

Director of the United States Citizenship and Immigration Services shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arkansas (Mr. PRYOR) and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN) and the Senator from Nebraska (Mr. JOHANNIS).

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

The yeas and nays resulted—yeas 52, nays 44, as follows:

[Rollcall Vote No. 210 Ex.]

YEAS—52

Baldwin	Harkin	Nelson
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Booker	Johnson (SD)	Sanders
Boxer	Kaine	Schumer
Brown	King	Shaheen
Cantwell	Klobuchar	Stabenow
Cardin	Landrieu	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murphy	
Hagan	Murray	

NAYS—44

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Collins	Johnson (WI)	Shelby
Corker	Kirk	Thune
Cornyn	Lee	Toomey
Crapo	Manchin	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

NOT VOTING—4

Cochran	Pryor
Johanns	Schatz

The PRESIDING OFFICER. On this vote the yeas are 52, the nays are 44. The motion is agreed to.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. REID. I ask unanimous consent that following my remarks, the Senate recess until 2:15 p.m.; that when the Senate reconvenes, the time until 4:30 p.m. be equally divided and controlled in the usual form; and that at 4:30 p.m. all postcloture time be considered expired and the Senate vote on confirmation of the Rodriguez nomination.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

NOMINATION OF LEON RODRIGUEZ TO BE DIRECTOR OF THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, DEPARTMENT OF HOMELAND SECURITY

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read as follows:

Nomination of Leon Rodriguez, of Maryland, to be Director of the United States Citizenship and Immigration Services, Department of Homeland Security.

The PRESIDING OFFICER. Under the previous order, the time until 4:30 p.m. will be equally divided in the usual form.

The Republican whip.

CRIMINAL JUSTICE REFORM

Mr. CORNYN. Madam President, there are two things I wish to address here briefly on the floor of the Senate. The first, strangely enough, has to do with an editorial that appeared in the New York Times this weekend.

I remember one of the people who was influential to me when I was coming up through the political system in Bexar County, TX, and in Austin, and now working here in Washington and back home in Texas. One of my mentors said: Don't ever get into a fight with somebody who buys ink by the barrel.

That seemed like pretty sage advice, but maybe it is a little dated these days because so much of what we see in the news is not in written newsprint itself.

The point is, the editorial in the New York Times this weekend I am referring to was talking about criminal justice reform, a topic that in recent months has produced some genuine bipartisan legislation. I am proud to be a cosponsor of one of those reform bills, along with my colleague, the junior Senator from Rhode Island, SHELDON WHITEHOUSE.

Our bill would allow low-risk Federal prisoners to earn credit toward completing a portion of their sentence outside of prison walls—for example, through home confinement, through halfway houses or community supervision.

Strangely enough, the Times editorial praises our bill as an example "of significant progress toward a legislative solution."

Unfortunately, it then proceeds to blame Senate Republicans, including me, for stalling progress on the bill and preventing a vote on the sentencing bill introduced by the distinguished majority whip, DICK DURBIN of Illinois.

The strange thing about it is, as every Senator and everybody within the sound of my voice knows, it is Majority Leader REID who determines what legislation comes up on the Senate floor, and this editorial didn't men-

tion him at all. An amazing oversight. The last time I checked, the majority leader was the only person in the Chamber with the power to schedule a vote on any legislation he wants, and he can do so whenever he wants.

So for the record, I wish to correct the error in the New York Times editorial. I strongly support criminal justice reform, including sentencing reform. My concerns about the sentencing reform bill cosponsored by Senator DURBIN and Senator LEE are that I believe the criteria it uses are excessively broad in deciding whose prison terms to shorten. But I think those are the sorts of things that could be worked out through an open amendment process on the Senate floor. And—I am sure we all agree on this—we don't want to prematurely release dangerous, higher level drug traffickers. That is my concern, that the bill is overly broad and would include them. Those kinds of concerns should not be taken lightly—and I am sure they are not—and I look forward to working with my colleagues to address them.

To reiterate, my opinions about the sentencing bill have nothing to do with the majority leader's prerogative to schedule a vote. He could schedule that vote anytime he wants. I would like to think the New York Times editorial board is knowledgeable enough to know that, but apparently they need a reminder.

IMMIGRATION POLICY

In the last week I have come to the floor a number of times to talk about the humanitarian crisis in South Texas. This of course is caused in large part by 52,000 unaccompanied minors, mostly from Central America, who have shown up on America's doorstep, on our border, saying they want to live in the United States. It is estimated those numbers could rise to as many as 60,000 to 90,000 this year alone and maybe double next year unless something is done.

I have to say I am somewhat encouraged because the Obama administration is finally acknowledging—somewhat belatedly, but finally they are acknowledging their policies may have contributed to this crisis in the first place.

This past weekend Department of Homeland Security Secretary Jeh Johnson published what he called an open letter to the parents of children crossing our Southwest border. This letter ran as an op-ed in Spanish language media outlets, and it warned parents of the extraordinary dangers facing Central American migrants who travel through Mexico, including the danger of kidnapping, sexual assault, torture, and murder.

Secretary of Homeland Security Johnson also made clear that the children who have been pouring into South Texas will not be eligible for the Obama administration's so-called deferred action programs. This is what he said: