

they were held that long. I am glad now that the ending of that show is a successful ending, because we brought them home and we saw to it they were compensated. Some of them have passed away. Some of them had taken their own life. Some of them had difficulties. Some were never able to rid themselves of the scars of the torture and brainwashing. But this Senate and this Congress did what it was supposed to do, stood up for Americans and sent a signal to everybody who works in the State Department, who is a diplomat for our country, and who works overseas that if you are taken, we will stand behind you and we will never ever forget—whether it is 444 days or 35 years—once an American serving our country, always an American serving our country. We will always be there for you, and we will go to every effort and every length, even if it does take 35 years.

On the anniversary of their release in 1981 when they came back to the United States, we pay tribute to those great Americans who served our country and were held hostage in Iran. We give thanks that we have the kind of men and women who are willing, day in and day out, to sacrifice on behalf of our great country. May God bless each and every one of them, and may God bless the United States of America.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### AMERICAN SAFE ACT

Mr. KAINE. Mr. President, I rise today to talk about a pending legislative matter we will be discussing later in the day, the American Security Against Foreign Enemies Act of 2015. This is the title of the bill that was passed by the House in November. It is now pending before the Senate, and we will be discussing it later.

I am going to talk for a few minutes, but the punch line is as indicated on this board. We are talking about who are America's foreign enemies. This is a bill that deals with Iraqi and Syrian refugees. I assert that refugees are not our enemy; ISIL is our enemy. Yet, for some strange reason, in the 18th month of a war against ISIL, Congress has been unwilling to debate our real enemy.

First, refugees are not our enemies. The refugee crisis, with refugees coming from Syria and now Iraq, has been called the worst humanitarian crisis since World War II. Four million Syrians have left their native country because of being exposed to the atrocities of being barrel-bombed by Bashar al-Assad and now the atrocities of ISIL

and other terrorist organizations. Those 4 million have left to find haven from this horrible violence, just as any family would. Over 200,000 Syrians have been killed by this violence, and now the number is probably approaching 300,000. In addition to the 4 million Syrian refugees who have left Syria to escape violence, there are an additional 8 million Syrians who have left their homes and been displaced within the country and who could leave the country at any moment as the violence continues. These refugees are victims of violence, victims of unspeakable atrocity first perpetrated by the horrible dictator Bashar al-Assad and second by terrorist groups such as ISIL. Yet this bill would say these refugees are enemies.

There is a story that means an awful lot to me personally, and I hope you will indulge me.

A Jewish man was traveling from Jerusalem down to Jericho, and he was attacked by bandits. They stripped him of his clothes, beat him up, and left him half dead beside the road.

By chance a priest came along, but when he saw the man lying there, he crossed to the other side of the road and passed him by. A Temple assistant walked over and looked at him lying there, but he also passed by on the other side.

Then a despised Samaritan came along, and when he saw the man, he felt compassion for him. Going over to him, the Samaritan soothed his wounds with olive oil and wine and bandaged them. Then he put the man on his own donkey and took him to an inn, where he took care of him. The next day he handed the innkeeper two silver coins, telling him, "Take care of this man. If his bill runs higher than this, I'll pay you the next time I'm here."

"Now which of these three would you say was a neighbor to the man who was attacked by bandits?" Jesus asked.

The man replied, "The one who showed him mercy."

Then Jesus said, "Yes, now go and do the same."

This is a story that was written 2,000 years ago, but it is not a story about yesterday, it is a story about every day of human life on this planet. They are beaten-up people lying by the side of the road, and the choice we have to make as individuals or as a society is do we pass by or do we act as the Good Samaritan did—in a compassionate way?

In fact, I would argue that the Good Samaritan story actually isn't tough enough. If we called the refugees of the worst humanitarian crisis since World War II our enemies, it is as if we were going over to the man and not passing by but kicking the man who had been beaten and robbed by bandits.

Let me move away from Scripture and talk about American values.

The Statue of Liberty that stands in New York Harbor is graced with a powerful poem, "The New Colossus," written by an American poet, Emma Lazarus. Emma Lazarus was a member of a very prominent, multigenerational Jewish family in New York. There was a fundraising campaign to build the pediment upon which the Statue of

Liberty stands in New York Harbor. The Federal Government didn't have the money, so the fundraising was done privately. Emma Lazarus wrote a poem about the Statue of Liberty for a fundraising contest to help raise money, and that is why the statue is there now. The poem is called "The New Colossus." The Colossus references one of the wonders of the ancient world, the Colossus of Rhodes. Emma Lazarus wrote the poem about the Statue of Liberty, calling it the "New Colossus."

Not like the brazen giant of Greek fame,  
With conquering limbs astride from land to land;

Here at our sea-washed, sunset gates shall stand

A mighty woman with a torch, whose flame  
Is the imprisoned lightning, and her name  
Mother of Exiles. From her beacon-hand  
Glows world-wide welcome; her mild eyes command

The air-brided harbor that twin cities frame.

"Keep, ancient lands, your storied pomp!"  
Cries she

With silent lips. "Give me your tired, your poor,

Your huddled masses yearning to breathe free,

The wretched refuse of your teeming shore.

Send these, the homeless, tempest-tost to me,

I lift my lamp beside the golden door!"

The debate that we will undertake about this bill, about whether we call refugees enemies is a debate about who we are as a nation. Let's honor our history, let's honor our values, and let's do what Americans have always done—been willing to extend a hand to those who are victimized by atrocity in other lands, rather than extend the back of our hand and label them as enemies.

Now, I don't dislike everything about this bill we are about to debate. I actually really like the title. The content, I don't like. The title, "American Security Against Foreign Enemies Act of 2015." We have an enemy. We have been at war with ISIL for 18 months. We have spent \$5 billion in this war. We have deployed thousands of American troops in this war. Eleven members of the American Armed Services have been killed while on deployment in Operation Inherent Resolve. We have an enemy. The enemy is not refugees from Syria—the enemy is ISIL.

We all know the facts about ISIL, this organization that claims to be inspired to create a worldwide caliphate. They have slaughtered Christians and other religious minorities by the thousands. They have sold women into slavery by the thousands. They have beheaded American hostages, including American aid workers. If there is a modern-day equivalent of a Good Samaritan, it is an American aid worker who is trying to help somebody out. ISIL has kidnapped, captured, and beheaded American aid workers. The number of deaths just this weekend—400 more people kidnapped by ISIL in Iraq and Syria. The number of deaths have been in the tens of thousands by ISIL, and as I have said, beheading American hostages, 11 American servicemembers killed, but it is beyond

Iraq and Syria. ISIL has claimed credit for bringing down an airliner, killing tourists in the Sinai. ISIL has claimed credit for bombing and shooting attacks, killing hundreds in Paris. ISIL has claimed credit for a bombing at a peace rally in Ankara, Turkey, that killed hundreds and then a bombing outside the Blue Mosque in Istanbul 2 weeks ago that killed 15 and injured dozens more. The shooters in San Bernardino were inspired by ISIL, even if they weren't directly connected to them. Within the last few days, we saw another attack and explosion in Jakarta that was claimed by ISIL. Now, that is who an enemy is—not a refugee who is fleeing ISIL. ISIL is the enemy. ISIL is the enemy. ISIL must be defeated. Yet we are not debating ISIL—and we haven't been willing to debate ISIL in 18 months. Instead, we are trying to claim that refugees are the enemies of this Statue of Liberty Nation.

Why has Congress been silent about ISIL for 18 months? Our President has asked Congress: Congress, do your job and declare war against ISIL. He even sent us a proposed authorization 11 months ago. Eleven months ago, the President sent to Congress a proposed authorization against ISIL. There has not been a vote on the floor in the House. There has not been a vote on the floor in the Senate. There has not been a debate on the floor of the House or Senate. There has not been a debate or vote in committees in the House or Senate. For 11 months, since the President asked us, "Let's get involved and take action against ISIL," there has been no action. And it is not just the President. General Dunford, the Marine general, who is now head of the Joint Chiefs of Staff, testified before the Armed Services Committee. I asked him: Should we do an authorization against ISIL? He said it would send a strong message to ISIL. It would send a strong message to our allies. But here is what he said that really grabbed me, coming from a heavily military State. He said: Our troops deserve it. There are thousands deployed away from home risking their lives.

I asked General Dunford: Would it be good to have an authorization against ISIL? How would our troops respond? Here is what he said: What our young men and women need—and it is virtually all they need to do the job we asked them to do—is the sense that what they are doing has purpose, has meaning, and has the support of the American people. Our troops think Congress is indifferent to this.

Virginia is very military. We are very closely connected to it. I have a child in the military, one of my three kids. I know what our troops are thinking about Congress right now, which is, while we are deployed overseas, fighting this battle and risking our lives, Congress doesn't care and would rather not talk about it. Secretary Panetta has recently given a speech saying Congress should act.

So our President, the head of the Joint Chiefs of Staff, Secretary Pa-

netta, and others have said: Congress have this debate. There is an enemy out there. Have the backbone to name it as an enemy and authorize action against this enemy.

Constitutionally, Congress should act. One of the most important powers in the Constitution is article 1, in the definition of the roles of Congress. It is Congress that declares war, not the President. That was put in the Constitution by the Framers—Virginians like James Madison—who knew that, before 1787, war was a matter for the Executive, the Monarch, the Emperor, and the Sultan. But he said, "In America, it is going to be different." We are not going to make a declaration of war for the Executive. We are going to make a declaration of war for Congress. Once declared, the President can implement, but it is Congress's job. Congress is not doing what the Constitution commands.

Imagine one of the family members of the 11 servicemembers who have been killed while deployed in Operation Inherent Resolve—killed in combat, killed when their jet was taking off of an aircraft carrier and crashed into the ocean or otherwise killed during deployment. Imagine, our best and brightest are sent, as they volunteered for our American military. They were sent overseas to fight an enemy—who we all agree is an enemy, who we all agree is conducting atrocities—and that pride of your life is killed while serving our country, and yet Congress will not even have a debate about whether ISIL is an enemy and whether we should declare war against ISIL and instead wants to have a debate about whether refugees from ISIL should be called our enemies. Imagine how you would feel if you were one of those families, and Congress was even unwilling to dignify the loss of your loved one by 2 minutes of debate or vote on the floor of either the Senate or the House.

David Ignatius wrote a piece yesterday in the Washington Post, "The ugly truth: Defeating the Islamic State will take decades." The last line of his article says this:

The next President is going to inherit an expanding war against a global terrorist adversary. The debate about how best to fight this enemy hasn't even begun.

After 18 months, after deaths of American troops, after all these atrocities, after bombings in cities all over the world, the debate hasn't even begun because we refuse to have it in this Chamber.

As I conclude, why has Congress been silent about this, since we began military action against ISIL on August 8 of 2014? We will hit the 18-month anniversary in a couple weeks, in February.

I have a lot of criticisms of the administration's strategy. I think they waited too long to send the authorization to us. I don't think the authorization is particularly well-drafted, but that is no obstacle to us acting. Presidents send authorizations frequently and Congress redrafts them. So I am

not light on criticism for the administration, but I am asking this question in this Chamber, where I am a Member, and so my question is actually critical, but it is also self-critical: Why has Congress been silent in the 18-month battle against ISIL? It is because of fear. Fear of not ISIL but fear of accountability. A war vote is hard. It is the hardest vote we will ever cast—and it should be. It should be.

How much easier is it to criticize the President and say: We don't like your strategy. You are doing it wrong. Why don't you do more airstrikes here or put more boots on the ground there? That is much easier for Congress to do than to actually have a debate about ISIL and craft a strategy, and then say we, Members of Congress, individually, are putting our names on this.

Members of Congress have been looking actively to avoid a vote on this for 18 months because a war vote is tough. Under the best of circumstances, there are going to be consequences that will be painful and tragic. There will be American lives lost, and that is under the best of circumstances. War isn't always fought under the best of circumstances. There will be surprises. There will be twists and turns. We will go down a path such as trying to train and equip a moderate Syrian opposition and find it doesn't work out the way we hope.

I think in Congress both Houses, both parties, have had a sense that, well, maybe if we don't vote and we just criticize the President and we just kind of turn our eyes while we are essentially forcing people to risk their lives in a war that we are not willing to declare, people will not hold us accountable. I have seen that tendency throughout my 21 years in elected service, when a tough vote is on the table, when something is hard and complicated—and this certainly is—if I can avoid it, well, I would like to avoid it, but that is so disrespectful to the oath we took, where we pledged to live up to the laws, including article 1 responsibilities of Congress. It is so disrespectful to the volunteer military deployed overseas, risking their lives, and the families of those who have already lost their lives.

After all, what is our fear of a tough vote, in the grand scheme of things, as against the sacrifice our troops are making overseas? Now, that is something that is really hard. Having to cast a tough vote is not that hard. It is not that hard. We can do this. We can do this.

The only action that has been taken since this war started 18 months ago was on a bill I introduced, an authorization for military force against ISIL. I introduced it in September of 2014, 1 month after the war started. It got a 10-to-8 vote in the Senate Foreign Relations Committee. Sadly, it was a partisan vote. It was right at the end of the previous Congress and expired with no action. A number of those who voted against it said: Look, the majority is about to change. Why do this now

with 2 weeks left in the session? When the majority changes, we can take it up. Some said the President hasn't even sent a draft authorization yet. It is premature to do it.

Now we have the President's draft authorization. We have had it for 11 months and done nothing. Now we have seen—and there can be no doubt at this point—the evil nature of this threat we face and the expanding and complicating nature of this threat we face. Now is the time, finally, for Congress to step up to our responsibility and do our job.

I have used a couple of literary references, so let me close with one. A great Irish poet—I am biased—William Butler Yeats, wrote a poem at the end of World War I. He surveyed the wreckage of World War I, about 100 years ago.

In a lot of historians' views, World War I was kind of one of the most needless wars in some ways. It was unclear what it was about, but what it was really about was decaying monarchies that wouldn't change. Instead of changing, they let a terrorist action in the assassination of a nobleman—a leader in the Balkans—trigger the start of World War I. It was mechanized slaughter, and millions lost their lives. The United States came in and played a very important role, and at the end of the day, they were the peacemaker who had to come in to resolve it.

Yeats wrote a poem after World War I surveying this wreckage of these societies. It is called "The Second Coming." He expressed a real concern about the state of society at the time because what he noticed at that time was that "the best lack all conviction and the worst are filled with passionate intensity."

We have an enemy, ISIL, and I think we can all agree that they are filled with a passionate intensity. They are the worst in their human rights violations, their atrocities, and their complete disrespect for human life. They are the worst. They are the enemy. We should be debating about them.

The best lack all conviction. We are the best Nation in the world. I firmly and deeply believe that. I have believed it every day of the 58 years that I have been alive. We are the best. We have the best system of government in the world. While that system of government is often described as three coequal branches, there is a reason they put the legislative branch in article I, the executive in article II, and the judiciary in article III. This is the first among the coequal branches because we are direct representatives of the people. That is how it was structured so that we would be the best of the best—the best branch in the best government in the best Nation in the history of the world.

Do we lack all conviction? If we are willing to call refugees fleeing from violence our enemies but we are afraid to take up a debate about whether ISIL is

an enemy to support our troops in harm's way—that is the question I am asking today. I know we are the best. Where is our conviction?

So I ask my colleagues, in connection with this bill, let's keep the title to it. Let's secure America against foreign enemies. Let's secure America against ISIL. But let's not turn our backs on the victims of the worst humanitarian crisis since World War II.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The majority whip.

Mr. CORNYN. Mr. President, I am glad I happened to come to the floor when the Senator from Virginia was speaking on this topic. I didn't come to speak on the topic, but I know how passionately he feels about it. I find myself agreeing with much of what he has to say about what our military deserves in terms of the support not only of the President but also of the Congress and thus, through Congress, the American people. Whenever we send our troops into harm's way, our men and women in uniform deserve to know they have the unified support of the U.S. Government and hopefully the American people.

I wish to tell my friend from Virginia, who has been on this topic for some time, that I think there are some practical impediments to what the Senator is suggesting, and maybe we can find a way to work together to address them.

First of all, there is the question of what is the strategy. I think Congress is reluctant to issue an additional authorization for the use of military force until we know what the President's strategy is, not just in Syria, in Iraq, but also with the travel and the movement of people back and forth from those war-torn countries to the United States or to other parts of the world, including the visa waiver countries—the 38 of them—people who can travel freely from that area to those visa waiver countries and then come to the United States. The third part of it, which we have been addressing and which the FBI Director has brought to our attention on the Senate Judiciary Committee, has to do with radicalization of people back here at home through the use of social media or the Internet. I would say to my friend that this is a serious problem, and I find myself in sympathy with what he is trying to do. But, again, the practical problem is the absence of a real strategy.

I fear that with 1 year left for this President in office, one of the goals of some of the proponents—I am not casting aspersions; I am just saying I am concerned about this—one of the goals would be to issue an authorization for the use of military force that would actually tie the hands of future Presidents, because apparently this President thinks he has all the authority he needs. It is true, they just got a draft that they have sent over here for us to consider, but the President seems—at

least to me—to be suggesting by his actions and most of what he is doing that he thinks he has all the authority he needs.

So I want to say to my friend that I don't doubt your sincerity, and I admire the point you are trying to make, but I do see those as practical problems: the absence of a strategy from the Commander in Chief and the proposal—one of the proposals; I think it came out of the Foreign Relations Committee—that would actually limit the options available to the next Commander in Chief were this to be passed. But those aren't insurmountable problems; those are things that, once identified, we can focus on and work a little bit more.

I thank the Senator for his continued advocacy on this issue, and I admire his determination to see this through to a good conclusion.

Mr. President, what I came to the floor to talk about is a bill we are going to be voting on this afternoon called the American Security Against Foreign Enemies Act and also called the American SAFE Act.

I wish he was still here. I know he just left, but I want to make one point on the chart the Senator from Virginia had where he suggested that some assert refugees are the enemy. That is not true. That is the opposite of true. The American people are the most generous people in the world when it comes to admitting refugees and naturalizing new American citizens. In the past few years—if my memory serves me correctly, we naturalize between 800,000 and 1 million new citizens a year. America is the most open, welcoming country in the world because we recognize this is a source of our great strength. The brains, the ambition, and the hard work that go together with people who are unhappy with their current circumstance and who are looking to live the American dream and what they have to do in order to come here to America to be a part of that through a legal system of immigration I think is something to be applauded and celebrated.

But this bill is about something else. This is about our national security. This is not an anti-refugee bill. That is immediately where the President went and where some of the other folks on the President's side of the aisle went, was suggesting that somehow, by being concerned about our own national security, we were somehow anti-refugee. That is demonstrably false. All we are asking for and all this legislation provides for—passed by a bipartisan vote of the House of Representatives—is to enhance the screening of refugees so that this system cannot be exploited by terrorists—a tactic ISIS has encouraged. Our adversaries, particularly the Islamic State, recognize the fact that they can't exploit our system to advance their cause, which is to kill innocent men, women, and children in this country.

This legislation doesn't close the door to refugees or go back on America's great traditions and who we are as a people. All it does is add safeguards to our refugee admissions process and updates it in light of the threats we currently face.

The distinguished Presiding Officer was probably in the same hearings I was in or the briefings with Jeh Johnson, the Director of Homeland Security, who said that following some of these threats, the administration unilaterally enhanced some of their screening mechanisms. I applaud them for that. That is important to do. But they can't sit here and tell us with all seriousness that Congress can't weigh in or we can't have a debate and we can't have an amendment process on legislation which is designed to do what they themselves said they are trying to accomplish, which is to protect public safety by enhancing some of the screening process.

All we are trying to do—and it is not a small thing; it is our No. 1 responsibility as part of the Federal Government—is protect our national security. Our chief goal in this legislation is pretty simple. It is to make sure we are doing everything we can to prevent terrorists from entering the country.

Why would our friends across the aisle want to filibuster this legislation by voting no this afternoon at 2:30 and deny us an opportunity to actually debate the legislation? Under the rules of the Senate, they are free to offer suggestions, by way of amendment, about how we can improve the legislation. I have heard a number of them, including from the ranking member of the Senate Intelligence Committee, Senator FEINSTEIN, among others, who said that what she would like to see us do is to beef up our protections to prevent people from exploiting the visa waiver system and coming into the United States without going through an adequate screening mechanism. I think there would be a lot of support on this side of the aisle and on a bipartisan basis to modify this legislation to include some of her ideas. At least we ought to have that debate. We shouldn't shut it down by a filibuster on the other side.

This bill would ensure that the FBI and other national security intelligence agencies have actually certified to the security of the refugee screening program. It is called accountability—something that people don't think we have enough of here in Washington, DC. Something bad happens, and there is some nameless, faceless bureaucrat who is blamed. What this would do is put the responsibility and accountability where it belongs.

There is no doubt that we live in turbulent times. Our national security experts tell us that they have never seen a more diverse, a more complex array of threats around the world. Our Refugee Admissions Program should be examined and updated to respond to those threats, and that is what this legislation attempts to do.

Unfortunately, we don't have to look very far to see examples of why this legislation is necessary. Earlier this year in Houston, a man born in Iraq entered the country as a refugee and was later charged with providing material support to ISIS. That is one example. I am sure it is not the only example of why this legislation is important. We are still learning more about that particular case, but what we already know is alarming.

According to media reports, he was associated with members and sympathizers of ISIS. We know that investigators found an ISIS flag at his home in Houston, TX. Just last week it was reported that his plans included setting off bombs at two popular malls in Houston, TX. Houston is one of our most populous metropolitan areas—certainly in Texas—in the country. Can you imagine what kind of carnage two bombs going off at shopping malls could wreak? According to reports, this individual was communicating with another man, also born in Iraq, who entered the United States in 2012 as a refugee and who had ties to terrorist groups and fought twice in Syria and allegedly was trying to go back to Syria to fight alongside Islamic militants. This individual was communicating with another person with terrorist ties, and it certainly should raise all of our suspicion and concern.

Both of those men were refugees from Iraq. That doesn't mean the refugee program should be dismantled or abandoned entirely. What it should tell us is that we better be darned sure that whoever comes in through the refugee system has been adequately vetted to protect innocent potential victims here in the United States. Fortunately, in this instance, our law enforcement officers acted effectively and quickly to prevent a tragedy, but they can't be right 100 percent of the time. If they are right only 99 percent of the time and innocent people are hurt or killed, if we don't do everything in our power to stop it, then I think we are partially responsible. This is not a theoretical problem, and Congress has the opportunity to act to try to enhance public safety. So knowing all of this, it is baffling to hear the discussion among our Democratic colleagues that they may not even allow us to get on the bill this afternoon.

I have seen some news reports suggesting that the Democratic leader is saying: Well, if there is some sort of an amendment process that could be agreed to, then maybe they would allow us to do that. I would encourage those discussions to go forward, but we shouldn't just say: Well, you get three or four amendments on your side and we get four or five on our side. We ought to invite and welcome all constructive legislation to make this as good as it can be. We don't need a backroom deal to do that. We need to bring it to the floor and allow an open amendment process under the rules of the Senate.

This is a debate worth having, and this is one our constituents deserve to hear. I hope the latest news reports are some reason for encouragement that our Democratic colleagues are going to allow us to get on the legislation. Again, this is not a partisan issue—or it shouldn't be.

Last fall several Obama administration officials testified about their concerns about radicalized individuals and what threat they could pose, as a refugee, if they gain entry into the United States. Homeland Security Secretary Jeh Johnson testified before the Senate and House Homeland Security Committees and said: "I am concerned that we do the proper security vetting for refugees we bring into the country." I agree with him. That is what this legislation addresses.

Madam President, I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Mr. CORNYN. He went on to say: "It is true that we are not going to know a whole lot of the Syrians that come forth in this process, just given the nature of the situation." That is understandable. Syria has been engaged in a civil war over the last few years, and it is hard to imagine that we know a lot about those who want to come here as refugees. It doesn't mean they shouldn't come here, but we do need to enhance the security screening and make sure we are confident that the ones who do come will not be a threat to the public.

The Director of the FBI also shared his concerns by saying: "We see a risk there." So if you have the FBI Director and the Secretary of the Department of Homeland Security saying there are risks and concerns about refugees coming from Syria to the United States, I would say we ought to listen to them.

I hope our colleagues across the aisle will reconsider their purported plans to block this legislation. We vote on it at 2:30 p.m., so there is plenty of time to talk more about it and have discussions about how there is maybe a path forward. If, in fact, there is ultimately a filibuster and our friends across the aisle decide to block the American SAFE Act—and, again, I hope they don't do that—I don't think we are doing our job or doing everything in our power to enhance the public safety.

With that, I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Madam President, the year was 1939, the Nazis were in control of Germany, and Kristallnacht had occurred. It was the night of broken glass. It was the night when the Nazi storm troopers literally invaded the shops and homes of the Jewish citizens who were living in Germany. They harassed, beat, and killed them. It was pretty clear where this was headed.

The Nazis had targeted Jewish people and those Jewish people—innocent people—were going to be their victims.

Some of them decided the only place to go was to leave Germany and to come to the United States of America. They boarded a ship called the *SS St. Louis* and set sail for the United States. First, they arrived in Havana, Cuba, seeking refuge to escape the Nazis. The Cubans turned them away. They next came to Miami, FL, and asked the United States of America if these 900 innocent Jewish citizens of Germany could seek refuge and become refugees in the United States. They were turned away. With no other alternative, they went back to Germany.

The Holocaust Museum in Washington, DC, kept track of what happened to those passengers on the *SS St. Louis*—those people seeking refuge in the United States. At least one-third of them died in the Holocaust, killed by the Nazis. At that time, Senator Robert Wagner of New York came to the floor and asked: Couldn't we—at least as a nation—agree to allow 10,000 Jewish children to come to safety in the United States to escape the Nazis in Germany? His efforts were stopped and defeated. Even these children who would be Jewish victims of Nazi oppression were rejected by the U.S. Senate. It was a sad moment in the history of this Chamber and a sad moment in the history of the United States.

After the war, we reflected on what had happened. We realized that this great, strong, and caring Nation had made a serious mistake. Innocent people had died because we rejected these Jewish refugees from Germany. Therefore, after World War II, the United States decided to take a different approach and show leadership to the world when it came to accepting refugees, and since then we have. There have been exceptions, but we have said that our country is open—as most civilized countries on Earth are open—to those who face oppression, suffering, death, and are in need of safety. We have established a process for this, and it isn't easy. Each year it becomes more and more difficult and more and more challenging.

If you are a refugee wanting to come to the United States, be prepared. It will take at least 1 year of investigation—and sometimes up to 4 years of an investigation—before you might be allowed to come to this country. We go through background checks, fingerprints, biometric measurements, and photographs. It is a lengthy, frustrating, and difficult process. For people who come to our shores from foreign countries, there is no higher standard than the standard we apply to those who seek refugee status. Each year about 70,000 refugees are accepted in the United States. There are many more who want that opportunity, but only 70,000 can clear this process.

We come to this debate on the floor of the U.S. Senate aware of what has happened in Syria. Over the course of the last few years, the war that has raged in Syria has claimed over 200,000 lives. Half of Syria's 23 million people

have been forced out of their homes—half of them.

I have a friend in Chicago. He is an extraordinary man. His name is Dr. Mohammed Sahloul. He is a well-respected practicing doctor. He came to the United States as an immigrant and now has an established medical practice. His family is from Syria—the Bahamut section of Syria. Because he feels so strongly about the war that is killing these innocent people in Syria, Dr. Mohammed Sahloul literally risks his life every few months to go to Syria and treat the victims of that war and violence. His wife Suzanne Sahloul works with the Syrian refugees who come to Chicago. The two of them have made a personal commitment to Syria, which was the birthplace of their parents. Dr. Sahloul returns from his visits to Syria and asks to meet me regularly, and I always say yes. As painful as it is, I sit there, as I did yesterday in a restaurant in downtown Chicago, as Dr. Sahloul shows me the photos on his iPad, one after the other, of the children he treated in Syria. These children are the victims of barrel bombs by President Assad and now of Russian bombing.

He goes to communities where people are literally starving to death—starving to death in the year 2016—in Syria. He shows me their emaciated bodies until I turn away and can't look at it anymore.

I say to my colleagues in the Senate who follow this debate and know what we are voting on—the Syrian crisis we face today, I would argue, is the most serious humanitarian crisis of our time. What is happening to these people is unimaginable.

A few months ago I joined several of my colleagues and we went to an island in Greece called Lesbos. This is the stopping point for the refugees. Once the Syrian refugees have gone through Turkey, they cross a span of 8 to 10 miles of the Aegean Sea in plastic rafts. They put more passengers in those rafts than should be in there because the smugglers are getting paid 1,000 to 2,000 euros, or about \$2,000-plus, for each of the refugees they can cram into these boats. They push them off from the shore in Turkey and point them toward the island of Lesbos. There are babies in those boats. The passengers wear lifejackets, which everyone is familiar with, but what do the babies wear? You can't put a baby in a lifejacket. Well, I saw what they wore. Many of them were wearing plastic water wings, the kind we put on our little kids when we put them in wading pools, and off they go into the Aegean Sea. Some of them don't make it. Some of them drown and die.

What would cause a family to pick up and risk their lives and spend \$2,000 per person to take this deadly journey? It is because they are desperate and need a place to be safe. It is that basic.

So the President has said the United States will accept some of these refugees. Ten thousand is the number he

said. Of course, each one of them has to go through a lengthy background check and will be asked all these important questions before they are allowed to come into our country—10,000. We know there are millions displaced and we know that that number continues to grow. Isn't it ironic that 10,000—the same number Senator Wagner of New York asked for when it came to Jewish children in Germany—is the same number the President has asked for when it comes to Syrian refugees.

Sadly for these refugees, and many others, they couldn't have picked a worse time to come to the United States of America because, frankly, we are engaged in a Presidential campaign where many strong statements have been made about these Syrian refugees. It is hard for me to think about what I saw on the island of Lesbos—these families with children—and to square that with the descriptions I have heard from those who have called them terrorists in training. It couldn't be further from the truth.

So this afternoon, at 2:30 p.m. on the Senate floor, we will be asked to vote on a measure relative to the Syrian refugees. Let's call it for what it is. This is an effort to stop any Syrian refugee from coming to the United States regardless of whether it is a mother and a child because what it says is that before they can come to the United States, you have to have the personal signature and personal certification of the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Director of the Bureau of National Intelligence. It is physically impossible to ask the director of the FBI, who has the responsibility of monitoring FBI activities all across the Nation and around the world, to literally sit down and sign 100 personal certifications a day which would bring us to this goal.

This legislation is not designed to make us safer. It is designed to stop Syrian refugees from coming to the United States. I know we are living in a dangerous time in this world. I want us to do everything thoughtfully and sensibly and everything possible to protect the American people from any possibility of terrorism.

I still remember well when I was a Member of this body on September 11, 2001, and what America endured. I have not forgotten. I read, as all of us do, about terrorism in the United States and what it does to innocent people in San Bernardino and in many other places. But to exclude Syrian and Iraqi refugees and to say that we are not going to allow any of them to come in or put them through a standard of proof that we know makes it next to impossible is unfair and inconsistent with the values of the United States.

I made a point of meeting these Syrian refugees and their families who have made it here. I have invited my Governor in my State of Illinois and my colleagues to do the same: Get beyond the screaming rhetoric of the

Presidential campaign and sit down and listen to their stories. They will realize that these are people who are desperate, who are looking for just an opportunity to be safe.

Yesterday, a number of them came to my office. Othman Al Ani, originally from Baghdad in Iraq, arrived in the United States in the year 2013. How long did it take him to clear the background check as a refugee? Four years—it took 4 years. He now works as a caseworker for the Iraqi Mutual Aid Society.

I met Wadad Elaly and her mother, Mrs. Elaly. In 2012, Wadad's father was killed by a sniper as he came home from work in Syria. The family moved out of the city for fear they would be the next victims. They went to Damascus, and then they waited, literally for over a year and a half, to go through the clearance.

Wadad is now a freshman in high school in the city of Chicago. She is a sweet, young girl who has seen more tragedy in her life than any of us would ever want to see. She and her mom want to make a life here, and she knows it is up to her to get a good education to make sure she can make that happen.

Mariela Shaker—an incredible story of a young girl who was growing up in the Homs section of Syria, whose parents were afraid that she was going to die from a bombing that was taking place. She applied and was accepted to go to a downstate college in Illinois, Monmouth College. She is a master violinist, a prodigy. She completed her degree there and now is at DePaul University working on a master's degree in music—an amazing young woman. A terrorist? No, just a young woman looking for safety and a future.

The stories go on and on. When I hear the statements made on the floor about potential terrorists, I think to myself: They haven't met these families, they haven't heard their stories, and if they did, they might reconsider.

I am opposed to this bill that came over from the House. I think this personal certification by the head of the FBI, certifying every single person, and a certification by the Director of National Intelligence and the Secretary of Homeland Security are just being put in the path of these people to slow them down and stop them again and again.

What we have said, not out of compassion but out of commonsense, is let's address the things that will make America safer. Instead of zeroing in on a handful of Syrian refugees who are no threat to the United States, let's look to those things that actually are a threat. Let me give an example. Do my colleagues believe that a person whose name is on the no-fly list, the terrorist suspect list, should be allowed to buy a firearm?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DURBIN. Madam President, I ask unanimous consent for 3 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. Do my colleagues believe that a person who is on the terrorist watch list should be allowed to buy firearms in the United States? Do my colleagues believe that a person on the terrorist watch list should be allowed to buy explosives in the United States? How about dirty bomb components? I don't think there is any question about it. The answer the vast majority of Americans would give is no. That is one of our amendments.

Do my colleagues think we should put more resources into protecting the United States through the Department of Homeland Security and through law enforcement, even local law enforcement, and the FBI? I think so. That is another one of our amendments.

A third amendment is going to change the effort and zero in on what we consider to be gaps in the law that allow the possibility of foreign travelers to come to the United States and engage in violence and terrorism.

The fourth one is pretty controversial, but I think we need a vote in the Senate. There has been a proposal by one Republican Presidential candidate, for the first time in the history of the United States of America, to exclude any immigrant of a specific religion, and that religion, of course, is for those who are in adherence to the Muslim religion. We should have a vote on that. I think it is important for us to be on the record. Those are the amendments we would like to offer.

We said to Senator MCCONNELL: Bring up your Syrian refugee bill, if you wish, and give us these four votes. If you will give us these four votes—of course, you will want to offer some of your own amendments. Be our guest. But let's have a real debate about making America safe. Let's not just zero in on Syrian refugees. Let's zero in on ISIS, on terrorism, and on the real threat to the United States.

That is what we will decide between now and 2:30. Will Senator MCCONNELL, who has said over and over that he wants to open the Senate floor to an amendment process, allow our votes on these measures? If he will, we can engage in this debate. If he won't, then, frankly, there is going to be resistance to moving to this measure. I hope Senator MCCONNELL will join us and open this debate to a real sincere effort to stop the threat of terrorism in the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I rise today to urge my colleagues to join me in passing the House bill to improve the Syrian refugee resettlement program and take at least a first really important step toward protecting Americans here at home with regard to this refugee and homeland security question. Frankly, I think we should be going further, but given the gravity of

the issue and the urgent need to address stated and documented shortfalls within the refugee program, I support passage of this bill as a start.

We can't just forget—ignore—the facts, and the fact is that those responsible, for instance, for the tragic attacks in Paris just a few short months ago took advantage of the influx of Syrian refugees into France, and at least one of them got in that way. If that isn't disturbing enough, we must also remember the fact that the majority of the 9/11 attackers were granted admission to the United States on temporary immigration status. There were holes and problems in that program. Clearly, we need to update and reform the current systems in place, and I assure my colleagues that I won't stop pressing for complete and adequate safeguards as the President continues to invite additional refugees onto American soil.

Voting in favor of the SAFE Act brings us one step closer to improving the security of our Nation. It would be a mistake to retreat to some sort of pre-9/11 posture or mindset. Eleven years ago, the "9/11 Commission Report" wrote that many of the vetting programs were "dysfunctional." They remain dysfunctional in far too many cases, and I am not willing to take on and continue the risk of that dysfunction. We need reforms. We need a far higher standard of safety and coordination.

Now, again, these are facts we need to look at. We have seen examples of the refugee situation and other situations directly impacting and threatening our security. What am I talking about?

Fact No. 1: On December 2 of last year, husband and wife Syed Farook and Tashfeen Malik attacked the Inland Regional Center in San Bernardino, and their coordinated attack inspired by ISIS caused the deaths of 14 people, and they wounded 21 others. As of now, it appears to be the most deadly terrorist attack on U.S. soil since 9/11.

Now, the wife, Tashfeen Malik, was not a U.S. citizen and was, in fact, in the United States on a visa related to her husband. Particularly troubling is the fact that the government didn't verify her address in Pakistan during the visa application process. There were reports that a full vetting was not completed, including checking for other possible signs that she had been radicalized or was a terrorist operative.

Fact No. 2: A recent FBI joint intelligence bulletin has confirmed that individuals resettled in the United States as refugees have already been arrested for willfully providing material support and resources to the Islamic State of Iraq and Syria, or ISIS. That is documented by an FBI report. Clearly, this program is a vulnerability.

Fact No. 3: The National Counterterrorism Center has identified individuals with ties to terrorists in Syria who attempted to enter the United



States through the refugee program. Again, it has been verified that this is an entry point for possible terrorists.

Fact No. 4: The horrible and coordinated assault in Paris last fall, in the words of President Francois Hollande of France, was “planned in Syria, organized in Belgium, perpetrated on our soil with French complicity.” And a fact related to that is that at least one of those terrorists got in through the refugee resettlement program there.

Fact No. 5: FBI Director James Comey has testified that the Federal Government doesn’t have the ability to properly and fully vet 10,000 or more Syrian refugees. Recently, during a hearing before the House Committee on Homeland Security, he stated:

We can only query against that which we have collected. And so if someone has never made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home, but there will be nothing to show up because we have no record of them.

Fact No. 6: The “Reflections on the Tenth Anniversary of the 9/11 Commission Report,” released in 2014, states that “it is unclear whether the United States and its allies have sufficient resources in place to monitor foreign fighters’ activities in Syria (and neighboring Iraq) and to track their travel back to their home countries.”

Those are documented facts, which make perfectly clear what common sense should suggest. This refugee resettlement program is a vulnerability, and we need far better security to protect our homeland.

To do this, I have introduced a very strong bill to require a suspension of admissions of Syrian refugees until the Obama administration properly evaluates the protocols and procedures it has in place to relocate them here and to certify not just in the Department of Homeland Security and the Department of State but also with intelligence and law enforcement agencies that these procedures are adequate. My bill has seven cosponsors. I plan to continue to move it, hopefully, through an amendment process related to this bill so we can make sure we have proper, adequate reforms in place.

So that is today’s vote in simple, straightforward terms in terms of the real danger. We can’t properly vet all of these refugees right now. This is documented. This is from the experts. We need to put proper measures in place before we continue accepting this flood of refugees. We need to protect American families, secure our borders, and keep out all terrorists. Voting for the SAFE Act and voting to put it on the floor and engaging in this debate is an important first step in doing that. For that reason, I urge a positive vote to put this important measure on the floor and to pass it.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

Mr. PETERS. Madam President, last week I was proud to host Hassan Jabber as my guest at the State of the Union Address. He is the director of the Arab Community Center for Economic and Social Services, founded in 1971 in Dearborn, MI. ACCESS is the largest Arab American human services nonprofit in the United States, providing health and wellness, education, employment, and youth services in its local communities, including support for refugees settling in America.

Hassan is a community leader and just one example of the many individuals who make up Michigan’s vibrant Arab American community, including some of the most patriotic people I know whose contributions to our culture and economy are invaluable.

That is why I am so concerned about the legislation we will be debating later today, which would impose significant barriers on our efforts to assist refugees fleeing violence and persecution in Iraq and Syria. I am a member of the Senate Homeland Security and Governmental Affairs Committee. Last November we held a hearing on refugee resettlement. We heard about the strict security checks involved in the Refugee Admissions Program, which could take 18 to 24 months.

The Refugee Admissions Program subjects refugees to the highest level of security checks of any category of traveler coming into the United States. They are screened by the National Counterterrorism Center, the FBI, the Department of Homeland Security, and the Department of Defense, as well as other agencies. Refugees considered for resettlement to the United States are subjected to biometric and biographic checks, as well as a lengthy in-person interview, all of which are conducted while the refugees are overseas, outside of the United States. Refugees are even required to repay loans to the International Organization for Migration to cover the cost of transportation and medical screening.

At the same hearing last November, we also heard how the Refugee Admissions Program prioritizes the most vulnerable refugees, including widows with children, victims of torture and trauma, persecuted religious minorities, and those who face death threats if they return home. These cases are our country’s top priority for resettlement. I saw this for myself at the end of last year when I had an opportunity to travel to the Middle East with Senator MURPHY and meet members of this vulnerable population. Visiting the Zaatarri Refugee Camp in Jordan, I saw the scale of the crisis that the world faces.

Talking to just some of the over 80,000 refugees at that camp, who are

only a small fraction of the 11.6 million people who have been displaced from their homes over the past 4½ years during the brutal civil war in Syria, it was clear that none of those refugees were there by choice. Before anything else, they just wanted to return home.

In the end, however, returning home is not something that is going to happen. They are not going to be able to return to the life they had before. They certainly did not want to have the very dangerous journey to escape violence and security by going far away. Unfortunately, the possibility of their safe return is unlikely at any time in the near future. They struggle to survive every day, and they persevere. Many have been vetted by the United Nations as people who are qualified to resettle as refugees in countries like ours because they simply can’t return home.

The refugees I met are struggling to live on 50 cents a day to buy food and have only one propane bottle to provide cooking fuel for an entire month. Unfortunately, most of that aid is slated to end in the next couple of months. The people in the camps live on the edge of having nothing, and they rely on humanitarian aid to get by on a day-to-day basis. They are thankful, but in the end they are living in limbo, waiting and hoping for an interview with a U.S. official.

Today, at the Homeland Security and Governmental Affairs Committee hearing we focused on ISIS’s goals and ideology. We heard from experts that the United States should continue to welcome refugees. Proposals to block refugees based on their religious beliefs plays into the narrative that the United States and Muslims across the globe are in direct conflict. We heard that those who have left ISIS territory describe it as “a living hell,” and if we do not accept refugees, it harms our standing in the world and actually will weaken our national security.

The safety and security of the American people is always my top priority, but policies which alienate and divide, targeted at victims of terror and violence, do not support that mission. I am hopeful that this body will focus our efforts on the very real threat posed by terrorism and extremism, not on imposing unnecessary barriers that will prevent us from assisting the victims fleeing violence. I hope that we can stay true to the American values that make our country great.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

OUR “WE THE PEOPLE”  
DEMOCRACY

Mr. MERKLEY. Madam President, I rise today to kick off a series of