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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).

PRAAYER

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

Eternal Spirit, the giver of every good and perfect gift, we are sinful people seeking salvation. We are lost people seeking direction. We are doubting people seeking faith. Teach us, O God, the way of salvation. Show us the path to meaningful life. Reveal to us the steps of faith.

Today use the Members of this body as instruments of Your glory. Quicken their hearts and purify their minds. Broaden their concerns and strengthen their commitments. Show them duties left undone. Remind them of promises unkept and reveal to them tasks unattended. Lord, lead them to a deeper experience with You.

And, Lord, please comfort the loved ones of Kayla Jean Mueller.

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 PRESIDENT pro tempore. 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 PRESIDENT pro tempore. 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 ending September 30, 2015, and for other purposes.

CLAY HUNT SAV ACT

Mr. McCONNELL. Mr. President, last night I joined Members of both parties to recognize the latest bipartisan achievement for the American people.

The Clay Hunt SAV Act, which will provide important support to our Nation's veterans, passed the House and Senate with overwhelming bipartisan support. It is on its way to President Obama's desk, and I am confident he will sign it.

KEYSTONE BILL

Mr. President, today the House of Representatives is expected to pass yet another bipartisan bill for him to sign, the Keystone jobs bill. It is just common sense. That is why this bipartisan legislation already passed the Senate with support from both parties. That is why labor unions support it, and that is why the American people support it. Americans know construction of this infrastructure project would pump billions into the economy and support thousands of good jobs. They also know America could achieve this with, as the President's own State Department has indicated, minimal environmental impact.

Americans are urging President Obama not to interfere in the review process for political reasons any longer. Americans are urging the President to finally heed scientific conclusions his own State Department already reached. Let American workers build this infrastructure project. Sign this jobs and infrastructure bill.

Powerful special interests may be demanding that the President veto Keystone jobs, but we hope he will not. If the President does ultimately bow to these special interest demands, that is a discussion we can have then. But either way Americans should know this:

The new Congress will not stop pursuing good ideas.

This new majority is committed to refocusing Washington on the concerns of the middle class, and the passage of bipartisan bills such as Keystone, Clay Hunt, and Keystone jobs shows we are doing just that.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. President, on a different matter, Democrats are blocking Homeland Security funding in order to defend Executive overreach the President has said himself, on many different occasions, he didn't have. As I indicated yesterday, this is the reason the Senate can't move forward, so it needs to come to an end. This is the simplest and most obvious way it can.

Many Democrats previously indicated opposition to the kinds of overreach described by President Obama himself as unwise and unfair. So all they have to do is back up those words with some action. If Democrats claim to be against overreach and claim to be for funding the critical activities of the Department of Homeland Security, then there is no reason for them to continue their party's filibuster.

So vote with us to allow the Senate to actually debate Homeland Security funding instead. We have already offered a fair and open debate that would allow for amendments from both parties. If the bill needs to be amended, that is when it could be, when we actually get on the bill and offer amendments.

This is about Democrats being confronted with a choice: filibuster funding for Homeland Security to protect overreach of President Obama himself, referred to as "ignoring the law" or allow the Senate to debate, vote, and amend the very funding they claim to want.

AUMF FUNDING

Mr. President, one final and critically important matter. This morning we received the President's proposed authorization for the use of military

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



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force against ISIL and its affiliates. It was clear from the outset that a successful military campaign to defeat ISIL would require a multiyear effort, so it is certainly in order for Congress to debate an authorization such as this.

Because Congress must meet its responsibility to decide whether our military should use force, the Senate will review the President's request thoughtfully. Individual Senators and committees of jurisdiction will review it carefully, and they will listen carefully to the advice of military commanders as they consider the best strategy for defeating ISIL. Because this decision demands such serious consideration, I want our Members to have an early opportunity to discuss the President's request. That is why later today our conference, the Republican conference, will meet for a discussion led by Senators CORKER and MCCAIN.

I yield the floor.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The assistant Democratic leader is recognized.

NECESSARY ABSENCE

Mr. DURBIN. Mr. President, I am standing in today for the Democratic leader, Senator REID, who is absent for a medical procedure. He was with us yesterday and will be returning after the break. We wish him a speedy recovery. He has gone through quite a bit after the accident that he endured on January 1, and we wish him the very best and quick recovery.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. President, we are going to have a chance to do something this week that is important, to fund the Department of Homeland Security. This was a department created after 9/11 for obvious purposes. We never want America to be vulnerable again to that type of extremist terrorist attack and all the death and destruction it brought with it.

So on a bipartisan basis we created this Department. Twenty-two different agencies were merged into one so we would have a common effort to keep America safe and secure, and the Department of Homeland Security has done a great job. Secretary Jeh Johnson, who is currently the leader of that agency, is an extraordinarily gifted, talented man, and he is doing his best to keep America safe.

We should do everything we can to keep it safe, too, and that means the Senate and the House of Representatives need to do their job when it comes to the Department of Homeland Security.

As everyone knows, when we talked about funding the agencies of government this past December after the election, there was only one agency, one department, which the Republicans singled out and said we will not properly fund this one department.

What was it? The Department of Homeland Security. I don't understand this.

If the Department of Homeland Security has the singular responsibility of keeping America safe, why would we risk the security and safety of America by not properly funding the Department? But the House Republicans insisted on that position and Senate Republicans backed them up.

Why would they jeopardize America's security over the funding of DHS? So the Republicans could engage in a political debate over President Obama's immigration policy. It is an important debate. It is a worthy debate. There is no reason we shouldn't engage in this debate. But why would the Republicans insist that this debate be at the expense of funding the Department of Homeland Security? It doesn't make any sense. In fact, we are running a great risk by what we call continuing resolutions instead of regular budgetary appropriations for the Department of Homeland Security.

Secretary Johnson has talked to us about what is going to happen if we don't properly fund the Department of Homeland Security. There are grants that are given through DHS to fire departments and police departments across America to train their personnel, to upgrade their equipment, and to be ready, God forbid, for the next challenge that faces America.

Yet the Republicans insist on stopping that grantmaking to the local police departments in your community and mine—and to the fire departments—so they can engage in a debate with the President over immigration.

What is it about the President's immigration policy that infuriates the Republicans? Could it be that the President has said he wants to prioritize deportations in America so that we, in fact, are going to deport those who are the most dangerous in the United States? I hope that is not it because the President's position is something most Americans would endorse, heartily endorse.

Could it be they object to the President's proposal that those who are here undocumented—parents of American citizens and parents of legal residents—that those who are here undocumented step forward, pay their taxes, submit themselves to a criminal background check in order to have a 2-year temporary work permit? I doubt many Americans would disagree with that. It would mean these tax-paying workers would be checked, and if there is any problem, deported.

The Republicans want to stop that. They disagree with the President's Executive order. I think we ought to have that debate but not at the expense of funding the Department of Homeland Security, but that is their position.

So in 16 days the Department of Homeland Security runs out of money. The Department entrusted with keeping America safe from terrorism runs out of money.

What are we going to do about it? There is something very easy we can turn to. It is on the Senate Calendar of

Business. It is on every desk on the floor or available to every Senator: S. 272, a bill introduced by Senators SHAHEEN and MIKULSKI to make the appropriations for the Department of Homeland Security to give them the budget they need to protect America. It takes out all of the immigration riders insisted on by the House and takes us down to the basics.

So are we going to fund the Department of Homeland Security?

Well, the Republican majority leader has insisted he will stand in the way of funding DHS unless we can get into this political debate about immigration. I think that is shortsighted.

Senator REID came to the floor a few days ago and said: We are prepared to engage in this debate on immigration—but not at the expense of the Department of Homeland Security. We have had three votes on the floor of the Senate and this effort by the Republicans has fallen woefully short in every single vote to receive the 60 votes necessary.

So why does the majority leader insist on sticking with this approach? It is hard to explain. It could be that within his own caucus—and maybe he personally thinks that the efforts of the President to protect certain people from deportation are just plain wrong.

One of those efforts is one I heartily support myself. It is called DACA. DACA was an Executive order issued by the President in 2012. In that Executive order the President said those who are eligible under the DREAM Act would be given protection from deportation.

The DREAM Act was a piece of legislation I introduced 14 years ago which said: If someone was brought to America as an infant, a toddler, a small child, and they stayed in America, had no serious criminal issue, finished high school, and they were prepared to enlist in the military or go on to college, they would get a path to legalization. That is what the DREAM Act said. It has never become law.

But these young people, we estimate 2 million nationwide, are left in limbo. They came to America, were brought to America at an early age, grew up in America, went to American schools, pledged allegiance to our American flag, sang our national anthem, and believed they were Americans. Then they were told, sorry, but you don't have the necessary documentation. You are not here legally.

So they are left in limbo. They have nowhere to turn. Under the laws of the United States they are subject to deportation. President Obama said on a 2-year basis we will protect these young people from deportation. They will have a background check, they will pay their fees, and on a 2-year basis they can live in America without fear of deportation and work in America or go to school in America. Those are the DREAMers. That is the DACA provision which the Republicans are opposing in the House of Representatives. It

is the provision which the majority leader insists we vote on before we can fund the Department of Homeland Security.

I think it is instructive to introduce these DREAMers to Members of the Senate who may not know who they are, and I want to introduce two of them today: Nelson and John Magdaleno. Nelson is on the left in the suit, and John is on the right on his graduation today. They were brought to the United States from Venezuela when Nelson was 11 and John 9 years old. They were both honor students at Lakeside High School in Atlanta, GA. In high school John was the fourth highest officer and commander of the Air Honor Society in his Junior ROTC.

Nelson and John both went to the Georgia Institute of Technology, one of the most selective engineering schools in America. In 2012 Nelson graduated from Georgia Tech with honors and a major in computer engineering.

President Obama established the DACA Program shortly after Nelson graduated from Georgia Tech. Thanks to DACA, Nelson has been working since 2012 as a computer engineer for a Fortune 500 semiconductor corporation.

John also received DACA in 2012, while he was still a student at Georgia Tech. He then worked for 2 years as a researcher in a biomedical engineering lab at Georgia Tech, researching glaucoma, one of the leading causes of blindness.

In 2014 John graduated from Georgia Tech with a major in chemical and biomedical engineering and with the highest honors. He is now working as a process engineer with a Fortune 500 company.

Nelson Magdaleno wrote me a letter, and here is what he said:

To me DACA means an opportunity to be able to live my dreams and contribute to society in ways that I could not have imagined. DACA means one of my life goals, owning my own company, could be a possibility in the future. DACA means a chance. DACA means the American Dream.

His brother John wrote, and here is what he said:

I consider an American to be someone who loves, and wholeheartedly dedicates themselves to the development of this country. From age nine, I have made the United States my home, and it has made me the man I am today. I proudly call myself an American.

When you hear the stories of these two young men, who attended college and finished without any government assistance or loans, who worked hard to get their degrees in challenging fields such as computer engineering, who went to one of the best schools in America, who now have talents and skills that create opportunities not only for discovery but for innovation and entrepreneurship, I wonder: What are the Republicans thinking when they say these two individuals don't belong in America, that they need to be deported, that they need to be sent back to Venezuela, a country neither of

them really knows. Is that the answer to America's future? Is it to export the most talented minds, the hardest working individuals, and that the amazing achievements they have made in their lives are to be ignored? I don't think so.

I think Americans by and large believe in fairness. Fairness says we will not hold the children of the parents who were responsible for wrongdoing responsible themselves. If you are pulled over for speeding, you may get a ticket. But it would be fundamentally unfair to give one to the child sitting in a car seat in the car. They weren't driving. These kids weren't driving either. Their parents came to America without any permission from the children. But they set up a life here and they made a good life here. Should we now penalize these children because their parents came to America?

That doesn't make sense. Frankly, it doesn't represent what this country is all about. We are a nation of immigrants, and the immigrants who come here make a difference. They bring not only a determination for a better life, but they are risk takers. They leave it all behind from wherever they were. They come to America and risk it all in the hopes they will have a better life and, even more importantly, that their children will. That is who we are. That is what America is all about and has been from the beginning of time.

Why would we turn our backs on this heritage? Why would we ignore the opportunity these young people bring? That is the Republican position, at least the one stated by the House of Representatives. It has been summarily rejected now three different times on the floor of the Senate. Yet the majority leader comes to us today and says he may do it again.

This is not fair to the Department of Homeland Security, it is not fair to John and Nelson, and it is not fair to this country. Let us do the right thing. Let's fund the Department of Homeland Security before we leave for any recess. Let's get it done so that Department can protect America.

The majority leader talked about what we have achieved here—the Keystone Canadian pipeline act, which was the highest priority of the Senate Republicans. TransCanada, a Canadian corporation, would be able to transport oil from Canada to a refinery in Texas and then export it from the United States. There are benefits of construction, of course, and 35 permanent pipeline jobs, of course. But in the end the refined oil coming in from Canada will not benefit the American economy. We had an amendment on the floor that would address that very issue, and every single Republican said we will not vote to keep that refined oil product in America.

We also suggested that if we are going to build a pipeline in America, we use American steel. Let's put American workers to work at the steel mills to make the steel that is necessary to

build the pipeline, and that too was rejected by the Republicans. They said no, insisting on American steel won't be part of this so-called pipeline jobs projects.

Well, I think there are better ways to get the economy moving forward and to create more jobs. One of them is infrastructure, and I am sure we will debate it at a later time.

The other thing mentioned by the majority leader was the Clay Hunt bill, which was a bill that was needed and important, related to veteran suicide, and it passed overwhelmingly, to no one's surprise.

Why was this bill held up in the previous Congress? There was an objection to bringing the bill to the floor by a Republican Senator—by a Republican Senator. There was no obstruction in passing this bill on the Democratic side, and I am glad it passed. I know the President is about to sign it.

The other thing I want to mention is that it is unfortunate we are leaving this week for the 1-week Presidents Day recess. We are leaving at a time when the nomination of Loretta Lynch to be Attorney General of the United States is still pending. She has been pending, I understand, longer than any nominee for Attorney General in recent history.

I went through the hearing with her and there was no opposition—none. They asked the witnesses who were brought in if any one of them objected to her being Attorney General, and not one would raise their hand. There were no objections. There is no objection to this woman serving our Nation. She has been the U.S. Attorney for the Eastern District of New York. She has done an amazing job. Why are they holding her up? What is the purpose in this? We should approve her nomination before we leave this week.

PULLMAN NATIONAL MONUMENT

Mr. DURBIN. Mr. President, a Chicago neighborhood that has played a significant part in our country's African-American and labor history is being recognized next week in an exciting way. Next Thursday President Obama is going to declare the Pullman Historic District on the South Side of Chicago a national monument. This is the first time a unit of the National Park Service would be established in Chicago.

This designation is the result of a collaborative effort by the businesses, residents, and organizations of the Pullman area in Chicago to restore and preserve this unique community. The people who are part of the Pullman legacy helped shape America as we know it.

The Pullman neighborhood includes almost 90 percent of the original buildings the railcar magnate George Pullman built a century ago for his factory town to build railroad cars. It was the birthplace of the Nation's first black labor union, the Brotherhood of Sleeping Car Porters.

Pullman workers fought for fair labor conditions in the late 19th century, and Pullman porters helped advance America's civil rights movement.

During the economic depression of the 1890s, the Pullman community was the catalyst for the first industry-wide strike in the United States, which helped to lead to the creation of Labor Day as a national holiday. The Pullman porters are credited with creating the African-American middle class.

I have supported this designation for some time and have introduced legislation with my colleague Senator KIRK and with Congressman ROBIN KELLY to make the site a national historical monument.

Alderman Anthony Beale of Chicago's 9th Ward has worked hard to garner support for the recognition of Pullman. Many others in Chicago helped advance the proposal: Eleanor Gorski, with the Chicago Department of Planning and Development; David Doig, president of Chicago Neighborhood Initiatives, Lynn McClure and LeAaron Foley with the National Parks Conservation Association, and many others who drew attention to the historical significance of this neighborhood.

The Pullman national monument will be an important addition to the current National Park System. It highlights stories from communities that are rarely represented in other national parks. The park's urban location on Chicago's South Side makes it easily accessible to millions of people by public transportation—again setting Pullman apart from other national parks.

The National Park Service is associated with national wonders such as geysers and forests. Urban national parks are few and far between. With this designation, the Pullman neighborhood is joining the ranks of the National Mall and the Statue of Liberty as national parks accessible in urban areas. The monument will also provide an opportunity for tourism and job creation—much needed in this community.

It is only right that Pullman be preserved and honored as a part of our National Park System. I commend the President for this decision to showcase the prominence and legacy of Pullman in our Nation's history.

Mr. President, I yield the floor.

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

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

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, with Senators permitted to speak therein for up to 10 minutes each, and with the majority controlling the first half.

The Senator from Alaska.

EXTENSION OF MORNING BUSINESS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, I ask unanimous consent to speak for up to 15 minutes in morning business.

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

NATIONAL SECURITY

Mr. CORNYN. Mr. President, I wish to take a few minutes today to talk about my growing concern over President Obama's policies regarding several major national security issues.

Of course, the President has just today sent over to Congress an authorization for use of military force against ISIL, the Islamic State, but over the past 6 years, as the quantity and frequency of international crises have grown, there have been some very clear trends that have emerged from this administration's foreign policy.

First, we have seen what might be dubbed the red-line syndrome in which the President uses stern language and strong rhetoric toward a hostile foreign regime or terrorist group and then backs it up with either total inaction or ineffectual action, thus inviting not respect, not fear, but ridicule.

The most infamous example, of course, is when the President remarked that the use of chemical weapons by Bashar al Assad of Syria would constitute a red line and then, after Assad had crossed that red line and used chemical weapons on his own people, the President did essentially nothing in response, thus damaging the United States' credibility on the world stage in the eyes of both our friends and our foes.

And I don't have to remind the Senate what has happened since that time. More than 200,000 Syrians have lost

their lives in this terrible civil war, and millions of Syrians have become displaced, either internally within the country or outside of the country in refugee camps, such as those I visited in Turkey and others in Lebanon and Jordan, just to name a few places.

So there are consequences associated with tough talk and no action.

The second pattern I have observed is what might be what my dad called, when I was growing up, paralysis by analysis. In other words, this is what some have called just plain dithering.

I think what the President seems to regard as a deliberative process and as a virtue others call dithering or paralysis by analysis. We can think of numerous examples, starting with the snail-like pace of the President's decision process early in his administration with regard to whether to surge U.S. forces in Afghanistan and, if so, what long-term role we should play there.

Again, in today's Washington Post, when I got up and was getting my first cup of coffee, I was reading that now apparently the administration is starting to reassess again their commitment to Afghanistan.

But the list of the President's paralysis by analysis is lengthy. The situation in Ukraine is another painful example. In Ukraine, the President has stood idly by and watched Russian President Vladimir Putin carry out a de facto invasion of Ukraine, starting with Crimea, and continuing today in eastern Ukraine.

From "mysterious little green men" to columns of full-up Russian tanks, the hand of Putin in the Ukraine has been unmistakable. It has been the most blatant land grab by a force that Europe has seen in quite some time. Yet the best President Obama has been able to do is more hollow rhetoric.

Now there have been modest economic assistance and nonlethal military resources to Ukraine's Government, and there have been some sanctions, but they apparently have not worked to dissuade Putin.

The Senate might recall what I recall when the President of Ukraine came to speak to a joint session of Congress just a few months ago when he asked for more aid, lethal aid to fight and defend his country. But he did say: Thank you for the blankets. Obviously you can't win a war with blankets.

By the way, the President's policies toward Russia have been an unabated disaster, dating all the way back to his 2009 reset of relations with Russia, and Vladimir Putin has taken full advantage of the opening that he sees and the lack of resoluteness on the part of the U.S. Government.

We have little to show for this so-called reset except realities such as this: the aforementioned Russian annexation of Ukraine, a Russian violation with impunity of President Reagan's landmark intermediate-range nuclear arms treaty, which now poses a direct threat to the security of our NATO allies in Europe.