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Senate

The Senate met at 10 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, every good and perfect gift comes from You alone. For with You, there is no variation or shadow of turning. Help us to place our hope in You and remember how You have sustained us in the past.

Give our Senators the wisdom to trust You in the small things, realizing that faithfulness with the least prepares them for fidelity with the much. May they trust You to do what is best for America. In good and bad times, keep them from underestimating the power of Your might.

Lord, we thank You for continuing to heal Senator HARRY REID.

We praise You in Your sacred 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.

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

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

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

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

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 240.

The PRESIDING OFFICER. The clerk will report the motion.

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 beginning September 30, 2015, and for other purposes.

MEASURES PLACED ON THE CALENDAR—S. 338
AND S. 339

Mr. MCCONNELL. I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 338) to permanently reauthorize the Land and Water Conservation Fund.

A bill (S. 339) to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

Mr. MCCONNELL. Mr. President, in order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be placed on the calendar.

SCHEDULE

Mr. MCCONNELL. Mr. President, at noon today the Senate will vote on passage of H.R. 203, the bipartisan veterans suicide prevention bill. Following the recess for the weekly party lunches, we will vote on cloture on the motion to proceed to H.R. 240, a bill to fund the Department of Homeland Security.

CLAY HUNT SUICIDE PREVENTION FOR AMERICAN VETERANS ACT

Mr. MCCONNELL. Mr. President, following last week's bipartisan vote for American jobs, the new Republican Congress will vote to send the Presi-

dent another bipartisan bill today. It is legislation that already passed the House of Representatives unanimously, the Clay Hunt Suicide Prevention for American Veterans Act.

This bill would offer critical support to the men and women who have already sacrificed so much for all of us. It would extend a helping hand to heroes when they need it. It is just the kind of commonsense bipartisan action the new Congress can deliver for the American people.

Let me recognize once more the great work of Senators ISAKSON and MCCAIN on this bill. I hope our colleagues across the aisle will help us pass this legislation today with strong bipartisan support.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. President, when the new Senate convened, I stated my view that democracy is not about what you can get away with, it is about what can be achieved together. Exercising raw power is easier, no question about that. Changing the rules of democracy when they do not suit you can be pretty tempting to politicians. But we are hoping our colleagues in the Democratic Party will agree that elected leaders can be bigger than that. We are hoping Democrats will agree that it is on Presidents to consider the long-term consequences of partisan power grabs and to rise above the kinds of partisan temptations that tend to emerge.

The choices Democrats make on the legislation before us will say a lot about whether there are still two serious political parties in our country, whether there are still two parties interested in governing within a constitutional framework.

At its core, the debate is about whether Democrats think Presidents of either party should have the power to simply do what they want. While this is about more than just President Obama, it is also true that President Obama has repeatedly reached beyond his authority.

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



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Some of the President's overreach has been so out of bounds that the Supreme Court struck it down unanimously. Whether on the left, right, or center, every last Justice—even those appointed by the President—rebuked him for his overreach on recess appointments last June. Then just a couple of months ago the President rebuked himself by taking actions he had previously said many times that he lacked the legal authority to take. When he tried to suggest otherwise, a fact-checker blasted the spin and clarified that the President had been asked specifically about just the sorts of actions he was contemplating.

Last year President Obama declared that executive action was “not an option” because it would mean “ignoring the law.” “There is a path to get this done,” the President said, “and that is through Congress.” That was his view then. What changed? What changed?

The truth is, the latest power grab is not really about immigration reform. It is about making an already broken system even more broken. It is about imposing even more unfairness on immigrants who have already worked so hard and played by the rules. It is hard to understand why the President would want to impose additional unfairness on immigrants like these who just want to live their own American dream.

The question is, Do Democrats agree with the President? Well, we will soon find out. We will also find out if Democrats agree with President Obama who ignores the law when it suits him or if they agree with President Obama who made this statement just a few years ago in Miami. Here is what he said in Miami just a couple of years ago.

The President:

Democracy is hard, but it's right. [And] changing our laws means doing the hard work of changing minds and changing votes one by one.

That is the President a couple of years ago.

So I am calling on Democrats to vote with us now to fund the Department of Homeland Security. I am calling on Democrats to join us and stand up for core democratic principles such as the rule of law and separation of powers.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

LORETTA LYNCH NOMINATION

Mr. REID. Mr. President, the record held by the Republicans dealing with Cabinet officers is not one they should be proud of. For example, during a time of the War on Terror, the Republicans held up the Defense Department's nominee for a historically long time. Never in the past had someone who was to be Defense Secretary been held up by being blocked from moving forward.

You would think that would be a lesson learned and that would be enough, but no, that is not enough. Loretta Lynch, for example, who was nominated by the President to be Attorney General, has been held up for longer

than any nominee for Attorney General in the last 30 or 40 years. It is hard to comprehend that. For example, Senator LINDSEY GRAHAM said she was “a solid choice.” Senator ORRIN HATCH has indicated that he supports her nomination. Why, then, do we have to keep waiting and waiting? We are approaching 3 months that this good woman has been held up from a job for which she has been nominated.

I would hope the Republican leadership would move this out of the Senate as quickly as possible.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. President, I am not going to dwell very long on the matter that is before this body, and we will vote at 2:30. We have here with us the leading Democrat on the Appropriations Committee, and she will talk about homeland security. We have here on the floor today the assistant Democratic leader, who was one of the authors of a bill which we brought to the floor and which was debated for a long time and passed overwhelmingly before it was blocked by the Republicans.

We have before us a very interesting proposition. We have had terrorist attacks in Canada, in Australia, all over the European Union, including France and Belgium. Those countries, rather than talking about not funding homeland security, are talking about funding it with more money—but not the Senate led by the Republicans. They are doing everything within their power to make sure Homeland Security is held hostage to matters that do not really relate to homeland security.

If my Republican colleagues do not like something President Obama has done dealing with Presidential Executive orders—which, by the way, he has done less than any President in modern times—bring it up on the Senate floor and let's have a debate on that. Let's not do what happened previously and shut down the government. That is the direction we are headed. That is really too bad.

THE PRESIDENT'S BUDGET

Finally, Mr. President, the President has outlined a good proposal for a budget. It is nothing that is new. It is simply building upon the budget that was so successfully negotiated by Senator MURRAY and Congressman RYAN. That is what this budget he proposed is all about. It would seem to me, rather than the Republicans running out, as soon as he said a word, saying no, no, no, let's look at areas where we can compromise. Don't we need something done with the infrastructure of this country? The answer is obviously yes. Why can't we work something out in that regard? So I would hope that rather than saying no to everything the President does, that we should understand that our role, including Republican Senators, is to legislate. Legislation is the art of compromise.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, equally divided, with Senators permitted to speak therein, with the Democrats controlling the first half and the Republicans controlling the final half.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I ask to speak in morning business as agreed upon.

WELCOMING BACK THE
DEMOCRATIC LEADER

Ms. MIKULSKI. Mr. President, before the Democratic leader leaves, in the warmest and most enthusiastic way, I want to welcome him back. He looks like he has been in a big fight. I am sure he won. It is wonderful to have him back in his leadership role, here right at his duty station. We look forward to following him and to working with him to try to forge these bipartisan relationships.

DEPARTMENT OF HOMELAND
SECURITY FUNDING

Ms. MIKULSKI. Mr. President, I come to the floor to call for a vote against the motion to proceed to H.R. 240, the House Homeland Security funding bill.

Now, this is a shock—for Senator BARBARA MIKULSKI to call for a vote against a motion to proceed on an appropriations bill. For the past 2 years, I have been on the floor speaking out, pounding the table, saying: Let's bring up bills; let's bring them up one at a time.

So now why am I on the floor asking for a vote against the motion to proceed on the Department of Homeland Security funding bill?

Well, I can tell us it is because the Homeland Security bill has two parts. One is an essential bill, the funding for the Department of Homeland Security—which I hope we get to and we get to as expeditiously as possible. But they have another component to it—poison pill riders—five riders from the House of Representatives designed to attack the President on immigration.

These riders, if passed, will guarantee the President will veto the bill, and we are going to be back to parliamentary ping-pong. We posture and pomp and vote. Send it to the President; he will veto it. We will get into more posturing, pomp, and partisan points. For what? We need to fund the Department of Homeland Security.

Yes, we do need to deal with immigration, but the Senate passed an immigration bill. Rather than attacking the President, let's attack the problems from immigration. Let's deal with the DREAMers. Let's deal with getting people into the sunshine.

This institution, both the House and the Senate under Republican control, criticized the President for not acting.