



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, FRIDAY, FEBRUARY 27, 2015

No. 34

## Senate

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

### PRAYER

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

Let us pray.

God, You are our refuge and strength, a very present help during challenging seasons. Thank You for the opportunity to serve You and country.

Use our lawmakers for Your glory. May they experience companionship with You throughout this day. Permit this fellowship with You to impart wisdom, courage, and inspiration. Make them so aware of Your presence that they will refuse to major in minors and minor in majors. Remind them that lawmakers can work miracles with cooperation but accomplish little with legislative brinksmanship. May they make the doing of Your will their highest priority.

We pray in Your sovereign 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.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. CAPITO). The majority leader is recognized.

### ORDER OF PROCEDURE

Mr. MCCONNELL. Madam President, I ask unanimous consent that following leader remarks, the time until 10 a.m. this morning be equally divided in the usual form.

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

Mr. MCCONNELL. Madam President, I ask unanimous consent that the mandatory quorum with respect to the cloture motion on the motion to proceed to S. 534 be waived.

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

Mr. MCCONNELL. Madam President, I ask unanimous consent that there be 2 minutes of debate equally divided before each vote.

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

### DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. MCCONNELL. Madam President, this morning the Senate will complete work on a bill to fund the Department of Homeland Security, and then we will turn to Senator COLLINS' bill—commonsense legislation that will protect our democracy from the egregious example of Executive overreach we saw in November. In my view, this deserves broad support. Remember, President Obama said more than 20 times that he couldn't take those kinds of actions. He even referred to overreach such as that as "ignoring the law." So Senator COLLINS' measure simply takes the President at his word and helps him follow the law instead of ignoring it.

The Collins' bill also provides Democrats who led their constituents to believe they would address Executive overreach with a chance to show they were at least a little bit serious when they said that. Democrats won't achieve that by filibustering Homeland Security, and Democrats won't achieve it by holding hypocritical press conferences just hours after voting to block funding for DHS. But they can help us pass a sensible bill from Senator COLLINS that will hold the executive branch to account. After so many weeks of senseless filibustering, that is the least these Democrats owe their constituents.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

### DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. REID. Madam President, we are about 14 hours away from a shutdown of the Department of Homeland Security. The Senate will do its part this morning and send the House a clean Homeland Security bill that fully funds the Department through the end of the year. It will stop a government shutdown. Then the House must act, and it must act responsibly. They must pass the Senate bill. We will not go to conference on some jerry-rigged situation they send back dealing with something they do not like about the President for whatever reason. We will not pass any rider-laden monstrosity they send back to us.

The Senate is proving that there is broad bipartisan support for a good, clean bill that will fund Homeland Security and keep that government agency running. It would pass this House—this legislation we are going to pass here in an hour or so—with broad bipartisan support if Speaker BOEHNER would simply allow a vote on it. If he allowed Democrats and Republicans to vote in the House, as has been done for centuries, it would pass overwhelmingly. The only point of his wanting a conference would be to take a clean bill that would pass both Houses and turn it into something that can't pass anything.

This bill we will pass today is not just the Senate's product, it is a bipartisan, bicameral piece of legislation. Last December the House and the Senate, in some very difficult negotiations, worked out an agreement where we would pass 13 funding bills as part of an omnibus spending bill. The House Republicans refused to pass the Homeland Security funding. We now have 12

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



Printed on recycled paper.

S1187

of the 13 we agreed to done. They now have reneged on the deal to do the 13th. This bicameral, bipartisan bill deserves a vote in the House. It would pass, I repeat.

The chairman of the House Foreign Affairs Committee said this:

There's a clear majority in the Senate and the House to pass this legislation.

You cannot govern by shutting down essential lifesaving departments of the Federal Government.

The junior Senator from Illinois said yesterday:

As a governing party, we've got to fund DHS and say to the House, "Here's a straw so you can suck it up." . . . this battle should be the end of the strategy of attaching whatever you're upset at the president [about] to a vital piece of government.

Yesterday Congressman PETER KING of New York put it more bluntly when he said:

We can't allow DHS not [to] be funded. People think we're crazy. There're terrorist attacks all over the world, and we're talking about closing down Homeland Security. This is like living in the world of the crazy people.

Congressman KING went on to say:

I've had it with this self-righteous, delusional wing of the party that leads us over the cliff. . . . It says a lot about the party. It means trouble. How many times can we go over the cliff and survive?

I agree with his sentiments. This isn't just about the Republican Party, this is about our country. How many times can House Republicans send our Nation hurtling toward a cliff?

I listen very closely to the prayer virtually every day. Among other things, the Senate Chaplain, Dr. Barry Black, said, in speaking to our Heavenly Father, "Remind them that lawmakers can work miracles with cooperation but accomplish little with legislative brinksmanship." That was in the prayer offered here this morning.

How many times can we narrowly avert catastrophe just so Republicans get a gold star from radical pundits? They need to do the right thing and pass the Senate's clean bill—pass it today and quickly.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

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

The legislative clerk read as follows:

A bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

Pending:

McConnell (for Cochran) amendment No. 255, in the nature of a substitute.

McConnell amendment No. 256 (to amendment No. 255), to change the enactment date.

McConnell amendment No. 257 (to the language proposed to be stricken by amendment No. 255), to change the enactment date.

McConnell amendment No. 258 (to amendment No. 257), of a perfecting nature.

McConnell motion to commit the bill to the Committee on Appropriations, with instructions, McConnell amendment No. 259, to change the enactment date.

McConnell amendment No. 260 (to the instructions) amendment No. 259), of a perfecting nature.

McConnell amendment No. 261 (to amendment No. 260), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until 10 a.m. will be equally divided in the usual form.

The Senator from Maryland.

Ms. MIKULSKI. Madam President, as the vice chair of the Committee on Appropriations, I rise to speak on the Homeland Security funding bill.

This morning the Senate moves to fulfill its responsibility—its national responsibility—to pass the Homeland Security bill which would fully fund the Department through the fiscal year 2015. This fulfills a constitutional oath we Senators took to protect and defend the Constitution and the people of the United States against all foes, foreign and domestic. The domestic is here today. The domestic is in homeland security. The domestic is in what we need to do to fulfill our responsibility. We take oaths to the Constitution. We say we want a constitutionally driven government. So do I. We need to get off of our press releases and pass this bill.

I am really proud of the fact that we on the Committee on Appropriations did our job, and we did it in December. The subcommittee chairs of Homeland Security did their due diligence and came up with an affordable framework for funding the Homeland Security bill. It met the bottom line, met the budget caps, but also met our compelling national security needs.

Congressman HAL ROGERS in the House, for whom I have nothing but great respect, and I came to a fiscal agreement, but we did not have the ability to move it forward because there were those who wanted to delay putting it in the omnibus because they were having a temper tantrum with the President of the United States over his Executive authority. Could he move his Executive authority on the topic of immigration? So there was a solution to delay the funding so that we could have cooler heads prevail: Oh golly, do it after the election. And once again we punted and delayed and parsed, punted and issued press releases. That is what we got out of the House and somewhat out of the Senate.

Where are we today? Thanks to the leadership of the two leaders, Senators MCCONNELL and REID, we have a path forward. I urge my colleagues to look at this path. The significant part of it is to pass a clean funding bill to make sure Homeland Security is funded the entire year so we can meet the needs of the national programs, such as the

Coast Guard, and make sure that grants go out to our first responders, who are truly our boots on the ground, such as volunteer fire departments that right now are out there in some parts of our communities getting sick people out with snowmobiles. Senator COLLINS of Maine and I have talked about her Maine and my Garrett County, where, when we have had a hurricane, these people go and get elderly people out on Zodiacs, sometimes wading through water and wondering if they are going to step on power lines.

We have to get real here. There are those who want to increase defense funding so we can protect America against ISIL. We protect America from ISIL right here in this bill. You want to protect America, vote for the clean funding bill. You want to protect America's border, fight for the funding bill. You want to make sure we don't have illegal aliens in this country, make sure you are funding the Border Patrol—23,000 people all in uniform out there on the border manning the best technology we can afford. So whatever we say we want to do, this is the way to do it. This is the way to do it.

We understand the Senate would also like to debate immigration. We respect that viewpoint. We also respect that the matter that is of concern about the President's Executive authority is going through the courts. Don't punish the Border Patrol agent, don't punish the person working in the Coast Guard out on an ice cutter, don't punish the volunteer firefighter because you are angry at Obama. I say to my folks on my side of the aisle, make sure we vote to pass a clean funding bill here today. And I say also to the other side of the aisle to do it.

I really appreciate the fact that Senator REID and Senator MCCONNELL have arrived at this parliamentary Senate vote to get us where we need to be going. But I say to my friends in the House, to delay this 3 more weeks is reckless and it is dangerous. What are we going to know? We are waiting for the courts to decide? Who knows when the courts will decide. What we do know is not what the courts will decide, but we know we have a legal process. A judge has made a decision. It will go through the court of appeals, maybe even to the Supreme Court. Let the court follow its process. But in the meantime, while the courts are doing their job, can we at least get around to doing our job so that the men and women who provide for us and fight every day, whether it is the local volunteer fire department or our Secret Service, our Coast Guard, or those working in cyber security—and the Director of National Intelligence, Director Clapper, says cyber security is a bigger threat than ISIL—can do theirs?

So let's get on with it, and let's fulfill our constitutional responsibility when we said we take the oath to protect America against all enemies, foreign and domestic.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I rise in strong opposition to stripping off all of the House language from the Homeland Security funding bill and proceeding with a “clean bill.”

I do so because I took a constitutional oath, and I take that oath very seriously. The language which we are debating in the Homeland Security funding bill from the House goes directly to that oath and goes directly to that responsibility. It does so for two reasons.

First of all, this Executive amnesty, which has about 5 million illegal aliens getting blanket significant amnesty because of the President's Executive action, is a big deal. It is a big deal in terms of policy. It is a big deal regarding his overreaching his legal and constitutional authority.

First, policy. It is a fundamental rule of economics—it is a fundamental rule of life—that when you reward behavior, you get more of it. When you penalize certain behavior, you get less of it.

A blanket overarching amnesty which gives about 5 million illegal aliens in the country here amnesty is rewarding behavior. It is rewarding behavior we say we want to curtail, we say we want to stop, but we are rewarding it, and we are going to get more of it. That is not just me saying that theoretically. We have lived that over and over again.

The President a few years ago took a similar but smaller Executive action commonly referred to as DACA. That focused on younger illegal aliens. Guess what. Soon after that action, a wave of new young illegal minors, unaccompanied minors, started coming into this country in numbers like we had never seen before.

Does anyone think that was unrelated? Does anyone think that timing was just coincidence? Of course it wasn't. The President rewarded illegal crossings and—surprise, surprise—he got a whole lot more of them in exactly the class—younger, illegal, unaccompanied minors—that he had acted on through DACA.

So this is going to happen again on a much larger scale. We are going to grow the problem through this policy, not get control of it.

The second concern I have is even far more fundamental, because it goes to his constitutional power and authority, and the fact that he is going well beyond that constitutional power and authority, I think, clearly.

Presidents have significant authority. They are the Executive. They need to execute the law. In executing the law, they often have to fill in the blanks, fill in the details that Congress has not fully provided. But that is very different from acting contrary to the law—180 degrees contrary to statutory law—and that is what the President is doing in this instance. No President has that authority. If they want to do that, they need to change the law. As

every schoolkid knows, that goes through Congress, and then the President obviously has a role in terms of a veto. But the President doesn't want to do that. He can't do that. Congress disagrees with him. So he is just changing the law with the stroke of a pen. That is what is clearly illegal and unconstitutional, because he is acting contrary to statutory law.

Some of his apologists—including Loretta Lynch, for example—say: Well, every President can set prosecution priorities. We are simply setting priorities. We are simply saying this class of folks is not a priority for legal action, deportation prosecution.

I asked Ms. Lynch directly after she said that: Isn't it true the President is going beyond that? Isn't it true he is giving this entire class of illegal aliens a new legal status? She had no substantive response.

I said: Isn't it true the President is going beyond that? He is creating a new document out of thin air, with “work permit” at the top, and handing it to these illegal aliens and suggesting they now have a right to work legally in this country, even though statutory law makes it crystal clear they do not. She had no substantive answer to that.

I urge my colleagues not to strip out this important House language. The President's action is bad policy that will grow the illegal immigration problem, and it is acting clearly beyond his legal constitutional authority.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, this morning we have the opportunity to accomplish two important goals.

First, we can pass legislation which will fully fund the Department of Homeland Security so it can perform its vital mission.

Second, we have the opportunity to stand up for our constitutional system of separation of powers.

I support and voted for comprehensive immigration reform. But the President's overreach usurps the role of Congress and undermines our constitutional system of checks and balances.

The failure of Congress to pass a law to the President's liking cannot become an excuse for the President to usurp the powers of the legislative branch.

The President knows he lacks the authority to write the law. He has said so 22 times, on 22 different occasions.

Allow me to describe my bill very briefly. Specifically, it does four things.

First, it bars the administration from using funds to implement the immigration orders issued by the President in November of last year.

Second, it has absolutely no effect on the much more constrained and limited Executive orders the President issued in 2012, the so-called DACA Program that protects the DREAMers, to whom I am very sympathetic.

Third, it directs the Department to give the highest enforcement priority to the deportation of foreign nationals in our country illegally who have been convicted of domestic violence, child abuse, exploitation, or a sex crime. Why would we want to keep in this country someone who is deportable who is a sex offender, who has been convicted of child molestation or domestic violence? It makes no sense.

Ironically, just this week the Senate Judiciary Committee held an excellent hearing on sex trafficking. We heard heartbreaking stories of very young girls who had been abused by men. If there are foreign nationals in this country who have been convicted of these crimes, they should be deported.

And, fourth, it includes a sense-of-the-Senate resolution that the executive branch should not act to give foreign nationals who are here illegally an edge in competing for jobs against American citizens or legal residents with green cards.

The Founders gave us a system of separation of powers and checks and balances not to tear us apart but to pull us together. They gave us no shortcuts on purpose.

The President's November 2014 Executive actions are ill-advised precisely because they attempt to shortcut the process by usurping Congress's authority to pass legislation.

My legislation would block that effort without in any way altering or diminishing the more constrained and important 2012 DACA Program.

I want to see the Department of Homeland Security fully funded. It has an absolutely vital mission at a time when our country faces numerous threats.

I urge my colleagues this morning both to vote for the clean DHS bill and for my legislation to stand up for the role of Congress in our constitutional system.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Madam President, how much time is remaining on the Democratic side?

The PRESIDING OFFICER. There is 4 minutes remaining on the Democratic side.

Mr. DURBIN. Madam President, let me say at the outset Senator COLLINS is my friend and colleague, and we have worked on many things together. I respect her especially because the Department of Homeland Security was literally her creation, along with Senator Lieberman and others.

The fact that we have now agreed on a bipartisan basis to set aside this immigration debate and to fully fund this critical Department is the right thing to do. A 98-to-2 vote is unusual on the Senate floor. It reflects the fact that we finally reached that consensus on funding the Department of Homeland Security. I hope our vote later today also reflects that. But I do take exception to some of the statements she has made about her own measure which she is offering.

First I would like to invite her—and I am sure she has been there a thousand times—to walk down this corridor and look up the staircase to the painting, a painting that shows Abraham Lincoln with his Cabinet. It is the moment when he signed an Executive order. President Lincoln signed an Executive order, and with that Executive order 152 years ago, the Emancipation Proclamation freed 3 million slaves in the United States of America.

Barack Obama is not the first President to issue an Executive order nor is he the first President to issue one which affects millions of people. Which President held the record for an Executive order giving rights to 1.5 million immigrants in this country before Barack Obama? George Herbert Walker Bush. In fact, virtually every President since Eisenhower has issued an Executive order relative to immigration. Now we didn't see Republican hair on fire when it was being done by President George W. Bush or George Herbert Walker Bush. It is only when Barack Obama does it that they scream and rage it is unconstitutional. Yet let's look at the argument they are making.

Senator COLLINS is making the argument that the Executive order signed by President Obama, known as DACA, that affected children who might qualify under the DREAM Act and could protect up to 2 million young people in America, was legal. I agree. She says her bill that she is offering today reflects that.

Then she says that 2 years later, when the President issued an Executive order that could protect on a temporary basis up to 5 million, that was clearly unconstitutional. What is the difference? Well, it is a difference the courts will have to try to resolve. I think we ought to think twice before we try to defund or repeal the President's Executive orders of November 2014.

President Obama makes it clear that if you are the parent of an American citizen child or a legal resident alien child, you have to come forward, pay a filing fee, submit your name for a criminal background check, and if you have a bad criminal record, you are gone. If your record clears and you have no criminal history to be concerned about, then you can work in the United States on a temporary basis for 2 years. That is it. It doesn't give you permanent citizenship or legal status beyond that.

Isn't it better that our country be safe enough to know that these millions of people are no threat to us, where they live, who they work for? I think that makes sense.

It is a shame Congress hasn't done it. We can still do it, and I hope we will. But the Collins approach, sadly, is going to deny that, and it is going to say, frankly, that the priorities currently set for deportation of dangerous people will be swept away but for the specified crimes which she includes in her bill.

I will state that the President's Executive order already covers every one of those offenses—every one of those felonies. So Ms. COLLINS is not adding anything to the debate. I know that the Senator offered this in good faith, and I believe she can be an important part in finding a bipartisan solution to the immigration question. But I urge my colleagues to reject the Collins bill that comes before us today. It was a bill crafted in the House of Representatives in anger over the President's Executive order. It does not protect DACA and the DREAMers, and that is why the immigration groups to a person have come out against the Collins amendment.

I hope my colleagues will join me in voting against the measure.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Madam President, I ask unanimous consent that all votes after the first vote be 10 minutes in length.

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

#### 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 senior assistant legislative clerk 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 H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015.

Mitch McConnell, Orrin G. Hatch, Susan M. Collins, Lindsey Graham, Daniel Coats, Thad Cochran, Roger F. Wicker, John Barrasso, Jeff Flake, John McCain, Mark Kirk, Kelly Ayotte, Lamar Alexander, Lisa Murkowski, Bob Corker, John Cornyn.

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 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, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 31, as follows:

[Rollcall Vote No. 59 Leg.]

#### YEAS—68

Alexander	Baldwin	Bennet
Ayotte	Barrasso	Blumenthal

Booker	Graham	Murphy
Brown	Hatch	Murray
Cantwell	Heinrich	Nelson
Capito	Heitkamp	Peters
Cardin	Heller	Reed
Carper	Hirono	Reid
Casey	Johnson	Rounds
Coats	Kaine	Sanders
Cochran	King	Schatz
Collins	Kirk	Schumer
Coons	Klobuchar	Shaheen
Corker	Leahy	Stabenow
Cornyn	Manchin	Tester
Donnelly	Markey	Thune
Durbin	McCain	Toomey
Enzi	McCaskill	Udall
Feinstein	McConnell	Warner
Flake	Menendez	Warren
Franken	Merkley	Whitehouse
Gardner	Mikulski	Wyden
Gillibrand	Murkowski	

#### NAYS—31

Blunt	Hoeven	Rubio
Boozman	Inhofe	Sasse
Burr	Isakson	Scott
Cassidy	Lankford	Sessions
Cotton	Lee	Shelby
Crapo	Moran	Sullivan
Cruz	Paul	Tillis
Daines	Perdue	Vitter
Ernst	Portman	Wicker
Fischer	Risch	
Grassley	Roberts	

#### NOT VOTING—1

Boxer

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 31.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to commit falls as inconsistent with cloture.

Under the previous order, all postcloture time is yielded back with the exception of 10 minutes for the Senator from Utah, Mr. LEE, or his designee.

The Senator from Utah.

Mr. LEE. Madam President, in November 2014, the President of the United States issued a series of Executive orders effectively granting amnesty to millions of people who were in the United States unlawfully, outside of what our laws allow—laws passed by Congress and signed into law by the President of the United States.

In other words, under article I, section 8, we, as a Congress, are given power to establish a uniform system of laws governing immigration and naturalization. If our laws allow someone to come in, they may come in, but if they do not, then those people need to make sure they go about getting into the country legally and lawfully.

If and when the President of the United States, or anyone else for that matter, thinks these laws are inadequate, there is a way to change them. The way to change them is to go back to the Congress of the United States, go back to the lawmaking body, go back to that entity recognized in article I, section 1 of the Constitution, to the very first substantive line which says, "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives."

Unfortunately, the President of the United States chose not to change the

law that way. Unfortunately, the President of the United States, contradicting his own prior statements, chose to take Executive action to legalize millions of people currently in the United States illegally.

Ultimately, this is an issue that ought to be of concern to every one of us. It is an issue that is neither Republican nor Democratic. It is neither liberal nor conservative. It is simply an American issue. It is simply an issue that flows from the rule of law, flows from the notion that ours is a system that runs under the rule of law and not under the rule of individuals.

There is a means by which we as a Congress can resist the encroachments of an overreaching Chief Executive. It is the same means identified by James Madison in the Federalist papers, and that means involves the use of the power of the purse.

Congress, of course, funds the operations of the Federal Government. The President of the United States cannot do that all on his own. So should we choose to do so, as Congress has chosen to do on so many other occasions—when we see something within the government, whether implemented legally at the outset or not, when we see something we don't like, we can choose not to fund that.

We have, over the last few weeks, tried to do precisely that in response to this Executive action. One month ago the House of Representatives passed a bill to keep the Department of Homeland Security funded, with the understanding that at midnight tonight that funding stream would expire. At the time the House of Representatives passed that legislation, the House of Representatives—a body most accountable to the people at the most frequent intervals—made a decision. They said, We are going to keep everything else within the Department of Homeland Security funded, and the House of Representatives said, We will, however, direct the Department of Homeland Security not to spend any money implementing certain Executive orders issued by the President, in November 2014 and previously, dealing with Executive amnesty.

The Senate has been trying to proceed to that bill for nearly 4 weeks. Unfortunately, my colleagues on the other side of the aisle have refused to allow us to proceed to that bill. They have blocked our attempts. They have engaged in obstruction and they have not allowed us to proceed to it. Why? Because they didn't like that appropriations rider. They didn't like that spending restriction. Apparently, they do not think we should be exercising that power described by James Madison and foreseen by our Founding Fathers as that last great protection against an overreaching Executive. So they refused to allow us to get onto the bill.

As we are on the verge of getting on the bill—as we are just getting onto the bill—all of a sudden, they say, OK,

we are OK with doing this as long as we are the only ones who get to offer amendments, as long as we get our amendment—the amendment that strips out all of the spending limitation language in the House-passed bill. We are OK with it as long as we, the Democrats, get our amendment, but no Republican gets his or her amendment. That isn't fair.

I wish to make clear that those of us who are supporting this have not objected to the running of the time. Those of us who are supporting this have not objected to anyone else getting amendments. Those of us who are supporting this simply want a vote. We want a vote on a product that is even narrower than what was sent over from the House of Representatives.

In a moment I will be calling up my amendment No. 265 and I will be asking this body to consider it and vote on it. What it says is that we will not allow the Department of Homeland Security to spend any money on implementing the November 2014 Executive amnesty Executive order. That is what we are trying to do. In the event it is objected to, then I will be moving to table the procedural mechanism by which other amendments are being blocked.

I implore all of my colleagues to remember themselves as operating within the constitutional framework, in which, far more than our status as Democrat or Republican, as liberal or conservative, we are here to defend our own power, our own authority that we have been given by our own people.

I urge all of my colleagues to support this amendment.

I ask unanimous consent to call up my amendment No. 265.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

#### VOTE ON AMENDMENT NO. 258

Mr. LEE. Madam President, I move to table the McConnell amendment No. 258 for the purposes of offering my amendment No. 265, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 34, nays 65, as follows:

#### [Rollcall Vote No. 60 Leg.]

##### YEAS—34

Blunt	Crapo	Hatch
Boozman	Cruz	Hoeven
Burr	Daines	Inhofe
Capito	Ernst	Isakson
Cassidy	Fischer	Lankford
Cotton	Grassley	Lee

Moran  
Paul  
Perdue  
Portman  
Risch  
Roberts

Rubio  
Sasse  
Scott  
Sessions  
Shelby  
Sullivan

Thune  
Toomey  
Vitter  
Wicker

#### NAYS—65

Alexander  
Ayotte  
Baldwin  
Barrasso  
Bennet  
Blumenthal  
Booker  
Brown  
Cantwell  
Cardin  
Carper  
Casey  
Coats  
Cochran  
Collins  
Coons  
Corker  
Cornyn  
Donnelly  
Durbín  
Enzi  
Feinstein

Flake  
Franken  
Gardner  
Gillibrand  
Graham  
Heinrich  
Heitkamp  
Heller  
Hirono  
Johnson  
Kaine  
King  
Kirk  
Klobuchar  
Leahy  
Manchin  
Markey  
McCain  
McCaskill  
McConnell  
Menendez  
Merkley

Mikulski  
Murkowski  
Murphy  
Murray  
Nelson  
Peters  
Reed  
Reid  
Rounds  
Sanders  
Schatz  
Schumer  
Shaheen  
Stabenow  
Tester  
Tillis  
Udall  
Warner  
Warren  
Whitehouse  
Wyden

#### NOT VOTING—1

Boxer

The motion was rejected.

#### AMENDMENT NOS. 258, 257, AND 256 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, amendment Nos. 258, 257, and 256 are withdrawn.

#### AMENDMENT NO. 255

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 255, offered by the Senator from Kentucky, Mr. McCONNELL.

Who yields time?

Ms. COLLINS. We yield back our time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The question is on agreeing to the amendment.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 33, as follows:

#### [Rollcall Vote No. 61 Leg.]

##### YEAS—66

Alexander  
Ayotte  
Baldwin  
Barrasso  
Bennet  
Blumenthal  
Booker  
Brown  
Cantwell  
Cardin  
Carper  
Casey  
Coats  
Cochran  
Collins  
Coons  
Corker  
Cornyn

Donnelly  
Durbín  
Enzi  
Feinstein  
Flake  
Franken  
Gardner  
Gillibrand  
Graham  
Hatch  
Heinrich  
Heitkamp  
Heller  
Hirono  
Johnson  
Kaine  
King  
Kirk

Klobuchar  
Leahy  
Manchin  
Markey  
McCain  
McCaskill  
McConnell  
Menendez  
Merkley  
Mikulski  
Murkowski  
Murphy  
Murray  
Nelson  
Peters  
Reed  
Reid  
Rounds

Sanders	Stabenow	Warner
Schatz	Tester	Warren
Schumer	Thune	Whitehouse
Shaheen	Udall	Wyden

## NAYS—33

Blunt	Grassley	Roberts
Boozman	Hoeven	Rubio
Burr	Inhofe	Sasse
Capito	Isakson	Scott
Cassidy	Lankford	Sessions
Cotton	Lee	Shelby
Crapo	Moran	Sullivan
Cruz	Paul	Tillis
Daines	Perdue	Toomey
Ernst	Portman	Vitter
Fischer	Risch	Wicker

## NOT VOTING—1

Boxer

The amendment (No. 255) was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote on passage of H.R. 240, as amended.

The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, the Senate is about to vote on a full-year funding bill for the Department of Homeland Security. All of us in this Chamber understand that we need to support the Department because they are critical to defending the homeland. If we want to fight ISIL, then we can fight them here at home by passing the bill to fully fund DHS.

We can keep Homeland Security on the job. We can keep breaking the ice to keep the economy moving on our lakes and our oceans. We can secure our borders. We can prevent attacks from terrorists. Our enemies are watching. Now it is time to defend America. I urge all of my colleagues to vote yes on this full funding bill.

Mr. MCCONNELL. I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The PRESIDING OFFICER. Under the previous order, the bill having been read the third time, the question is, Shall the bill pass?

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 62 Leg.]

## YEAS—68

Alexander	Booker	Casey
Ayotte	Brown	Coats
Baldwin	Cantwell	Cochran
Barrasso	Capito	Collins
Bennet	Cardin	Coons
Blumenthal	Carper	Corker

Cornyn	King
Donnelly	Kirk
Durbin	Klobuchar
Enzi	Leahy
Feinstein	Manchin
Flake	Markey
Franken	McCain
Gardner	McCaskill
Gillibrand	McConnell
Graham	Menendez
Hatch	Merkley
Heinrich	Mikulski
Heitkamp	Murkowski
Heller	Murphy
Hirono	Murray
Johnson	Nelson
Kaine	Peters

## NAYS—31

Blunt	Hoeven	Rubio
Boozman	Inhofe	Sasse
Burr	Isakson	Scott
Cassidy	Lankford	Sessions
Cotton	Lee	Shelby
Crapo	Moran	Sullivan
Cruz	Paul	Tillis
Daines	Perdue	Vitter
Ernst	Portman	Wicker
Fischer	Risch	
Grassley	Roberts	

## NOT VOTING—1

Boxer

The bill (H.R. 240), as amended, was passed.

## CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the motion to invoke cloture on the motion to proceed to S. 534.

The Senator from Maine.

Ms. COLLINS. Madam President, my bill would block the extraordinarily broad immigration actions issued by the President in November of last year. The President himself knows he lacks the authority to take such actions—he has said so publicly on 22 occasions.

I support comprehensive immigration reform. But the President's 2014 Executive order overreach usurps the role of Congress, and undermines our system of checks and balances. We must stand tall for the separation of powers doctrine in our Constitution.

We can do so while protecting the much more limited June 2012 Executive order that created the so-called DACA program that benefits DREAMers. Under my bill, the DACA program will continue just as it was designed by the President in 2012.

Madam President, I yield back all time on this side.

The PRESIDING OFFICER. All majority time is yielded back.

All time is yielded back.

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

The legislative clerk 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 S. 534, a bill to prohibit funds from being used to carry out certain Executive actions related to immigration and for other purposes.

Mitch McConnell, Susan M. Collins, John Thune, Cory Gardner, Lamar Alex-

ander, Daniel Coats, James Lankford, John Barrasso, John McCain, Bill Cassidy, Roger F. Wicker, John Hoeven, Lisa Murkowski, Jeff Flake, Shelley Moore Capito, Ron Johnson, Richard Burr.

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 S. 534, a bill to prohibit funds from being used to carry out certain Executive actions related to immigration 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 42, as follows:

[Rollcall Vote No. 63 Leg.]

## YEAS—57

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

## NAYS—42

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

## NOT VOTING—1

Boxer

The PRESIDING OFFICER. On this vote, the yeas are 57, the nays are 42.

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

The majority leader.

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

The PRESIDING OFFICER. The motion is entered.

## MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to

speak therein 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. ISAKSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### TRADE PROMOTION AUTHORITY

Mr. ISAKSON. Madam President, I rise for a minute to talk about trade between the United States and our trading partners around the world.

To make the point of my remarks, I ask rhetorically for everybody in the auditorium and the Senate Chamber to answer these questions:

Are you willing to cut American sales of goods and services by over \$2 trillion?

I think the answer would be a resounding no.

Secondly, are you ready to diminish or lose 39.8 million jobs?

Nobody in here wants to give up \$2.3 trillion in American business, and everybody wants more jobs in the middle class, and nobody wants to cost America 39 million jobs. But that is exactly what is going to happen if we don't pass TPA, if we don't enter into trade agreements and aggressively work to make the three pending trade agreements the United States has workable for our country.

Yesterday I listened as Members of this body came to the floor to talk against trade and talk against the trade promotion authority. For the benefit of our new Members, trade promotion authority is our authorization to give the President the parameters, the limitations, and the prerogative to negotiate trade agreements, which come back to us for a final ratification up or down. That is a good way to do business. The world recognizes that if our President has trade promotion authority, he can sit down across the table from them and he can make a deal, and it is only subject to one vote of the U.S. Senate. If we leave it as it is now, where there is no trade promotion authority, then we can vote on every amendment, every prerogative, every limitation, every opportunity, and make negotiations for the administration and our country impossible.

We have three pending agreements before the United States of America: first, the trade promotion authority for the President; second, the African Growth and Opportunity Act, which expires in September of this year; next is the trade and investment partnership with Europe; and lastly is the transpacific trade agreement with the Pacific Rim. All three of those agreements are important for us to nego-

tiate and close the deal on. Yet, without passing TPA, we can do none.

Ambassador Froman and the administration are doing an outstanding job of representing the United States. I have traveled with him to the African Union in Africa to work on the goal. I was with him yesterday afternoon. I talked with him about some of the obstacles we have in terms of the Trans-Pacific Partnership, and I have talked to him about the transatlantic trade and promotion act—all of which we need to pass and all of which he needs to be able to negotiate. But without TPA, the United States of America is sitting at the table but they can't make a deal, and the President doesn't have the authority that he needs and that he says he wants.

Most of the opposition I have heard on the floor of the Senate comes from the people in the President's own party. In the last two State of the Union Addresses, the President of the United States has underlined the importance of TPA. He said it again this year. But yesterday seven Members of his party came to the floor to talk against trade promotion authority.

It is time for us to sit around the table and talk about \$2.3 trillion in business for our country and 39.8 million jobs in our country. Let's talk about how we can increase those jobs. In my State of Georgia, 1.2 million jobs are directly export-related. The Congress of the United States appropriated \$706 million over the next 6 years for the deepening and expansion of the Savannah Harbor in Savannah, GA. The Panama Canal is being widened and next year will open to the ships of the 21st century. Are they going to go somewhere else if we don't do trade promotion authority? Probably so. We all saw what happened last week when the west coast shut down because of the longshoremen's strike and what an impact it had on our economy. That is the kind of impact we are going to have if we don't do trade promotion authority for the President.

It is ironic that almost unanimously the Republican Members of the Senate are for trade promotion authority, and it appears, after yesterday's speeches, that a significant majority of the Democratic Party is against it. Yet their President is for it.

All of us are for jobs. All of us are for business. All of us are for economic activity. It is time we put our differences aside and delineate for the President of the United States the negotiating parameters, the negotiating authority, and the ability we grant to him to make deals in the Trans-Pacific Partnership and the Transatlantic Trade and Investment Partnership and the African Growth and Opportunity Act. All three will mean jobs not just for my State of Georgia but for our country. All three will be good for our national defense and our security. People don't tend to fight with or bomb people with whom they do business. The more trade agreements we have, the more

business we share, the more exchanges of our currency and economic prosperity, the better off our country is, the better off our security is, and the better off are jobs for those in the middle class.

I thank the Presiding Officer for the opportunity to speak from the floor, and I encourage all my Members in the Senate, Republican and Democrat alike, to dedicate themselves when we come back to expeditiously bringing up trade promotion authority, delineating our differences, negotiating those differences, and giving our President the opportunity to create more jobs for America, more jobs for Georgia, more jobs for West Virginia, and more jobs for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

#### REMEMBERING FATHER THEODORE HESBURGH

Mr. DONNELLY. Madam President, back in 1973 a young man caught a lucky break that changed his life. That young man was I, and it was my acceptance letter to the University of Notre Dame that opened up the gates of opportunity for me.

Last night, the beloved president emeritus of Notre Dame, Father Theodore Hesburgh, passed away at the age of 97. On his last day, Father Ted said Mass in the morning and passed away 12 hours later. He counseled Presidents and Popes, but he was first and foremost a priest—one who ministered to the homeless, the poor, and those in need—and that is when he was also the happiest.

We were so lucky to have him touch our lives, and those of us in Indiana were fortunate enough to experience him as our friend and neighbor. Nobody who ever walked the streets of South Bend could forget Father Ted driving around in his little Ford Mustang, giving a wave to everybody he saw.

Our country and the world is a better place because of Father Ted. He loved his God, his country, and Notre Dame, and he ministered to anyone who asked him for help.

Father Hesburgh grew up near Syracuse, NY, and was ordained and became a priest in 1943. He promptly asked that his first assignment as a priest be as the chaplain of a naval aircraft carrier. The leaders of the Holy Cross religious order were not surprised, as they knew of Father Ted's great patriotism, his love of the U.S. Navy, and his devotion to our servicemembers. However, they asked him to stay at Notre Dame and minister to the families and servicemembers who were training at the time at Vetville at Notre Dame. As always, Father Ted smiled, took the assignment, and worked nonstop. That began a journey that included the Presidential Medal of Freedom, the Congressional Gold Medal, 16 Presidential appointments, and 150 honorary degrees. But more important to Father



Ted than all of these awards were the millions of souls he nourished, said Mass with, prayed for, and guided to a wonderful life.

When we look at Father Ted's amazing accomplishments at Notre Dame, we can't help but see what a stronger academic institution and better and more inclusive place it has become and that he left behind. Father Ted broke down the barriers and admitted women to Notre Dame back in the early 1970s, which changed the place forever and made Notre Dame a home for everyone. My wife and daughter, both of whom graduated from the university, were direct beneficiaries of his wisdom and his vision.

Father Hesburgh stood up to Presidents whenever necessary, stood together with Martin Luther King for civil rights, and ministered to those in poverty and need every chance he could.

Father Ted never gave a second thought about preaching truth to power; it helped to define who he was. We marked 50 years last July since he linked arms with Martin Luther King, Jr., in Soldier Field, Chicago, and sang "We Shall Overcome" when others turned down the invitation to be there. Father Ted believed in doing what was right, not what was easy. Next week I will travel to Selma for the 50th anniversary of the start of the marches there, and I will take Father Ted's example with me on that journey.

He expected doing what is right and not what is easy or popular from his students as well. He had a big heart, and he wanted his students to do their best, but a lack of effort was never an acceptable way of doing business with Father Ted. As a student, I remember seeing his light on in his little dorm room with his iron cot at midnight or 2 a.m. Every student there knew that meant Father Ted was open for business. Students would stop by and seek a comforting word if a parent had just passed away or when worried about "How am I ever going to be able to pay the next tuition bill?" or when they looked at their grade point average and said "How am I ever going to be here for other reasons next semester?" or if they had personal heartbreaks. Father Ted was there for all of us to talk with. He wanted every student to know they were loved and cared about and special, just like the cooks and gardeners and professors and the people of Notre Dame he went up to, shook hands with, smiled at, and gave encouragement to every day.

God bless you, Father Ted. I would never be here in the Senate without your kindness and your example. And there are Domers—as Notre Dame students are known—all over the world who know you helped give them the chance to open doors, to be given opportunities, and to have a better life that never would have happened without you.

There is a saying on the door of the Sacred Heart Basilica at the Univer-

sity. It says, "God, Country, Notre Dame." Father Hesburgh lived that every day.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his request?

Mr. DONNELLY. I will.

The PRESIDING OFFICER. The Senator from Florida.

#### VENEZUELA

Mr. RUBIO. Madam President, I want to speak about the ongoing crisis in Venezuela—something that doesn't capture a lot of attention in the headlines because we have situations going on in the Middle East, as we have seen the horrifying reality of what ISIS is doing, just this week kidnapping more Christians.

As we look at that situation in the Middle East, we should remind ourselves that there is a sectarian component to this that extends beyond ISIS's desire to convert the entire region to their version of radical Sunni Islam, but it also includes driving out all the Christians from the Middle East, and that is why they are specifically being targeted for brutalization. We have seen it again this week, and our heart breaks; and it should move us to move even faster in our efforts to destroy them. We can do this.

I also know the world's attention is being paid to Ukraine where a delicate ceasefire is being violated by Russians, both Russian regular troops, by the way, who make incursions into Ukraine to fight side by side with rebel forces against the central government of Kiev, but also the weaponry that they continue to harm them with and the heavy shelling that at times comes across the border from Russia into Ukraine.

These are significant issues we are being confronted with, and I understand why our attention is being paid to these things. But there is something happening in our own hemisphere that is not getting our attention, and I hope to use a few moments on the floor of the Senate to call attention to it, and that is the horrifying human rights catastrophe of Venezuela.

Venezuela is a rich country—rich in oil and rich in people. Its people are well-educated, hard-working, talented. It is the cradle of democracy in Latin America and in the Western Hemisphere; but over the last 3 years especially it has spiraled downward and out of control.

A once rich and prosperous nation has shortages of everyday goods from toilet paper to soap, with people having to wait in long lines. There is no U.S. embargo on Venezuela. There are no economic sanctions on Venezuela that they can blame on us or anyone else. It is due simply and entirely to the mismanagement and incompetence of Nicolas Maduro, the clown who runs that country, and the thugs who surround him in his gangster-style government.

Venezuela ostensibly portrays itself as a democracy but in reality it is not. The court system is completely controlled by the government of Maduro. The elections are constantly manipulated by Maduro. There is no freedom of the press. For example, the government gets unlimited hours to talk on television about whatever they want, and the opposition gets virtually none. Newspapers that oppose the government find that they cannot import newsprint—the actual paper—so they can't print. Other media outlets have been either bought or the owners have been forced out of the country and been bought and turned over to owners more friendly to the government. The point is Venezuela is not a democracy, or is a democracy in name only.

Beyond that, it is a government that is losing control and for the first time a few weeks ago or months ago authorized the National Guard to use deadly force on protesters. So it should not surprise us that earlier this week a young man—a high school student—was shot and killed in one of those protests, and we should expect to see more of this in the days and weeks to come, unfortunately. I hope I am wrong and pray that I am wrong, but I believe that is where they are headed, because there is no way out of this mess for the government.

In fact, their situation is so dire that one of the things that has allowed them to keep the elite on the side of Maduro is the gas subsidy. Gasoline is very cheap in Venezuela because it is subsidized by the government. I predict over the next few weeks or months the Venezuelan Government is going to have to go to the people and say we have to take away the subsidy. And when that happens, Maduro may lose the support that is even around him. That is why he is being so careful about announcing it, but they are going to have to do it. There are no ifs, ands, or buts about it. And when they do, it could quickly spiral out of control as well.

There are reports of coup attempts internally, with some of the military starting to bristle at the heavy-handedness of this government there, and that is something worth watching. The point is Venezuela is spiraling out of control. We need to pay attention to this because it is happening in our own hemisphere. It is happening in our own backyard. It has the ability and the potential not just to dramatically impact the people of Venezuela, but the countries of the region and even our own. I don't think enough attention is being paid to this, while every single day the brutality continues.

I called attention to this for the first time last year in February when the first wave of protests happened. We worked diligently to try to achieve sanctions on the individuals responsible for these human rights violations. Thanks to my colleagues here who were able to pass a bill that authorized the administration to impose sanctions



on individuals in Venezuela responsible for human rights violations. To date the administration has imposed visa bans on some of these individuals, but they have not taken the next step of economic sanctions on the people responsible for these human rights violations.

A few weeks ago I wrote the President a letter asking him, please begin to use this tool against those who are violating the human rights of the people of Venezuela. He has yet to do so. So I once again renew that call: Please impose these sanctions on the human rights violators in Venezuela.

I hope I can use these moments to describe to people what I am hearing from people inside Venezuela and the expat community in Florida. They feel as though no one is paying attention. They feel as though they have been abandoned. They feel as though they are alone. Every single day the news leads off with all these things happening around the world—and they are worried about these things, too—but they feel as though no one is speaking out for them. They feel abandoned by all the other nations in the region.

Where are all the governments of the Western Hemisphere? Where are all the other countries that are neighbors to Venezuela? Where is the Organization of American States? What is the point of even having that organization if it can't serve as an institution and a forum for condemning this sort of activity? Where are all the democracies of Latin America and the Western Hemisphere? Why are they not speaking out and condemning what is happening here?

It is interesting, we sent a couple of Guantanamo detainees to Uruguay and the Uruguayan Government says they are asylum seekers, that they are refugees—basically implying they are refugees to American oppression. They have no qualms whatsoever about speaking out against the United States for putting in jail enemy combatants and terrorists responsible for the murder of Americans, responsible for acts of terrorism, responsible for supporting the Taliban. They have no problem condemning us, claiming that the people we released to them—which we should never have done—are refugees and asylum seekers, but they are silent and say nothing when it comes to what is happening in Venezuela. The hypocrisy of it is unbelievable.

I challenge the heads of state of the countries of Latin America to speak out. The only problem is they are going to turn back around and say, Where is your head of state? Why isn't your President speaking out about it? The answer is, I don't know. I am grateful that he signed that bill. It is time to put it in effect. It is time to begin to use the tools in those sanctions to go after these individuals, but I wish the White House and the President would more forcefully and more consistently speak out against these human rights violations that are occurring.

When you think about it, why are the people of Venezuela feeling abandoned? They look to us. They see America as the beacon of hope. We are supposed to be the premier defender of human rights and freedom and democracy on the planet; and instead, from the White House and the President, there is silence. There is silence.

We cannot lose that aspect of our foreign policy. I understand that reality has a significant role to play in foreign policy, the balancing of different considerations; but morality and human rights must always be a key cornerstone of where we stand on issues of global affairs. If we lose that, if we lose the moral authority of this Nation, we lose our standing as a beacon of hope and freedom to people all over the world.

I know sometimes we read newspaper articles and these leaders criticize us. But I hope it is understood that although people may talk badly about America, even in places where there might be some resentment about America, at its core people admire America. They admire us because they know someone from there who came here and was able to achieve things they never could have done in their own homeland. They admire us because every time there is an earthquake, Americans are the first ones there. Every time there is a flood, Americans are the first ones to respond. Every time there is hunger or suffering, it is American charities and the American Government first on the scene. They remember that and they admire it and they admire us for it.

They admire our freedoms. They admire our democracy. They admire the fact that I am able to stand here on the floor today and criticize the President of the United States and there isn't some police officer outside that door ready to handcuff me and take me to jail.

Meanwhile, in Venezuela, just this week a member of their legislative branch was ousted. Do you know why they kicked him out? So he could lose his legislative immunity and they could arrest him. Two weeks ago armed agents stormed the office of a mayor, fired shots in the air to disperse crowds and arrested by force a member of the opposition party—a mayor. This is happening in our own hemisphere and this is happening in the 21st century. It was just two decades ago that the Western Hemisphere was full of dictators, right-wing and left-wing, strong men who controlled and oppressed their people. We paid a terrible price for that in this hemisphere and in this country. Then there was this opening of democratic progress in the region. Now it is starting to erode and we are standing by and saying nothing about it, as if it doesn't even exist.

You see it eroding in Nicaragua where the Sandinistas are back in charge. They won an election and then they used that power to erode democracy. You see it in Bolivia, you see it

in Ecuador. You even see hints of it in Argentina. And you really see it in Venezuela.

By the way, let me point out one more thing. Today, even as I speak to you, Cuban agents are here negotiating. I say Cuban agents. They dress as diplomats and act as diplomats, but in fact they are spies. In fact, the chief negotiator for the Cubans in these talks they are having with the State Department, Josefina Vidal, was asked to leave this country with her husband because her husband was an intelligence officer and she is known to be one as well. But these Cuban spies are here to negotiate with the State Department. They send spies. We send diplomats.

Let's not forget who has taught the Venezuelan Government these tactics of oppression, these violent tactics, these ways to crack down on society. Let's not forget who has coached them. Let's not forget there are thousands of Cuban agents working in the Government of Venezuela right now. Let's not forget there are thousands of Cuban agents infiltrated in the Armed Forces—not infiltrated, they are openly in the Armed Forces of Venezuela right now.

Let's not forget that in Venezuela, Maduro, and before him Chavez, ousted the sovereignty of Venezuela to the Castros. Let's not forget who the source of all of this in Venezuela truly was—who coached them, who taught them, who supported them, who provided personnel for them to carry this out. It is Cuba, a nation that is a global sponsor of terrorism, because they harbor fugitives from American justice, because they helped North Korea evade U.N. sanctions openly and nothing happened. Now the State Department is thinking about removing them from the list of sponsors of terrorism—one concession after another.

But, anyway, on the issue of Venezuela, I hope we will pay more attention to it, because there are people right now suffering—not just economically but politically and physically at the hands of a brutal regime. They are looking to America and its leaders to speak clearly that we are on their side, that we will speak out for them, that we will stand for them, and we will use the power of this government to go after and punish those who are committing these crimes against them.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. McCONNELL. Mr. President, the Senate is waiting for House action on

the DHS funding issue, and while that is occurring, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 2:10 p.m., recessed subject to the call of the Chair and reassembled at 8:19 p.m. when called to order by the Presiding Officer (Mrs. CAPITO).

## MORNING BUSINESS

### IMMIGRATION POLICY MEMORANDA ISSUED BY THE DEPARTMENT OF HOMELAND SECURITY

Mr. MCCONNELL. Madam President, the actions the Senate took today to fund the Department of Homeland Security should not be construed to accept, endorse, affirm or acquiesce in the memoranda issued by the Department related to immigration policy. A majority of the Senate has voted repeatedly over the last few weeks to advance legislation that would, if enacted, prohibit the Department from implementing the policies reflected in those memoranda. I and my colleagues in the majority who voted to fund the Department today did so to avoid a shutdown of its operations, many of which are necessary to safeguard our Nation. In voting to fund the Department, we were also mindful of the fact that the policies and directives that are embodied in these memoranda, and to which we object, are the subject of a preliminary injunction issued by the U.S. District Court for the Southern District of Texas, which is preventing the Department from implementing them.

### TRIBUTE TO ARLENE AND ALAN ALDA

Mr. LEAHY. Madam President, Marcelle and I met Arlene and Alan Alda on a trip with Senator Lloyd Bentsen. We had dinner together but I had a chance to talk to Alan Alda about our mutual Italian heritage. Later I told my Italian-American mother how nice a couple they were. She said, basically, what would I expect? With an Italian background, they would have to be nice.

The New York Times recently ran an article about this remarkable couple, focusing on her prolific writing, and his acting and writing, but especially their ability to maintain a wonderful marriage and a sense of life. I wanted to make sure my fellow Senators and anybody else who reads the CONGRESSIONAL RECORD would read this profile. I ask unanimous consent to have printed in the RECORD the article from the New York Times entitled "There's Always Room for Rum Cake."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 13, 2015]

#### THERE'S ALWAYS ROOM FOR RUM CAKE

(By Lois Smith Brady)

Arlene Alda, 81, and her husband, the actor Alan Alda, 79, say that one secret to a long-lasting marriage (theirs has been going for almost 58 years) is forgetfulness, which comes naturally to them at this point.

The Aldas, who discussed their decades together by telephone, with Ms. Alda also weighing in later by email, haven't had a serious argument for the last 20 years, she said, primarily because they can no longer remember for very long whether they are angry with each other or why.

"I have a short memory, and so does he," Ms. Alda said. "Was that always true? I don't recall."

Both emanate warmth and thoughtfulness in the way of beloved English professors or concerned therapists. Mr. Alda, whose career in television and theater has been as remarkably durable as his marriage, and Ms. Alda, a writer and photographer, possess laughs that are like old jeans: comfortable and well used.

Ms. Alda said that laughter is "the real glue that keeps us happily and willingly stuck together." They are definitely not the kind of couple who sit silently across the table from each other. "We're both loud laughers," she said. "Guffawing ones."

He said: "I have a very highfalutin notion about laughter. I think when you laugh you make yourself momentarily vulnerable. Your defenses are not up, and if you can stay in a playful mood, where you are susceptible to laughter, your chances of being antagonistic with each other are lower."

In general, they do not seem to act their ages. She described a recent afternoon: "I have a blurb to write for someone's book. I have soup I want to cook. I have a good chicken I want to roast. I have a book I'm reading that I want to finish. I have email correspondence. I have Facebook posts."

Her 19th book, "Just Kids From the Bronx," a collection of vignettes about 65 noteworthy people who grew up in rough Bronx neighborhoods and escaped in their own idiosyncratic ways, is to be published next month.

Ms. Alda, who grew up in the Bronx herself and is a Hunter College graduate, met Mr. Alda in 1956 while he was attending Fordham University. They connected at a dinner party on the Upper West Side when a rum cake accidentally fell onto the kitchen floor and they were the only two guests who did not hesitate to eat it.

"He was a kindred spirit who was also funny, so there was this great chemistry," she said. "It sure was fun and delightful to be with him that night. Boys from Manhattan didn't date girls from the Bronx. That was a given. It was too long of a trip. He took me home to the Bronx. Unheard of."

Eleven months later, they were married in a modest ceremony (18 guests watched) that reflected their humble goals at the time. They mainly wanted to be able to pay the rent and not suffer as their parents had.

"There was a lot of unhappiness in my parents' marriage partly because my mother was psychotic," Mr. Alda said. "We were already ahead of the game in that neither of us were seriously mentally ill."

Her parents had struggled financially and had no time for luxuries like dinner parties or showing affection for each other. "I wanted something different," she said. "I wanted something without stress."

So they filled their marriage with affection, music, dinner parties with artists and actors and celebrations of every paycheck.

"The first job I got was with a traveling children's company where we had to lug our

own scenery," Mr. Alda said. "I got \$10 a performance, and we were so glad, we went out to get pizza to celebrate." To this day, whenever he gets a new acting job, they celebrate by sharing a pizza.

Early on, they lived in Cleveland, where Eve, their first child, was born. He often read poetry and short stories aloud in the evenings. "I'd be stirring a pot of soup, and the baby would be sleeping, and he'd be reading to me," Ms. Alda said. "It was a warmth that's hard to describe."

They eventually had two more daughters, moved to Leonia, N.J., and discovered they had very different parenting styles. "I was the drill sergeant, and he liked to play with the kids," she said. "These were disagreements we had to work out. How important is it for the kids to go to bed on time?"

She added, "We would talk a lot and talk angrily. When you look back, you think, 'Why did I have to be angry?'"

From 1972 to 1983, Mr. Alda commuted from New Jersey to Los Angeles to play the part of Dr. Hawkeye Pierce in the iconic television series "M\*A\*S\*H." Ms. Alda suddenly found herself juggling raising their girls with trying to spend time with a husband who was increasingly busy, famous and out of town.

"I was not a good juggler," she said. "It all took energy, and I found that I had spurts of energy. Not sustained at all."

Not wanting to become "just an audience" for her husband, Ms. Alda worked harder on her own photography and writing projects. "I had my own drive," she said. "One challenge of marriage is how to keep your sense of self yet be able to meld and blend with the other person." She said that being married to a celebrity "diminishes you, unless you feel really secure in yourself."

"I like basking in someone else's glow," she said, "but not as a daily diet."

Today, they live in an Upper West Side apartment and are practically inseparable. On Facebook, she mentions Mr. Alda in almost every post, and they seem to be always headed out to a concert, play, lecture or reading. They even work on their separate writing projects together.

Mr. Alda, who has written two memoirs, writes in the living room, while Ms. Alda works in the study. They keep all the doors open so they can talk back and forth, bounce ideas off each other or call out when it's time to break for a meal.

"Most likely one of us will die first," she said. "I can't even contemplate what that might be for either of us. Meanwhile, we're doing what we should be doing. Living."

Like many of the people profiled in "Just Kids From the Bronx," Ms. Alda believes that success in life—and in marriage—is mostly a matter of luck. "Luck is in neon lights," she said, adding that there is no way a couple can predict their future on their wedding day.

Both Aldas said it was especially lucky that they have never grown bored of each other and that they didn't remain penniless forever. "I really do believe that scraping by can damage a person and can damage a relationship," he said. "We have a lot of advantages. We know how lucky we are. I don't think anybody can tell you how happy we'd be if we were still scraping by."

They have a house in the Hamptons and drink really good wine, but otherwise they don't live particularly large. Both dress in the comfortable baggy clothes of struggling writers and have remained frugal and reluctant to waste anything.

"That's never changed," she said. "We are definitely still those two people who would eat the cake off the floor."

### VOTE EXPLANATION

● Mrs. BOXER. Madam President, because I was helping a family member

recover from recent surgery, I was unable to attend rollcall votes Nos. 59 through 63.

Had I been present for these votes, I would have voted in favor of the cloture motion on H.R. 240; against the motion to table S. Amendment No. 258; in favor of S. Amendment No. 255; and in favor of H.R. 240, the clean Department of Homeland Security Appropriations bill.

I would have also opposed the cloture motion to proceed to S. 534 because this legislation would be destructive to families and our economy.●

#### U.S. ARMY CORPS OF ENGINEERS

Mr. ALEXANDER. Madam President, I ask unanimous consent to have printed in the RECORD a copy of my remarks at the Senate Appropriations Subcommittee on Energy and Water Development.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

##### U.S. ARMY CORPS OF ENGINEERS

This is the first hearing of not only our subcommittee but the entire Senate Appropriations Committee.

How's that Senator Feinstein? We're the early bird, and I want to say at the outset what a privilege it's been to work with the Senator from California over the last few years. She's been chairman, and I've been ranking member. Our seats have switched, but the relationship hasn't changed. I look forward to treating her with at least as much courtesy as she's always treated me. Let's see if I can outdo her because it's a treat to work with somebody who's capable of making a decision, expressing herself well and easy to work with. So, Senator Feinstein I look forward to our continued relationship.

This morning we're having a hearing to review the president's fiscal year 2016 budget request for the U.S. Army Corp of Engineers and the Bureau of Reclamation, which is part of the Department of Interior.

Senator Feinstein and I will each have an opening statement and then each senator may have up to five minutes for an opening statement in the order in which they arrived. Senator Graham has let me know that he has a 3 o'clock hearing, so if the senators don't mind I'll try to work him in before 3 o'clock as a courtesy to him. We'll then turn to the witnesses for their testimony. Each witness will have five minutes. We'd appreciate your summarizing your testimony in that time. We'll include their full statements in the record. And then, senators will be recognized for five minutes of questions in the order in which they arrived.

I want to thank the witnesses for being here today and thank Senator Feinstein for working with me on this. Our witnesses include Jo-Ellen Darcy, the Assistant Secretary of the Army for Civil Works. Welcome Assistant Secretary Darcy. Estevan Lopez, Commissioner for the Bureau of Reclamation. Mr. Lopez, welcome. Jennifer Gimbel, the Principle Deputy Assistant Secretary for Water and Science. That's a long title, nice to see you. And Lieutenant General Thomas P. Bostick, Chief of Engineers for the U.S. Army Corps of Engineers.

Governing is about setting priorities, and unfortunately, the president's budget request for these agencies shows a failure to do so.

The president's overall budget proposes spending that exceeds the budget caps estab-

lished by the Budget Control Act of 2011 by about \$74 billion. And one of the priorities the president often speaks about often is our nation's infrastructure.

Yet despite all that proposed new spending and all that talk, this proposal cuts the Corps' budget by \$751 million, or about 14 percent below last year's actual spending level. This budget proposes cutting the Corps' funding to the actual level of spending in 2007—we are literally moving backward, on an agency that is crucial to maintaining our country's infrastructure.

The reason this is such a problem is that the U.S. Army Corps of Engineers touches the lives of almost every American. The Corps maintains our inland waterways, it deepens and keeps our ports open, looks after many of our recreational waters and land, manages the river levels to prevent flooding, and its dams provide emission-free, renewable hydroelectric energy.

All of these activities attract the intense interest of the American people, and of their United States senators. I can recall when, I was a member of the Environmental and Public Works Committee, after the Missouri and Mississippi rivers flooded four years ago, a whole room full of senators showed up to ask for more money to deal with what went wrong and what went right with disaster relief efforts. So, there's a real interest in these proposals.

The reality is that for all the Corps does there are many things it could do better, and setting priorities in our spending is one way to better invest taxpayer dollars.

An important example of the administration's failure to set priorities in my home state of Tennessee is the lack of any funds in the president's budget request to restart replacement of Chickamauga Lock. Congress has done its job the last three years to move ahead promptly on replacing Chickamauga Lock, and it's disappointing the Obama administration has failed to do its job.

Here's what we've done. Congress, first, passed a law that reduced the amount of money that comes from the Inland Waterways Trust Fund to replace Olmsted Lock, a project in Illinois and Kentucky that was soaking up almost all of the money that is available for inland waterway projects. Second, Congress worked with the commercial waterways industry to establish a priority list for projects that needed to be funded, on which Chickamauga ranks near the top, in fourth place. And third, just this past year, working together, we enacted a user fee increase that commercial barge owners asked to pay in order to provide more money to replace locks and dams across the country, including Chickamauga Lock.

These are three extremely important steps to give our country the inland waterways that we need. These three things taken together should make it possible for the Corps of Engineers to move rapidly to begin to replace Chickamauga Lock. The problem with Chickamauga Lock is it's made of aging concrete and could fail if we don't replace it. In fact, in October of last year, the lock was closed for several days to all navigation traffic for emergency repairs after an inspection revealed cracks in the concrete.

This project's not just important to Chattanooga, but to all of Eastern Tennessee because of the number of jobs affected. We're almost out of time for a solution—the lock could close in a few years unless progress is made. If this happens it would throw 150,000 trucks on Interstate 75, it would increase the cost of shipping to the Oak Ridge National Laboratory, the weapons complex and to manufacturers across the state.

So you can see how Chickamauga Lock—and other projects like it across the country—ought to be a priority, and why the Corps' budget should make it a priority.

In addition to the Corps, we fund the Bureau of Reclamation.

The Bureau of Reclamation delivers water to one in five Western farmers, irrigating 10-million acres of some of the most productive agricultural land in the world.

I would note that this is the first time that Commissioner Lopez and Assistant Secretary Gimbel have appeared before this subcommittee, and we welcome them both.

Without the infrastructure that these two agencies provide, our nation would be vastly different. With that in mind, we are here today to discuss the administration's fiscal year 2016 budget request for these both agencies. I look forward to the testimony.

Before I turn to Senator Feinstein for her statement, I would like to note that this is Roger Cockrell's last hearing, at least the last one he'll attend in his capacity with us as a staff member of the Senate Appropriations Committee. He's retiring at the end of the month, and we're going to miss him. For the past 14 budget cycles, senators on the subcommittee, whether republicans or democrats, have been well-served by Roger's expertise on both the Corps of Engineers and the Bureau of Reclamation. It's hard to think of anyone inside or outside of Washington who matches Roger in knowledge or experience—and it is hard to think of a water resources bill that hasn't benefited from his guidance. So, Roger on behalf of the subcommittee, I wish to thank you for your service over these many years and wish your family best in your retirement.

#### RECOGNIZING THE VICTIMS OF THE SUMGAIT POGROMS

Mr. PETERS. Madam President, I wish to recognize the victims of the mass murder of Armenians 27 years ago during the state-sponsored pogroms in Sumgait, Azerbaijan.

The citizens of Nagorno Karabakh peacefully petitioned to be reunited with Soviet Armenia and spoke out against the arbitrary borders established by Joseph Stalin and the Soviet Union. This democratic exercise of free speech expressing a natural desire for self-determination was met with 3 days of violence and brutality against Armenian civilians, who were hunted down in their homes. Security forces in Soviet Azerbaijan turned a blind eye, allowing the mass murder of Armenians in a futile attempt to defeat this movement. The massacres of Armenians did not stop in Sumgait but were followed in other Azerbaijani towns such as Kirovabad in November 1988 and the capital Baku in January 1990. The U.S. Congress strongly condemned these massacres at that time. Hundreds of thousands of Armenians fled Azerbaijan, many finding their home in my State of Michigan, where there is a monument to the victims of the Sumgait massacres.

True democracies must respect the rights of the minority, allow citizens to peacefully speak freely, and protect the human rights of all residents. The people of Nagorno Karabakh and the victims of this senseless massacre played a critical role in promoting a democracy movement which helped to end the Soviet Union.

Today, I remember the victims and ask my colleagues and the American

people to join me in honoring their memories.

## COMMITTEE ON THE BUDGET

### RULES OF PROCEDURE

Mr. ENZI. Madam President, the Committee on the Budget has adopted rules governing its procedures for the 114th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator SANDERS, I ask unanimous consent to have printed in the RECORD a copy of the committee rules of procedure.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Committee on the Budget Rules of Procedure

#### I. MEETINGS

(1) The committee shall hold its regular meeting on the first Thursday of each month. Additional meetings may be called by the chair as the chair deems necessary to expedite committee business.

(2) Each meeting of the committee, including meetings to conduct hearings, shall be open to the public, except that a portion or portions of any such meeting may be closed to the public if the committee determines by record vote in open session of a majority of the members of the committee present that the matters to be discussed or the testimony to be taken at such portion or portions—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement; or

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(i) an act of Congress requires the information to be kept confidential by Government officers and employees; or

(ii) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person.

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(3) Notice of, and the agenda for, any business meeting or markup shall be provided to each member and made available to the public at least 72 hours prior to such meeting or markup.

#### II. ORDER OF RECOGNITION

Those members who are present at the start of any meeting of the committee including meetings to conduct hearings, shall be recognized in order of seniority based on

time served as a member of the committee. Any members arriving after the start of the meeting shall be recognized, in order of appearance, after the most junior member.

#### III. QUORUMS AND VOTING

(1) Except as provided in paragraphs (2) and (3) of this section, a quorum for the transaction of committee business shall consist of not less than one-third of the membership of the entire committee: Provided, that proxies shall not be counted in making a quorum.

(2) A majority of the committee shall constitute a quorum for reporting budget resolutions, legislative measures or recommendations: Provided, that proxies shall not be counted in making a quorum.

(3) For the purpose of taking sworn or unsworn testimony, a quorum of the committee shall consist of one Senator.

(4) (a) The committee may poll—

(i) internal committee matters including those concerning the committee's staff, records, and budget;

(ii) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and

(iii) other committee business that the committee has designated for polling at a meeting, except that the committee may not vote by poll on reporting to the Senate any measure, matter, or recommendation, and may not vote by poll on closing a meeting or hearing to the public.

(b) To conduct a poll, the chair shall circulate polling sheets to each member specifying the matter being polled and the time limit for completion of the poll. If any member requests, the matter shall be held for a meeting rather than being polled. The chief clerk shall keep a record of polls; if the committee determines by record vote in open session of a majority of the members of the committee present that the polled matter is one of those enumerated in rule I(2)(a)-(e), then the record of the poll shall be confidential. Any member may move at the committee meeting following a poll for a vote on the polled decision.

#### IV. PROXIES

When a record vote is taken in the committee on any bill, resolution, amendment, or any other question, a quorum being present, a member who is unable to attend the meeting may vote by proxy if the absent member has been informed of the matter on which the vote is being recorded and has affirmatively requested to be so recorded; except that no member may vote by proxy during the deliberations on Budget Resolutions.

#### V. HEARINGS AND HEARING PROCEDURES

(1) The committee shall make public announcement of the date, place, time, and subject matter of any hearing to be conducted on any measure or matter at least 1 week in advance of such hearing, unless the chair and ranking member determine that there is good cause to begin such hearing at an earlier date.

(2) At least 24 hours prior to the scheduled start time of the hearing, a witness appearing before the committee shall file a written statement of proposed testimony with the chief clerk who is responsible for circulating the proposed testimony to all members at the same time. The requirement that a witness submit testimony 24 hours prior to a hearing may be waived by the chair and the ranking member, following their determination that there is good cause for the failure of compliance.

#### VI. COMMITTEE REPORTS

(1) When the committee has ordered a measure or recommendation reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time.

(2) A member of the committee, who gives notice of an intention to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the committee. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusions shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

#### VII. USE OF DISPLAY MATERIALS IN COMMITTEE

Committee members may use the electronic display system provided in the committee hearing room or physical graphic displays during any meetings or hearings of the committee. Physical graphic displays are limited to the following:

Charts, photographs, or renderings:

Size: no larger than 36 inches by 48 inches.

Where: on an easel stand next to the member's seat or at the rear of the committee room.

When: only at the time the member is speaking.

Number: no more than two may be displayed at a time.

#### VIII. CONFIRMATION STANDARDS AND PROCEDURES

(1) Standards. In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The committee shall recommend confirmation if it finds that the nominee has the necessary integrity and is affirmatively qualified by reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

(2) Information Concerning the Nominee. Each nominee shall submit the following information to the chief clerk, who will distribute to the chairman and ranking member at the same time:

(a) A detailed biographical resume which contains information concerning education, employment, and background which generally relates to the position to which the individual is nominated, and which is to be made public;

(b) Information concerning financial and other background of the nominee which is to be made public; provided, that financial information that does not relate to the nominee's qualifications to hold the position to which the individual is nominated, tax returns or reports prepared by federal agencies that may be submitted by the nominee shall, after review by the chair, ranking member, or any other member of the committee upon request, be maintained in a manner to ensure confidentiality; and,

(c) Copies of other relevant documents and responses to questions as the committee may so request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office.

(3) Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee may be prepared by the committee staff for the chair, the ranking member and, upon request, for any other member of the committee. The report shall summarize the steps taken and the results of the committee inquiry, including any unresolved matters that have been raised during the course of the inquiry.

(4) Hearings. The committee shall conduct a hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office,

including the policies and programs which he or she would pursue while in that position. No hearing or meeting to consider the confirmation shall be held until at least 72 hours after the following events have occurred: the nominee has responded to the requirements set forth in subsection (2), and, if a report described in subsection (3) has been prepared, it has been presented to the chairman and ranking member, and is available to other members of the committee, upon request.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING ELIJAH MCCOY

• Mr. PETERS. Madam President, I ask my colleagues to join me in recognizing Elijah McCoy in honor of Black History Month. Mr. McCoy was a 19th-century African-American inventor whose innovation was crucial to our modern-day transportation system.

Throughout the month of February, we come together as Michiganders and as Americans to celebrate Black History Month and reflect on the tremendous contributions African Americans have made to our country. African Americans have helped shape and enrich our communities, and their many contributions serve as a constant reminder that diversity is one of our country's greatest strengths.

Elijah McCoy was born in Ontario, Canada, to fugitive slaves who had escaped to Canada through the Underground Railroad. Showing an interest in engineering from a young age, Mr. McCoy traveled to Scotland at the age of 15, where he took an apprenticeship in mechanical engineering. When he returned to the United States, racial barriers prevented him from finding work. Mr. McCoy then became a fireman and oiler for the Michigan Central Railroad. Through this job, he developed his major invention.

Through analyzing the system of oiling axes, Mr. McCoy came up with a lubricating cup that evenly distributed oil over the engine's moving parts. He was granted a patent for his invention, thus allowing trains to run continuously for long periods of time. Railroad engineers came to ask for this equipment by name, requesting "the real McCoy" system—a term used to this day to describe quality and originality. Receiving approximately 60 patents throughout the course of his life, Mr. McCoy later formed the Elijah McCoy Manufacturing Company and changed the course of transportation history. Mr. McCoy is an example of true innovation and ingenuity. Elijah McCoy is buried at the Detroit Memorial Park East in Warren, MI, and it is fitting that we honored his legacy by naming the U.S. Patent and Trademark satellite office in Detroit after him.

As we observe Black History Month, we should take a moment to recognize how far we have come as a nation and yet how far we still have to go as we work together to achieve true equality. The civil rights movement changed the course of our Nation's history for the

better and left a lasting legacy that touches our lives every day. In honor of Black History Month, let us recommit ourselves to the goal of making America a place where anyone who works hard and plays by the rules has the opportunity to succeed. As we continue to work toward equality, we must carry that legacy forward.●

#### TRIBUTE TO GENERAL HANSON SCOTT

• Mr. UDALL. Madam President, in my State of New Mexico, we are proud to be home to some of the finest military bases in the Nation. We are home to White Sands Missile Range, Kirtland Air Force Base, Holloman Air Force Base, and Cannon Air Force Base. New Mexicans have a great heritage of service in the Armed Forces, and our State's military installations play a key role in the Nation's national defense.

Today, I wish to express my thanks, and the thanks of all New Mexicans, to General Hanson Scott, who retired on January 30th, after many years of an illustrious career, both in active military service and in civilian life. He is a son of New Mexico, and a credit to our State.

General Scott is originally from Reserve, NM. He attended New Mexico State University, prior to receiving an appointment to the U.S. Air Force Academy, from which he graduated in 1961. During his 30 years in the Air Force, he served with great distinction, including as commander of the 463rd Tactical Airlift Wing, Dyess Air Force Base; the 1st Special Operations Wing, Hurlbut Field; and Special Operations Command Pacific, Camp H. M. Smith.

Following his retirement from the Air Force, General Scott continued to lead as the director of the New Mexico Office of Military Base Planning and Support, reporting to the Governor and the Lieutenant Governor. As director, he had the important responsibility of addressing State-level issues in support of New Mexico's military installations and supporting the New Mexico Military Base Planning Commission.

During the last BRAC round, General Scott played a key role in supporting Operation Keep Cannon, as Cannon was saved from closure by determined State and community efforts. I was proud to work with him during this effort. When the BRAC Commission made the decision to place Cannon in enclave status, his team worked hard to ensure that a new mission would be identified for Cannon. As a result, the Air Force Special Operations Command made the decision to locate the 27th Special Operations Wing at Cannon. The wisdom of this decision cannot be denied. Today, pilots from the 27th SOW can take advantage of New Mexico's outstanding airspace as they prepare to carry out the country's national security priorities.

Prior to his appointment as the director of the Office of Military Base

Planning and Support, General Scott was the executive director of the Office for Space Commercialization, New Mexico Economic Development Department, and director of aviation for the city of Albuquerque, NM. He also was a member of the steering committee of the Kirtland Air Force Base Retention Task Force, working with community leaders and the New Mexico congressional delegation in preventing a significant realignment of the base.

General Hanson Scott has led a life of service and commitment. He has proven his dedication to our military and the defense of our Nation time and again. That dedication has required tremendous determination, tireless effort, and, at times, personal sacrifice. It has meant getting up at 3 a.m. to make the roundtrip from Albuquerque to White Sands or Holloman in 1 day. It has meant manning the phones, in all time zones, sometimes while walking his dog Barney. Most of all, throughout his career, it has meant trying to do what is best for New Mexico and for the men and women of our Armed Forces.

It is a privilege to say here today, to General Hanson Scott, thank you. Thank you for a job well done. Thank you for your service. I wish you all the best in your future endeavors.●

#### MESSAGE FROM THE HOUSE

At 7:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House disagree to the amendment of the Senate to the bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes, and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-790. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clothianidin; Pesticide Tolerances" (FRL No. 9919-59) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-791. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the operations of the National Defense Stockpile (NDS) for fiscal year 2014; to the Committee on Armed Services.

EC-792. A communication from the Assistant Secretary of Defense (Homeland Defense and Global Security), transmitting, pursuant to law, a report entitled "Cooperative Threat Reduction Annual Report to Congress for Fiscal Year 2016"; to the Committee on Armed Services.

EC-793. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons to the Entity List; and Removal of Person From the Entity List Based on a Removal Request" (RIN0694-AG46) received in the Office of the President of the Senate on February 26, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-794. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France)" (RIN2120-AA64) (Docket No. FAA-2015-0049) received in the Office of the President of the Senate on February 25, 2015; to the Committee on Commerce, Science, and Transportation.

EC-795. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Pot Catcher/Processors in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XD758) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Commerce, Science, and Transportation.

EC-796. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XD725) received in the Office of the President of the Senate on February 25, 2015; to the Committee on Commerce, Science, and Transportation.

EC-797. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; PSD Infrastructure SIP Requirements for the 2008 Lead, 2008 Ozone, 2010 NO<sub>2</sub>, and 2010 SO<sub>2</sub> NAAQS" (FRL No. 9923-48-Region 5) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Environment and Public Works.

EC-798. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Transportation Conformity" (FRL No. 9923-45-Region 5) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Environment and Public Works.

EC-799. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Mississippi; Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards" (FRL No. 9923-55-Region 4) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Environment and Public Works.

EC-800. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; South Carolina; Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards"

(FRL No. 9923-56-Region 4) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Environment and Public Works.

EC-801. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Direct Final Approval of Other Solid Waste Incineration Units State Plan for Designated Facilities and Pollutants: Indiana" (FRL No. 9923-35-Region 5) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Environment and Public Works.

EC-802. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Implementation of the 2008 National Ambient Air Quality Standards for Ozone; State Implementation Plan Requirements" ((RIN2060-AR34) (FRL No. 9917-29-OAR)) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Environment and Public Works.

EC-803. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Oklahoma" (FRL No. 9923-22-Region 6) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Environment and Public Works.

EC-804. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Louisiana" (FRL No. 9923-11-Region 6) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Environment and Public Works.

EC-805. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Promulgation of State Air Quality Implementation Plans for Designated Facilities and Pollutants: Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming; Negative Declarations; Control of Emissions from Existing Sewage Sludge Incineration Units" (FRL No. 9923-40-Region 8) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Environment and Public Works.

EC-806. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Foreign Tax Credit Splitting Events" ((RIN1545-BK50) (TD 9710)) received in the Office of the President of the Senate on February 25, 2015; to the Committee on Finance.

EC-807. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Work Opportunity Tax Credit (WOTC) Extension for 2014" (Notice 2015-13) received in the Office of the President of the Senate on February 25, 2015; to the Committee on Finance.

EC-808. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Small Business Modifications to Tangibles Method Changes" (Rev. Proc. 2015-20) received in the Office of the President of the Senate on February 25, 2015; to the Committee on Finance.

EC-809. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—March 2015" (Rev. Rul. 2015-4) received in the Office of the President of the Senate on February 25, 2015; to the Committee on Finance.

EC-810. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 49801—Excise Tax on High Cost Employer-Sponsored Health Coverage" (Notice 2015-16) received in the Office of the President of the Senate on February 25, 2015; to the Committee on Finance.

EC-811. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, National Nuclear Security Administration, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Assistance to Foreign Atomic Energy Activities" (RIN1994-AA02) received in the Office of the President of the Senate on February 24, 2015; to the Committee on Foreign Relations.

EC-812. A communication from the Deputy Director, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Head Start Program" (RIN0970-AC46) received in the Office of the President of the Senate on February 25, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-813. A communication from the Director, National Science Foundation, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Foundation's fiscal year 2014 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

Air Force nominations beginning with Brig. Gen. Nina M. Armagno and ending with Brig. Gen. Sarah E. Zabel, which nominations were received by the Senate and appeared in the Congressional Record on February 4, 2015.

Air Force nomination of Col. Christopher A. Coffelt, to be Brigadier General.

Air Force nomination of Col. Jeffrey A. Kruse, to be Brigadier General.

Air Force nominations beginning with Brig. Gen. Abel Barrientes and ending with Brig. Gen. Richard W. Scobee, which nominations were received by the Senate and appeared in the Congressional Record on February 4, 2015.

Air Force nomination of Brig. Gen. Dixie A. Morrow, to be Major General.

Air Force nominations beginning with Brig. Gen. Leonard W. Isabelle, Jr. and ending with Brig. Gen. Sami D. Said, which nominations were received by the Senate and appeared in the Congressional Record on February 4, 2015.

Air Force nomination of Col. Jay N. Selanders, to be Brigadier General.

Air Force nomination of Col. Todd M. Audet, to be Brigadier General.

Air Force nomination of Col. Arthur E. Jackman, Jr., to be Brigadier General.

Air Force nominations beginning with Col. Vito E. Addabbo and ending with Col. John B. Williams, which nominations were received by the Senate and appeared in the Congressional Record on February 4, 2015.



Air Force nominations beginning with Col. Johnny S. Lizama and ending with Col. Scott A. Young, which nominations were received by the Senate and appeared in the Congressional Record on February 4, 2015.

Air Force nomination of Lt. Gen. Ellen M. Pawlikowski, to be General.

Air Force nomination of Col. William M. Knight, to be Brigadier General.

Air Force nomination of Maj. Gen. John B. Cooper, to be Lieutenant General.

Air Force nomination of Brig. Gen. John L. Dolan, to be Lieutenant General.

Air Force nomination of Maj. Gen. Lee K. Levy II, to be Lieutenant General.

Army nomination of Lt. Gen. Kenneth E. Tovo, to be Lieutenant General.

Mr. McCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Mark E. Heatherly, to be Colonel.

Air Force nominations beginning with Karis K. Graham and ending with Marvin Williams, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Air Force nominations beginning with Jesus A. Flores and ending with Robert C. Goldtrap, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Air Force nominations beginning with Erica R. Austin and ending with Richard G. Stephenson, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Air Force nominations beginning with Gerard Irvett Bazile and ending with Frederick L. Yost, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Air Force nomination of Stephen L. Nelson, Jr., to be Colonel.

Air Force nominations beginning with Mary J. Abernethy and ending with Karen B. Steiner, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Air Force nominations beginning with Michael D. Ayres and ending with Michelle L. Wagner, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Air Force nominations beginning with Laura J. Mcwhirter and ending with Gregg E. Wentworth, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Air Force nomination of Nicholas J. Zimmerman, to be Major.

Air Force nomination of Eric M. Chumbley, to be Lieutenant Colonel.

Air Force nomination of Scott L. Wilson, to be Major.

Air Force nomination of Kirsten E. Delambo, to be Major.

Air Force nominations beginning with Salvatore Pelligra and ending with Rebecca A. Bird, which nominations were received by the Senate and appeared in the Congressional Record on January 29, 2015.

Air Force nomination of Dell P. Dunn, to be Major.

Air Force nomination of Latrise P. Searson-Norris, to be Major.

Air Force nomination of Jeffrey B. Krutoy, to be Major.

Army nomination of John P. Hartke, to be Colonel.

Army nomination of Fred J. Burpo, to be Colonel.

Army nomination of Paul A. Brisson, to be Colonel.

Army nomination of Mikelle J. Adamczyk, to be Major.

Army nomination of Robert G. Hale, to be Colonel.

Army nomination of John M. Gillis, to be Major.

Army nomination of Andre M. Takacs, to be Major.

Army nomination of Ines H. Berger, to be Lieutenant Colonel.

Marine Corps nominations beginning with Jermaine M. Cadogan and ending with Austin E. Wren, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Marine Corps nominations beginning with Anthony K. Alejandro and ending with Jonathan R. Risser, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Marine Corps nominations beginning with Paul M. Herrie and ending with Robert W. Puckett, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Marine Corps nominations beginning with Jay B. Durham and ending with Andrew K. Law, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Marine Corps nominations beginning with Daniel H. Cusinato and ending with William C. Volz, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Marine Corps nomination of Ryan M. Cleveland, to be Major.

Marine Corps nominations beginning with Nicholas K. Ellis and ending with Kolleen L. Young, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Marine Corps nomination of Jonathan L. Riggs, to be Lieutenant Colonel.

Marine Corps nominations beginning with Brett D. Abbamonte and ending with Jason E. Zellely, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Marine Corps nomination of David C. Walsh, to be Colonel.

Marine Corps nomination of Scott W. Zimmerman, to be Lieutenant Colonel.

Navy nominations beginning with Alyssa B. Y. Armstrong and ending with Kari E. Yakubisin, which nominations were received by the Senate and appeared in the Congressional Record on January 26, 2015.

Navy nomination of Rachel A. Passmore, to be Lieutenant Commander.

Navy nominations beginning with Justin R. Miller and ending with James R. Saullo, which nominations were received by the Senate and appeared in the Congressional Record on January 29, 2015.

Navy nomination of Candida A. Ferguson, to be Lieutenant Commander.

Navy nomination of Richard R. Barber, to be Commander.

Navy nomination of Benigno T. Razon, Jr., to be Lieutenant Commander.

Navy nomination of Donna L. Smoak, to be Lieutenant Commander.

Navy nomination of Fabio O. Austria, to be Lieutenant Commander.

Navy nomination of Shawn D. Wilkerson, Jr., to be Lieutenant Commander.

Navy nomination of Budd E. Bergloff, to be Captain.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## 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. GRASSLEY (for himself, Mr. BENNET, Ms. MURKOWSKI, and Mr. MORAN):

S. 607. A bill to amend title XVIII of the Social Security Act to provide for a five-year extension of the rural community hospital demonstration program, and for other purposes; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. HELLER, Mr. MENENDEZ, and Mr. ISAKSON):

S. 608. A bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt; to the Committee on Finance.

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

S. 609. A bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders; to the Committee on Finance.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 610. A bill to authorize the Secretary of the Interior to conduct a special resource study of P.S. 103 in West Baltimore, Maryland and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WICKER (for himself, Ms. HEITKAMP, Mr. BOOZMAN, Mr. CRAPO, Mr. RISCH, Mr. FRANKEN, Mr. MORAN, Mr. SCHATZ, Ms. KLOBUCHAR, Mr. BARRASSO, Mr. ENZI, Ms. HIRONO, Mr. BLUNT, Mr. TESTER, Mr. BENNET, and Mr. INHOFE):

S. 611. A bill to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 612. A bill to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse"; to the Committee on Environment and Public Works.

By Mrs. GILLIBRAND (for herself and Ms. MURKOWSKI):

S. 613. A bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARPER (for himself and Mr. JOHNSON):

S. 614. A bill to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORKER (for himself, Mr. MENENDEZ, Mr. GRAHAM, Mr. KAINE, Mr. MCCAIN, Mr. DONNELLY, Mr. RUBIO, Ms. HEITKAMP, Ms. AYOTTE, Mr. NELSON, Mr. RISCH, and Mr. KING):

S. 615. A bill to provide for congressional review and oversight of agreements relating to Iran's nuclear program, and for other purposes; to the Committee on Foreign Relations.

By Ms. COLLINS (for herself and Mr. SCHUMER):

S. 616. A bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers; to the Committee on Finance.



SUBMISSION OF CONCURRENT AND  
SENATE RESOLUTIONS

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

By Mr. BROWN (for himself, Mr. BARASSO, Mr. COONS, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mrs. FEINSTEIN):

S. Res. 92. A resolution designating February 28, 2015, as "Rare Disease Day"; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 67

At the request of Mr. VITTER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 67, a bill to amend the Securities Investor Protection Act of 1970 to confirm that a customer's net equity claim is based on the customer's last statement and that certain recoveries are prohibited, to change how trustees are appointed, and for other purposes.

S. 125

At the request of Mr. LEAHY, the name of the Senator from Michigan (Mr. PETERS) 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. 134

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 134, a bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes.

S. 269

At the request of Mr. KIRK, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 269, a bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

S. 301

At the request of Mrs. FISCHER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 301, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 317

At the request of Ms. HIRONO, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 317, a bill to improve early education.

S. 351

At the request of Mr. HELLER, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Georgia (Mr. ISAKSON) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 351, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 373

At the request of Mr. THUNE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 373, a bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel.

S. 394

At the request of Mr. CASEY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 394, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 431

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 431, a bill to permanently extend the Internet Tax Freedom Act.

S. 435

At the request of Mr. CRUZ, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors 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. 474

At the request of Mr. TOOMEY, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 474, a bill to require State educational agencies that receive funding under the Elementary and Secondary Education Act of 1965 to have in effect policies and procedures on background checks for school employees.

S. 499

At the request of Mr. HATCH, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 499, a bill to amend title II of the Social Security Act to prevent concurrent receipt of unemployment benefits and Social Security disability insurance, and for other purposes.

S. 558

At the request of Mr. CARPER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 558, a bill to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes.

S. 588

At the request of Mr. BROWN, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Oregon (Mr. MERKLEY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 588, a bill to extend the trade adjustment assistance program, and for other purposes.

S. 571

At the request of Mr. INHOFE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 575

At the request of Mr. KIRK, the names of the Senator from Utah (Mr. LEE) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 575, a bill to continue operation of the Human Exploitation Rescue Operative (HERO) Child Rescue Corps, a Cyber Crimes Center, a Child Exploitation Investigations Unit, a Computer Forensics Unit, and a Cyber Crimes Unit to support the mission of the Homeland Security Investigations directorate of United States Immigration and Customs Enforcement to combat the exploitation of children.

S. 586

At the request of Mrs. SHAHEEN, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 586, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes.

S. RES. 87

At the request of Mr. MENENDEZ, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. Res. 87, a resolution to express the sense of the Senate regarding the rise of anti-Semitism in Europe and to encourage greater cooperation with the European governments, the European Union, and the Organization for Security and Co-operation in Europe in preventing and responding to anti-Semitism.

STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 610. A bill to authorize the Secretary of the Interior to conduct a special resource study of P.S. 103 in West Baltimore, Maryland and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CARDIN. Mr. President, today I am proud to introduce the Justice Thurgood Marshall's Elementary School Study Act. The elementary school that Justice Marshall attended, known as PS 103, located in my hometown of Baltimore, is a place of national significance because it marks the site where one of our nation's greatest legal minds began his education.

Thurgood Marshall is well known as one of the most significant historical figures of the American civil rights movement. By the time he was 32 he was appointed the chief legal counsel for the National Association for the Advancement of Colored People, NAACP. He served at the NAACP a total of twenty-five years and was a key strategist to end racial segregation throughout the United States.

Perhaps the greatest illustration of this effort was his victory before the Supreme Court overturning the Plessy doctrine effectively ending school segregation with the landmark decision in *Brown v. Board of Education of Topeka, KS*, in 1954. Not only did this case open up educational opportunity and sparked the civil rights movement in this nation, it also marked the beginning of Thurgood Marshall's career, still a young attorney from Baltimore, as one of the greatest legal minds in all the land. This case was just one of the 29 cases he won before the U.S. Supreme Court.

Fittingly, Marshall was the first African American confirmed to the Supreme Court. He was nominated by President Lyndon B. Johnson in 1967 and served 24 years, until 1991. On the high court, Marshall continued his fight for the Constitutional protection of individual human rights.

But Thurgood Marshall was not always a legal giant. He was once a young boy growing up in West Baltimore. He received the first 6 years of his public education at PS 103. An apocryphal story goes that a young Thurgood Marshall studied the U.S. Constitution in the basement of the building while serving detention. Regardless of whether or not this is true, the building powerfully tells the story of racial segregation in America, PS 103 was a "blacks only" school when Justice Marshall was a student, and marks the academic beginning of one of the country's most brilliant legal thinkers and a pioneer of the civil rights movement.

The building is located at 1315 Division Street in the Upton Neighborhood of Old West Baltimore. The building is part of the Old West Baltimore National Register Historic District, and is listed as a contributing historic resource for the neighborhood. The Old West Baltimore historic district is one of the largest predominately African American historic districts in the country, and its significance is centered on the African American experience in the area.

In Baltimore, we are fortunate to have the National Park Service operate two historical sites, Fort McHenry and the Hampton Mansion. Adding PS 103 is a unique opportunity for the National Park Service to work in Baltimore's inner-city and to reach out and engage people about African American history.

Needless to say, Thurgood Marshall's legacy is one that should be preserved. He was one of our country's greatest legal minds and a prominent historical figure of one chapter of our country's

great history—the civil rights movement. This bill authorizes the Secretary of the Interior to conduct a special resource study of PS 103 to evaluate the suitability and feasibility of establishing the building as a unit of the National Park Service. Preserving the building that was Justice Marshall's elementary school will give Americans insight into Justice Marshall's childhood.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection the text of the bill was ordered to be printed in the RECORD, as follows:

S. 610

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Thurgood Marshall's Elementary School Study Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) STUDY AREA.—The term "study area" means—

(A) P.S. 103, the public school located in West Baltimore, Maryland, which Thurgood Marshall attended as a youth; and

(B) any other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall.

#### SEC. 3. SPECIAL RESOURCE STUDY.

(a) STUDY.—The Secretary shall conduct a special resource study of the study area.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the study area;

(2) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(3) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(4) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(5) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(c) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with section 100507 of title 54, United States Code.

(d) REPORT.—Not later than 3 years after the date on which funds are first made available to carry out the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the results of the study; and

(2) any conclusions and recommendations of the Secretary.

By Ms. COLLINS (for herself and Mr. SCHUMER):

S. 616. A bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to introduce the Volunteer Emergency Services Recruitment and Retention Act of 2015. This bill fixes a

long-standing problem with the tax code that harms the ability of volunteer fire departments to recruit and retain both firefighters and emergency service personnel.

For years, local and State governments have provided their volunteer firefighters and EMS personnel with different forms of benefits including Length of Service Award Plans, commonly known as LOSAPs. These are pension-like benefits for volunteer emergency responders.

Unfortunately, the way the tax code handles LOSAPs hinders the ability of departments to administer plans and makes it more difficult for volunteer emergency personnel to receive benefits.

My bill would simplify the taxation of LOSAPs in two steps. First, it would allow an election to treat LOSAPs as deferred compensation plans, and second, it would exempt them from the Employee Retirement Income Security Act of 1974. These two changes will improve access to LOSAP benefits for volunteer emergency responders, without increasing Federal spending.

Today, an estimated 180,000 volunteer firefighters across 27 states participate in some form of LOSAP. Many states that do not offer these benefits would be more likely to do so if the Federal tax code were simplified. This, in turn, would help volunteer fire departments to recruit more easily and retain personnel. These men and women, our local first responders, are the foundation of our emergency response capabilities.

These volunteers put their lives on the line to help protect our communities, and their spirit of selflessness and service should be rewarded. I am pleased to introduce this legislation with Senator SCHUMER, and I look forward to working with my colleagues to pass this bill through the Senate and into law.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 92—DESIGNATING FEBRUARY 28, 2015, AS "RARE DISEASE DAY"

Mr. BROWN (for himself, Mr. BARASSO, Mr. COONS, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 92

Whereas a rare disease or disorder is one that affects a small number of patients—in the United States, typically less than 200,000 individuals annually;

Whereas as of the date of approval of this resolution, nearly 7,000 rare diseases affect approximately 30,000,000 people in the United States and their families;

Whereas children with rare genetic diseases account for more than half of the population affected by rare diseases in the United States;

Whereas many rare diseases are serious, life-threatening, and lack an effective treatment;

Whereas great strides have been made in research and treatment for rare diseases as a result of the Orphan Drug Act (Public Law 97-414);

Whereas the Food and Drug Administration has made great strides in involving the patient in the drug review process as part of its Patient-Focused Drug Development program, an initiative that originated in the Food and Drug Administration Safety and Innovation Act (Public Law 112-144);

Whereas although more than 450 drugs and biological products for the treatment of rare diseases have been approved by the Food and Drug Administration, millions of people in the United States have a rare disease for which there is no such approved treatment;

Whereas lack of access to effective treatments and difficulty in obtaining reimbursement for life-altering, and even life-saving, treatments still exist and remain significant challenges for people with rare diseases and their families;

Whereas rare diseases and conditions include epidermolysis bullosa, progeria, sickle cell anemia, spinal muscular atrophy, Duchenne muscular dystrophy, Tay-Sachs disease, cystic fibrosis, pulmonary fibrosis, many childhood cancers, and fibrodysplasia ossificans progressiva;

Whereas people with rare diseases experience challenges that include difficulty in obtaining accurate diagnoses, limited treatment options, and difficulty finding physicians or treatment centers with expertise in their diseases;

Whereas the rare disease community made great strides during the 113th Congress, including the passage of the National Pediatric Research Network Act (Public Law 113-55), which calls special attention to rare diseases and directs the National Institutes of Health to facilitate greater collaboration among researchers;

Whereas both the Food and Drug Administration and the National Institutes of Health have established special offices to advocate for rare disease research and treatments;

Whereas the National Organization for Rare Disorders, an organization established in 1983 to provide services to and advocate on behalf of patients with rare diseases, remains a critical public voice for people with rare diseases;

Whereas 2015 marks the 32nd anniversary of the enactment of the Orphan Drug Act and the establishment of the National Organization for Rare Disorders;

Whereas on February 25, 2015, more than 200 rare disease advocates shared their stories on Capitol Hill on behalf of the rare disease community and asked lawmakers to enhance public policy to help rare disease patients;

Whereas the National Organization for Rare Disorders sponsors Rare Disease Day in the United States and partners with many other major rare disease organizations to increase public awareness of rare diseases;

Whereas Rare Disease Day is observed each year on the last day of February;

Whereas Rare Disease Day is a global event, first observed in the United States on February 28, 2009, and observed in 84 countries in 2014; and

Whereas Rare Disease Day is expected to be observed globally for years to come, providing hope and information for rare disease patients around the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates February 28, 2015, as “Rare Disease Day”;

(2) recognizes the importance of improving awareness and encouraging accurate and

early diagnosis of rare diseases and disorders; and

(3) supports a national and global commitment to improving access to and developing new treatments, diagnostics, and cures for rare diseases and disorders.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 264. Mr. SASSE submitted an amendment intended to be proposed by him to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table.

SA 265. Mr. LEE (for himself and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 255 proposed by Mr. McCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) to the bill H.R. 240, supra; which was ordered to lie on the table.

SA 266. Mr. LEE submitted an amendment intended to be proposed to amendment SA 255 proposed by Mr. McCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) to the bill H.R. 240, supra; which was ordered to lie on the table.

SA 267. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 240, supra; which was ordered to lie on the table.

SA 268. Mr. McCONNELL proposed an amendment to the bill H.R. 33, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

#### TEXT OF AMENDMENTS

**SA 264.** Mr. SASSE submitted an amendment intended to be proposed by him to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . PROHIBITION ON ISSUING SOCIAL SECURITY NUMBERS PURSUANT TO DEFERRED ACTION POLICIES.**

Section 205(c)(2)(B)(i)(I) of the Social Security Act (42 U.S.C. 405(c)(2)(B)(i)(I)) is amended by inserting “, except that the Commissioner of Social Security shall not issue a social security account number to any alien who is authorized to engage in employment in the United States pursuant only to deferred action policies set forth in the memorandum from the Secretary of Homeland Security entitled ‘Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children’ dated June 15, 2012, or the memorandum from the Secretary of Homeland Security entitled ‘Exercising Prosecutorial Discretion with Respect to Individuals who Came to the United States as Children and with Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents’ dated November 20, 2014 (or any substantially similar policy changes issued or taken on or after the date of the enactment of the Department of Homeland Security Appropriations Act, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action)” after “engage in such employment”.

**SA 265.** Mr. LEE (for himself and Mr. VITTER) submitted an amendment in-

tended to be proposed to amendment SA 255 proposed by Mr. McCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ .** (a) No funds, resources, or fees made available to the Secretary of Homeland Security, or to any other official of a Federal agency, by this Act or any other Act for any fiscal year, including any deposits into the Immigration Examinations Fee Account established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to implement, administer, enforce, or carry out (including through the issuance of any regulations) any of the policy changes set forth in the following memoranda (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action):

(1) The memorandum from the Secretary of Homeland Security entitled “Southern Border and Approaches Campaign” dated November 20, 2014.

(2) The memorandum from the Secretary of Homeland Security entitled “Policies for the Apprehension, Detention and Removal of Undocumented Immigrants” dated November 20, 2014.

(3) The memorandum from the Secretary of Homeland Security entitled “Secure Communities” dated November 20, 2014.

(4) The memorandum from the Secretary of Homeland Security entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents” dated November 20, 2014.

(5) The memorandum from the Secretary of Homeland Security entitled “Expansion of the Provisional Waiver Program” dated November 20, 2014.

(6) The memorandum from the Secretary of Homeland Security entitled “Policies Supporting U.S. High-Skilled Businesses and Workers” dated November 20, 2014.

(7) The memorandum from the Secretary of Homeland Security entitled “Families of U.S. Armed Forces Members and Enlistees” dated November 20, 2014.

(8) The memorandum from the Secretary of Homeland Security entitled “Directive to Provide Consistency Regarding Advance Parole” dated November 20, 2014.

(9) The memorandum from the Secretary of Homeland Security entitled “Policies to Promote and Increase Access to U.S. Citizenship” dated November 20, 2014.

(10) The memorandum from the President entitled “Modernizing and Streamlining the U.S. Immigrant Visa System for the 21st Century” dated November 21, 2014.

(11) The memorandum from the President entitled “Creating Welcoming Communities and Fully Integrating Immigrants and Refugees” dated November 21, 2014.

(b) The memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action) have no statutory or constitutional basis and therefore have no legal effect.

(c) No funds or fees made available to the Secretary of Homeland Security, or to any

other official of a Federal agency, by this Act or any other Act for any fiscal year, including any deposits into the "Immigration Examinations Fee Account" established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to grant any Federal benefit to any alien pursuant to any of the policy changes set forth in the memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action).

(d) The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(e) Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(1) for purposes of section 251 of the such Act; and

(2) for purposes of paragraph 4(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

**SA 266.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 255 proposed by Mr. MCCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) No funds, resources, or fees made available to the Secretary of Homeland Security, or to any other official of a Federal agency, by this Act or any other Act for any fiscal year, including any deposits into the Immigration Examinations Fee Account established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to implement, administer, enforce, or carry out (including through the issuance of any regulations) any of the policy changes set forth in the following memoranda (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action):

(1) The memorandum from the Director of United States Immigration and Customs Enforcement entitled "Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens" dated March 2, 2011.

(2) The memorandum from the Director of United States Immigration and Customs Enforcement entitled "Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens" dated June 17, 2011.

(3) The memorandum from the Principal Legal Advisor of United States Immigration and Customs Enforcement entitled "Case-by-Case Review of Incoming and Certain Pending Cases" dated November 17, 2011.

(4) The memorandum from the Director of United States Immigration and Customs Enforcement entitled Civil Immigration Enforcement: Guidance on the Use of Detainers in the Federal, State, Local, and Tribal Criminal Justice Systems dated December 21, 2012.

(5) The memorandum from the Secretary of Homeland Security entitled "Southern Border and Approaches Campaign" dated November 20, 2014.

(6) The memorandum from the Secretary of Homeland Security entitled "Policies for the Apprehension, Detention and Removal of Undocumented Immigrants" dated November 20, 2014.

(7) The memorandum from the Secretary of Homeland Security entitled "Secure Communities" dated November 20, 2014.

(8) The memorandum from the Secretary of Homeland Security entitled "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents" dated November 20, 2014.

(9) The memorandum from the Secretary of Homeland Security entitled "Expansion of the Provisional Waiver Program" dated November 20, 2014.

(10) The memorandum from the Secretary of Homeland Security entitled "Policies Supporting U.S. High-Skilled Businesses and Workers" dated November 20, 2014.

(11) The memorandum from the Secretary of Homeland Security entitled "Families of U.S. Armed Forces Members and Enlistees" dated November 20, 2014.

(12) The memorandum from the Secretary of Homeland Security entitled "Directive to Provide Consistency Regarding Advance Parole" dated November 20, 2014.

(13) The memorandum from the Secretary of Homeland Security entitled "Policies to Promote and Increase Access to U.S. Citizenship" dated November 20, 2014.

(14) The memorandum from the President entitled "Modernizing and Streamlining the U.S. Immigrant Visa System for the 21st Century" dated November 21, 2014.

(15) The memorandum from the President entitled "Creating Welcoming Communities and Fully Integrating Immigrants and Refugees" dated November 21, 2014.

(b) The memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action) have no statutory or constitutional basis and therefore have no legal effect.

(c) No funds or fees made available to the Secretary of Homeland Security, or to any other official of a Federal agency, by this Act or any other Act for any fiscal year, including any deposits into the "Immigration Examinations Fee Account" established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to grant any Federal benefit to any alien pursuant to any of the policy changes set forth in the memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action).

(d) The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(e) Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(1) for purposes of section 251 of the such Act; and

(2) for purposes of paragraph 4(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

**SA 267.** Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. **SOCIAL SECURITY NUMBERS REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.**

(a) **TAXPAYER REQUIREMENT.**—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(5) **IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.**—

"(A) **IN GENERAL.**—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's Social Security number on the return of tax for such taxable year.

"(B) **JOINT RETURNS.**—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return."

(b) **CHILD REQUIREMENT.**—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended to read as follows:

"(e) **IDENTIFICATION REQUIREMENT WITH RESPECT TO QUALIFYING CHILDREN.**—

"(1) **IN GENERAL.**—Subject to paragraph (2), no credit shall be allowed under this section to a taxpayer with respect to any qualifying child unless the taxpayer includes the name and taxpayer identification number of such qualifying child on the return of tax for the taxable year.

"(2) **REFUNDABLE PORTION.**—Subsection (d)(1) shall not apply to any taxpayer with respect to any qualifying child unless the taxpayer includes the name and social security number of such qualifying child on the return of tax for the taxable year."

(c) **OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.**—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

"(I) an omission of a correct Social Security number required under subsection (d)(5) or (e)(2) of section 24 (relating to refundable portion of child tax credit), or a correct TIN under subsection (e)(1) of such section (relating to child tax credit), to be included on a return."

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

**SA 268.** Mr. MCCONNELL proposed an amendment to the bill H.R. 33, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. FURTHER CONTINUING APPROPRIATIONS.**

The Continuing Appropriations Resolution, 2015 (Public Law 113-164; 128 Stat. 1867) is amended by striking the date specified in section 106(3) and inserting "March 6, 2015".

**The PRESIDING OFFICER.** The majority leader.

# PROTECTING VOLUNTEER FIRE-FIGHTERS AND EMERGENCY RESPONDERS ACT

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 33, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 33) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

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

## AMENDMENT NO. 268

Mr. MCCONNELL. Madam President, I have an amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 268.

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

## SECTION 1. FURTHER CONTINUING APPROPRIATIONS.

The Continuing Appropriations Resolution, 2015 (Public Law 113-164; 128 Stat. 1867) is amended by striking the date specified in section 106(3) and inserting "March 6, 2015".

Mr. MCCONNELL. Madam President, I ask unanimous consent that the amendment be agreed to, the bill, as amended, be read a third time, and the Senate vote on passage of the bill, and that the motion to reconsider be considered made and laid upon the table without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 268) in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 33), as amended, was passed.

## DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

Mr. MCCONNELL. Madam President, I ask that the Chair lay before the Sen-

ate the House message accompanying H.R. 240.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives, as follows:

*Resolved*, That the House disagree to the amendment of the Senate to the bill (H.R. 240) entitled "An Act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.", and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MCCONNELL. I move to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees.

The PRESIDING OFFICER. The motion is pending.

## DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. MCCONNELL. Madam President, I thank all Senators for working together to pass this 1-week funding extension for the Department of Homeland Security. Senators should expect the next vote at 5:30 p.m. on Monday, which will be a cloture vote on the motion to agree to the House request to go to a conference on the bill.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Madam President, progress has been made all during the day. I appreciate very much the cooperation of everyone involved. I am confident that the House will pass a 7-day CR tonight and that there will be within 7 days full funding for the Department of Homeland Security.

## RARE DISEASE DAY

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 92, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 92) designating February 28, 2015, as "Rare Disease Day."

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

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

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

The resolution (S. Res. 92) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

## APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Democratic leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, hereby notifies the Senate of an amendment to the minority membership appointments made in the Senate on February 12, 2015, to the Senate National Security Working Group for the 114th Congress: JACK REED of Rhode Island.

## SIGNING AUTHORITY

Mr. MCCONNELL. Madam President, I ask unanimous consent that during this adjournment of the Senate, the majority leader and the junior Senator from West Virginia be authorized to sign duly enrolled bills or joint resolutions.

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

## ORDERS FOR MONDAY, MARCH 2, 2015

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business tonight, it adjourn until 2 p.m., Monday, March 2; 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, and following leader remarks, the Senate resume consideration of the House message to accompany H.R. 240.

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

## ADJOURNMENT UNTIL MONDAY, MARCH 2, 2015, AT 2 P.M.

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:23 p.m., adjourned until Monday, March 2, 2015, at 2 p.m.