

Republicans used to complain all the time about meeting deadlines for doing the budget resolution, but this year they just aren't doing one. Even district court nominations supported by Republicans seem too hard for this group to accomplish. It appears the Senate will fail even to have a hearing on the President's Supreme Court nomination. It seems that Senate Republicans still need to learn how to do their job.

MERRICK GARLAND NOMINATION

Mr. REID. Mr. President, the Senate Republicans are making history but for all the wrong reasons. The Republicans' obstruction of President Obama's Supreme Court nominee, Merrick Garland, is the first of its kind in Senate history. Never before has the Senate categorically refused to consider a Supreme Court nominee solely because the vacancy occurred during an election year. As each day passes, the Republicans set some new mark for gridlock.

For example, in the post-World War II era, the average time between a Supreme Court nomination and the nominee's first hearing was 29 days. Today is the 33rd day since Merrick Garland's name was put forward by President Obama. Already we are 5 days past the average.

The longest a nominee has been forced to wait for a hearing was 82 days. That was President Eisenhower's nominee, Potter Stewart, who was confirmed at a later time. Republicans vow every day that there will be no hearing. So they are well on their way to eclipsing the 82-day mark.

While that achievement may earn the Republicans a slap on the back from the Koch brothers and Senator MCCONNELL—who, by the way, is the proud “guardian of gridlock,” as he says—Americans take no pleasure in this record-setting obstruction. Instead, Americans want Republicans in the Senate to do their job and give Merrick Garland a hearing.

IMMIGRATION

Mr. REID. Mr. President, it has been almost 3 years since the Senate passed comprehensive immigration reform. Senate Democrats worked with a handful of Republicans to craft a good, fair, comprehensive immigration reform bill that passed with strong bipartisan support. Then we watched as Speaker Boehner capitulated to the tea party radicals and refused to allow a vote on the floor. It would have passed overwhelmingly.

To his credit, President Obama saw Republicans' inertia on immigration reform and decided to act. He told us in his State of the Union Address that he was tired of waiting around for Republicans to do things, so he had to do it himself, and that is what he has done.

Using his Executive authority under existing law, he worked to fix the sys-

tem to prioritize enforcement resources on those who actually pose a threat to our national security and public safety. On November 20, 2014, President Obama ordered a series of Executive actions that increased border security and ensured greater accountability throughout our immigration system.

One aspect of President Obama's Executive actions was the Deferred Action for Parents of Americans and Lawful Permanent Residents Program. The program provided temporary deportation relief for parents of U.S. citizens and lawful permanent residents, if they meet three basic requirements. No. 1, they have to be in the country for at least 5 years; No. 2, they must register with the government; and No. 3, they must pass a criminal background check. Today, there are over 5 million children—all U.S. citizens—who are eligible for this program.

President Obama also expanded the Deferred Action for Childhood Arrival Program, helping to protect DREAMers, the undocumented children who were brought to the United States at a very young age. To date, over 700,000 DREAMers have been protected—12,000 in Nevada alone. Not only were these Executive actions the right thing to do, they were also smart investments. Nevada will benefit from about a \$3.5 million-a-year increase in State and local tax revenues. Nevadans will see an increase in earnings of more than \$1 billion over 10 years. Together these programs will help grow America by \$230 billion over the next 10 years, but now this progress is being threatened.

Shortly after President Obama's announcement, a politically motivated lawsuit was filed by the Texas attorney general and joined by Republican Governors and attorneys—not all of them but a lot of them. The Texas attorney general won a preliminary injunction temporarily blocking both programs. This came from a single judge.

The U.S. Supreme Court agreed to consider the case and today it heard oral arguments. They were good. I thought it was an extremely sound, deliberate argument. I think the Justices—most of them—had questions that went to the heart of what the issues are, standing and other things. A decision to overturn the President's actions would put many families with U.S. citizen children at risk of deportation and prevent the Department of Homeland Security from doing its job of focusing on criminals and other threats to national security and public safety.

In Nevada alone, President Obama's Executive actions stand to help 50,000 people. Those are 50,000 Nevadans who should not be separated from their families.

The U.S. Supreme Court must do the right thing and recognize President Obama's authority. That is why I joined 38 other Senate Democrats and 186 House Democrats in filing an amicus brief with the Supreme Court,

making clear that Congress granted the Department of Homeland Security broad discretion in enforcing our country's immigration laws. What the President did was both lawful and it was necessary. He helped target limited enforcement resources. It is also what every other President since Eisenhower has done, including Ronald Reagan and George H.W. Bush. Instead of litigating the President's lawful actions, Republicans should work to fix the immigration system in Congress. By working with Democrats to pass immigration reform, they would render the President's Executive actions unnecessary.

I hope the Supreme Court decides in the administration's favor. I think they will, even though the Court is short a member. I hope these Executive orders are implemented to bring hard-working families out of the shadows, but our Nation would be far better off with a permanent solution. Our Nation would be far better off with a bipartisan, comprehensive overhaul of our Nation's immigration laws.

My friend the assistant minority leader has been at the forefront of these immigration issues. The DREAM Act is something he put forward 15 years ago. I admire the work he has done on this. I think he has kept this issue alive, when a lot of Republicans wanted it to go away. He has been helpful to the people of Nevada—people who don't know his name and will never ever see him, but we have 12,000 DREAMers whose lives have been changed forever, and we hope the same will happen to their parents.

Mr. President, would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

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

AMERICA'S SMALL BUSINESS TAX RELIEF ACT OF 2015

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 636, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 636) to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

Pending:

McConnell (for Thune/Nelson) amendment No. 3679, in the nature of a substitute.

Thune amendment No. 3680 (to amendment No. 3679), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The minority whip.

IMMIGRATION

Mr. DURBIN. Mr. President, let me first thank the minority leader, Senator REID, for his kind words about the DREAM Act, which I introduced 15 years ago.