

## RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. RUBIO). Under the previous order, the leadership time is reserved.

## 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 legislative clerk 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.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

## ORDER OF PROCEDURE

Mr. RUBIO. Madam President, I ask unanimous consent that the Senate recess from 12:45 p.m. until 1:45 p.m.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. SHAHEEN. Are we in morning business?

The PRESIDING OFFICER. We are on the motion to proceed.

Mrs. SHAHEEN. I will be speaking on the bill before us.

Madam President, we are just days away from an unthinkable government shutdown of the Department of Homeland Security. A government shutdown of the Department whose mission is to protect the citizens of this country is reckless and dangerous while we are under threat of attack by terrorist groups.

What kind of message does it send to ISIS, to cyber criminals, and to criminal drug gangs if Congress can't keep the Department of Homeland Security open?

This weekend we learned that a terrorist group from Somalia, al-Shabaab, released an online video calling for attacks on the Mall of America in Minnesota, as well as malls in Canada and England.

Just yesterday we learned that three Brooklyn, NY, men were arrested for

plotting to travel to Syria to join ISIS. If they weren't successful in getting to Syria, they allegedly planned to commit an act of terrorism in the United States, and one even offered to kill President Obama if ordered to do so.

The role of the Department of Homeland Security in protecting our country from these threats and from so many others cannot be overstated. It is DHS that is working with State and local officials in Minnesota to coordinate a response to the Mall of America threat, and it is DHS and the Secret Service that help provide the counterterrorism and intelligence-gathering efforts that led to the arrests of the Brooklyn men who wanted to do harm in this country.

Referencing yesterday's arrests in Brooklyn, New York City Police Commissioner Bill Bratton said that this is not the time to engage in activities that would threaten our counterterrorism capabilities and effectively hold our counterterrorism agencies hostage to political machinations. This is not the time to be engaging in political rhetoric and political grandstanding.

I think Commissioner Bratton is right. Our Nation is already on high alert for terror threats after attacks in Sydney, Australia, and Ottawa, Canada, and in Paris. The Mall of America threat and the Brooklyn arrests reinforce the fact that we need our law enforcement community operating on all cylinders. Sadly, these aren't isolated threats.

A few weeks ago I spoke with the deputy commissioner of the New York City Police Department. He told me about the many terror attacks that have been thwarted in New York City since 9/11. He credited DHS, the funding, and programs that are coordinated through DHS and the personnel there for helping New York to prevent attacks from happening.

I have heard the same thing at home in New Hampshire from our law enforcement and first responders. I was in the town of Hampton, which is a coastal community, on Monday of this week. They talked about the importance of DHS support in developing a unified command for all of law enforcement in New Hampshire. They talked about the importance of the fusion center that is funded through the Department of Homeland Security because of the intelligence-gathering they do there and how they share that information with law enforcement agencies all across New Hampshire. Then they took me in and showed me a diagram of a human trafficking case that they are working on with the help of the Department of Homeland Security.

So this is not just about the big cities in the United States, it is about our rural communities, and it is about States across this country that rely on the Department of Homeland Security to help with their internal security. Yet here we are, less than 2 days away from shutting down the Department of Homeland Security because of unrelated ideological disagreements.

I am, however, very encouraged by recent developments here in the Senate, with yesterday's 98-to-2 vote to allow the Senate at some point in the future—hopefully sometime today—to pass a clean, full-year funding bill for DHS. I again applaud Senators McConnell and Reid for their efforts to get us to this point. I think we need leaders who are willing to work together, who are willing to encourage us here in the Senate. We saw that in the last few days with Senators McConnell and Reid.

Once the Senate acts, however, we will need the House of Representatives to join us in putting aside our ideological and political differences and passing a bill without controversial riders, a bill that will fund the Department of Homeland Security.

As we have discussed in this Chamber, there are disagreements about immigration and about the President's Executive action. I am certainly happy to have debate about that. I know there are others who are happy to have a debate. But first we need to fund the Department of Homeland Security. We need to put safety and security ahead of our ideological differences. We are just 2 days away from a devastating shutdown of DHS. We do not have time to waste. I certainly hope that we will act quickly here and that the House will also act quickly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

## NET NEUTRALITY

Mr. MARKEY. Madam President, a battle has been raging online in the past year. Millions of citizens, companies, innovators, and entrepreneurs have been sounding an alarm calling us to electronic arms. These 21st-century Netizens took to the street and they took to the Net. They raised their voices and demanded that the FCC protect the world's greatest platform for communications and commerce.

Today we declare victory. Today we say the economy and the free expression of ideas depend on Net neutrality. Today we say an open and free Internet is as important as keeping our air and water clean and our roads and highways safe. Today we say Net neutrality is here to stay. Today is Internet freedom and innovation day.

Just today the Federal Communications Commission is making historic decisions to enshrine Net neutrality protections. The Commission is voting to use its power to protect the tremendous power of the Internet. This battle for Net neutrality means that the Internet is protected for decades to come. It is protected for all the students and startups, for all the businesses and online buyers, for all of the inventors, the innovators, and the Internet users.

By banning paid prioritization, blocking, and throttling, the FCC is applying the principles of nondiscrimination—which is what Net neutrality really is—nondiscrimination to the

broadband world. This is the next chapter in the history of American innovation. It is our country's declaration of innovation. Chairman Wheeler and the FCC are on the right side of history.

This battle for Net neutrality was not fought without opposition. The deep-pocketed broadband barons want to turn the Internet into a set of gated communities. They say it will raise taxes. They say it is an overreach. They say it will not stand up in court. Some claim it will harm investment. But then companies such as Sprint and Verizon say it will not, in fact, influence how they invest. So I say to the critics: Do you want to return to the days when a few telecommunications giants—which today we would call big broadband barons—control the vital wires and spectrum we use to communicate or do we want a free, dynamic, open market where the best in ideas survives and thrives? The choice is clear.

The FCC Commissioners supporting the open Internet order have made the right choice. Today the people won. I applaud the FCC and Chairman Wheeler for standing up for students in their dorm rooms, engineers in their basements, and innovators in their garages. I applaud the FCC for standing up for the best ideas, not merely the best funded ideas. The FCC has chosen the right path forward. I commend the Commission for that action.

Reclassifying broadband under title II is a major victory for consumers, for our democracy, and for our economy. Consider that in 2013, 62 percent of the venture capital funds invested in this country went toward Internet-specific and software companies. The free flow of ideas supported by the Internet are creating the companies launching the global revolution and supporting the communications that we rely on every day. We want a free, dynamic, open market where the best in ideas survives and thrives.

Today is a historic, revolutionary day for consumers, innovators, entrepreneurs—anyone who counts on the Internet to connect to the world. I applaud and I thank the millions of American revolutionaries who stood up and fought for Net neutrality. The fight is not over. There is much more work to be done. But today is a historic victory. It is Internet freedom and innovation day.

Let's celebrate this transformative power of the Internet today and for generations to come. We are going to ensure that the architecture of the Internet remains one where the smallest entrepreneurs who can go to the capital markets and raise the funding for the new ideas, for the follow-on ideas to Google and eBay and Amazon and Hulu and YouTube, are able to be joined by new companies like Dwolla, like Etsy, like Vimeo, and like hundreds and thousands of others whose names we do not yet know, because now they are going to have the capacity to be able to say to their investors:

We now have the capacity to reach a market. With our ideas, we can transform some part of the way in which people communicate in this country and on this planet.

That is what we are celebrating today—the power of the Net, the power of individuals to come up with the capital so they can then transform some part of the way in which we communicate in this life.

So just remember that when the 1996 Telecommunications Act passed, there were no companies like the ones I just mentioned. That was because it was an old world. But in the blink of an eye, a technological eye, we have moved to this new world where each of us is carrying a device in our pockets. Each of us is wondering how we ever got along without the capacity to be able to tap into all of these wonderful new companies and the products they provide. That is what today is all about—Net neutrality day. It will not impact the investments of the big companies, but it will ensure that the small companies—those that received 62 percent of all venture capital in America in the last year—will be able to provide their new products, their new innovations, their new challenges to the way in which we communicate. I think that is the whole key. We need to maintain the Darwinian paranoia-inducing competition that the Net has introduced. If we do that, then I think America will be No. 1, looking over its shoulder at Nos. 2, 3, and 4 in the world in terms of our innovation in the communications sector.

Congratulations to the Federal Communications Commission, and congratulations to all entrepreneurs across America. Today is a day when you should be celebrating.

#### RECESS

Mr. MARKEY. Madam President, I ask unanimous consent that the Senate recess until 1:45 p.m., as provided under the previous order.

There being no objection, the Senate, at 12:30 p.m., recessed until 1:47 p.m. and reassembled when called to order by the Presiding Officer (Mr. BARASSO).

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

The PRESIDING OFFICER (Mr. SASSE). The Senator from Hawaii.

Mr. SCHATZ. Mr. President, with 1 day before the funding expires for the Department of Homeland Security, I rise to urge the adoption of a clean funding bill.

It seems we are on a path to ensure that, at least in the Senate, we are going to adopt a bill that funds the critical safety and national security functions of the Department of Homeland Security without extraneous immigration riders. I encourage my col-

leagues in both Chambers to embrace what Members on both sides of the aisle have acknowledged is the best way to resolve this issue—avoid a shutdown, enact the clean bipartisan Homeland Security bill, and address the immigration policies through regular order on the floor.

By now, we have all heard from a host of people spelling out the many negative impacts of a shutdown—our colleagues, Secretary Johnson, previous Secretaries, and many of our Nation's mayors. We would be unnecessarily disrupting funding which all of our States' emergency managers rely on and which allows for programs that function to keep us safe and keep people and goods moving securely and efficiently throughout our country.

My home State of Hawaii is 2,500 miles from the closest landmass. It hosts the Nation's fourth largest airport for international arrivals and is currently responding to and recovering from presidentially declared disasters related to lava threats and tropical storms.

For these and many other reasons, I am concerned that Congress would consider risking timely funding for the agencies that keep our airports safe, our coasts and waters secure, and provide for critical planning and response support to our States' first responders.

Additionally, I don't think anyone should attempt to trivialize a shutdown based on the argument that many Department of Homeland Security employees will have to report to work regardless. What an insult. For the thousands of Hawaii residents employed by the Department of Homeland Security, this is significant. These are middle-class jobs helping to support middle-class families. These employees will still have to make rent, pay a mortgage, buy gas, food, childcare and the like, and the Coast Guard's men and women will have to report for duty—not for pay. We owe them better than that. We shouldn't subject these families to uncertainty about their next paycheck.

Our path forward is actually totally simple: pass the original funding bill that was negotiated in good faith by both parties and both Chambers last December. Because of where we are right now, it is important to remember that the underlying Department of Homeland Security funding bill was the result of a bipartisan negotiation and compromise between both Chambers and both parties.

That means we have to resist the temptation in either Chamber to make political decisions that have no chances of success in the Senate or would be vetoed by the President. For example, reinserting partisan immigration riders into this bill is a non-starter. The Senate has not wavered on this point, and that dynamic is not going to change.

Let's just do our jobs. Let's fund the Department of Homeland Security, and