who are born here.

The administration says only 5 million people will be impacted by the President's Executive order. The reality is with numerous options for illegal immigrants to remain in this country, people are going to hear about it. They will attempt to come. This will be a magnet for others to come here illegally. Illegal behavior is being rewarded.

If the President's supporters feel compelled to continue blocking the funding bill, it must be clear they feel that Executive amnesty is legal regardless of how the courts have ruled. It is clear they believe that protecting the President's illegal action is more important than providing our men and women with the resources to protect our border.

We must fund the Department of Homeland Security. As I have said, many of my colleagues who expressed serious concerns with the President's Executive actions in November are now voting to protect these actions. It is unfortunate they voted four times to prevent this bill—the Homeland Security funding bill—from coming up for debate. They won't even allow debate. Folks say they want funding for the Homeland Security Department, but they won't allow debate. This is unconscionable.

I believe it is important we move forward to avoid a shutdown of the Department of Homeland Security. I urge my colleagues to please stop blocking this important legislation we must pass to protect our country and give the men and women of Homeland Security the resources they need and, most importantly, to protect the Constitution.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the role.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. CARPER. Mr. President, in 3½ days, the Department of Homeland Security may well shut down. I speak as the senior Democrat on the Committee on Homeland Security and Governmental Affairs for the last 2 years and, along with Dr. Tom Coburn, our former colleague from Oklahoma, chaired that committee that he and I led.

But in 3½ days, if Congress fails to act responsibly—78 hours, I think, from right now—the Department of Homeland Security may shut down. I have spoken on the floor a number of times in recent weeks about the complex, consistent, and very real threats that our country faces. We are familiar with a lot of them—maybe not all.

But over the past several months we have seen horrific images of beheadings, of mass murders, brutal executions at the hands of the Islamic State. Some of our Nation's largest companies and Federal agencies have been victims of massive cyber attacks. They continue to this day.

This weekend another terrorist group, the Al Qaeda-linked terrorist group in Somalia called al-Shabaab, vowed they would seek revenge against the United States. They cited the Mall of America in Minnesota as a potential

target. It is not just these groups or the lone wolf terrorists they inspire that we need to worry about.

Last fall, Ebola ravaged several nations in western Africa and even came to our shores as well. Threats from Mother Nature persist too. Communities and cities in some parts of our country are trying to get through a winter that has already broken snowfall records, and more records are likely to fall. Yet today, here in the Congress, there are some who are questioning whether even to fund the very agencies charged with keeping us safe from these and other evolving threats. That goes beyond being irresponsible. Department of Homeland Security Secretary Jeh Johnson nailed it recently when he said what it was. Here is what he said: "It is bizarre and absurd that we are even having this discussion." I could not agree more. Is this really the message we want to be sending to all those folks across the world who wish us harm? God, I hope not.

Here we are, days before this key agency could be forced to shut down preparing for the worst. Some of our colleagues have said that it is not a big deal if the Department shuts down. I could not disagree more strongly, and here is why. If we continue this behavior and fail to pass a clean Department of Homeland Security funding bill by midnight on Friday, this is what will happen at the Department of Homeland Security: Much of the Department's workforce, up to 200,000 people, will be expected to show up for work but work without pay.

That includes Border Patrol agents who protect our borders. That includes Coast Guard crews who patrol our waters. That includes the TSA employees who keep our skies safe and make it safe to fly on airplanes and get in and out of our airports. Many of these courageous men and women put their lives in harm's way every day. We expect them to continue doing that. We just are not going to pay them.

That is right. We want you to keep doing your job of protecting our Nation. Eventually, those in Congress will get around to doing our job. When we do, you will get paid. Let me ask: How would we like to be treated that way? How would we like to be treated that way? Well, we would not. I think it is shameful that we would even contemplate treating some of our bravest fellow employees like that.

It is shameful. Even worse, treating our people like this does not make America any safer. In fact, it makes us less safe in the end. Even if we did avoid a shutdown, we would keep the Department running on a stopgap continuing resolution. We would prevent the men and women who work there from doing their jobs as efficiently and as effectively as they could be, should be, and would like to be.

Secretary Johnson described that putting the Department on another continuing resolution—these are his words—"is a little like trying to drive

cross-country with no more than five gallons of gas [in the tank] at a time and you don't know when the next gas station is. You can't plan except days and weeks at a time."

For example, if we pass another stopgap continuing resolution, the Department will not be able to replace obsolete surveillance technology along high-risk areas of our border. We need to replace that. In addition, our Nation will have significantly fewer resources to respond to any future surges of unaccompanied minors along our southwest border. Moreover, we will put construction of a badly needed national security cutter for the Coast Guard on hold. Why does that matter? It matters because our Coast Guard fleet is aging and needs to be modernized. These ships are essential to stopping illegal trafficking off our coasts, such as drug trafficking, human trafficking, and illegal immigration—some of it in vessels that travel at speeds of greater than 50 knots.

If that is not enough, try this: It is widely known that employee morale at the Department of Homeland Security is the lowest of all major Federal agencies. Passing yet another continuing resolution I promise you will not make it any better—quite the opposite. Morale will only get worse, and in doing so threaten to degrade the performance of the people we rely on, perhaps more than any other, to keep Americans safe.

So let me say it again. This is not the way we should be treating the public servants who in many cases risk their lives to keep our Nation and all Americans safe. This is no way to run a key national agency. Furthermore, as we have learned over the years, this kind of crisis budgeting costs taxpayers millions of dollars in lost productivity, in hiring freezes, in contracts that will have to be renegotiated—not at a lower cost to taxpayers—at higher costs.

Now, I understand why some of our colleagues are concerned about the policies and procedures set forth in the President's Executive action on immigration. I get it. They have every right to express those concerns. But the budget of the Department of Homeland Security is not the place to have that debate. A Federal district court in South Texas recently examined what the President put forward and blocked its implementation. Why cannot we just let the judicial process play out and meanwhile do our job by funding the Department of Homeland Security for the balance of this fiscal year?

Some of our Republican colleagues agree with this approach. One of our colleagues, LINDSEY GRAHAM, said earlier this week: "I hope Republicans will come together and back the court case, file a friend of the court brief with the court and fund DHS."

He added:

I am willing and ready to pass a DHS funding bill and let this play out in court. The worst possible outcome for this nation is to

defund the Department of Homeland Security given the multiple threats we face to our homeland.

Our friend, LINDSEY's friend, JOHN McCAIN, also said recently—these are his words, not mine:

It's not a good idea to shut down the Department of Homeland Security. . . . Now we have the perfect reason to not shut it down because the courts have decided, at least initially, in our favor.

"Our favor" is that of the Republican Governors who filed the lawsuit in the South Texas district court. I want to urge my Republican colleagues to go ahead and pursue this potential judicial remedy to address the concerns they have. But while they are doing that, for God's sake, let's bring a clean, fiscal year 2015 appropriations bill for the Department of Homeland Security—the same bill that both Democrats and Republicans agreed to last December—let's bring it to the floor so we can give the Department the funding and the certainty that it desperately needs.

Regardless of what happens in the courts, at the end of the day comprehensive immigration reform is the only way we can fix our broken immigration system for the long term. It is the only way we can address the issues the President was trying to resolve in his Executive action in a straightforward way, as we did in the last Congress when we passed by a big bipartisan vote right on this floor—by a 2-to-1 margin—comprehensive immigration reform.

We owe the American people an honest and thorough debate on immigration reform. But let's do it the right way. We have shown that we can do that. We did it a year and a half ago. Let's do it again. Let's do it this year after approving a clean, full-year funding bill for the Department of Homeland Security.

I might just add this. The comprehensive immigration reform that we passed here by a 2-to-1 margin a year and a half ago was priced out by the Congressional Budget Office, which is not Democratic or Republican. They looked at it and did all the numbers and everything. They concluded that rather than increasing the budget deficit, that comprehensive immigration reform bill reduced the budget deficit for the next 10 years by \$200 billion. Further, for the second 10 years, it reduced our budget deficit by \$700 billion.

A different study further suggested that the impact on our Nation's economy and on our gross domestic product by the implementation of that same comprehensive immigration reform was that it would not diminish the growth to our economy. It would actually increase it by 5 percent—5-percent GDP growth over a two-decade period of time.

Those of us who are privileged to serve in the Senate were sent here by our constituents with a critical responsibility: to work together and pass laws that help our Nation and help our economy to grow and to thrive.

This debate—or any debate, for that matter—should not be about one political party winning or losing, because the only people who are losing are the constituents we are supposed to serve. As long as we continue to spend our time debating these manufactured funding crises, our constituents—American taxpayers from coast to coast—are going to continue to lose. We as a Congress, I think, lose as well.

I believe American voters made it clear in last fall's election. They are tired of all of this kind of behavior. I do not blame them either. But it is simple. They want us to do our job. They want us to work together across these aisles. They want us to get things done that need to get done. They want us to find ways to strengthen the—

I ask unanimous consent for 2 additional minutes.

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

Mr. CARPER. In closing, let me just note that I am encouraged to hear that Senate Majority Leader McCONNELL now seems to be moving toward allowing a vote on a clean bill. I hope this change of course is the beginning of the end of this crisis for the Department of Homeland Security and for our country. Whatever we do, it is critical that we consider and pass a clean Department of Homeland Security funding bill first. At this point, every hour that goes by without one creates more uncertainty and more waste.

After we do that, let's roll up our sleeves and let's get back to work on a thoughtful, 21st century immigration reform policy for our country, a policy that is fair, a policy that will significantly reduce our Nation's budget deficit, and a policy that will strengthen the economic recovery now underway.

I want to thank my friend from Iowa for the kindness in allowing me to proceed for an extra few minutes.

I yield the floor.

MORNING BUSINESS

TRIBUTE TO CHRISTY PRIETSCH

Mr. McCONNELL. Mr. President, this week, the Senate will bid a fond farewell to the director of its Employee Assistance Program, Christy Prietsch.

Christy is retiring after more than a decade of dedicated service in the Senate. She has made quite an impression since coming here in 2004. Senate employees know Christy as a warm and inviting person they can go to whenever they need someone to talk to. She is experienced in helping others overcome obstacles both personal and professional, and it is clear that her care and concern for the Senate community is as genuine as it is deep.

But for Christy, we also know that such a fulsome commitment to serving the Senate has meant spending less time with her husband and her son than she would like. So we hope this decision to retire will give Christy the