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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, the leader's heart is in Your hand and You turn destinies as You desire. Give our lawmakers wisdom to labor so that justice will abound and the righteousness will flow like a mighty stream.

Lord, may our Senators develop a clear vision of the light that leads to truth. Enable them to make the differing approaches expressed by both parties contribute to better solutions to the world's problems. Infuse our legislators with a reverential awe that will empower them to be aware of Your presence and to accept and obey Your plans. Use them as extensions of Your power in our Nation and world.

And, Lord, please place Your healing hands on Senator HARRY REID.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

SCHEDULE

Mr. MCCONNELL. Mr. President, this morning the Senate will be in a period of morning business for 1 hour before

resuming consideration of the Keystone bill. Senators should expect votes on pending amendments to the bill after lunch today. Votes are possible into the evening tonight as well as during tomorrow morning's session of the Senate. We need to make progress on this bill and all Members should expect a busy day.

REAL DEBATE IN THE SENATE

Mr. MCCONNELL. Mr. President, the Senate, as I indicated, will continue its work on the Keystone jobs bill today. It is great to see a real debate on the floor of the Senate again. We saw some action in the Chamber yesterday and even some unpredictability. We saw how democracy in the Senate has looked many times in the past. It is great to see both sides able to offer amendments once more.

I know many of our Democratic friends have been ready to give more of a voice to their constituents too. I know they have been waiting for this moment for some time. The assistant Democratic leader said he welcomes our vision of the Senate where Members "bring amendments to the floor, debate them, vote on them, and ultimately pass legislation," and that is what we are doing.

Another Democratic colleague, the senior Senator from West Virginia, said he was "very excited" about the prospect of an open amendment process. He also noted that it gave Members of his party a valuable opportunity to pursue some of their own priorities through the legislative process.

The Senator makes an important point about the more open Senate we are working toward. A more open Senate presents more opportunities for legislators with serious ideas to make a mark on the legislative process. It can give Members of both parties a real stake in the ultimate outcome of the bill on the floor. And because it does, it represents one of our best avenues to

secure passage of sensible legislation centered on jobs and the middle class. That is something we should all want.

So I hope Members in both parties will help us continue our efforts to make the Senate function better. That would be a good thing for our country. It would represent a change from the kind of Senate we have seen in recent years. And it would represent a positive step forward, not just for Congress but for the people we represent.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER. The assistant Democratic leader is recognized.

KEYSTONE PIPELINE

Mr. DURBIN. Mr. President, let me join the majority leader in saying that I think we are in a healthy environment on the floor of the Senate where we are pursuing amendments and active debate, and it is great to see that happening. The only way that happens in the U.S. Senate is when the majority and the minority both work for it to happen. The rules of the Senate are constructed, as we both know well, so that literally any one Senator can stop the process. But the good-will and good-faith efforts of Senators on both sides of the aisle have really brought us to a good moment here.

I wish to commend especially the leaders on the floor for this legislation, Senator MURKOWSKI of Alaska on the Republican side, and on our side Senator MARIA CANTWELL and Senator BARBARA BOXER. The two of them, in an extraordinary show of cooperation, have been able to work together to process amendments.

The fact is we voted on nine amendments so far on this Keystone Pipeline measure. We have eight amendments pending today. So there is a good-faith effort on both sides to call up these important amendments with fairness to

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



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both sides of the aisle. I want to see that continue.

I hope no one believes we are finished with eight amendments. We are not. There are other important amendments to be considered. Members have brought them to the attention of both sides, and I hope as quickly as we can that we will schedule them for consideration and a vote and move forward.

Yesterday, what was fascinating was the fact that we branched off from this conversation about the Keystone Pipeline itself and the jobs—35 permanent jobs—that will be created for this Canadian corporation and started talking about some underlying, critically important issues. We spent a great deal of time on the floor discussing the environmental impact not just of the pipeline but of the Canadian tar sands which will be brought by the pipeline, if it is approved, into the United States for processing.

It is interesting what we have learned so far during the course of this debate. When the Democrats insisted that this pipeline's product—the oil that is refined and used for consumption—be sold in the United States, the Republicans voted no. The Republicans voted no. I have a lengthy memo on my desk of all of the Republican Senators who have come to the floor insisting that the Keystone Pipeline was going to create more gasoline, more diesel fuel, and help the American economy. Yet, when Senator MARKEY of Massachusetts offered an amendment to say keep the products coming from the Keystone Pipeline in the United States, the Republicans, to a person, voted no.

Then Senator FRANKEN came forward and said, Well, let's agree that if this is about jobs in America that the Keystone Pipeline will use American steel. That seems reasonable to me, and I voted for it. The Republicans voted no. They defeated the notion that we would use American steel to build this pipeline.

This pipeline is Senate Bill 1 for the Senate Republicans. It is their highest priority. One would think that if it truly is a jobs bill, they would want American steel to be used to build the pipeline; let our steel mills build this pipeline in the future, create the jobs in America, and they voted no.

Yesterday I offered an amendment as well. We know at the end of this pipeline, if tar sands reach the United States through this means or otherwise, it is a pretty nasty process taking the tar and sand out of the oil, and what is left over is a nasty product known as petcoke.

Petcoke is now being stored in three-story-high piles in the city of Chicago. I have seen it. And the city is trying to get to the point where it is at least contained and covered. Yet, the company that owns it, which incidentally is a company owned by the Koch brothers—what an irony—this company has resisted the idea of covering these petcoke piles, so this nasty black sub-

stance blows through the community in southeast Chicago. The city of Chicago is in a battle.

I tried to put in an effort yesterday so that we would establish standards for transportation and storage of petcoke, and the Republicans insisted it was a benign substance, it isn't hazardous, not dangerous, don't worry about it. If some of the Senators who voted against my amendment, tomorrow, God forbid, face this issue in their community, I think they will have a little different view of petcoke and what it can do to people, the impact it has on respiratory disease and asthma.

Yesterday I didn't prevail. But I can tell my colleagues how over the years, as I fought the tobacco companies and they insisted there was nothing dangerous about tobacco, I heard those arguments from industry just as we are hearing the petcoke arguments from the petcoke industry. Ultimately, good sense prevailed, public health prevailed, and we moved toward regulation of tobacco products. We should do the same—basic regulation—to protect the public from any negative impact on their health relative to petcoke.

The amendments continue today. Some of them are extraordinarily important. I hope we will continue to move toward the completion of this task in an orderly manner. I commend not only the leadership on the majority side, but I commend my colleagues too. We found over the past many years that the process of amendment would break down when one Republican Senator would stand up and say, I won't let any amendment be considered until my amendment is considered, No. 1. It even reached a point where Republican Senators would say, I won't let any amendment be considered unless I am guaranteed my amendment will pass. Well, when people take unreasonable positions and threaten filibusters, we break down the amendment process.

We have tried, now being in the minority, to be more constructive, and we have reached that goal so far this week. I hope we continue to aspire to it and I hope we can wrap this bill up next week in an orderly manner.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. DURBIN. Mr. President, in the aftermath of the terrorist attacks around the world—particularly in Paris—the American people know that terrorism, sadly, is a threat to us even to this day. We count on one department of government as much if not more than any other to protect us—the Department of Homeland Security.

This is the Department which monitors the terrorist threats to our country on a minute-by-minute basis. This is the agency that provides the inspectors at airports and in many other places to try to thwart terrorism before it strikes. It is a critically important part of our government—one of the most important departments.

That is why it is curious to me that House Republicans insisted that the budget—the regular budget for the Department of Homeland Security—be held up until the end of February. They need their Department budget. They need to invest it to keep America safe. Yet, the House Republicans said no. They gave a continuing resolution to the Department, which basically lets them operate on a day-to-day basis with no certainty for the future. That is no way to run an agency, particularly one that is supposed to keep America safe.

Then, last week, the U.S. House of Representatives took another step and really revealed what was behind this strategy. They added five negative riders to this Department of Homeland Security appropriations bill. Their riders are the subject of immigration. Of course, the Department of Homeland Security has a responsibility when it comes to immigration. These riders were onerous and they threatened the very passage of this important legislation, so much so that the President of the United States has issued a veto threat if the Republican riders from the U.S. House of Representatives are included in the bill when it passes the Senate.

The right thing to do, the smart thing to do, the thing to do to protect America is for us to pass the homeland security appropriation now so this agency has its money. We should remove the onerous and unfair riders that were attached by the House of Representatives. If we are to debate the negative aspects of immigration, let's save it for another day and not put this Department of Homeland Security at risk and the safety of America at risk over this political effort by the Republicans in the House of Representatives.

One aspect of the House measure, an amendment to the Department of Homeland Security appropriation, I find particularly troublesome. It was 14 years ago when I introduced the DREAM Act. It is hard to imagine it has been that long. But the notion behind the DREAM Act was if a child is brought to America by a family and is undocumented in this country and that child grows up in America, completes high school, and has no serious criminal problems in their background, they ought to be given a chance to either enlist in our military, to go to college, to get on a path toward legalization. That is the DREAM Act.

Originally the DREAM Act had some Republican sponsorship, but over the years that support melted away. Yet, many Republicans have said from time to time: I think the DREAM Act is fair; we just haven't enacted it into law. Because of that, 2½ years ago many of us appealed to President Obama to protect these DREAMers, these young people. Many of them completed school and had nowhere to go. Being undocumented, they didn't qualify for a penny of assistance in going to