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Senate

The Senate met at 10 a.m. and was called to order by the Honorable BEN SASSE, a Senator from the State of Nebraska.

PRAYER

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

Let us pray.

Infinite Father, thank You for Your providential care. You lead us as a great shepherd beside still waters. You restore our souls.

Fill our lawmakers with optimism and hope as they remember that all things are possible to those who believe. With confidence in Your strength, may they face the future unafraid. Lord, help them to overcome every obstacle that would discourage them. May they cast their cares on You, remembering that You will keep them from stumbling or slipping.

Lord, lead us all to undergo all necessary discipline, diligence, and sacrifice, to do Your will on Earth even as it is done in Heaven.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 12, 2017.

To the Senate:

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

ORRIN G. HATCH,
President pro tempore.

Mr. SASSE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. McCONNELL. Mr. President, this week we will work toward passing one of the most important bills we consider each year, the National Defense Authorization Act. This is the legislation that authorizes the resources, the capabilities, and the pay and benefits that our men and women in uniform need to perform their missions. This bill is always important, but it is especially important in light of the many security threats we face around the globe.

Consider Iran. We have seen the regime work aggressively to dominate its neighbors and to expand its sphere of influence across the Persian Gulf and the broader Middle East.

Consider North Korea. We have watched Pyongyang become ever more determined to develop its nuclear weapons capabilities, as well as a means to deliver them.

Consider Russia. We have witnessed the Kremlin continue its efforts to undermine NATO and the Western nations it views as threats to its own power.

Consider China. We have looked on as the nation has grown in regional and

economic strength, making clear its intent to displace U.S. influence so that it can dominate the Asia Pacific on its own.

These are state actors, and the challenges they pose include the employment of asymmetric means like propaganda, coercion, cyber attacks, and espionage, but these are not the only threats to our Nation. Consider how groups like ISIL, Al Qaeda, and other affiliated terror organizations have continued to threaten the United States and other nations. Consider how they continue to plot to strike our homeland and those of our allies.

Unfortunately, the Obama administration too often failed to mitigate these kinds of threats, instead pushing a foreign policy marked by a drawdown of our conventional military posture, a heavy reliance on international organizations, and overreliance on special operations forces to train and equip partner units in other nations. This drawdown and the harmful consequences of sequestration have inflicted upon our forces a genuine readiness crisis. Our force structure simply is not sufficient to address the challenges I mentioned in either a comprehensive or responsible way.

We need to correct this. That means equipping our servicemembers with the resources and training necessary to sufficiently address these myriad threats. I was pleased that this spring's government funding bill made an important downpayment toward rebuilding our forces, but more work remains.

Fortunately, we can add to that progress with this year's Defense authorization legislation. The bill before us will allow our Nation to start rebuilding our military and restoring combat readiness. It will aid in rooting out waste and bringing reform to the Pentagon. It will help improve our missile defense and help us better prepare for cyber threats, and it will go a long way toward reviving troop morale, authorizing a well-deserved pay raise to

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



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our men and women in uniform, along with continuing the benefits that they and their families rely on.

As Senator MCCAIN, the chairman of the committee put it, not only does this legislation “[build] upon the sweeping reforms that Congress has passed in recent years” but “[b]y continuing important efforts to reorganize the Department of Defense, spur innovation in defense technology, and improve defense acquisitions and business operations, the NDAA seeks to strengthen accountability and streamline the process of getting our warfighters the equipment, training, and resources they need to succeed.”

Senator REED, the top Democrat on that committee, said that the NDAA “invests in much needed readiness to allow our fighting men and women to be properly trained and equipped for a wide range of threats.”

“I salute Chairman MCCAIN’s leadership,” Senator REED added, “in maintaining the Committee’s tradition of bipartisan cooperation and support of our Armed Forces.”

Let me echo that sentiment. This good bill has already earned the bipartisan support of every single member of the Armed Services Committee—every single member, Democrat and Republican. They reported it out unanimously. I appreciate the committee’s work on this year’s Defense authorization bill, as well as the ceaseless efforts of Chairman MCCAIN and Ranking Member REED. With their continued leadership and a little hard work from both sides, we can pass the Defense authorization bill this week.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2810, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 175, H.R. 2810, a bill to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. 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.

DACA

Mr. DURBIN. Mr. President, it was 1 week ago when President Trump and Attorney General Sessions announced that they were going to rescind the DACA Program. This is a program created by President Obama by Executive order that allowed those who had come to the United States as children to have an opportunity to be given 2 years on a renewable basis where they would not be subject to deportation and could work.

These young people are known as the Dreamers, a term that came about when I introduced the bill 16 years ago called the DREAM Act. These are young people who, frankly, are just asking for a chance, an opportunity to be part of the only country they have ever known.

The laws of the United States are very tough and very strict, and they say that, if you are undocumented, in their situation, you have to leave America for 10 years and then petition to come back in. That is why I introduced the DREAM Act. So these young people who were brought to this country by their parents would have a chance.

President Obama used his authority in an Executive order to allow them to apply for DACA protection. They had to pay a substantial filing fee and submit themselves to a criminal background check before they would be allowed to stay. So 780,000 young people did just that, and they are protected currently, but only for a few more months, under this DACA provision.

What is going to happen to them, we don’t know. The only thing that makes any sense at this point is for Congress to act, for us to do something to replace the DACA Program, which the President is going to rescind, with a law—a law that establishes clearly the requirements, as well as the rights, that will be given to these individuals under the law.

That is why I have introduced the Dream Act with my cosponsor LINDSEY GRAHAM, a Republican of South Carolina. There are three other Republican cosponsors at this point, and we hope to move this forward.

President Trump has said he is interested in working with us, and we are going to take him at his word. Despite rescinding DACA, I hope the President will be on our side to come up with a replacement that is fair.

Also, I want to address many of the myths that have come up about DACA, as well as the Dream Act. I am going to quote an unusual source for this Senator. The source is a man named David Bier. David is an immigration policy analyst at the Cato Institute. Those of

us who live in this Washington environment of politics know that the Cato Institute is not a liberal think tank. It is the opposite. It is a conservative, largely Republican think tank, and Mr. Bier has published an article that has been seen in the Washington Post, in the Chicago Tribune, and in other papers entitled the “Five myths about DACA.”

Mr. President, I ask unanimous consent to have printed in the RECORD the Washington Post article entitled “Five myths about DACA.”

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

[From the Washington Post, Sept. 7, 2017]

FIVE MYTHS ABOUT DACA

(By David Bier)

The Trump administration’s move to rescind the Deferred Action for Childhood Arrivals program, or DACA, has created an uncertain future for the 800,000 young unauthorized immigrants who had been granted protection from deportation and permission to work legally. A six-month delay provides a chance for Congress to save the 2012 program. But if we’re going to debate the merits of DACA, we should know what we’re talking about. Here are some common myths.

MYTH NO. 1

DACA incentivized an increase in illegal immigration. House Judiciary Committee Chairman Bob Goodlatte (R-Va.) is among those who support ending DACA because it has “encouraged more illegal immigration and contributed to the surge of unaccompanied minors and families seeking to enter the U.S. illegally.” Statements like this betray a misunderstanding of who is eligible for deportation relief under the program. DACA applies only to immigrants who entered before their 16th birthdays and who have lived in the country continuously since at least June 15, 2007—more than a decade ago. No one entering now can apply.

Perhaps the chairman thinks that children coming to the border are confused on this point. But the facts don’t support that view either. To begin with, the timing is wrong. According to data from the Border Patrol, the increase in migrant children in 2012—the year President Barack Obama announced DACA—occurred entirely in the months before the president announced the policy. The rate of increase also remained the same in 2013 as it was in 2012. Even then, the total number of juveniles attempting to cross the border—unaccompanied and otherwise—never returned to the pre-recession levels of the mid-2000s.

Another problem with the theory is that although the majority of DACA beneficiaries are of Mexican origin, the increase in children crossing the border stems from El Salvador, Guatemala and Honduras. These countries share one common trait: much higher than average levels of violence than anywhere else in North America. A careful study of this phenomenon by economist Michael Clemens found that more than anything else, a rise in homicides between 2007 and 2009 set off a chain of events that led to the rise of child migration.

Regardless, overall illegal immigration is far below where it was before the United States’ last legalization program, in 1986, when each border agent caught more than 40 border crossers per month. Last year, it was fewer than two per month. DACA had no effect on this trend.

MYTH NO. 2

DACA has taken jobs from Americans. In announcing the Trump administration’s decision this past week, Attorney General Jeff