

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mrs. FEINSTEIN. Madam President, I come today to support legislation to fully fund the Department of Homeland Security, without any extraneous or politically controversial policy riders.

Let me be clear. The immigration provisions that are approved in the House are bill killers. We have now had three votes on cloture. The votes have held steady. It is clear the votes are not here to pass a bill out of the Senate with the riders attached to it.

I just want to speak of the importance of the Department of Homeland Security because I was in the Senate when the Department was developed. It is a combination of 22 agencies. It has over 200,000 employees. Over the years it has become more and more vital to efforts to prevent terrorist attacks on this country.

So how, you might ask? TSA, a member of that Department, funded by that Department, screens airline passengers within the United States, while Customs and Border Protection screens passenger data of travelers entering the country. So it is irresponsible to endanger these missions in the wake of terrorist attacks in Paris, Ottawa, Sydney, and elsewhere.

Secondly, DHS plays a critical role in responding to natural disasters. Resources and personnel from FEMA, which is funded through DHS, are vital in times of flooding, earthquakes, hurricanes, wildfires, and other disasters.

Third, DHS also guards against cyber warfare through network security, electronic crimes investigations, and State and local cybercrime training. So it is hard to fathom delaying \$861 million for cyber security the same day we learn about the massive cyber attack against Anthem Blue Cross.

A number of key national security programs unrelated to immigration would also be in danger. These include the Federal Air Marshal Service, the Secret Service, the Transportation Security Administration, and DHS intelligence activities.

Ironically, blocking this bill over immigration riders would also delay increased funding for border patrols and more manpower to combat human smuggling and trafficking, which so many Members of this Congress want.

Holding up this bill will also delay and reduce more than \$2.5 billion in grants for State and local law enforcement agencies and emergency responders. This puts our country in jeopardy. These grants help with transit and port security, firefighter assistance, and State homeland security.

Make no mistake, the Department of Homeland Security is very active in securing our borders and deporting dangerous individuals.

It has a wonderful Secretary. I think every Member of this body appreciates Jeh Johnson and knows the role he played with managing the sudden influx of children into our country on the southern border. We know of his effec-

tiveness in bringing together what has been a very ungainly combination of 22 agencies into a smoothly run entity. This must be very disappointing to him.

In fiscal year 2014, Immigration and Customs Enforcement deported 315,943 people, focusing its efforts on removing criminals, and the agency was successful in that goal. Fifty-six percent of those removed last year had been convicted of crimes. That is 177,960 fewer criminals on our streets. I would say good job.

Rather than holding DHS and our national security hostage, I urge my colleagues to support the bill introduced by Senators MIKULSKI and SHAHEEN to provide full funding for DHS at levels necessary to do its job. We can't keep funding this agency with short-term continuing resolutions. It doesn't make sense. We certainly can't keep threatening to shut it down.

Yesterday in our joint meeting I had an opportunity to say what this body was like when I came to it. I think I can say with certainty this wouldn't have happened 20 years ago. We would have recognized the importance of the agency and told people to come back with another bill at another time.

The importance of getting some regular order in our appropriations bills is important because we are not getting regular appropriations bills passed. This is so important that I think everyone thought it wouldn't be disturbed. Instead, these policy riders are stuck on it, and the people who put them on know they are offensive to just about half of this body and it is going to present a major challenge to get a bill passed.

Let me talk a little bit about the issue; that is, the five riders that Republicans want to add to the bill. The goal of the riders, I think—and I think everyone would agree with this—is to unravel temporary actions President Obama has taken in an effort to make sense of what is, we all admit, a broken immigration system.

These actions, I would note, wouldn't have been necessary if the House had voted on the bipartisan Senate immigration reform bill that passed in 2013 by a vote of 68 to 32—68 to 32. It was the product of months of intense negotiations and hearings.

I remember it well. There were eight bipartisan Members who negotiated a bill to put before the Judiciary Committee. I am a member of the Judiciary Committee. The Judiciary Committee debated the bill for weeks. A total of some 300 amendments were filed, with 212 amendments in committee that were considered, half of which were Republican, and 136 amendments were adopted.

The House refused to even debate this bill, which in my view—and I have been here a long time—has been the result of one of the most profound bipartisan efforts on a big bill in the last 20 years. The House even refused to recognize it by a debate, let alone a vote, let

alone passing something, some part of the bill, so there could be a conference and differences reconciled.

Now the House comes to us by putting what they know are going to be highly problematic riders on what is an absolutely crucial appropriations bill. This is the kind of thing I tried to say yesterday. It just doesn't make sense to me.

It would not have happened some time ago. People would not have tried to force their will through on an important bill when they knew they didn't have the votes. If three votes on cloture don't show that, I don't know what really will.

The Presiding Officer knows this as well as I do. But the root of the problem is that we have more than 11 million unauthorized immigrants in our country, and Congress only provides enough funding to deport around 400,000 people a year. Clearly we can't deport everybody. So choices have to be made.

So do we focus limited enforcement resources on real threats, such as criminals and terrorists? I say yes. Or, do we spread our resources thin, treating murderers the same way we treat school children who have been in the country for years? I say no. I stand firmly with the President in the belief that we must focus on actual threats and we must prioritize.

One of the temporary programs that the other side seeks to eliminate is known as the Deferred Action for Childhood Arrivals. I hate acronyms, but the acronym is DACA.

This program allows law-abiding individuals brought to the United States as children to remain here without fear of being deported from the only home they have ever known. They can stay for 3-year increments as long as they don't break the law. Republicans want to scrap this program and place these individuals into the same category as dangerous criminals.

In California, my State, that would mean 450,000 young people who were brought to the United States as children, who have lived nowhere else, would immediately be eligible for deportation.

The House riders also seek to remove protections for parents of United States citizens and permanent residents, including 1.1 million parents in California. That would have the effect of breaking up many families that have lived here for years.

I personally know of it happening in San Diego, when, in the middle of the night, immigration officers came into a home, picked up the parents and deported them, leaving the three children in the home. The parents had been here, they were working, they had paid their taxes, and now the children were left. Fortunately, as I understand that incident, relatives were able to come because the children were born here, and they helped to take care of them. But we can imagine the cases where there was no one to help. So this clearly has an effect of breaking up many

families that may have lived here for years.

So let me be clear. The political—I really believe they are political—riders weighing down this appropriations bill are not designed to fix our immigration system but rather to weaken it—and with the goal of embarrassing the President. We should not do that on any bill—let alone a bill as important as this one.

It is not just Senate Democrats who think these riders are bad policy. Sixty-two percent of Americans in last month's January poll supported "an Executive Order that would allow some illegal immigrants already in the United States to stay here temporarily and apply for a work permit if certain requirements are met." So 62 percent of the people said yes to that question. That is precisely what the President has done.

A combined 69 percent of Americans supported an immigration policy that lets unauthorized immigrants remain in the United States, 54 percent supported a path to citizenship, and another 15 percent supported legal status but no path to citizenship.

So to the extent we get our guidance from the American people rather than from this or that political party, we can see what the view of Americans are on this. I think it is because we have had this issue debated in this forum several times. This isn't the first big immigration bill. It is the second in about the last 6 or 8 years that has come out of committee, come to the floor with an agreement, and fallen apart. And it had been negotiated in a bipartisan manner.

So then to have this bill that we passed go to the House, and the House would have a legitimate chance to make any amendments they might want to make—rather than put this rider on this bill—and pass over to us a bill which could then go to conference and we could work on around a table—the way business should be done—to come together to present what we can agree upon in both Houses to pass into law.

That is the process here, and that is one of the really big changes in this body over recent history. We always tried to follow regular order. Appropriations bills in regular order now are really nonexistent. It is really too bad because it weakens the committee structure, it weakens the institution as a whole, it makes us beholden to a few, and it doesn't do the people's business. And, as I said yesterday, it is one of the reasons why our favorability rating as a Congress is something near 16 percent favorable.

So I say, please, let's take these policy riders off. Let's learn from the experience. Let's pass this bill. It is a new Congress. I recognize the bill has to be reintroduced, but the immigration bill certainly can be reintroduced. We have had a lot of experience in working it, and we can do it once again. Then perhaps the House would

be willing to look at it, to debate it, and maybe even then to give us the respect of voting on it.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mrs. FISCHER, Ms. MURKOWSKI, Mr. RISCH, and Mr. MANCHIN pertaining to the introduction of S. 405 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent to address the Senate for up to 20 minutes.

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

SOCIAL SECURITY

Mr. SANDERS. Mr. President, as ranking member of the Budget Committee, this afternoon I would like to discuss an issue of very serious concern to tens of millions of Americans; that is, the Republican effort to cut Social Security disability insurance benefits and perhaps benefits for Social Security retirees. In my view and in the view of seniors throughout the State of Vermont, this is a very bad idea.

As you know, on the very first day of the new Congress, House Republicans passed a rule—later adopted by the full House—which would prevent the common practice of rebalancing funds from the Social Security retirement program to the Social Security disability program. This rule adopted by the Republicans in the House would lay the groundwork for a 19-percent cut in disability benefits next year.

President Obama, in his budget, did exactly what has been done on 11 separate occasions in the past, always—and here is the point I want to make time and time again and why this is a manufactured crisis—this has been done 11 times in the past, always in a noncontroversial way, and that is to rebalance the funds between the two programs. This is not a big deal. The Republicans are manufacturing a crisis where none exists. Time and time again, Democratic Presidents and Republican Presidents, with absolutely no controversy, have done what President Obama has proposed. This was done in 1968 under President Johnson; in 1970 under President Nixon; in 1978, 1979, and 1980 under President Carter; in 1982, 1983, 1984, and 1987 under President Ronald Reagan; in 1994, 1996, 1997, 2000, and beyond under President Bill Clinton. In other words, this is a totally noncontroversial process that has been done time and time again under Republican Presidents and Democratic Presidents.

What the President is suggesting today is that we reallocate funds from the senior retirement fund to the disability fund. But interestingly enough, of the 11 times the funds were reallocated, it turns out that on five occasions it was money going from the disability fund to temporarily help out the retirement fund.

There are some people who sadly are trying to divide the senior population from the disability population. What they are saying in a way that is untruthful and unfair is that by reallocating money into the disability fund, we are taking funding away from seniors and the retirement fund. This is absolutely untrue because, as I have indicated, on 11 occasions we have seen this reallocation, and sometimes, in fact, it comes from the disability fund to help the retirement fund.

I am very happy to tell you that virtually every senior organization in America—organizations representing tens of millions of senior citizens—has made it clear that we must reallocate funds, we must prevent a cut in disability benefits, and we must do what has been done time and time again.

Let me briefly read a letter from the AARP. The AARP is the largest senior organization in America. This letter was written on July 22, 2014. It went to chairman RON WYDEN and ranking member ORRIN HATCH of the Finance Committee. What the letter says:

As the largest nonprofit, nonpartisan organization representing the interests of Americans age 50 and older and their families, we write in advance of the Committee's legislative hearing on the Social Security Disability Insurance program (SSDI) to express our support for Social Security, including its disability insurance functions, and our support of rebalancing payroll taxes to ensure the earned benefits of 11 million disabled Americans and their families are not reduced or put at risk.

Once again, AARP: We "support the rebalancing of payroll taxes to ensure the earned benefits of 11 million disabled Americans and their families are not reduced or put at risk."

I ask unanimous consent that letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AARP,

Washington, DC, July 22, 2014.

Hon. RON WYDEN,
Chairman, Committee on Finance,
U.S. Senate, Washington, DC.

Hon. ORRIN HATCH,
Ranking Member, Committee on Finance,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN WYDEN AND SENATOR HATCH: As the largest nonprofit, nonpartisan organization representing the interests of Americans age 50 and older and their families, we write in advance of the Committee's legislative hearing on the Social Security Disability Insurance program (SSDI) to express our support for Social Security, including its disability insurance functions, and our support of rebalancing payroll taxes to ensure the earned benefits of 11 million disabled Americans and their families are not reduced or put at risk. AARP recognizes the need to address the overall funding shortfall