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WASHINGTON, MONDAY, FEBRUARY 23, 2015

No. 30

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, February 24, 2015, at 12 p.m.

Senate

MONDAY, FEBRUARY 23, 2015

The Senate met at 3 p.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.

O Lord, as our lips are open in prayer, so may our hearts be open to receive Your guidance. Help us to bow to Your will and live lives devoted to Your providential leading.

Bless our Senators in their work. Let faith, hope, and love abound in their lives. Help them to seek to heal the hurt in our world. Remind them that they will be judged by their fruits and that You require them to be faithful. May they seek to serve rather than be served, following Your example of humility and sacrifice. Open their minds and give them a vision of the unlimited possibilities available to those who trust You as their guide.

Lord, we thank You for the faith and legacy of our first President, George Washington.

We pray in Your sacred Name. Amen.

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.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. LANKFORD). Under the previous order, the leadership time is reserved.

READING OF WASHINGTON'S FAREWELL ADDRESS

The PRESIDING OFFICER. Pursuant to the order of the Senate of January 24, 1901, as amended by the order of February 9, 2015, the Senator from North Dakota, Mr. HOEVEN, will now read Washington's Farewell Address.

Mr. HOEVEN, at the rostrum, read the Farewell Address, as follows:

To the people of the United States

FRIENDS AND FELLOW-CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country—and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future in-

terest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious

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



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in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals that, under circumstances in which the passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only

see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts—of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common govern-

ment, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South in the same intercourse, benefitting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value! they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We

are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen in the negotiation by the executive—and in the unanimous ratification by the Senate—of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a Constitution of government better calculated than your former for an intimate Union and for the efficacious management of your common concerns. This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation and mature de-

liberation, completely free in its principles, in the distribution of its powers uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modified by mutual interests. However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular oppositions to its acknowledged authority but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions, that experience is the surest standard by which to test the real tendency of the existing constitution of a country, that facility in changes upon the credit of mere hypotheses and

opinion exposes to perpetual change from the endless variety of hypotheses and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable; liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is indeed little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and the duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms, kindles the animosity of one part against another, foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government

and serve to keep alive the spirit of liberty. This within certain limits is probably true—and in governments of a monarchical cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition

that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be, that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sen-

timent which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded and that in place of them just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country without odium, sometimes even with popularity, gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of

a small or weak towards a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest guided by justice shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world—so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements (I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy)—I repeat it therefore, let those en-

agements be observed in their genuine sense. But in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectably defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce but forcing nothing; establishing with powers so disposed—in order to give to trade a stable course, to define the rights of our merchants, and to enable the government to support them—conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another—that it must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice

and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take—and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.
UNITED STATES, 19th September 1796.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 4:30 p.m.

Thereupon, the Senate, at 3:47 p.m., recessed until 4:30 p.m. and reassembled when called to order by the Presiding Officer (Mrs. ERNST).

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 240, which the clerk will report.

The senior assistant legislative clerk (Mary Anne Clarkson) read as follows:

Motion to proceed to Calendar No. 5, H.R. 240, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Madam President, in just a few minutes Democrats will have another opportunity to end their weeks-long filibuster of Homeland Security. It will be the first opportunity our friends on the other side have to show where they stand after a Federal judge preliminarily enjoined the administration from moving ahead with actions President Obama himself referred to as "ignoring the law." President Obama said that just over a year ago.

The point is that it is time to allow this Homeland Security funding measure to come to the floor. Democrats say they want the ability to amend DHS funding legislation, but then they keep voting to block their own ability to offer amendments. It doesn't make any sense. So in a few moments we will give our Democratic friends another opportunity to reconsider. They can vote to allow the Senate to debate the Homeland Security funding bill. They can vote to allow the Senate to consider amendments from both sides, and that is what they actually should do. That is what constituents have a right to expect. Let's take up this funding bill and get to work.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Madam President, in just a few days—5 to be exact—the Department of Homeland Security will run out of money. This unique entity was established right after 9/11. President Bush believed there were too many agencies trying to take care of the security of this Nation, so he got Congress to work with him, and they came up with 22 entities for the Department of Homeland Security. They have protected our homeland since 9/11, and they have done a good job.

I am very disappointed that the political ploy used by my congressional

Republican leadership to force a shutdown of Homeland Security will only hurt our Nation, but it does make very clear where Republicans stand on fixing our broken immigration system.

Twenty months ago some valiant Senators, Democrats and Republicans, worked together for almost a year. Democrats were led by Senators SCHUMER, DURBIN, BENNET, and MENENDEZ. Republicans were led by Senators MCCAIN, GRAHAM, RUBIO, and FLAKE. They worked night and day. They came up with a bill that they presented to us, Democrats and Republicans, and we worked hard. We had lots of amendments. There was a wonderful debate. It was one of the great days of this body. And we passed it with a bipartisan vote. It was such a good day for the Senate and our country. But now, after 20 months, suddenly people are not interested.

Even Senators FLAKE, GRAHAM, and MCCAIN have stated that we should fund Homeland Security—fund it. We have all kinds of Republican Senators who have said the same thing in the last few days. Senator JOHNSON said it should be fully funded. He said that today.

I don't understand what my Republican friends are trying to do. They want to hold up DHS funding in order to deport DREAMers and their parents. That doesn't make any sense. Their plan is destined to fail. I have said that many times. Republicans are not listening to me, and I understand why, but my Republican colleagues are not listening to a lot of people.

They are not listening to the President of the United States, who has warned them that blocking Homeland Security funding will hurt our ability to respond to these new threats.

Tom Ridge and I came to Washington at the same time in 1982, to the House of Representatives. Here is a man who was valiant in Vietnam. He was a highly decorated soldier. He has had a stunning career in government. He was the Governor of the State of Pennsylvania and the Secretary of Homeland Security. He, along with another Republican Secretary of Homeland Security, Michael Chertoff, who has a great record of his own as a prosecutor and Federal judge, and a Democratic Secretary of Homeland Security, Janet Napolitano, who was a former Governor of the State of Arizona—so three former Secretaries of Homeland Security—two Republicans and one Democrat—have said the Republicans should do this. In fact, here is what they said in a letter Senator MCCONNELL and I received a month ago:

Funding for DHS is used to protect our ports and our borders; to secure our air travel and cargo; to protect the federal government and our nation's information technology and infrastructure from cyber-security attacks; to fund essential law enforcement activities, and to ensure the safety of the president and national leaders. . . . Funding for the entire agency should not be put in jeopardy by the debate about immigration.

That is what the former Secretaries of Homeland Security said. They did not mince words.

In fact, Tom Ridge said yesterday on national TV that the Republicans' plan "irritates the hell out of me. I think it is bad policy. . . . The men and women of Homeland Security deserve better."

Jeh Johnson, who has certainly been as down the middle as anyone could be on this issue, said that to not fund Homeland Security is "unacceptable from a public safety and national security view."

The majority leader and Speaker BOEHNER are not listening. They are obviously not listening to me, they are not listening to the President, and they are not listening to former Homeland Security Secretaries.

They are not even listening to their newspaper—it has been referred to as their newspaper—the Wall Street Journal. The Wall Street Journal said that the Republicans' game of Russian roulette with our homeland security is destined for "a spectacular crack-up." Republicans obviously are not listening to the Wall Street Journal. The Fraternal Order of Police has lambasted the Republican scheme. The Republicans are not listening to the police. The United States Conference of Mayors said: Please don't do that. If you do not fund the Department of Homeland Security, and even if you go with a continuing resolution, it is going to affect our ability to protect our cities. The Governors have said the same thing.

Republicans are not listening to anyone. They are bound and determined to see this doomed plan to the end. This is all because Republicans want to overturn DHS directives that prioritize the deportation of national security threats, convicted felons, and individuals apprehended at the border. It doesn't make sense. The administration sought a stay of the proceedings in Texas, but the trial judge in Texas never ever declared anything the President did as unconstitutional. If you read every word he wrote, the word "unconstitutional" is not written. He said the Administrative Procedure Act was not followed.

The President has the right to determine who is to be deported, and the families of these DREAMers are way down the list. So the President is well within his established constitutional authority and legal process to hear this out. So why would we divert resources from real threats just so Republicans can deport DREAMers, long-term permanent residents, mothers and fathers of U.S. citizen children who pose no security risk? Republicans say they are attacking the President's actions, but they are really attacking families.

I suggest to my Republican colleagues that if they won't listen to me, the President, the Secretary of Homeland Security, the Wall Street Journal, the Fraternal Order of Police, and the United States Conference of Mayors, maybe they should at least heed what

our enemies are saying. We can all picture in our minds what happened just a few weeks ago. They put a Jordanian pilot in a cage and burned him, and they showed the world that for 22 minutes. We have seen the beheadings. They have not stopped. Twenty-one Egyptian Christians were beheaded just a few days ago.

Yesterday on national TV Secretary Johnson said that we must remain vigilant against threats because now they told us they are going to go to malls around America, including the Mall of America. We must listen. Why would our Republican friends want to shut off funding for Homeland Security in this environment? Listen to reason. Let's fully fund Homeland Security and do it now. Republican Senators are saying the same thing. I don't understand what is going on here.

Republicans reportedly have a backup plan—fund Homeland Security by passing short-term continuing resolutions. That is not an answer. It is not an answer. A continuing resolution will prevent the Department of Homeland Security from working with communities and States and their first responders in addressing new threats and emergency situations.

Our Nation is depending on the Department of Homeland Security, and fully funding it is what is needed to keep us safe. More than 230,000 Homeland Security employees are depending on a paycheck for their families. A simple way of doing this is to fully fund the Department of Homeland Security, not some Rube Goldberg procedure where they make something very simple very complicated. It doesn't need to be complicated. We simply need to give the Department of Homeland Security the resources it needs to do its job, as said by Republican Senators in the past week.

Why are we doing this? Is it to please the House Republicans who cannot agree on anything? It is important that we fully fund this agency and do it now.

Would the chair now announce the business of the day. I am told the motion to proceed is now pending. Is that true?

The PRESIDING OFFICER. The Senator is correct.

The Senator from Pennsylvania.

Mr. CASEY. Madam President, I rise to speak as in morning business.

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

TRIBUTE TO JOANNE A. EPPS

Mr. CASEY. Madam President, as I have every year since 2007, I rise today to commemorate Black History Month. This year we are privileged to recognize Dean JoAnne A. Epps, the dean of Temple University's Beasley School of Law. Dean Epps is a woman who has made significant contributions to the Commonwealth of Pennsylvania and the Nation by promoting opportunity and diversity throughout our legal institutions. JoAnne's life and career have been a testament to hard work

and following her dreams. Her achievements are substantial, and she has worked to inspire others to fulfill their dreams, while advancing the cause of social justice to ensure that everyone has the opportunity to reach their full potential.

Today I am proud to honor JoAnne Epps as a leader in law and education and highlight some of the ways in which she has demonstrated the power of dreams by opening doors of opportunity for women and minorities throughout her career.

JoAnne Epps's story serves as an example of where our dreams can take us. She is a native of Cheltenham, PA. For those who don't know the geography of our State, it is in the southeastern corner of our State in Montgomery County. She attended Trinity College in Connecticut. As an undergraduate JoAnne planned to follow in her mother's footsteps and become a legal secretary; however, she distinguished herself throughout her undergraduate career, and her mother and professors encouraged her to dream big. She applied to and was accepted by Yale Law School, where she was one of 40 women and just 10 African Americans in her class of 150. JoAnne entered law school having never known an adult attorney and often experienced discomfort that her background differed so significantly from those of many of her classmates. Despite these challenges, JoAnne Epps remained focused on the opportunities ahead of her.

Following graduation in 1976, JoAnne devoted herself to public service, becoming a deputy city attorney for the city of Los Angeles, CA, and ultimately returning to Pennsylvania as an assistant U.S. attorney for the Eastern District of Pennsylvania.

After that work as a prosecutor, in 1985 she joined the faculty of the Beasley School of Law at Temple University, utilizing the experience she had gained as a prosecutor to instruct students on criminal procedure, evidence, and trial advocacy. Exhibiting strong leadership qualities and a gift for teaching, JoAnne was soon named associate dean of academic affairs, and in 2008 was named dean of Temple Law School.

As dean, JoAnne has worked tirelessly not only to advance the quality of legal education but to instill in students the values she believes define the legal profession. They are service, integrity, and passion. JoAnne has expanded opportunities for students at Temple to apply these values to a legal career by implementing programs that focus on hands-on legal experience, both through high-quality clinical programs and through an innovative experiential first-year course as curriculum. This work has led to the creation of the Stephen and Sandra Sheller Center for Social Justice at Temple Law School, and we are honored today to have both Steve and Sandy Sheller with us.

The Sheller Center encourages early community involvement and a com-

mitment to social justice in Temple Law students by facilitating collaboration with community groups, the university community, and the Philadelphia and Pennsylvania legal communities to improve access to justice for underserved communities.

It is a truly inspiring project. Even as JoAnne innovates at a schoolwide level, she has not lost her dedication to the individual connections fostered through teaching. She continues to share her experience and insight with first-year law students by teaching a course in litigation basics each fall.

JoAnne has employed her talent for teaching not only to the benefit of Temple University and the Pennsylvania legal community but to further social justice objectives on an international scale. JoAnne has been an advocacy instructor for attorneys at the United Nations International Criminal Tribunal for Rwanda and the Beijing Supreme People's Procuratorate. In 2007 and 2008, she worked with a small group of lawyers to provide training for Sudanese lawyers representing victims of the crisis in Darfur on evidence, advocacy, and substantive international criminal law with a focus on practice before the International Criminal Court.

JoAnne's service and impact on Temple Law School is made all the more impressive in light of the myriad of other roles she has taken on to advance the causes of social justice through legal institutions. In 2001, JoAnne was appointed by the mayor of Philadelphia to chair the Mayor's Task Force on Police Discipline, and in 2011 she was appointed by the U.S. District Court for the Eastern District of Pennsylvania to monitor the city of Philadelphia's compliance with a settlement concerning stop-and-frisk procedures. She has a long history of service on various commissions designed to increase access to justice, including the Philadelphia Bar Association's Committee to Promote Justice, the board of directors of the Defender Association of Philadelphia, the advisory board of the Public Interest Law Center, the Pennsylvania Commission for Justice Initiatives, and too many others to name today.

In recognition of this work, in 2003 Temple Law School presented her with the Gideon Award, given to acknowledge dedication to the cause of justice.

JoAnne Epps has had a great career and has had great success as a lawyer, as a teacher, as an advocate, and as a prosecutor despite the challenges of being an African-American woman entering a field that is predominantly white and male. She consistently worked to open the doors of opportunities to women and minorities who face similar challenges. At Temple, JoAnne served as a member of the Women's Studies Program Steering Committee, and she remains an affiliated member of the Women's Studies Department at the law school. She has also previously served as an adviser to both the Women's Law Caucus and the Black Law Students Association.

Outside of Temple Law, JoAnne served as vice chair of the Pennsylvania Gender Task Force and as a member of the Third Circuit Task Force on Equal Treatment in the Courts, also serving on the Third Circuit task force commission on race and ethnicity.

JoAnne testified on behalf of the National Association of Women Lawyers at the confirmation hearing of Supreme Court Justice Sonia Sotomayor. In 2014, she was awarded the Justice Sotomayor Diversity Award by the Philadelphia Bar Association in recognition of her work on behalf of women and minorities in the legal profession.

JoAnne has said the following about her legal career, and I am quoting:

I spent much of my career not seeing ahead of me someone who was at all like me, and I've had to make my way without that. I want to be a resource for young people entering the profession that I never had.

Joanne's dedication to both legal education and the legal profession has helped empower countless young attorneys to exceed expectations and fulfill their dreams.

JoAnne Epps is here today in the gallery of the Senate, and as the rules tell us, we are not allowed to acknowledge those in the gallery. I am saying that for my friend. But she is joined by family and friends, and I am going to go through a list here. If I miss someone, someone will tell me later.

Starting with her husband L. Harrison Jay, her uncle Harold Ashton, and her cousins Eric Ashton, Joan and Tommie Frye, Donnie, Debbie, Adrienne, and Christopher Jackson, and Marcia and Glenn Yarbrough—I will hear if I missed someone a little later, but we are honored she is here with us. We are honored her family is here on this special day. Today we honor JoAnne Epps, the dean of Temple Law School, for her significant work to advance access to justice and for inspiring and empowering new generations of attorneys to emulate their commitment to service, integrity, and passion.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. BARRASSO. Madam President, as I come to the floor today, the Senate is continuing to try to debate a bill to fund the Department of Homeland Security. We have made no progress on this bill for weeks, as Democrats continue to filibuster our efforts to actually even get on the bill, to have a meaningful discussion on the subject. The bill has already passed the House of Representatives.

The way the Senate is supposed to work is that if Democrats don't like

something about the bill, then they should offer amendments and change it. That is how the process has worked in the past. It is how the process is supposed to work today.

It is the process as it worked about a month ago when we debated the Keystone XL Pipeline. We had more than 40 different amendments debated on the floor, voted on the floor. That is more than double the number of amendments the Senate Democrats allowed all last year in debate on the floor of the Senate.

We could be debating those and voting on those amendments right now. My question is, why aren't we doing that? It is because Senate Democrats are filibustering to keep us from even considering this bill. This is a very important piece of legislation. Funding for the Department of Homeland Security is scheduled to expire on Friday. Everyone in this Chamber, both sides of the aisle, should agree that funding the Department of Homeland Security is something we need to do. Why are Democrats being obstructive in the way that they are? Why are the Democrats so eager to cut off funding for the Department of Homeland Security?

The answer is this is a disagreement not about funding Homeland Security, it is about our Nation's immigration policy and the President's Executive amnesty, an action which I believe is illegal. Congress is the appropriate place to make laws about America's immigration policy. It is not something the President gets to decide on his own. It shouldn't be controversial either. At least eight Senate Democrats have said they disagreed with the President's Executive actions or they have doubts about them.

Senator DONNELLY said back in November "the President shouldn't make such significant policy changes on his own."

On the same day Senator HEITKAMP said the President's actions "could poison any hope of compromise or bipartisanship in the Senate before it has even started."

Even the President himself has on 22 separate occasions said he lacked the authority to rewrite immigration law—22 times. He said in March of 2011:

There are enough laws on the books by Congress that are very clear in terms of how we have to enforce our immigration system, that for me to simply, through Executive order ignore those congressional mandates would not conform with my appropriate role as President.

He did it anyway. He knew it wasn't appropriate, but that didn't stop him. Now a Federal judge has made it crystal clear the President does not have the authority to act on his own as he did. The President cannot make a new law just because he doesn't like the laws passed by Congress. This was a U.S. district court ruling in a lawsuit that 26 States brought against President Obama.

Here is how USA TODAY described it in a front-page headline last Wednes-

day. They said, "Obama Immigration Plan Blocked."

Rollcall ran its own headline the same day that said, "Immigration Ruling Casts Shadow on Obama's Legacy." What the court did was to stop the Secretary of Homeland Security from implementing any and all aspects or phases of the President's plan. The Federal court said, "It is Congress, and Congress alone, who has power under the Constitution to legislate in the field of immigration." Let me repeat that. "It is Congress, and Congress alone, who has power under the Constitution to legislate in the field of immigration."

The judge added that the President's plan "clearly represents a substantive change in immigration policy." This is not just a minor change. It is not the same thing that other Presidents have done before. The judge completely rejected the Obama administration's claim that it was simply exercising "prosecutorial discretion."

I know the President did not understand the last election. I am starting to think Democrats in this body do not understand why they lost. It is strange that Democrats want to continue trying to protect the President who does not have the strong support of the American people. It was a losing strategy in November and it will be a losing strategy now.

Democrats in this body are continuing to prevent the Senate from doing anything, again, in an effort—they are doing it to protect President Obama. Now that a Federal judge has agreed the President exceeded his own authority, it is time for Democrats to stop defending the President and the White House. Senate Democrats have already voiced their concerns about what the President did and how he did it. It is time for those same Democrats to convince the rest of their Members that enough is enough.

It is time for them to stop pretending this is about immigration, when it is now clear this is about the President's overreach. It is time for Democrats to end their filibuster and to fund the Department of Homeland Security.

I yield the floor.

The PRESIDING OFFICER (Mr. COATS). The Senator from Maryland.

Ms. MIKULSKI. Mr. President, today the Senate will vote for the fourth time on a procedural vote to take up the House Homeland Security funding bill. We are going to be voting on the cloture of the motion to proceed because it is a parliamentary way of dealing with the funding for the Homeland Security Department, which runs out on Friday.

The Presiding Officer is the ranking member on the homeland subcommittee. The Presiding Officer did a fantastic job, working with Senator Landrieu, creating a funding framework that had bipartisan and bicameral support. I congratulate the Presiding Officer and the way the committee worked.

We should be voting on the final passage for a clean Homeland Security bill. The bill—when we say “clean,” this is Washington speak. People do not know what a clean bill is. Is there a dirty bill? Is there a dusty bill? Is there a muddy bill? No. What we are talking about is meaning no riders on the bill. In this case, no poison pill riders. There was no disagreement, finally, because of the excellent bipartisan work on the funding of the bill, but the Senate is locked in a game of parliamentary ping-pong on moving this legislation forward, where the losers are the American people.

Look at what is going on in our country right now. We are absolutely relying on Homeland Security for some of the biggest challenges—not facing in the abstract but facing us right now.

There are the terrorists and there is cold weather and there are other issues. Right now in my Chesapeake Bay there is a Coast Guard cutter called Chock. It is out there breaking the Maryland icy conditions—frigid and windy. What is it they are doing? This enables commerce to get up and down the Bay so people are working and getting important supplies. They even work—because the Bay is in both Maryland and Virginia. They went out to the famous Tangier Island to free residents that were iced in, to take food and fuel. The Coast Guard is on the job. They are working in the cold. They are working in the wind. They are breaking up ice not only in Maryland but all over—to these frozen ports. What do we say? Good job, guys. There they are on TV. We love you, but we might not pay you. What is this? They are out there saving lives. We are playing parliamentary ping-pong.

Then there is this whole issue of this despicable, barbaric group called ISIL who essentially says: We are out to get you. Not only are they out to get us, but then they threatened that there could be attacks on malls, the shopping malls in the United States.

We need then additional security from Homeland Security. We also need to be able to work with our local and State partners. What is Congress's response? We are going to talk about increasing that defense budget in 2016, but we are not going to fund the appropriations from 2015 on Homeland Security. What is wrong with that picture?

I am for a strong national defense and having the muscular way of dealing with the threat of ISIL and any other terrorist group, but they are talking about our malls. They also go on their Web—I hate to even say this in public. They say attack anybody who is in uniform. Well, that is my firefighter, that is my police officer, that is my EMT person. I mean, really. We are worried about lone wolves?

Well, I am worried too. We need to be able to protect them. One way to do it is we need to fund the Homeland Security Department so people who are on the job protecting us can get paid. There are Members on the other side of

the aisle who continually ask the President what he is doing to defend America. Let's put boots on the ground. Let's put more missiles in the air. Let's put more flights for airplanes.

Right here in America we have boots on the ground. They are called Border Patrol agents, Customs officers, TSA personnel, intelligence analysts. We have to fund our own Homeland Security boots on the ground. I want to make sure we do it now, so we do not have some big crisis at midnight on Friday.

Where we are is this: We have agreed on the funding on both sides of the aisle and both sides of the dome. The House has added five riders on immigration. Immigration is an important topic. I do not minimize it. I do not dismiss it. It should be debated but not on this bill.

The other issue is that the courts have now made a decision—the Texas court—on the Obama action on Executive orders and immigration. It is now going to go through the courts. The Texas judge made a decision. That is America. It will go to the Fifth Circuit for an appeal and maybe even higher. While it is working its way through, we are debating it. Let the courts decide whether the President exceeded his Executive authority. Whatever the courts decide, I think we will be able to accept it. We cannot hold up the bill waiting for the courts to decide.

We should not hold up the Homeland Security bill waiting for the courts to decide. So with the court decision pending, I say to my friends on the other side of the aisle—who I know are patriotic, who I know want to protect the homeland—put immigration aside on the Executive orders and all of those others, let the courts decide on the Executive authority, but between now and, say, Wednesday let's pass this Homeland Security bill.

We can pass it, send it to the House, and we can get on with the protecting America rather than what we think about President Obama. I respect what other people think about President Obama. I do not also respect what some people say in their attacks on him: Is he American? Is he patriotic? I think that is despicable to attack our President. But if you think this is a constitutional question on Executive authority, it is now in the courts. That can be a valid consideration.

But right now we have a Homeland Security funding problem. I want to fund the Coast Guard. I want to fund Border Patrol. I want to fund Customs. I want to fund the TSA at the airports. I want to protect us on threats related to cyber security. This is for the 22 subagencies that make up Homeland Security. So I would hope, for the 162,000 people who work for that agency, they do not get IOUs.

Given what they are doing in this cold weather and on this incredible intensity and escalation of chatter and threats to the United States, we have

to help them be them. We have to give them respect. We have to pay their salaries. We have to give them the right technology to be able to do their jobs to protect us. I say to the Presiding Officer and to all of my colleagues on the floor: Let's stop playing parliamentary ping-pong with the Homeland Security bill.

The politics in that are over. The issue is going to be resolved in the courts, but what cannot be resolved is the fact that on February 27 the money to fund the salaries for every single man and woman who works at Homeland Security will run out. The time is running out. The money is running out. We cannot run out on Homeland Security. We have to help them make us a safe country, protect our country, and do their job.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator MIKULSKI. She has been joined by Senator SHAHEEN, both of whom have been leading this very important bill to pass this funding for Homeland Security. I thought the points Senator MIKULSKI made were so well taken about the fact that there has been a new development since we left this Chamber; that is, that the courts are taking on some of the immigration provisions our colleagues have been trying to attach to this bill.

I would hope they could look at this in a fresh way now and see that we should just simply allow this bill to go forward while the courts are considering this matter. To me, that is the answer. I do not think they should see it—our colleagues on the other side—as a concession. It is simply a fact. It is something that has changed. So I come to the floor to talk about the importance of the Mikulski-Shaheen bill. The critical importance of this funding has been driven home in the last few days in my State, the State of Minnesota.

Just this weekend the terrorist group al-Shabaab released a video encouraging attacks on shopping malls throughout the world—a shopping mall in Minnesota, the Mall of America, a shopping mall in Canada, in Edmonton, a shopping mall in London. I do not think we could ever think they would be limited in their threats when it comes to shopping malls in America.

This is the same terrorist group that actually carried out a major attack on a shopping mall in Kenya, killing more than 60 people. It has also called for attacks, as I said, in other countries. In this video, an al-Shabaab spokesman bragged about his previous attacks and the chaos future attacks can cause. He talks about if just a handful of fighters could bring Kenya to a complete stop for weeks, he talks about what they could do to—in his words, obviously not mine—American- or Jewish-owned shopping centers across the world.

That is what we saw this weekend. That is what the people in my State

awoke to. They awoke to that video and those words. I spoke yesterday with Homeland Security Secretary Jeh Johnson, with our U.S. attorney for Minnesota, Andy Luger. We are working with the FBI, and they have boosted the security at the Mall of America. It already had good security. We have fine law enforcement in Minnesota on the Federal, State, and local levels.

The FBI has advised people, clearly, to go on with their lives in Minnesota. The Homeland Security Secretary has clearly said people shouldn't be discouraged from going to the mall in any way.

So the people in my State are standing tall when it comes to this threat, and our law enforcement is standing tall when it comes to this threat, but in Congress our message to these terrorists cannot be that we are going to shut down the Department of Homeland Security. That cannot be the message coming from the Senate of the United States of America.

Rather than acting to protect my State from the threat, there are people who are actively contemplating a shutdown of the Department of Homeland Security—the Department we created after 9/11 to protect our homeland, to protect our country from these kinds of terrorist threats.

This would mean—if it was to go forward and we weren't to fund it this week—over 1,700 Department of Homeland Security employees in Minnesota would be forced to work without pay or be furloughed, including 472 Customs and Border Patrol personnel, 953 Transportation Security Administration officers, 156 Immigration and Customs Enforcement personnel, and 74 Federal Emergency Management Agency personnel.

We need to act to fund Homeland Security. Think of the people in my State who were going to spend a normal day going to the mall, waking up to see that video. Think about the fact that I have to tell them there are people messing around with this bill over extraneous provisions that are now being battled out in court—and not on a bill that funds our Homeland Security.

Now we also know terrorist organizations such as al-Shabaab and ISIS are trying to recruit people in my State to take up arms and do harm to Americans.

Why do we know that? The first American who was killed fighting for ISIS in Syria was from Minnesota. His name was Douglas McArthur McCain. We also know our law enforcement, because they have worked so well with our Somali community—we are so proud of that community. We have half the Somalis in the Nation in the State of Minnesota.

They were able to work with our law enforcement over the last few years. Twenty people were indicted. Twenty people were indicted for helping al-Shabaab or trying to go over to fight on the terrorists' side. We have already had nine convictions in Minnesota.

Those convictions would not have happened without this community. This Muslim community basically said: We don't want our kids to go over and be suicide bombers. We don't want our kids to go fight next to ISIS.

That community has worked with law enforcement in Minnesota and they will continue to work with law enforcement. We have already had four people from the Twin Cities area who have been charged for crimes relating to travel for the purpose of going to aid ISIS.

But it is not only our national security that the people in my State see as at stake here. I know Senator SHAHEEN, who is on the floor, is also from a border State and understands how important that work is as we go up to our northern neighbor of Canada. This is 5,500 miles—the longest border in the world. Over 400,000 people and nearly \$2 billion in goods and services cross our borders every day.

That is economically significant for my State. Canada is my State's top international trading partner, with over \$19 billion in total business across the board. Over 1 million Canadians visit Minnesota every year—by the way, many of them going to the Mall of America—contributing \$265 million to the local economy.

But that relationship relies on a seamless U.S.-Canadian border, with U.S. Customs and Border Patrol keeping that border secure and efficiently screening all cross-border traffic. We have made important strides in recent years with trusted traveler programs to make our northern border more secure, while encouraging the cross-border tourism and commerce that is the lifeblood of my State. Withholding critical funding from the Department of Homeland Security could threaten that progress, leading to a less secure border and hindering economic opportunity.

Without that critical funding, we risk security. Even a cursory look at world headlines shows the threats the United States and our allies face—from the terrorist attacks in Paris and Sydney to the cyber attacks by North Korea. We need to be stepping up our security, not stepping down our security.

So last night I spoke to a group of workers—about 500 Minnesotans—who were honored in the city of Bloomington, MN, for the work they do in the hospitality industry. These were desk clerks, these were pizza delivery people, these were people who man our hotels and clean the rooms when we have guests. Many of them work in that Mall of America, and I told them I was coming back to Washington and that this Senate would stand tall in the face of threats such as videos from al-Shabaab, people who will not even show their faces but make a video to threaten our country.

We have to show our faces. We have to stand tall. We now have a very good reason—my colleagues on the other

side of the aisle. I implore them, they have a good reason. This is in the courts now. It is being battled in the courts. These extraneous measures should not be on this bill and we should fund our Homeland Security. I want to go back and tell those workers in Bloomington and in Minnesota that we have done that.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I applaud Senator KLOBUCHAR for her comments and for pointing out there are real threats that we heard this week-end from al-Shabaab against the Mall of America. I heard a news report this morning about that, and one of the things they have talked about are the very good relations the State of Minnesota and Senator KLOBUCHAR have built with the Somali community.

But her remarks, just as those news reports, underscore the fact that we have to address funding for the Department of Homeland Security. We are just days away from a shutdown, a shutdown of the Department whose mission it is to protect the citizens of this country while we are under threat of attack by terrorist groups. That is reckless and it is dangerous. What kind of message does it send to ISIS, to cyber criminals, to drug cartels if Congress can't keep the Department of Homeland Security open?

Because of the real and dangerous threats we face, we need to have our counterterrorism, our intelligence, and our law enforcement officials functioning at their highest level.

I met this morning with a group of law enforcement officials and firefighters from the sea coast of New Hampshire, and they were talking about how important the funding from the Department of Homeland Security is to them as they do their jobs. They said two things that I think are very important. First, they said they have been able to be proactive about planning to address threats because of the Department of Homeland Security, and second is they can share those resources. New Hampshire, similar to Indiana, is a State with a lot of very small communities, and we need to be able to share those resources if we are going to be prepared for the threats.

It is time for us to put politics aside. We can debate immigration. We can debate the President's Executive orders. I am pleased to do that, but we should do it in another place. We should not be doing it on the bill to fund the Department of Homeland Security.

I hope my colleagues will come together and support a clean funding bill so we can make sure the resources are there to fight the threats that we face.

Mr. NELSON. Will the Senator yield for a question?

Mrs. SHAHEEN. I yield to the Senator.

Mr. NELSON. Would the Senator believe that if the Department of Homeland Security is shut down that essential personnel will be required to work,

but essential personnel—the following—will not be paid? For the first time people engaged in the war—namely, the U.S. Coast Guard that is in fact involved in the Middle East in the war, along with the services from the Department of Defense—for the first time in the history of this country they will be essential to continue work but will not be paid.

Would the Senator believe that in addition, Customs and Border Patrol personnel who are essential, as well as TSA, which is essential, will continue to work but without pay and that is what will happen this Friday if we do not fund the Department of Homeland Security?

Mrs. SHAHEEN. My colleague makes a very important point. I visited the Coast Guard station in Portsmouth, NH, on Friday and heard about their drug interdiction efforts and their search and rescue efforts. As the Senator points out, they—similar to so many other Homeland Security employees—will not be paid. We should not let that happen. That is not conducive to making sure we protect this country.

I thank my colleague from Florida.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I am pleased to follow my esteemed colleagues from the State of Florida and the State of New Hampshire in discussing the legislation before this body. I worked with the Senator from New Hampshire on the Homeland Security Appropriations Subcommittee, and we are working to fund Homeland Security. That is what this bill does. The bill we are trying to proceed to fully funds Homeland Security.

My question is, How do we finish a bill if we can't start? All we are asking for is to proceed to a bill that fully funds the Department of Homeland Security. So I have been listening to my colleagues talk about the need to fund Homeland Security and that is exactly what this bill does—fully funds the bill.

Now I understand they want to make changes to the bill, but again I ask the question how do they make changes to a bill if they are not willing to proceed to the bill, get on the bill, debate the bill, and offer their amendments?

So that is where we find ourselves and that is why it is so important that we proceed to this DHS funding bill. This is a bill that has passed the House.

At the end of the day, both Houses of Congress have to pass the bill. We can't just pass it in the Senate and they can't just pass it in the House. The House has passed this bill.

Now we need to take it up. We need to have the debate, we need to offer amendments, have votes on those amendments, and pass the bill—pass the bill that fully funds DHS. Again, I emphasize, this bill fully funds the Department of Homeland Security.

We are ready to legislate. We are willing to go back and forth on amend-

ments, one Democratic amendment for every Republican amendment, but when that was offered last week on this floor by the majority leader, it was rejected by the other side of the aisle.

This leads me to believe that what my Democratic colleagues are asking for is that the only DHS funding legislation the Senate consider is legislation endorsed by the President. Moreover, they don't seem to be interested in amendments, in allowing the Senators and those Americans—whom we represent—to have a voice in this process.

My colleagues know that is not how the Senate works. When our Founders sought to build a government of checks and balances, with a strong legislative branch and mechanisms to prevent the Executive, the President, from imposing his or her will on the rest of government, I doubt this is what they had in mind; that we simply rubberstamp what the President wants.

Today's cloture vote on the motion to proceed to the DHS appropriations bill offers all Senators a choice. We have a choice today. Senators can choose to legislate a solution to this DHS funding impasse to prevent a DHS shutdown or they can choose to defend the President's Executive action.

That is exactly what is going on. As Senators we must be willing to engage with one another to pass a bill. We must be willing to engage, to debate, and to vote on amendments.

Often there are many sides to an issue. In fact, sometimes it feels as though there are 100 different perspectives, and of course there are. But the ability to merge our diverse viewpoints into legislation, that is the strength of the Senate. That is the only way, short of one party possessing 60 votes, the Senate can function. Many of our friends on the other side of the aisle are asking this body to rubberstamp the President's approach, but the Senate was not intended to be a rubberstamp. We must be willing to take that first step toward funding DHS together, and that first step is proceeding to a bill. In order to consider amendments and develop consensus, we simply must be able to move to the legislation and consider it on the floor today.

Let me remind my colleagues why this funding is so vital.

The Department is responsible for so many essential security programs. I think it is important that we take a few minutes to talk about the funding that is in this bill, full funding for the Department of Homeland Security.

This bill provides \$10.7 billion for Customs and Border Protection, CBP, including record levels of personnel, tactical infrastructure, technology, and air and marine assets. It provides \$5.96 billion for Immigration and Customs Enforcement, ICE, and maintains a record 34,000 adult detention beds and 3,828 family detention beds.

This bill strongly supports the vital missions of the Secret Service and pro-

vides for our cyber security efforts. The bill provides more than \$10 billion for the Coast Guard for its many missions, including search and rescue.

Since Homeland Security is a national effort, the bill continues critical funding for grant programs to State and local firefighters, emergency managers, and law enforcement. The bill also provides for research and development, TSA's aviation security screening operations, the Federal Law Enforcement Training Center, and E-Verify, which supports businesses across the United States in hiring legal workers.

The PRESIDING OFFICER. All time has expired.

Mr. HOEVEN. I ask unanimous consent for 1 additional minute to complete my remarks.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

Mr. HOEVEN. This bill does not fund the President's Executive actions—and rightly so.

Since we haven't had regular order in this Chamber in years, it seems there may be some reluctance to allow the Senate to work as it is designed to do: to proceed to legislation so that we, as a legislative body, can engage in a healthy debate. It is time the Senate proceed to the DHS appropriations bill without further delay. I urge my colleagues to vote to proceed to H.R. 240, the DHS appropriations bill.

With that, I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk (John Merlino) read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015.

Mitch McConnell, John Cornyn, Thad Cochran, Tom Cotton, Roger F. Wicker, David Vitter, Jerry Moran, Daniel Coats, Michael B. Enzi, Mike Crapo, Bill Cassidy, John Boozman, John Thune, Tim Scott, John Hoeven, James Lankford, Jeff Sessions.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 240, an act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Florida (Mr. RUBIO), the Senator from Arkansas (Mr. SULLIVAN), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH) and the Senator from Michigan (Mr. PETERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Michigan (Mr. PETERS) would have voted "no."

The yeas and nays resulted—yeas 47, nays 46, as follows:

[Rollcall Vote No. 57 Leg.]

YEAS—47

Alexander	Daines	Murkowski
Ayotte	Enzi	Paul
Barrasso	Ernst	Perdue
Blunt	Fischer	Portman
Boozman	Flake	Risch
Burr	Gardner	Roberts
Capito	Grassley	Rounds
Cassidy	Hatch	Sasse
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Collins	Isakson	Shelby
Corker	Johnson	Thune
Cornyn	Lankford	Tillis
Cotton	Lee	Toomey
Crapo	McCain	Wicker
Cruz	Moran	

NAYS—46

Baldwin	Heitkamp	Nelson
Bennet	Heller	Reed
Blumenthal	Hirono	Reid
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Manchin	Stabenow
Carper	Markey	Tester
Casey	McCaskill	Udall
Coons	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murphy	
Gillibrand	Murray	

NOT VOTING—7

Graham	Peters	Vitter
Heinrich	Rubio	
Kirk	Sullivan	

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 46.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, today Democrats voted to continue blocking funding for the Department of Homeland Security to protect actions President Obama himself referred to as "ignoring the law." The vote came after a Federal judge enjoined the administration from moving ahead with that overreach. I was certainly glad to

see that court decision. The issue will continue winding its way through our courts. In the meantime, Congress is trying to do what it can. Yet even Democrats who had previously been critical of the President "ignoring the law" voted again today to defend his overreach.

My preference is still to debate and pass the funding legislation that is currently before us. It has already passed the House. It is the simplest and easiest way forward. If Democrats think it needs to be amended, I am sure they will try to do that, but first we need to bring it to the floor. As long as Democrats continue to prevent us from even doing that, the new bill I described offers another option we can turn to. It is another way to get the Senate unstuck from a Democratic filibuster and move the debate forward.

MORNING BUSINESS

TRIBUTE TO ERMA H. ROSENHAN

Mr. HATCH. Mr. President, I would like to take a moment to recognize Erma H. Rosenhan in honor of her 100th birthday on February 28, 2015.

Erma has devoted years of her life to genealogical research, submitting over 400,000 names—many of them German—to the Family History Department of the Church of Jesus Christ of Latter-day Saints for ordinance work in LDS temples. She has served the Church of Jesus Christ of Latter-day Saints in many different capacities, including as an employee, as a member of the Mormon Tabernacle Choir, and as a missionary. Her extensive genealogical work and her service to the LDS Church have blessed both her extended family and all those who know her. On her 100th birthday, she shows no signs of slowing down; in fact, she still conducts research 3 days a week at the Family History Library in downtown Salt Lake City.

Erma H. Rosenhan is an example of kindness, hard work, and humble perseverance. She deserves our recognition for her lifetime of selfless, diligent service.

TRIBUTE TO ROGER COCKRELL

Mr. REID. Mr. President, I wish to pay tribute to one of the finest staffers I have encountered in my years in the U.S. Senate. Roger Cockrell is retiring this week after 15 years of service to the Senate Appropriations Committee, which was preceded by more than 20 years with the U.S. Army Corps of Engineers, mainly in Vicksburg, MS.

I spent many years as either the chairman or ranking Democrat on the Energy and Water Appropriations Subcommittee. It is a great bill. It not only funds a lot of important energy and science priorities, it also provides the annual funding for the U.S. Army Corps of Engineers and the Bureau of Reclamation, both of which are tre-

mendously important to my home State of Nevada. Sorting through all of the projects and programs that are funded through these two agencies is tremendously technical and complicated work.

I realized fairly early in my time at the top of that subcommittee that I needed an experienced engineer to ensure that we were prioritizing and funding these thousands of projects according to both technical merit and also national priorities. So, I brought in Roger as a fellow from the Corps of Engineers and it turned out to be one of the best decisions I ever made. As all Members have been known to do, I kept him as a fellow for as long as the Corps would pay him and then I hired him away.

Roger is exactly what you want in a staffer, particularly one who represents you on the Appropriations Committee: Smart, extremely well-prepared, hard-working, and, in the case of Roger, more willing to work with the staff of other Members to make their priorities work within the rules than anyone I have ever met. If Roger could not make your project work within the rules, regulations, and laws regarding a water project, it is a pretty safe bet that it was a bad project. So far as I know, Roger never turned down a meeting with anyone and his eternally sunny and friendly nature always made him a delight to work with.

I left that subcommittee many years ago now, but Roger stayed there and has gone back and forth to both the Republican and Democratic staffs several times depending upon who is in the majority around here. I can think of no higher compliment to a Senate staffer than to be held in such high esteem by both sides that he or she is retained by the majority year-after-year, Congress after Congress because of his or her expertise and, more importantly, fairness. And Roger is nothing if not fair to all who have appeared in his doorway over the years. The Senate is a better place because of people like Roger Cockrell.

I wish Roger and his wife Anna Lisa all the best as they move on to whatever is next in their lives. I am sad to see him go, but he has earned more time with his family, including his daughter Melissa. I have known him long enough to know that he won't be able to sit still for long. I join my colleagues on both sides of the aisle in expressing my gratitude for his long and dedicated service to our Nation.

TRIBUTE TO CHRISTINE PRIETSCH

Mr. REID. Mr. President, Christine Prietsch, the director of the Senate's Employee Assistance Program, is leaving the Senate family after 11 years of dedicated service to Senators, staff, and family members. Before joining the Senate, Christy served with the Secret Service, Department of Justice and the Department's Offices of U.S. Attorneys EAP programs. We often celebrate those who dedicate so much to

the U.S. Senate with stories from the men and women whose lives were affected. Christy turned this program into an invaluable resource for Senate employees experiencing obstacles and struggles in their professional and personal lives. Her innovative methods for implementing training and programs made her a vital asset to the Senate and a devoted leader to her staff. It is our hope that the irony is not lost, that through the auspices of her professionalism, confidentiality, morality and ethics, we are prevented from hearing many such stories; only those who Christy helped know the true value of her service. Christy is a valued leader within the Sergeant at Arms and a trusted confidant to the Senate family. I thank her for her dedicated service, her unbridled patriotism and unwavering support.

STUDENT NON-DISCRIMINATION ACT

Mr. BOOKER. Mr. President, I support the Student Non-Discrimination Act, a bill first introduced in the 111th Congress and reintroduced again now in the 114th Congress. This bill represents a critical step forward in protecting the rights of our lesbian, gay, bisexual, and transgender youth to receive an education free from bullying and harassment on account of who they are and who they love. I thank Senator FRANKEN for his leadership on this issue, and I am proud to be an original cosponsor of this important civil rights legislation.

Education is the cornerstone of our democracy. In order for our system of government to thrive we must promote the education of our citizenry. It is what allows voters to make informed decisions on who they think is best fit to serve as their Representative, Senator, or President. It is a critical element of public debate and the free flow of ideas and it is what drives our economy forward and makes our country strong.

Given the importance of education, no student should be harassed in school. We must do all we can to make education accessible to all. We must ensure that schools are safe and welcoming to all children so that students can enter the classroom ready and able to learn.

Bullying touches the lives of countless young people. Each school year, LGBT students in New Jersey, and across America, are harassed, bullied, and even assaulted based on their perceived or known status as LGBT. Occasionally, these youth even experience bullying from teachers and administrators. The very people that are supposed to educate and protect these children at times serve as the root cause of the problem. Bullying a student for any reason—but especially for simply being themselves—is simply unacceptable.

The consequences of bullying can be devastating and potentially life threatening. Studies show that discrimina-

tion at schools is a major contributor to dropouts, absenteeism, and academic underachievement. LGBT youth are twice as likely as their peers to experience verbal harassment, assault, and exclusion. Suicide rates are disproportionately high among children and young adults that identify as LGBT. In fact, LGBT youth are four times more likely to commit suicide than their peers. Most alarmingly, we have seen bullying and harassment tragically lead to suicides in school districts across the country.

Allowing discrimination of LGBT to go unchecked in our schools deprives our youth from the equal access to education that they deserve. Whether that discrimination is in the form harassment or assault, we cannot stand idly by and watch our children's lives be torn apart.

The Student Non-Discrimination Act is a critical civil rights bill that would ban discrimination against any student on the basis of his or her actual or perceived sexual orientation or gender identity.

The legislation expands the Federal definition of harassment to protect the rights of LGBT students. The bill defines harassment to include severe, persistent, or pervasive conduct that would limit a student's ability to participate in a program or activity at a public school.

The bill prohibits harassment of LGBT students as a form of discrimination that is Federally protected.

All of these provisions provide the Federal Government with critical new tools to prevent the scourge of persistent and offensive bullying of youth simply because of their sexual orientation or gender identity.

I am proud to be an original cosponsor of the Student Non-Discrimination Act. I urge my fellow Senators to support this bill and promptly pass it through the Senate.

ADDITIONAL STATEMENTS

REMEMBERING WIL SMITH

• Mr. KING. Mr. President, I rise today on a sad occasion. Yesterday, Bowdoin College—indeed, the entire State of Maine—lost a truly great man. Wil Smith, who was a good friend to countless people in Maine, passed away yesterday at the age of 46 following a courageous 3-year battle with cancer.

It is difficult to encapsulate in words the remarkable depth and breadth of someone like Wil. He grew up in Jacksonville, FL, the youngest of 10 children. His mother, Mildred, passed away when he was 15 years old. After high school, Wil briefly attended Florida A&M University before enlisting in the U.S. Navy and becoming an aviation electronics technician. He served in the first gulf war and was later transferred to the Naval Air Station in Brunswick, ME.

While stationed in Brunswick, Wil began coaching football at Brunswick

Middle School. It wasn't long after that when the coach of the Bowdoin College men's basketball team spotted him and was impressed by his talent and natural ability to work with kids. He asked Wil if he had ever thought about attending college. After some convincing, Wil applied to and was accepted at Bowdoin.

It was also during this time that Wil became a father—and only months before his first semester began, he was granted full custody of his 11-month-old daughter Olivia. To say the least, he was a nontraditional student in almost every sense. Matriculating at age 28, he was a decade older than most of his freshmen classmates. He was one of just three African-American students in his class. And he was the first single father in Bowdoin's history to attend the college.

He worked tirelessly—carrying Olivia to class and then to basketball practice, taking evening shifts at the local Staples store, and volunteering at area high schools. He faced challenges unfathomable to most of his classmates at Bowdoin—struggling to balance a commitment to his daughter and his rigorous coursework. But Wil persevered—and he did so with a strength of conviction and determination that would come to define the influence he would have on students who would follow in his footsteps at Bowdoin.

Following graduation, Wil continued to devote his time and energy to his community, and in particular, to young people of nontraditional or underrepresented backgrounds. He continued to serve in the U.S. Navy Reserves, and joined the staff of Bowdoin College, serving as director of multicultural student programs. Driven to continue his education, he then enrolled in the University of Maine School of Law, where 3 years later, he would graduate with a law degree and once again return to Bowdoin.

At Bowdoin, Wil served as a beacon of light to so many students—many of whom, like him, toiled with the challenges of the transition to college. But as a gifted mentor and as someone who had the rare ability to genuinely connect with people, to understand them, and to relate to them, Wil inspired a newfound sense of hope in countless students, and his advice, unfailing support, and encouragement turned around the lives of hundreds and perhaps thousands of people.

And while students were away from Bowdoin during the summer, Wil dedicated his time to the Seeds of Peace International Camp in Otisfield, ME. It was an endeavor that he joined in the summer of 1999, before he graduated from Bowdoin, and it was one he carried on until last summer. At the camp, he mentored children from across the world, and challenged them to look at and judge their peers not by their race, ethnicity, or differences, but by their thoughts and their merit. Wil was truly a team player in this

work, serving in numerous positions at Seeds of Peace over the years, from coach to counselor to associate director. But the title was always less important to Wil than knowing he was helping those he worked with at the camp. And true to the camp's mission, Wil cultivated seeds of peace within the heart of every child he met—his reach and impact extending around the world.

That same spirit of mentorship drew him to the basketball courts of Catherine McAuley High School in South Portland, where he coached the girls' varsity team for a decade, amassing nearly twice as many wins than losses and, in a testament to his talent as a coach, bringing home a prized state championship in 2007. Through the game he loved, he taught young women about the power and virtue of leadership, character, and teamwork—the same traits he worked so hard to instill in students at Bowdoin, in young people at Seeds of Peace, or in anyone who came to him in search of help.

There is a hole in the heart of our community today. But while Wil's loss is felt by countless people, his legacy will be carried on by the thousands who were fortunate enough to know him. Indeed, it is that legacy of caring, of hope, and of understanding which he has given to us and which we will give to future generations along with his story as proof that even the most unlikely of beginnings can yield remarkable outcomes. Today, the world is a lesser place for Wil's loss, but we are all better for him having been in it.

My heart goes out to his daughter Olivia, his partner Maha Jaber, and her son, Nim, his family, and to all the people whose lives were touched by this extraordinary man's unfaltering enthusiasm, caring, and generosity.●

RECOGNIZING RUTGERS UNIVERSITY FOR WINNING THE NAFSA 2014 SENATOR PAUL SIMON AWARD FOR COMPREHENSIVE INTERNATIONALIZATION

● Mr. MENENDEZ. Mr. President, I wish to honor Rutgers University for winning the 2014 Senator Paul Simon Award for Comprehensive Internationalization from NAFSA: The Association of International Educators. The award is named for the late Senator Paul Simon and is among the most prestigious awards for systemwide comprehensive internationalization. The award recognizes Rutgers' significant strides in providing a global education to its students, tackling global challenges through research, and working with diverse communities at home and abroad.

The award honors the university's significant achievements in enhancing its global reputation over the course of its nearly 250-year history. One hundred and fifty years ago, the university first began this process when it welcomed to campus a handful of students from Japan. Today, Rutgers hosts near-

ly 1,500 international undergraduate students from over 125 countries each year.

Through the Rutgers' Centers for Global Advancement and International Affairs, GAIA Centers, the university has established hundreds of strong research and education partnerships with key institutions on six continents. The centers' advising services, cross-cultural social events, and immigration processing have streamlined the arrival and cultural adjustment of nearly 7,000 talented international students and scholars. The centers have grown service-learning abroad and study abroad opportunities from just a couple of programs in the 1960s to over 160 semester and year-long courses. The centers also foster unique and strong relationships with the United Nations, one of only a handful of universities around the globe to do so.

Rutgers actively participates in flagship international programs. Since January 2012, the university has hosted 73 Brazilian students for year-long, non-degree educational programs under the Brazilian Scientific Mobility Program. Rutgers was also one of only 20 universities nationwide selected to host talented young African leaders for a 6-week civic leadership program under President Obama's Mandela Washington Fellowship for Young African Leaders.

Rutgers students and alumni received 26 Fulbright grants this year, a record number for the university. The Fulbright U.S. Student Program reported that this ties Rutgers for third place among research universities nationwide.

The university's worldwide reception is higher than ever before. In 2013, the Center for World University Rankings, CWUR, ranked Rutgers 33rd out of hundreds of international institutions.

I congratulate Rutgers University for winning the 2014 Senator Paul Simon Award for Comprehensive Internationalization, and I look forward to their continued success.●

MESSAGE FROM THE HOUSE

At 3:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 636. An act to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

H.R. 644. An act to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

The message also announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 6, 2015, the Speaker appoints the following Members on the part of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. TURNER of Ohio, Chair, Mr.

JOHNSON of Ohio, Mr. MILLER of Florida, Mr. MARINO of Pennsylvania, Mr. GUTHRIE of Kentucky, Mr. COOK of California, and Mr. KINZINGER of Illinois.

The message further announced that pursuant to 10 U.S.C. 9355(a), and the order of the House of January 6, 2015, the Speaker appoints the following Members on the part of the House of Representatives to the Board of Visitors to the United States Air Force Academy: Mr. LAMBORN of Colorado and Ms. MCSALLY of Arizona.

The message also announced that pursuant to 10 U.S.C. 4355(a), and the order of the House of January 6, 2015, the Speaker appoints the following Members on the part of the House of Representatives to the Board of Visitors to the United States Military Academy: Mr. POMPEO of Kansas and Mr. WOMACK of Arkansas.

The message further announced that pursuant to 10 U.S.C. 6968(a), and the order of the House of January 6, 2015, the Speaker appoints the following Members on the part of the House of Representatives to the Board of Visitors to the United States Naval Academy: Mr. YOUNG of Indiana and Mr. ROONEY of Florida.

The message also announced that pursuant to 14 U.S.C. 194, and the order of the House of January 6, 2015, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Visitors to the United States Coast Guard Academy: Mr. SMITH of Nebraska.

The message further announced that pursuant to 46 U.S.C. 51312(b), and the order of the House of January 6, 2015, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Visitors to the United States Merchant Marine Academy: Mr. KING of New York.

MEASURES DISCHARGED

The following joint resolution was discharged by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 8. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to representation case procedures.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 534. A bill to prohibit funds from being used to carry out certain Executive actions related to immigration and for other purposes.

S. 535. A bill to promote energy efficiency.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary:

Report to accompany S. 337, a bill to improve the Freedom of Information Act (Rept. No. 114-4).

By Mr. MCCAIN, from the Committee on Armed Services, with an amendment in the nature of a substitute:

S. 165. A bill to extend and enhance prohibitions and limitations with respect to the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REED:

S. 530. A bill to require the president of the Federal Reserve Bank of New York to be appointed by the President, by and with the advice and consent of the Senate; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FLAKE (for himself and Ms. AYOTTE):

S. 531. A bill to permit health insurance issuers to offer additional plan options to individuals; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself and Mr. SCHUMER):

S. 532. A bill to improve highway-rail grade crossing safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. CANTWELL (for herself, Mr. SULLIVAN, and Mr. SCHATZ):

S. 533. A bill to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS:

S. 534. A bill to prohibit funds from being used to carry out certain Executive actions related to immigration and for other purposes; read the first time.

By Mr. PORTMAN (for himself, Mrs. SHAHEEN, Ms. AYOTTE, Ms. COLLINS, Mr. MANCHIN, Mr. GARDNER, Mr. FRANKEN, and Mr. BENNET):

S. 535. A bill to promote energy efficiency; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself and Ms. COLLINS):

S. Res. 83. A resolution supporting the goals and ideals of the Secondary School Student Athletes' Bill of Rights; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself, Mr. COCHRAN, Mrs. GILLIBRAND, Mr. ISAKSON, Mr. DURBIN, Ms. MURKOWSKI, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. PAUL, Mr. MERKLEY, Mr. COONS, Mr. PORTMAN, Ms. STABENOW, Mr. MURPHY, Mr. WICKER, Ms. AYOTTE, Mr. BURR, and Mr. CARDIN):

S. Res. 84. A resolution celebrating Black History Month; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 85

At the request of Mr. KING, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 85, a bill to amend the Higher Education Act of 1965 to establish a simplified income-driven repayment plan, and for other purposes.

S. 122

At the request of Mr. MCCAIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 122, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 125

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 125, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2020, and for other purposes.

S. 166

At the request of Ms. KLOBUCHAR, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 166, a bill to stop exploitation through trafficking.

S. 183

At the request of Mr. BARRASSO, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 183, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 238

At the request of Mr. TOOMEY, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 238, a bill to amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons.

S. 257

At the request of Mr. MORAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 257, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 262

At the request of Mr. LEAHY, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Washington (Mrs. MURRAY), the Senator from Illinois (Mr. DURBIN), the Senator from New York (Mr. SCHUMER), the Senator from Ohio (Mr. BROWN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Mexico (Mr. UDALL), the Senator from Delaware (Mr. COONS), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New York (Mrs. GILLI-

BRAND) were added as cosponsors of S. 262, a bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 298

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 308

At the request of Mrs. BOXER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 308, a bill to reauthorize 21st century community learning centers, and for other purposes.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 332

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 332, a bill to amend title XVIII of the Social Security Act to make permanent the extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 356

At the request of Mr. LEE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 356, a bill to improve the provisions relating to the privacy of electronic communications.

S. 362

At the request of Mr. BLUNT, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 362, a bill to amend title 5, United States Code, to provide for investigative leave requirements with respect to Senior Executive Service employees, and for other purposes.

S. 368

At the request of Mr. TOOMEY, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 368, a bill to amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms

carried by certain employees of the Bureau of Prisons, and for other purposes.

S. 379

At the request of Mr. COONS, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 379, a bill to amend the Internal Revenue Code of 1986 to expand and modify the credit for employee health insurance expenses of small employers.

S. 380

At the request of Mr. TOOMEY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 380, a bill to amend the Internal Revenue Code of 1986 to provide an exemption from the tax on early distributions for certain Bureau of Prisons correctional officers who retire before age 55, and for other purposes.

S. 386

At the request of Mr. THUNE, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 412

At the request of Ms. MIKULSKI, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 412, a bill to amend the Elementary and Secondary Education Act of 1965 to encourage and support parent, family, and community involvement in schools, to provide needed integrated services and comprehensive supports to children for the ultimate goal of assisting students to stay in school, become successful learners, improve their academic achievement, and for other purposes.

S. 423

At the request of Mr. MORAN, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Florida (Mr. RUBIO), the Senator from Ohio (Mr. PORTMAN), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 423, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 435

At the request of Mr. CRUZ, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 435, a bill to amend chapter 1 of title 1, United States Code, with regard to the definition of "marriage" and "spouse" for Federal purposes and to ensure respect for State regulation of marriage.

S. 497

At the request of Mrs. MURRAY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 497, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 498

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr.

RUBIO) was added as a cosponsor of S. 498, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 527

At the request of Mr. SESSIONS, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Massachusetts (Mr. MARKEY), the Senator from Virginia (Mr. WARNER) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 527, a bill to award a Congressional Gold Medal to the Foot Soldiers who participated in Bloody Sunday, Turnaround Tuesday, or in the final Selma to Montgomery Voting Rights March in March of 1965, which served as a catalyst for the Voting Rights Act of 1965.

S. 529

At the request of Mr. GRASSLEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 529, a bill to improve the services available to runaway and homeless youth who are victims of trafficking, to improve the response to victims of child sex trafficking, to direct the Interagency Task Force to Monitor and Combat Trafficking to identify strategies to prevent children from becoming victims of trafficking and review trafficking prevention efforts, to protect and assist in the recovery of victims of trafficking, and for other purposes.

S. RES. 40

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Res. 40, a resolution expressing the sense of the Senate regarding efforts by the United States and others to prevent Iran from developing a nuclear weapon.

S. RES. 72

At the request of Mr. JOHNSON, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. Res. 72, a resolution expressing the sense of the Senate regarding the January 24, 2015, attacks carried out by Russian-backed rebels on the civilian population in Mariupol, Ukraine, and the provision of lethal and non-lethal military assistance to Ukraine.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED:

S. 530. A bill to require the president of the Federal Reserve Bank of New York to be appointed by the President, by and with the advice and consent of the Senate; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, I am reintroducing legislation that would require the head of the Federal Reserve Bank of New York to be appointed by the President and confirmed by the Senate.

In 2010, I worked to include a provision with similar language in the Senate version of the Wall Street Reform

and Consumer Protection Act, but it was ultimately not included in the final version of this law.

I noted then that, "if the Governors of the Federal Reserve System in Washington are required to be confirmed by the Senate, then the President of the Federal Reserve Bank of New York, who played a pivotal and perhaps more powerful role in obligating taxpayer dollars during the financial crisis, should also be subject to the same public confirmation process."

In short, the New York Fed is unlike any of the other 11 regional Federal Reserve Banks.

For instance, along with the seven Governors of the Federal Reserve System who each require Senate confirmation, the president of the New York Fed is a permanent member of the Federal Open Market Committee, FOMC, and also acts as the FOMC's Vice Chairman. This is a significant distinction because the FOMC establishes the Federal Reserve System's monetary policy, which in the wake of the financial crisis resulted in the Federal Reserve's balance sheet growing to almost five times what it was before the crisis in an attempt to reduce long-term interest rates.

Also, the New York Fed is solely responsible for implementing an aspect of monetary policy known as open market operations through which U.S. Treasury securities are purchased and sold on a secondary basis to influence the levels of bank reserves. This means that the New York Fed is in a position to pick and choose its counterparties in these secondary market transactions, giving considerable advantages to one market maker over another, which raises the potential for conflicts of interest.

In addition, the New York Fed is entrusted with protecting the U.S. dollar in foreign exchange markets.

According to the New York Fed itself, "though it serves a geographically small area compared with those of other Federal Reserve Banks, the New York Fed is the largest Reserve Bank in terms of assets and volume of activity." Indeed, the New York Fed in its regulatory role is not only in charge of supervising some of the largest banks in the country, but also some of the most active financial institutions.

While this is not a comprehensive list of the New York Fed's special and distinctive responsibilities, these examples demonstrate the powerful and pivotal role the New York Fed plays in implementing our Nation's monetary policy and enforcing our banking laws. As such, we should have every expectation that the New York Fed has the public interest in mind to the fullest extent when it conducts its duties.

Unfortunately, these expectations have not been met. Last year, the Office of Inspector General, OIG, of the Board of Governors of the Federal Reserve System described the New York

Fed's oversight efforts with respect to one large banking institution that eventually suffered billions of dollars in trading losses as a "missed opportunity." Additionally, a report aired in September of last year on the public radio program "This American Life" cast doubt on whether changes the New York Fed made after the financial collapse to address regulatory capture were sufficient to ensure it would be a more proactive banking regulator and could prevent a future financial disaster.

All of this is unsettling, and it is past time that we add meaningful layers of accountability so that we can be better assured of the New York Fed's ability to address potential financial pitfalls in advance.

By subjecting the president of the New York Fed to the confirmation process, an important check and balance will be added. The Senate will have an opportunity to evaluate whether a nominee has the experience, character, judgment, and skills to serve effectively as one of the most powerful banking regulators in the country, if not the world. Also, this legislation requires the New York Fed president to testify before the Senate Banking Committee and the House Financial Services Committee at least once a year, so that Congress no longer has to negotiate about whether the New York Fed president will appear before Congress for oversight hearings. Simply put, this legislation is about holding the New York Fed accountable. The New York Fed is just too powerful to be left unchecked.

I thank Americans for Financial Reform, Public Citizen, the AFL-CIO, and the Independent Community Bankers of America for their support, and I urge all my colleagues to join me in moving this legislation forward.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 83—SUPPORTING THE GOALS AND IDEALS OF THE SECONDARY SCHOOL STUDENT ATHLETES' BILL OF RIGHTS

Mr. MENENDEZ (for himself and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions.:

S. RES. 83

Whereas over 7,700,000 student athletes participated in secondary school athletics during the 2012 to 2013 academic year;

Whereas it is estimated that in 2012, secondary school student athletes participating in 9 of the most popular high school sports, including football, boys' and girls' soccer, girls' volleyball, boys' and girls' basketball, wrestling, baseball, and softball, suffered over 1,300,000 instances of injury;

Whereas every 3 minutes, a child is treated in an emergency department for a sports-related concussion, accounting for more than 8 percent of all sports-related emergency cases;

Whereas the number of sports-related concussion injuries has doubled in the last 15 years among student athletes aged 8 to 19, despite an overall decrease in the number of students participating in sports;

Whereas sudden cardiac arrest ("SCA") is the leading cause of death for youth participating in sports or exercising, with upwards of 80 percent of those suffering from SCA being asymptomatic prior to cardiac arrest;

Whereas instances of heat-related illness have more than doubled since 1997 and affect high school football players at an average rate that is 10 times higher than that of participants in other sports;

Whereas approximately 1,500 children aged 12 to 17 were treated in an emergency department for energy drink-related emergencies in 2011;

Whereas secondary school student athletes with access to certified athletic health care professionals have lower overall injury rates, lower recurrent injury rates, and lower concussion rates than student athletes without access to certified athletic health care professionals;

Whereas in light of the increase in athletic-related injuries to student athletes, schools are encouraged to develop and adopt best practices and standards to prevent and address student athlete injury;

Whereas the Secondary School Student Athletes' Bill of Rights sets forth that secondary school student athletes have the right—

(1) to be coached by individuals who are well-trained in sport-specific safety and to be monitored by athletic health care team members;

(2) to quality, regular pre-participation examinations and each athlete has the right to participate under a comprehensive concussion management plan;

(3) to participate in sporting activities on safe, clean playing surfaces, in both indoor and outdoor facilities;

(4) to utilize equipment and uniforms that are safe, fitted appropriately, and routinely maintained;

(5) to appropriate personnel trained in proper removal of equipment in case of injury;

(6) to participate safely in all environmental conditions where play follows approved guidelines and medical policies and procedures, with a hydration plan in place;

(7) to a safe playing environment with venue-specific emergency action plans that are coordinated by the athletic health care team and regularly rehearsed with local emergency personnel;

(8) to privacy of health information and proper referral for medical, psychosocial, and nutritional counseling;

(9) to participate in a culture that finds "playing through pain" unacceptable unless there has been a medical assessment;

(10) to immediate, on-site injury assessments with decisions made by qualified sports medicine professionals; and

(11) along with their parents, to the latest information about the benefits and potential risks of participation in competitive sports, including access to statistics on fatalities and catastrophic injuries to youth athletes; and

Whereas the Secondary School Student Athletes' Bill of Rights, which sets forth goals and ideals to improve the health, well-being, and athletic experience of secondary school students, can serve as a valuable resource to reduce injury, promote athlete safety, and encourage well-being: Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the principles and values set forth in the Secondary School Student Athletes' Bill of Rights;

(2) recognizes the importance of proper safety measures, timely medical assessments, and appropriate environmental conditions in ensuring the health and well-being of secondary school student athletes;

(3) recognizes the role that teachers, parents, coaches, and athletic health care team members play in ensuring the safety and well-being of secondary school student athletes;

(4) expresses support for secondary schools that have successfully implemented programs, policies, and practices to emphasize and encourage student athlete safety and well-being; and

(5) encourages secondary schools to continue to take all available and reasonable efforts to ensure student athlete safety.

SENATE RESOLUTION 84—CELEBRATING BLACK HISTORY MONTH

Mr. BOOKER (for himself, Mr. COCHRAN, Mrs. GILLIBRAND, Mr. ISAKSON, Mr. DURBIN, Ms. MURKOWSKI, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. PAUL, Mr. MERKLEY, Mr. COONS, Mr. PORTMAN, Ms. STABENOW, Mr. MURPHY, Mr. WICKER, Ms. AYOTTE, Mr. BURR, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 84

Whereas in 1776, people imagined the United States as a new country dedicated to the proposition stated in the Declaration of Independence that "all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness . . .";

Whereas the first Africans were brought involuntarily to the shores of America as early as the 17th century;

Whereas African Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of the basic and fundamental rights of citizenship;

Whereas in 2015, the vestiges of these injustices and inequalities remain evident in the society of the United States;

Whereas in the face of injustices, people of the United States of good will and of all races have distinguished themselves with a commitment to the noble ideals on which the United States was founded and have courageously fought for the rights and freedom of African Americans;

Whereas African Americans, such as Lieutenant Colonel Allen Allensworth, Constance Baker Motley, James Baldwin, James Beckwourth, Simeon Booker, Clara Brown, Ralph Bunche, Shirley Chisholm, Frederick Douglass, W. E. B. Du Bois, Ralph Ellison, Medgar Evers, Alex Haley, Dorothy Height, Lena Horne, Charles Hamilton Houston, Mahalia Jackson, Martin Luther King, Jr., the Tuskegee Airmen, Thurgood Marshall, Rosa Parks, Bill Pickett, Jackie Robinson, Aaron Shirley, Sojourner Truth, Harriet Tubman, Homer Plessy, the Greensboro Four, Maya Angelou, and Arthur Ashe Jr., along with many others, worked against racism to achieve success and to make significant contributions to the economic, educational, political, artistic, athletic, literary, scientific, and technological advancements of the United States, including the westward expansion;

Whereas the contributions of African Americans from all walks of life throughout the history of the United States reflect the greatness of the United States;

Whereas many African Americans lived, toiled, and died in obscurity, never achieving the recognition they deserved, and yet paved the way for future generations to succeed;

Whereas African Americans continue to serve the United States at the highest levels of government and military;

Whereas the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;

Whereas Black History Week represented the culmination of the efforts of Dr. Carter G. Woodson, the "Father of Black History", to enhance knowledge of Black history through the Journal of Negro History, published by the Association for the Study of African American Life and History, which was founded by Dr. Carter G. Woodson and Jesse E. Moorland;

Whereas Black History Month, celebrated during the month of February, dates back to 1926 when Dr. Carter G. Woodson set aside a special period in February to recognize the heritage and achievement of Black people of the United States;

Whereas Dr. Carter G. Woodson stated: "We have a wonderful history behind us. . . . If you are unable to demonstrate to the world that you have this record, the world will say to you, 'You are not worthy to enjoy the blessings of democracy or anything else.'";

Whereas since the founding of the United States, the country imperfectly progressed towards noble goals; and

Whereas the history of the United States is the story of people regularly affirming high ideals, striving to reach such ideals but often failing, and then struggling to come to terms with the disappointment of such failure, before committing to trying again: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges that all people of the United States are the recipients of the wealth of history provided by Black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to recognize the tremendous contributions of African Americans to the history of the United States;

(4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and understand the experiences that have shaped the United States; and

(5) agrees that, while the United States began as a divided nation, the United States must—

(A) honor the contribution of all pioneers in the United States who have helped to ensure the legacy of the great United States; and

(B) move forward with purpose, united tirelessly as "one Nation . . . indivisible, with liberty and justice for all."

MEASURE READ THE FIRST TIME—S. 534

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 senior assistant legislative clerk read as follows:

A bill (S. 534) to prohibit funds from being used to carry out certain Executive actions

related to immigration and for other purposes.

Mr. MCCONNELL. Mr. President, I now ask for a 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.

MEASURE READ THE FIRST TIME—S. 535

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 senior assistant legislative clerk read as follows:

A bill (S. 535) to promote energy efficiency.

Mr. MCCONNELL. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under 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 TUESDAY, FEBRUARY 24, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, February 24; 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; that following leader remarks, the Senate be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, and that the first hour be equally divided, with the Democrats controlling the first half and the Republicans controlling the final half. I further ask that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. 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 Senators MERKLEY and COONS for up to 10 minutes each.

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

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. COONS. Mr. President, I have come to the floor this evening to speak about the impending shutdown this week of the Federal Department of Homeland Security. At a time when the folks I hear from in Delaware, and I suspect what all of the Members in this Chamber are hearing, as we return from a week spent in our home States, are concerns about our national security.

Whether it is the heinous acts of ISIS abroad, or the real threats of the weather and recent weather-related events here at home, a central concern all of us should share in the Senate here tonight is about keeping our country and our constituents safe. Yet shutting down the whole Department of Homeland Security later this week would show a reckless disregard for our national security by the Republican leader and some of the hard-line conservatives who are, sadly, setting this agenda.

In my view, we do not need to be here. The Democrats and Republicans working together on the Appropriations Committee negotiated a strong bipartisan Homeland Security funding bill months ago. It is a bill that if it got a vote before the full Senate would absolutely pass. It makes wide, needed, broad investments in strengthening all sorts of different organs of our government at the Federal, State, and local level that strengthen our homeland security.

Instead, the other party has insisted on attaching political provisions to the bill that would overturn the President's Executive action on immigration. I know I do not need to remind the Presiding Officer or any of our colleagues that we have already debated and passed comprehensive immigration reform in this Chamber which, if taken up by the House, would have made the President's action completely unnecessary.

I think we all agree that congressional action is the preferred path toward fixing our broken immigration system. If that is what my colleagues on the other side of the aisle are really concerned about, then I am eager to discuss how we can fix our badly broken immigration system in a bipartisan manner by the preferred path of congressional action rather than Executive action.

But I think we should separate that debate over immigration and what is the right path toward a resolution of our broken system from a discussion about responsibly and sustainably funding our Department of Homeland Security. If we fail to fund Homeland

Security, it would have damaging consequences to our economy, to the security of our communities, and to our reputation around the world. At this time of heightened concern about our cohesion, about our unity, and about our security as a country, failing to fund the Federal Department of Homeland Security I think sends the worst possible message to our allies around the world about our capacity as a mature democracy of reaching responsible resolutions on difficult and divisive issues.

If the Department of Homeland Security shuts down this week, tens of thousands of its staff would be furloughed without pay. They include the FEMA disaster and preparedness staff, the very personnel who check the immigration status of new employees through E-Verify, critical security intelligence analysts, and the folks who run the domestic nuclear detection offices, just to name a few.

The list of these tens of thousands of Homeland Security employees and the vital functions they perform would take longer than the evening could take.

My own State of Delaware has the lowest mean elevation in the country. That means we are a really low-lying State. We are incredibly vulnerable to storms and to flooding, and we simply can't afford to have FEMA's staff suspended, furloughed, laid off.

Whether we shut down or just have a short-term funding bill, funding for Homeland Security grants can't go out. Some of the folks who watch this debate in the week ahead will have difficulty discerning between folks on my side who will advocate for a so-called clean bill and others who will advocate for a CR. This is where the difference really is: in the areas of grants for State and local emergency preparedness—the difference between actually moving forward the bipartisan bill that was worked through the Appropriations Committee in the last Congress and simply continuing by continuing resolution the previous year's authorization. That difference is \$1.5 billion for State and local emergency management all over this country.

In my community, which is part of the Greater Philadelphia area, we are about to welcome the Pope. Something like 2 million people are expected in the Greater Philadelphia area as we welcome His Holiness to Philadelphia for the first time in a long time.

I have heard from State and local law enforcement, first responders, emergency managers, and planners that they are counting on some of the grants from FEMA that are currently on hold, while they wait to discover the outcome of this week's debates, to prepare for that important, very large event. In my own home community, there are volunteer fire companies which even now are working on submitting grants. The SAFER Act and the fire grants act have become an important part of making sure that our local volunteer fire companies have the equipment they need, the training they need to keep our communities safe.

In Delaware the overwhelming majority of the crash response, the fire education, and the fire suppression are done by volunteer fire companies, which often have badly outdated equipment and insufficient funding. To sustain their training and their personnel, they need the grants that have been made available through FEMA and through the Department of Homeland Security over the last decade to upgrade and update their equipment, their materials, and their training. They have been vitally important. They have made a big difference in the fire service in my home State. There are grants to police departments that help ensure they have the tools, the training, and the equipment to be part of emergency preparedness and to keep our communities safe.

If we shut down the Department of Homeland Security, 130,000 other DHS workers will be compelled to remain at work but without pay. I think the idea that there are Americans who work to keep us safe at the border, at our airports, on our coasts and that we don't value them enough to ensure they will receive their pay for a hard day's work just goes against the grain of what we stand for as a country.

So are my colleagues really willing to send a message to everyone at Homeland Security that their work isn't important enough to our Nation to ensure that they can provide for their family? That is the message if the Department of Homeland Security shuts down. It hurts families, it hurts morale, it hurts our preparedness, and it hurts our safety.

I wish to say, as someone who is privileged to serve on the Foreign Relations Committee and regularly gets the chance to meet with and talk with leaders from around the world, it sends the message that our democracy isn't up to the task.

I know this isn't what my Republican friends want to do, and I urge us to come together and work in a way that will end this era of politics by crisis once and for all—no more shutdowns, no more manufactured crises, and no more demonstrating that we are better at stopping progress than at enacting progress.

Democrats are ready to work together with Republicans to pass a bipartisan, bicameral bill that we all know we can pass and that will fund the Department of Homeland Security and keep our country safe. I hope that after we—this afternoon—voted down for the fourth time a bill that seeks to repeal the President's actions on immigration, we can put aside that partisan issue and come together to find a bipartisan solution to fund the Department of Homeland Security.

We already know what that solution looks like. We just need to come together and give it a vote. In my view, this is too important to trivialize as part of the ongoing posturing and partisan games that for so long have dominated this Chamber.

I urge my colleagues to work with us. Fund Homeland Security and then let's

talk meaningfully in this Congress about how we can fix our broken immigration system together.

I know we are all eager to continue that conversation. First, we need to solve this challenge and make sure that our communities, our States, and our country are safe.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MERKLEY. Mr. President, I rise tonight to urge Congress to quit playing political games with our national security. It is time to have a clean Homeland Security funding bill on the floor of the Senate to be debated.

We are only days away from a potential shutdown of the Homeland Security Department, and it is very clear that the reason is that Members of the House on Capitol Hill have decided they want to make a clear statement about certain policy statements. They want to have a policy rider that says young children who came to this country and know no other country need to be prioritized for deportation. Why? Well, I think that is just wrong.

But if Members of this body want to put that into a bill and want to put that on the floor of the House and want to put it on the floor of the Senate, I am quite ready to have that debate.

Yet another policy rider says that the President must no longer prioritize the deportation of those with criminal backgrounds. Now, I happen to think we should prioritize deportation of any individuals who have conducted criminal acts. If some of my colleagues want to have that policy debate, I am fine with that. Put it in a bill, bring it to the floor of the Senate, and let us have that debate. A vote will then be very clearly on that specific policy and people can have some accountability. The American people will have some transparency about what is being voted on. But do not put these policy riders into the middle of the funding bill and work to shut down Homeland Security. That is no way to run a country.

We live in a dangerous world. We lack for many things, but one thing we don't lack is security threats. It was less than 2 years ago that terrorists attacked us at the Boston Marathon. It was just weeks ago that we saw a horrific series of terrorist attacks on our friends in Paris. ISIL is a fierce and growing threat determined to wreak havoc. It is exactly at a time such as this that we should be working together on a bipartisan basis to fund and strengthen Homeland Security, not playing political games with the Nation's security, but here we are.

Is it more important, I ask my colleagues, to have a debate about deporting DREAMers than it is to protect Americans against terrorist threats? If someone feels it is more important, not only do I feel they are wrong, but I invite them to have that debate. Put that into a separate policy bill and have the courage to put it on the floor of the Senate as a separate policy bill. Do not compromise our national security by trying to shut down Homeland Security.

This is a misguided strategy, and the resulting fallout isn't just to national security. There are FEMA grants to disaster-stricken areas that will be stopped, local fire departments will be hampered, and thousands of essential public servants from Homeland Security to FEMA, to our terrific men and women in the Coast Guard will be forced to work without pay.

Just last week I visited a Coast Guard installation in Newport, OR. It is an installation that has advanced rescue helicopters. They have five helicopters that work in rotation to make sure one is in the Newport area and a second ready to back it up if it has troubles.

This is a port that has so much sea traffic. It is a deepwater port. It has commercial fishing, it has sports fishing, it has tourists who play on the rocks of the beach and get trapped by the tide, and it has recreational swimmers who get swept out by riptides. There is every kind of possible ocean-front disaster one could look for and so that rescue helicopter is very important.

One of the young men I was speaking to is a rescue swimmer, an extraordinary individual who does some of the scariest, most courageous work in the world. These folks are not paid very much. They have bills to meet, similar to all the rest of us. Is this any way to run a country, to say you have to keep

coming to work, but we are not going to send you a paycheck? To say to the thousands and thousands of young Americans who are working for our country in national security, "you are so important that you have to come to work whether or not we pay you," is just wrong—wrong that we should be so disorganized, so partisan as to compromise our national security.

Our folks who work in national security will be asked to continue working. They work in dangerous conditions that many of us could hardly imagine. They make sure our safety is improved. At a minimum, can't we just have a debate on the funding bill without these political games? They do their work and they feel a sense of duty. Let's have a sense of duty in doing our work. Let's put the Homeland Security appropriations bill on this floor and let's do so without partisan political riders. That game does no honor to our Nation nor to this institution. The public's opinion of this Chamber has fallen due to exactly these types of games. So let's end them.

There is bipartisan support for ending these types of political theatrics. One of my colleagues from Arizona said, "To attempt to use a spending bill in order to poke a finger in the President's eye is not a good move in my view."

My colleague from Illinois, who serves across the aisle in this Chamber, said:

The American people are pretty alarmed, as they should be, about security . . . the way to go forward is just fund the DHS. We ought to strip the bill of extraneous issues and make it about homeland security.

That is a sentiment I think virtually every citizen feels at this moment. Let's make it about homeland security. Let's make it about us having the honor to do our duty. Our job on this floor is to consider this appropriations

bill and not to load it down with favorite policy riders and political theatrics.

Every day that goes by puts us closer to this shutdown. There is no logic in careening from crisis to crisis, but some crises come about due to uncontrollable factors. This one is entirely under our control. This one is entirely under the control of the leadership of the House and the leadership of the Senate.

Earlier this evening I was on a phone call with many folks back home who serve in police departments and fire departments, in rural departments, rural emergency departments, and they were relaying the different types of grants they get that are so important to their communities. Some of them are search and rescue, some of them are disaster preparation, some are grants to fund the fire departments, and some for funding personnel. Nobody on the phone could understand why this Chamber is afraid to have a simple budget debate and an appropriations debate, a spending debate. They see no reason to load it down with politics that can be debated in separate policy bills.

So I say to the leadership of this Chamber: Let's get our act together. Put policy into policy bills and let's put the spending bill before this body in a clean fashion and proceed to protect our Nation's security, as we are charged to do.

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:18 p.m., adjourned until Tuesday, February 24, 2015, at 10 a.m.