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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, October 20, 2015, at 12 p.m.

Senate

MONDAY, OCTOBER 19, 2015

The Senate met at 4 p.m. and was called to order by the Honorable JONI ERNST, a Senator from the State of Iowa.

PRAYER

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

Let us pray.

Eternal God, the foundation of goodness, You have done more than we can imagine to draw us to You. Draw our Senators nearer to You, prompting them to find joy in Your presence and inspiring them to obey Your commands. As they remember how You have sustained them in the past, deliver them from the fear of failing at their difficult tasks. Lord, help them to focus on being productive, striving to please You with a harvest of substantive legislation. When they encounter disappointments, encourage them to remember that You can transform dark yesterdays into bright tomorrows. May Your grace, mercy, and peace sustain them now and always.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 19, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JONI ERNST, a Senator from the State of Iowa, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mrs. ERNST thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

DEADLINES FACING CONGRESS AND SANCTUARY CITIES BILL

Mr. REID. Madam President, in the coming days and weeks, we as a Congress face a series of real and important deadlines. First, we must address the debt ceiling. Last week, Treasury Secretary Jack Lew let the American people know that in 2 weeks—November 3—the United States faces the threat of being unable to pay its bills. Unless we act, the Federal Government will default on its accrued debt—de-

fault on its accrued debt. A huge percentage of this debt is the result of unpaid tax cuts for the wealthy and two unpaid wars during the last Bush Presidential administration. If we allow the United States to default on this debt, the consequences to world markets would be catastrophic, but that is not all. It is not all this leadership has ignored.

Congress must reauthorize the Export-Import Bank, which has basically gone out of business, causing the loss of hundreds of thousands of jobs in the United States and hurting our economy in more ways than one. It is also important that we pass a long-term surface transportation bill and again avert another potential Republican shutdown of our government by December 11.

Yet as the Senate reconvenes today, we are considering none of those vitally important matters. Instead—just as he did as the shutdown loomed last month—the Republican leader is spending the Senate's time on a partisan, ideological bill to placate the radicals within his own party.

The senior Senator from Louisiana is the architect of this bill before the Senate, which targets the so-called sanctuary cities. Senator VITTER's legislation fails to match the family values rhetoric he so frequently touts. This vile legislation might as well be called "The Donald Trump Act." Similar to the disgusting and outrageous language championed by Donald Trump, this legislation paints all immigrants as criminals and rapists. At

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



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its core, Senator VITTER's bill undermines the ability of local law enforcement officials to police their own communities and ensure public safety. It is then no surprise that the Fraternal Order of Police and Major Cities Chiefs Police Association do not support the Vitter sanctuary cities legislation, and that is an understatement. If implemented, this bill would punish local jurisdictions by withholding Federal community grants that police departments use to enhance public safety and build community trust. Imagine that, holding hostage public safety funding for police as a result of this misguided, farfetched legislation that everyone knows will not pass.

Senator VITTER's legislation would also withhold community development block grants that ensure affordable housing and provides services to the most vulnerable in our communities. The Donald Trump Act would establish new mandatory minimum sentences for those who enter the country illegally. Initial estimates show that new mandatory minimums in this bill would result in the need for nearly 20,000 new prison beds—20,000—requiring the construction of 12 or more huge new Federal prisons, costing billions and billions in taxpayer dollars.

It seems Republicans don't care about the cost to public safety. They don't care about the cost of building new prisons. A few billion here, a few billion there of taxpayer dollars, that is OK. After all, Republicans are not proposing this bill to solve any problem within our immigration system; this Donald Trump Act was designed to demonize immigrants and spread the myth that they are criminals and threats to the public. It promotes discrimination and bias.

Decades—decades—of research demonstrate that immigrants are less likely to commit serious crimes or be jailed than native-born individuals, and high rates of immigration are associated with lower rates of violent crime, not higher. So the notion that The Donald Trump Act is necessary to protect Americans from violent criminals is preposterous.

Violent gun murders are a tragedy our Nation faces far too often. Every year—and it is getting worse, not better—32,000 people are killed by guns in this country. That is how many were killed last year. That is how many are going to be killed this year, but the number is going up. More Americans have been killed by guns since 1968 than in all the wars of our Nation's history—all the wars in our Nation's history. Republicans should direct their energy toward saving the lives of thousands through safer, smarter gun safety legislation instead of capitalizing on hateful political rhetoric to advance their radical agenda, even though almost 90 percent of the American public think there should be a background check for someone who is a criminal or has mental problems, even though over 50 percent of members of the National

Rifle Association believe there should be background checks—but not congressional Republicans. No; they know better than 90 percent of the American people.

Democrats believe local communities and local law enforcement are better judges of what will keep their communities safe than Donald Trump or Bill O'Reilly. The safety of our neighborhoods and local communities should not be a pawn for Republicans' latest gambit to hide their failure to act on comprehensive immigration reform. Local law enforcement officials, domestic violence groups, immigrants' rights groups, mayors, faith leaders, and labor groups all oppose The Donald Trump Act. This bill does nothing to keep Americans safe, and it certainly does nothing to address our broken immigration system.

America is and always has been a nation of immigrants, and we are all the better for having hard-working immigrants as contributing members of our communities. This Nation deserves a commonsense immigration process that works, one that is tough on lawbreakers, fair to taxpayers, and practical to implement, but instead of joining Democrats in passing comprehensive immigration reform that unites families, strengthens communities, and boosts our economy, Republicans remain committed to their only approach to immigration policy: mass deportation. We all know this extreme rightwing approach would hurt our country and simply cannot work. The Donald Trump Act would shatter the trust between law enforcement and communities that keep our Nation safe. Republicans should abandon this shameless attempt to appease the base elements of their party. They should work with Democrats to pass comprehensive immigration reform, which is years overdue.

Sadly, though, until Republicans get serious about immigration reform, the Republican leader shouldn't waste the Senate's time on legislation that he knows will not pass. This legislation is not going to pass. He knows it. We all know it. Instead, he is just treading water, waiting for time to go by. The Republican leader should focus the Senate's time and all of our efforts on the pressing matters we face—such as avoiding a catastrophic default and keeping our government open so we can do the people's business.

Madam President, would the Chair announce the business before the Senate.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

STOP SANCTUARY POLICIES AND PROTECT AMERICANS ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will resume consideration of the motion to proceed to S. 2146, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 252, S. 2146, a bill to hold sanctuary jurisdictions accountable for defying Federal law, to increase penalties for individuals who illegally reenter the United States after being removed, and to provide liability protection for State and local law enforcement who cooperate with Federal law enforcement and for other purposes.

Mr. REID. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

TRAGEDY OF THE LOST CARGO SHIP “EL FARO”

Mr. NELSON. Mr. President, on September 29, an almost 800-foot cargo container vessel, the *El Faro*, a cargo ship carrying 33 men and women from Florida, left port in Jacksonville, FL, bound for Puerto Rico. There is a regular trade route between San Juan and Jacksonville, and a lot of the goods the Puerto Rican Commonwealth receives are shipped by cargo container from the Port of Jacksonville.

Three hours before it left port, the tropical storm that had been brewing had changed its status from a tropical storm to a hurricane, and over the course of the next 2 days, with communications from the ship, that hurricane started to intensify, starting out as a category 1, category 2, and later a category 3.

On the morning of the third day, October 1, at 7 a.m., there was a communication from the captain of the ship, first left on a voice mail and then he immediately called back the person in the communications department of the shipping company who talked to the captain. The captain, in a very calm voice on both the telephone message voice mail and his communication with the person, said they had taken a position where the ship was leaning 15 degrees. They were in rough seas, and they had lost power. Apparently in that communication, his voice was very calm and had some degree of confidence that he was going to be able to get the ship back underway, under power.

It is not good to have a ship that is tilting 15 degrees in the middle of a storm, much less an oncoming hurricane, and with no power because that does not allow you to keep it directly into the waves or going away from the waves. Instead, the ship is going to turn broadside, with the full force of the waves hitting the side of the ship, and the ship was already listing 15 degrees to one side.

Well, that was the last communication. The hurricane had turned in a