



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, WEDNESDAY, JANUARY 28, 2015

No. 14

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Answer us, O God, when we call. Be gracious to us and hear our prayers. Look on our Nation with favor, for Your promises are sure. We thank You that so many of our Nation's Founders put their trust in You. Lord, make us worthy of this godly heritage.

May Your presence on Capitol Hill today so influence our Senators that the thoughts they think and the words they speak will honor You.

Don't be far from us, Lord, but continue to be our hope for years to come. Help us to remember how You have sustained us in the past as You provide for our daily needs.

We pray in Your strong Name. Amen.

The PRESIDENT pro tempore. Thank you, Dr. Black. Your prayers are wonderful.

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 PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

SCHEDULE

Mr. MCCONNELL. Today the Senate will resume consideration of the Keystone bill. There are up to 18 rollcall votes scheduled this afternoon on pend-

ing amendments to the bill. I want to commend Chairman MURKOWSKI and Senator CANTWELL for working with our colleagues to get literally dozens and dozens of amendments up and voted on in the 3 weeks we have been working on this bill.

Now it is time to get through the remaining amendments and vote up or down on passage of this bill before we leave for the week.

MEASURE PLACED ON THE CALENDAR—S. 272

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for its second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 272) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings on this measure.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

KEYSTONE ENERGY DEBATE AND 529S

Mr. MCCONNELL. Mr. President, thanks to the bill managers' efforts that I just referred to, along with the years-long work undertaken by Members on both sides—Senator HOEVEN in particular—we expect this bipartisan bill to finally pass the Senate.

We expect the filibuster of good American jobs to soon come to an end. That is good news for the Senate. It is even better news for the people we represent. It would show their Congress is

capable of defying the powerful special interests that oppose Keystone so we can get things done for the middle class.

Constructing this infrastructure project would pump literally billions of dollars into our economy. It would support thousands of jobs, and it would do it all with minimal environmental impact. That is according to what we have heard from the President's own State Department. So it makes sense to get this bipartisan legislation to the President for his signature. We hope he will sign the Keystone jobs bill into law. The President should expect more good ideas to head his way.

That is the goal of this new Congress. We want to get Washington functioning again, and we want to pass commonsense ideas. The Keystone debate is showing how we can do both.

One other issue. I am certainly glad to see President Obama dropped his plan to make it harder for the middle class to save for college with 529s. I fought to ensure these plans were tax-free at the Federal level. Thanks to this incentive to save, literally millions of Americans use 529s to help prepare for college expenses. These are good plans that promote responsible savings. I am not sure why President Obama would have sought to undermine them in the first place, but it certainly is good to see the President coming around to Republicans' pro-middle-class view on this matter.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER. The assistant Democratic leader is recognized.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. DURBIN. Mr. President, 30 days from today, on February 27, the Department of Homeland Security, the

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



Printed on recycled paper.

S549

lead agency in protecting America from terrorism, will run out of money. The only way to prevent this important government agency from shutting down is for Congress to pass legislation to fund the Department and to do it quickly.

This morning, we moved to the second reading, what is known as a clean appropriations bill, which will provide resources for this critical Department. I hope the Senate can take that up quickly and pass it quickly as well.

We should not even be debating the funding for the Homeland Security Department. Every other government agency has been funded through the end of the fiscal year, the end of September, but not the Department of Homeland Security. The House Republicans insisted on separating this critical agency from the rest of the Federal Government and treating it differently, giving it temporary funding—what is known as a continuing resolution—and making it extremely difficult for the Department of Homeland Security to do its job to keep America safe.

Why did the Republicans insist that this one agency be treated differently, funded in a way that it can't do its job effectively? They are using the deadline, the end of February, on this Department's funding in an attempt to force the Senate to accept extreme anti-immigrant amendments that have been attached to the homeland security bill in the House. The House Republicans' message to the Senate is very straightforward: Accept our controversial immigration amendments or we will shut down the Homeland Security Department. That is the height of irresponsibility. Now is not the time to play politics with homeland security.

Just this weekend the world witnessed another horrible terrorist act, the beheading of a Japanese hostage by the terrorist group ISIS. In light of the terrorist threat we currently face, it would be the height of irresponsibility to shut down the Department of Homeland Security as threatened by the House Republicans. That is one of the key government agencies charged with protecting Americans.

Today I am calling on the Senate majority leader for a clean appropriations bill that we moved forward on the calendar this morning. Let's pass this bill. Let's make sure we do it in a timely way. Let's fund this Department.

Some Republican leaders are arguing, well, it is not such a big deal, giving temporary funding to the Department of Homeland Security, playing roulette with the prospects of whether it will be funded for the rest of this fiscal year.

Last week the Republican chairman of the Senate homeland security committee here in the Senate reportedly said, and I quote, that he "isn't that concerned about the potential shut-down of the Homeland Security Department."

Jeh Johnson, the Secretary of Homeland Security, has a much different

view. He says our homeland security is already at risk because the Department is operating under a short-term funding bill known as a continuing resolution. Listen to what Secretary Johnson said: "As long as this Department continues to operate on a [continuing resolution], we are prevented from funding key homeland security initiatives [including] new grants to state and local law enforcement [and] additional border security resources."

How many times have we heard from the other side of the aisle the highest priority in America is our border security? Many of us agreed and voted for a comprehensive immigration reform that folded more resources than ever into protecting the border. Now the same people, the same elected officials, who have been arguing for a strong border are underfunding the Department with that responsibility. The Secretary reminds us their approach to this is going to jeopardize investments in border security.

What are these amendments the House Republicans feel so strongly about that they are willing to risk the funding of this critical agency? The bill the House passed would defund President Obama's immigration policies, including the Deferred Action for Childhood Arrivals Program known as DACA.

A quick history about how we reached the point we are at today. It was 14 years ago when I introduced the DREAM Act. The DREAM Act was designed to take care of children brought to America by their parents, children who were undocumented, and to give those children a chance, if they led a good life and finished school, if they were prepared to go to college or join our military, to have a path to legal status. Over the years this has been debated widely. Even many Republican leaders have stepped up and said, well, it is fundamentally just. Why would you hold the children responsible for a decision made by their parents to come to this country? Why would you jeopardize the future of a child because the parents came here, overstayed their visa, or failed to file the necessary papers for their child? Even former Arkansas Governor Huckabee, interviewed this Sunday on television, made that very point. You don't arrest a parent for speeding in the front seat and then arrest the baby sitting in the back seat for speeding. He made that point in light of his decisions as the Governor of Arkansas.

Over time this concept of the DREAM Act has been moving toward acceptance by both political parties but moving very slowly. For 14 years we have been debating this one simple idea, that children should not be held responsible for the wrongdoing of their parents, that young people brought to this country and undocumented should be given a chance. And, of course, 2½ years ago, President Obama did something. He did it at the request of many Senators, including myself. We wrote

to him and said, Mr. President, while the Senate and Congress debate the future of the DREAM Act, there are literally thousands of these young people who have no future in America. They don't know which way to turn. They can't get drivers licenses. They can't go to school with any government assistance. They don't have any basic idea what their future is going to be.

The President said, here is what I will do. I will create this Deferred Action for Childhood Arrivals Program, the DACA Program. If these young people will come forward, if they will submit a filing fee to cover the cost of the program, if they will submit themselves to background checks, then we will give them temporary status in America—temporary status in America. We are not making them citizens or declaring them legal forever. We are saying they can go to school and work without the fear of deportation.

We estimate there are 2 million young people in our Nation of 350 million-plus who would qualify for this DACA treatment. Six hundred thousand have in fact registered in the 2½ years since the President's decision. DACA put on hold deportation so these young people who grow up in this country would have a chance. These are the DREAMers. They are the ones we have referred to over and over on the floor and tell their stories.

Think about it. America is already invested in these young people. We paid for their education. We sent them to the classrooms in the schools. They stood there every morning by their desk, hand over their heart, pledging allegiance to the same flag we pledged allegiance to this morning. They sang the only national anthem they have ever known. They are just asking for a chance.

Over the years I have come to the floor to tell their stories because leaving the explanation at this point really doesn't touch on the reality of who these DREAMers are. I am going to tell another story this morning, and I want the record to show this young man I am about to speak about, Juan Rios. He is a person whom the House Republicans want to deport. They have said by their vote—by the amendment they put on this appropriations bill—they want Juan Rios to leave the United States of America. That is their goal, deport the DREAMers, all of those who have signed up for DACA and those who might sign up. That is just part of what they are trying to achieve. But that to me is the starting point that ought to be our starting point for debate.

Juan Rios was brought to the United States when he was 10 years old. In high school Juan decided what his calling was. It was military service. He became a leader in the Air Force Junior ROTC in his high school, group commander, and armed drill team captain, and he rose to the rank of cadet lieutenant colonel.

This photo is of Juan in uniform in high school. His dream was to attend

the Air Force Academy. Of course, it is a dream that couldn't happen. He is undocumented. Instead, he enrolled in Arizona State University.

In 2010 Juan Rios graduated from Arizona State University. What course did he study? It was a degree in aeronautical engineering. He is some student.

This is a picture of him at his graduation. But after he graduated with his degree in engineering, he didn't know which way to turn. He couldn't enlist in the military like he wanted to. He couldn't work as an engineer because he was undocumented. His talents were wasted. He sent me a letter at that time and said:

The United States of America is the country I want to live my life in, where I want to flourish as a productive citizen, where I want to grow old among my lifelong friends and where I want to one day fall in love and raise a family.

So what happened to Juan after DACA, when the Executive order gave him the opportunity to have temporary protection and not be deported? In February 2013, after signing up for DACA, he interviewed for his first engineering job. Today Juan is working as a mechanical engineer in the semiconductor industry.

At the age of 27 he learned how to drive and bought his first car. After living in Arizona for 17 years, he was finally able to visit the Grand Canyon for the first time.

Juan sent a letter to me last week and said:

I am fortunate to have found the opportunity to prove myself as a professional and to work in a place where I feel my contributions are valued and recognized. The past two years have changed my life in every way imaginable. I think DACA is a responsibility, a privilege, and an opportunity for everyone who receives it to demonstrate that we as a community of Dreamers have so much to contribute to society.

Juan Rios is trying to prove to everyone that he is worth this investment, that he is worth this trust. He has done it. He will continue to do it.

So why in the world do the House Republicans want to deport Juan Rios? Why do they want to give up on this young man, with his idealism, his determination, and his record of accomplishment? Why do they want him to leave the United States of America?

Well, it is because he was brought here as a 5-year-old—undocumented. For that decision by his parents, the House Republicans would say: We have no use for Juan Rios. We don't want him to stay.

There are so many other stories similar to this one. It is clear that DACA works for America. I have been to Chicago so many times and met with these DREAMers. I know these young men and women. I believe in them, and I believe they are going to make a difference in this country.

I also want to remind my friends on the Republican side of the aisle that America is a nation of immigrants. Our diversity is our strength. We come to

this great country from so many different places, and we bring so many different cultures, languages, religions, ethnic backgrounds, and cuisines. We bring it all here, and we make it part of America's future.

I know a little bit about this story because my mother was an immigrant herself. She was brought here at the age of 2. Today I stand on the floor of the Senate representing the great State of Illinois. That is my story. That is my family story. That is America's story.

There is something else I would say to the critics of immigrants. Immigrants bring something special to America. Each one of these immigrant families took the greatest risk of their lives to come to America. Some of them literally risked their lives to do it. Others came to this country where they didn't speak the language, knew very few people, and didn't have any idea what their future would be. But they had heard about this America place, and they believed this was a better opportunity for them and for their kids. I am sure that is what brought my family to this country—and I am sure that is what has brought a lot of people.

That is part of our DNA. Those immigrants, their courage, and their determination to be part of America and its future really bring to this country an energy that just can't be matched in many other places in the world.

House Republicans would kill that dream, and they have showed us that by this horrible amendment they have attached to the Department of Homeland Security appropriations.

They think America is stronger if we tell Juan Rios to leave. I don't. It is shameful to play politics with the life of this young man and hundreds of thousands of others. It is just shameful to put homeland security funding at risk, to punish Juan Rios for having been brought to this country as a child.

The House Republicans feel so strongly about deporting DREAMers they are willing to hold up the homeland security funding bill. The House Republicans are telling the Senate and the President: Deport the DREAMers or we are going to shut down the agency responsible for protecting America from terrorism.

I hope the Senate majority leader will reject this blackmail, and I hope that in the spirit of the Senate, where we came together on a bipartisan basis to pass immigration reform almost 2 years ago, we will reject this hate-filled message from the House Republicans.

For our part, Senate Democrats will insist that the Department of Homeland Security be funded and that the President have the authority—which every President has had—to establish his own immigration policies.

I see there is another colleague on the floor. I yield the floor.

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, with the Republicans controlling the first half and the Democrats controlling the second half.

The Senator from Wyoming.

WORKING FOR THE AMERICAN PEOPLE

Mr. BARRASSO. Mr. President, last November the American people sent an unmistakable message to Washington, DC. Voters across the country said they were tired of the gridlock and they were tired of the lack of action by the Democratic-led Senate.

Well, we are now working again for the American people because voters said it was time for a new majority—the Republican majority—to get the Senate working again and to get America on a better course. Republicans heard the message. We heard it loud and clear, and we have been doing exactly what the American people have sent us here to do.

Under Republican leadership the Senate is working again for the American people, and the best example of that is the bill we are considering now in the Senate on the Keystone XL Pipeline project. The Obama administration has blocked and delayed this job-creating project for 6 years. Now Republicans are moving forward. We are moving it forward as well. We have had an open debate on the bill, and we have allowed amendments to the bill.

Imagine that. We are actually debating legislation on the floor of the Senate, and Senators are actually offering amendments to that bill.

We are all familiar with the milestone the Senate reached last week. Last year, under the Democratic leadership, there were a total of 15 up-or-down votes on amendments—15 for the entire year under HARRY REID. That is all the Democratic leader allowed.

But by the end of the day last Thursday, we completed our 25th amendment vote. Just 22 days into the year, the Senate had already been more productive on amendments than it was on 365 days under Democratic leadership.

We didn't stop there. Today the Senate will vote on up to 18 more amendments to the Keystone jobs bill and then another 12 after that.

Several Democratic Senators complained the other day about what they said was a lack of amendment votes on this bill. Well, where were they last year when the Democratic leader allowed only 15 votes to get an up-or-down vote on an amendment for an entire year?