

(3) many United States employers hiring United States citizens or individuals legally present in the United States are required to either offer those persons affordable health insurance or pay a penalty of approximately \$3,000 per employee per year; and

(4) an employer does not have to provide insurance, or in many instances pay a penalty, if they hire individuals who were not lawfully present but who have been granted deferred action under the Deferred Action for Childhood Arrivals Program and work authorization.

(b) It is the sense of the Congress that—

(1) this disparate treatment has the unacceptable effect of discouraging the hiring of United States citizens and those in a lawful immigration status in the United States; and

(2) the Executive Branch should refrain from pursuing policies, such as granting deferred action under the Deferred Action for Childhood Arrivals Program and work authorization to unlawfully present individuals, that disadvantage the hiring of United States citizens and those in a lawful immigration status in the United States.

SEC. 582. It is the sense of the Congress that the Director of United States Citizenship and Immigration Services (USCIS) should—

(1) stop putting the interests of aliens who are unlawfully present in the United States ahead of the interests of aliens who are following proper immigration laws and procedures by adjudicating petitions and applications for immigration benefits submitted by aliens unlawfully present in the United States. When USCIS adjudicators and resources are used to adjudicate petitions and applications for aliens who are unlawfully present, the time it takes to process petitions and applications submitted by other aliens is significantly increased and a backlog is created. In addition, it is unfair to use the fees paid by other aliens to cover the costs of adjudicating petitions and applications for aliens unlawfully present in the United States; and

(2) use the funds available under existing law to improve services and increase the efficiency of the immigration benefits application process for aliens abroad or who are lawfully present in the United States.

This Act may be cited as the “Department of Homeland Security Appropriations Act, 2015”.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 4, 2015, at 9:30 a.m.

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 4, at 10 a.m. in room SR-253 of the Russell Senate Office Building to conduct a hearing entitled, “Building a More Secure Cyber Future: Examining Private Sector Experience with NIST Framework.”

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 4, at 2:30 p.m. in room SR-253 of the Russell Senate Office Building to conduct a subcommittee hearing entitled, “The Impacts of Vessel Discharge Regulations on Our Shipping and Fishing Industries.”

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet for a joint hearing with the House Transportation and Infrastructure Committee during the session of the Senate on February 4, 2015 at 10 a.m., in room HVC-210 of the Capitol Visitor Center, to conduct a hearing entitled “Impacts of the Proposed Waters of the United States Rule on State and Local Governments.”

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

##### COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 4, 2015, at 10 a.m., in room SD-215 Dirksen Senate Office Building, to conduct a hearing entitled, “The President’s Budget for Fiscal Year 2016.”

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 4, 2015, at 9:30 a.m., to conduct a hearing entitled “Ending Modern Slavery: What is the Best way Forward?”

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

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 4, 2015, at 10 a.m., to conduct a hearing entitled “Deferred Action on Immigration: Implications and Unanswered Questions.”

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

##### COMMITTEE ON INDIAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on February 4, 2015, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 4, 2015, at 2:00 p.m.

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

##### SPECIAL COMMITTEE ON AGING

Mr. CORNYN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on February 4, 2015, in room SD-562 of the Dirksen Senate Office Building at 2:30 p.m., to conduct a hearing entitled “Broken Trust: Combating Financial Exploitation of Vulnerable Seniors.”

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

The PRESIDING OFFICER (Mr. ALEXANDER). The majority leader.

#### CONGRATULATING THE NEW ENGLAND PATRIOTS ON THEIR VICTORY IN SUPER BOWL XLIX

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Commerce, Science, and Transportation Committee be discharged from consideration of S. Res. 63 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 63) congratulating the New England Patriots on their victory in Super Bowl XLIX.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 63) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 3, 2015, under “Submitted Resolutions.”)

#### AUTHORIZING USE OF THE CAPITOL ROTUNDA

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 12, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 12) authorizing the use of the rotunda of the United States Capitol for a ceremony to present the Congressional Gold Medal to Jack Nicklaus.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. McCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 12) was agreed to.

#### MEASURE READ THE FIRST TIME—H.R. 596

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk and I ask for its first reading.

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

The assistant legislative clerk read as follows:

A bill (H.R. 596) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, and for other purposes.

Mr. McCONNELL. I now ask for its second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

#### ORDERS FOR THURSDAY, FEBRUARY 5, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m. on Thursday, February 5, 2015; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day. I further ask that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 240, with the time until 11:30 a.m. equally divided in the usual form, and that the mandatory quorum call with respect to the cloture vote and the motion to proceed to H.R. 240 be waived.

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

#### PROGRAM

Mr. McCONNELL. Mr. President, the cloture vote on the motion to proceed will occur at 11:30 a.m. tomorrow morning.

#### ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator STABENOW and Senator SESSIONS.

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

The Senator from Alabama.

#### DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. SESSIONS. Mr. President, we are in an odd world. Our Democratic colleagues continue to have the gall to suggest and state that the Republicans are blocking funding for homeland security in America when nothing could be further from the truth.

I guess they have gotten away with blaming Republicans for blocking things, so they just keep on saying it. But the House has fully funded all the legal policies and programs within Homeland Security, and they sent the bill over here.

What did they do? They simply said: You can't take money out of homeland security enforcement for immigration and border security, and spend it on activities that violate the law, that undermine immigration law, that in fact are contrary to immigration law—that the President has said he intends to do no matter what Congress does, no matter what the American people want. He says he is going to do it anyway. They simply say we are not going to fund that.

So it comes over to pass. It fully funds the Department of Homeland Security. It doesn't change any of the laws in Homeland Security—and they say this is being obstructed by the Republicans.

But look. What does the media say about it? How is it being reported?

Here is Politico: "Democrats filibuster Department of Homeland Security bill." That was yesterday. And that is exactly what is happening. They are filibustering the bill and saying Republicans are blocking it, when all that the Republicans are saying is: Let's get on the bill. We can't even get on the bill so amendments can be offered because they are filibustering the motion to proceed to the bill, blocking us even getting on the legislation so amendments can be offered.

If they are not happy with anything in the bill—the language the House put in or anything else—they can offer amendments to deal with it and strike it out.

That is what Politico said.

How about the New York Times. They are always favoring Democratic immigration policies. This is their headline: "Senate Democrats Block Republicans' Homeland Security Bill." Isn't that true? That is exactly true.

How about the Atlantic. I think this is almost amusing: "The New Democratic Obstructionists." That is the headline in their publication.

So I would push back at this. Are we through the looking glass? Are we down the rabbit hole into never-never land? Where are we?

My good friend Senator SCHUMER, one of our able advocates here—and I really admire him. But this is what he said earlier today:

The right wing of the Republican party is risking a D.H.S., a Department of Homeland

Security, shutdown to get their way on immigration.

This is how Senator SCHUMER framed it:

They're saying take our hard right stance on immigration or we won't fund national security.

He goes on to say:

We think the American people are on our side. We're willing to have that debate.

Well, why don't we have it? Why don't we bring the bill up and let's have the debate if he wants to offer amendments contrary to what the House did?

But remember, the House didn't do anything but say we are going to spend money on all the programs in Homeland Security. It didn't defund any of them. It didn't change any of those rules.

So, is it really true? Do only right-wing Republicans want to end the President's unlawful actions? No, no, no. That is not what the truth is.

Why don't I share with our colleagues here what many of our Democratic Senators have said about the President's unlawful action. Here is what the junior Senator from Indiana said:

It is clear the immigration system in this country is broken, and only Congress has the ability to change the law to fix it . . . I am as frustrated as anyone that Congress is not doing its job, but the President shouldn't make such significant policy changes on his own.

That was just November last year.

The senior Senator from Missouri said:

Our immigration system is broken, and I support a comprehensive plan to fix it, but executive orders aren't the way to do it.

The senior Senator from West Virginia:

I disagree with the President's decision to use executive action to make changes to our immigration system.

The junior Senator from North Dakota:

I'm disappointed the president decided to use executive action at this time on this issue. . . . It's Congress' job to pass legislation and deal with issues of this magnitude.

Isn't that true.

The junior Senator from Maine:

I also have constitutional concerns about where prosecutorial discretion ends and unconstitutional executive authority begins.

Well, I share that thought.

The junior Senator from Minnesota:

I have concerns about executive action. . . . This is a job for Congress.

The senior Senator from Virginia:

. . . the best way to get a comprehensive solution is to take this through the legislative process.

So are those right-wingers? Are those people who can't be trusted to put the public interest first? Are they exaggerating? Are they somehow all in error to question the power of the Presidency to execute this policy?

No, and I will cite one more national leader that is well known. I would cite President Obama himself, who on 20