

on the floor? Doesn't legislation of this magnitude merit the Senate's consideration? Yet yesterday we were shut down once again—this has been going on for years—before we even got started. They would not even let the Senate debate this very important piece of legislation. We were ready to legislate in good faith. We have been ready to legislate for the last 4 years. We have been prevented numerous times from doing that.

The Republican leader and his caucus will have to do more than just pay lip-service to an open, bipartisan legislative process. At some point they must practice what they preach. Maybe that will be the case come January.

Last night, just after the vote on Keystone, I heard the Republican leader say he will bring this same legislation to the Senate floor early next year. So we look forward to coming to the floor early next year. I would hope we can have an open amendment process and ample debate on that legislation that the Republican leader for months on record has wholeheartedly endorsed.

I feel very bad that the chairman of our Judiciary Committee has worked so hard during the time—when we were in recess, we talked several times about the importance of this legislation and how we were going to try to move it forward. We determined yesterday we are not going to move forward even without a debate or a vote on anything. That is really too bad.

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, with Senators permitted to speak therein for up to 10 minutes each.

THE PRESIDING OFFICER. The Senator from Vermont.

USA FREEDOM ACT

Mr. LEAHY. Mr. President, I appreciate the kind words of the majority leader. He and I have been friends for decades. He worked with me and was in touch with me throughout the recent effort on the NSA reform bill, the USA FREEDOM Act of 2014. He knew we had cosponsors, Republicans and Democrats, from across the political spectrum. This was an effort to do what was best for America and do it at a time when we would not be under urgent deadlines. Several of the authorities we were trying to amend expire on June 1 of next year.

We had a piece of legislation that began in the House of Representatives by a Republican chairman. We added to the bill in the Senate. There was a very

clear signal from the House of Representatives that if we had passed the USA FREEDOM Act of 2014 here in the Senate, they would have taken it up and passed it. We would be enacting legislation that would improve not only the security of Americans, but also the privacy and individual liberties of Americans. And we would not do it under a deadline. So it was unfortunate last night that there was a partisan effort to stop it. There was some of the worst fear-mongering I have heard on this floor in 40 years. But I say this as more of a way to thank the distinguished majority leader for his steadfast support.

Mr. REID. Mr. President, the reason I feel—and I have made my remarks regarding the Senator from Vermont. There has been no one in modern history who has done more to protect the civil liberties of people than the senior Senator from Vermont. This legislation was drafted toward that effect, to make sure we were able to do the necessary work for this country as it relates to what was in this bill but also to protect the liberties of Americans.

I have such admiration for my friend from Vermont, for his work on landmines. At the time he started the conversation on landmines, he was it, but of course there are now people all over the world who are following his lead on the maiming, people who have been killed, thousands of people. Thousands of people, as we speak, are still being killed by landmines from wars past. So the fact that we were not able to get to this legislation does not in any way take away from the legacy of this good man who has done so much to protect the individual liberties of the people in Vermont and across the country.

Mr. LEAHY. 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. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

THE PRESIDING OFFICER. The Republican leader is recognized.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS JOSHUA A. GRAY

Mr. MCCONNELL. Mr. President, I rise this morning to celebrate the life and mourn the loss of a soldier from Kentucky who died while serving in uniform. PFC Joshua Gray of Van Lear, KY, lost his life on February 10, 2014, at Bagram Airfield, Afghanistan, from a noncombat-related incident.

Private First Class Gray was 21 years old. For his service in uniform, Private First Class Gray received several med-

als, awards, and decorations, including the Army Commendation Medal, the Army Good Conduct Medal, the NATO Medal, the Overseas Service Ribbon, the Global War on Terrorism Service Medal, the Afghanistan Campaign Medal, and the Expert Marksmanship Badge.

Josh's life may have been tragically cut short, but it was full of promise. He excelled as a student. He scored a 34 out of 36 on the ACT standardized test in high school, putting his score in the 99th percentile. Friends and teachers from Johnson Central High School, where Josh graduated in 2011, remember how very bright he was.

"Josh was a very high-end student. He was an amazing kid," says John Robinson, one of Josh's teachers. "He was very super-smart. He was always looking something up. He always had this thirst for knowledge—computers, math, science and technology. He was always more than willing to do work. He often came to me with questions—or answers."

Josh's fascination with computers led him to salvage an old, massive IBM server that he brought to school to tinker with. John Robinson remembers the unit was so heavy it should have required two people to carry it. John said:

He was carrying it around like it was nothing. He left it here. I still have it.

Josh was known around school for carrying something else around—Mr. Waddles, his stuffed penguin and constant companion. Though Josh carried the stuffed penguin at first for laughs, it soon became his trademark. As Tim Adams, district director of operations for Johnson County Schools, said:

He took Mr. Waddles everywhere with him. It started out as a joke, but then it just caught on. Mr. Waddles became part of the class.

Joshua participated on the Johnson Central High School academic team and the SkillsUSA team. Popular with his classmates, he was also named prom king and voted "Most Unforgettable" by his senior class.

Lindsey Patrick, a classmate of Joshua's, stated:

He could have done anything with his life, he was one of the most brilliant people I've ever met, and [service] is what he chose to do and give his life. That is why he is so unforgettable.

Josh was also musically gifted as well. Angie Carriere, his former music teacher, remembers Josh's musical talent:

He was in my violin/fiddle class. He never wanted to learn to read music, instead he insisted on playing music 'by ear.' Actually, he never really needed the [sheet] music; he could just listen to the song and play it.

Josh joined the Army in November of 2012. He completed training at Fort Jackson, SC, and was assigned to Headquarters and Headquarters Battalion, 10th Mountain Division, based out of Fort Drum, NY, as a satellite communications system operator and maintainer. He deployed to Afghanistan in

support of Operation Enduring Freedom in January of 2014.

Joshua's funeral was held at Johnson County Middle School. He was buried with full military honors at Highland Memorial Park in Staffordsville, Johnson County.

We are thinking of Josh's family as I recount his story for my Senate colleagues, including his parents Seth William Gray and Robin Rena Gray, his brother Dustin Mollett, his sister Delaney Mollett, his maternal grandparents Andy and Kathleen Price, his paternal grandmother, Irene Gray, and many other beloved family members and friends.

PFC Joshua A. Gray was truly a talented and bright young man who could have done many things. The fact that he chose to serve his country in the U.S. Army is a testament to his character and his patriotism. I hope the family of Private First Class Gray knows that we in the Senate honor his choice to serve and we are grateful for his sacrifice.

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

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

KEYSTONE PIPELINE AND ENFORCING THE LAW

Mr. BLUNT. Mr. President, it is good to be here.

I was disappointed yesterday to see that we weren't able to move forward on the Keystone Pipeline. It has become symbolic in many ways of whether we are willing to embrace the opportunities of more American energy.

The American people clearly have a sense that it is to their advantage for us to take advantage of those opportunities, for us to deal with not only our own economy, with the energy we can produce but even with our next-door neighbors. Canada is our greatest trading partner, and Mexico continues to play a bigger and bigger role as a trading partner—I think now No. 4 and No. 5 of all the countries in the world we have economic exchanges with—but friendly neighbors in North America that can produce energy in ways that meet every logical standard.

I heard some discussions about the pipeline, that once this is built, even though it may create tens of thousands of jobs in building the pipeline, it will only take three dozen or so people to run the pipeline. Of course that is right; it is a pipeline. It is an efficient, safe way to transport the energy we need. But I think it is important to understand that just the jobs to run the pipeline have nothing to do in many ways with the job potential that is created when we embrace the energy potential we have. If we ask about that

energy potential, the American people say yes. If we ask about lower utility bills or dependably payable utility bills, the American people say yes. If we ask about price at the pump, the American people say yes.

But beyond that, if somebody is thinking about a manufacturing job or any other job as a job creator, if they have that utility bill they can pay, if they have the delivery system they can rely on, the country is much more likely to make things again, the country is much more likely to compete, and the American people understand that.

Even if we ask specifically about this one small part of that puzzle—the Keystone Pipeline—the American people say yes. Six years is enough. The State Department has evaluated this over and over again under two different Secretaries of State. Both times they have said there is no problem moving forward with this. I was disappointed that we didn't.

Even the White House suggesting they would veto that if it was sent to them seems to continue to indicate to me that nobody is listening to what the people we all work for are saying.

The President said he wasn't on the ballot but his policies were. If his policies were on the ballot, as he said they were, those policies were widely rejected—not just to change next year in the body we get to serve in here, but also two-thirds of the legislative Houses in the country are no longer run by the President's party, and 60 percent-plus of the Governors are no longer run by the President's party.

People are trying to send a message. It would be a good idea if the White House would get on the receive and begin to figure out what that message is and what is wrong with those policies that the American people don't like. I don't think it is because they don't understand them. I know there would be one sense probably most closely held at the White House: If they just understood what we were trying to do, they would be for what we are trying to do.

I think it is not that way, even though the President might like to think it would be. In fact, the clear message is that people are concerned about costly energy policies, they are concerned about the President's recent overreach on a topic we wouldn't even think people would have engaged on, but they have: net neutrality, where even the Chairman of the FCC, nominated by the President and confirmed by this Senate—even the Chairman of the FCC said: I think the President is headed in the wrong direction there, and we need to do something different than that.

The SBA recently called on the EPA to withdraw one of their proposals and try again because it had too much negative impact on the economy.

I can't think of a similar situation ever, where an administration finds itself so often in conflict even with itself, even having the administration

challenged. When the SBA thinks the EPA is off target, and that was empaneled sometime before a rule was laid down—a proposed regulation was laid down—we wonder, why not? Why wouldn't we be managing this discussion in a better way? Why wouldn't we be moving the country forward in a better way?

Ignoring the voters is an incredible tragedy in a democracy. Ignoring the law is an even more incredible tragedy in a constitutional democracy.

According to reports, the President is considering two requirements deciding on the 11 million people who are here without documents who either came illegally or stayed illegally and what to do about that. The President is looking at the length of time as a qualifier. Nowhere in the law is that a qualifier. The President is looking at the ties people might have to others in the country. These requirements, depending on how broadly they are drawn, could wind up with the President's announcement as early as Friday, leaving another 5 million people in the country in a status I don't quite understand and they will not either.

When someone is here based on an Executive order, that is totally dependent on one thing: Who is the Executive?

When someone is here based on the law, that is very dependent on everything having to come together that changes the law before their status will change.

Why would we put people in that kind of jeopardy? Why would we send that kind of mixed message?

After legislation overhauling the immigration process died in the Congress, the President said he is going to act on his own. I can't find that part of the Constitution which allows that to happen. In fact, in statements made more than one time, he couldn't find it either—statements made more than one time where the President said: I can't do this on my own. We are a nation of laws. That is his observation about who we are, not my observation about who we are.

I know there will be people on this side of the Capitol Building who will say: We sent something over there, I didn't vote for it, but it doesn't mean I am not aware that it was sent to the House. But the House sent a bill over here too. Apparently both the House and the Senate are so far from where the other side is that neither is willing to take up the other bill.

But that is the Constitution. The Constitution is designed so that when we change law, we do that in a fairly cumbersome way, but that has served our country pretty well for a long time, and it is not up to the President to decide that can be suspended on a topic he thinks is important and a topic he in fact has previously said he couldn't do on his own.

As he was talking about this the last several months, not just Republicans but Republicans and Democrats—and I