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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. The Reverend Randy Cash, the American Legion's national chaplain, from Lincolnton, NC, will lead the Senate in prayer.

The guest chaplain offered the following prayer:

Let us pray.

Almighty and Everlasting God, in whose Name we trust and pray, it is fitting to pause, if but momentarily, to recognize You, the One in whom does finally reside all authority and power and by whose grace we are allowed to exercise that which You have committed to us. Accept our homage, O Lord, and hear us when we pray for wisdom to lead with integrity, compassion, and vision.

We are mindful that around the world today our soldiers, sailors, airmen and by whose grace we are allowed to exercise that which You have committed to us. Accept our homage, O Lord, and hear us when we pray for wisdom to lead with integrity, compassion, and vision.

The PRESIDENT pro tempore. Thank you, Reverend Cash. We are grateful to have you here, and for your service.

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.

The PRESIDING OFFICER (Mr. COTTON). The Senator from North Carolina.

WELCOMING THE GUEST CHAPLAIN

Mr. BURR. Mr. President, I want to take 60 seconds before the two leaders speak to welcome a North Carolinian, Randy Cash, who was appointed the national chaplain of the American Legion on August 28, 2014, at their annual convention in Charlotte, which I attended, as well as the President.

Randy is a native of North Carolina. He spent part of his life in Myrtle Beach, SC, but he attended a number of schools throughout the region. He was commissioned as a Navy chaplain in 1980 and he entered Active Service in 1983. He was assigned to Destroyer Squadron Six out of Charleston, SC. His next tour was staff chaplain, Naval Education and Training Center in Newport, RI, and his life continued from spot to spot.

Randy has served as chaplain during Desert Shield, Desert Storm, while he was stationed at Naval Air Station Oceana in Virginia Beach. He also had a turn at Guantanamo Bay in Cuba, which we all talk about today, and was transferred to the 2nd Marine Division at Camp Lejeune, NC, where he served as regimental chaplain.

Let me say this is a decorated chaplain. Randy Cash retired from Active Duty in 2009. His military awards and decorations include the Legion of Merit, two awards, and the Bronze Star. He is a man of conviction, he is a tremendous North Carolinian, and over the next year he will serve as the national chaplain of the American Legion in a most effective way.

Reverend Cash, we are delighted to have you here.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

MEASURES PLACED ON THE CALENDAR—S. 534 AND S. 535

Mr. McCONNELL. Mr. President, I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The Senator is correct.

The clerk will report the bills by title for the second time.

The senior assistant legislative clerk read as follows:

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

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

Mr. McCONNELL. In order to place these bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

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

Mr. McCONNELL. Mr. President, I move to proceed to H.R. 240.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

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

KEYSTONE BILL

Mr. McCONNELL. Mr. President, the Congress is sending the President of the United States another piece of bipartisan legislation today. Americans of both parties are calling on him to sign it. There is no good reason not to. The Keystone jobs bill is just common sense. Construction of this important infrastructure project would support thousands of American jobs. It would pump billions into our economy and the President's own State Department

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



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told us this could be achieved with minimal—minimal—environmental impact. That is why this jobs and infrastructure bill passed both Houses of Congress with bipartisan support.

I know powerful special interests and political extremists are pressuring the President to veto American jobs. I hope President Obama will join with us in standing for the middle class instead. It is hard to even imagine what a serious justification for a veto might be. Excuses related to the review process obviously won't work, since this bipartisan bill is a solution for fixing a review the Obama administration broke as it ignored deadlines and interfered for political reasons. Plus, the President has called on Congress to send him infrastructure projects, and Keystone is an important infrastructure project that is shovel ready.

Americans are urging President Obama to finally heed scientific conclusions his own State Department already reached. There is no reason for the President to ignore that science any longer. Republicans and Democrats, labor unions and businesses—we are all calling on him to finally allow American workers to build an infrastructure project that just makes good sense.

Mr. President, last night I took action to allow the Senate to consider commonsense legislation that every Democrat should want to support. This targeted measure would address the President's most recent overreach from November.

The bill isn't tied to DHS funding. There is no excuse for our friends on the other side to oppose it. That is especially true of the Democrats who led their constituents to believe they would stand up for democratic principles in this debate. These colleagues have hidden behind all manner of excuses to avoid upsetting the far left. Well, this bill removes the excuses and it sets up a simple political equation: Either stand in defense of extreme overreach or stand with constituents in support of shared democratic values.

As I have said already, my preference remains with the legislation that has already passed the House. It is still the simplest way forward. But as long as Democrats continue to prevent us from even debating that bill, I am ready to try another way. I hope our friends across the aisle will demonstrate similar flexibility.

I am calling on Senators of good faith to work with us and move the bill forward as quickly as possible. So let's get to work.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Mr. President, I do appreciate—and that is an understatement—what the majority leader has to go through to try to please the extreme voices on his side. The fact remains we are 4 very short days away from a Homeland Security shutdown—a shutdown, Mr. President. We have a couple

of bills on the floor that, unless there is unanimous consent, we can't get to in 4 days. Funding expires on Friday, yet last night the majority leader moved to bring a bill to the floor that does absolutely nothing to fund Homeland Security—nothing.

If the majority leader wanted a vote on this bill, he shouldn't have wasted a month repeating the same failed procedural vote four times with the same result. Albert Einstein said that is the definition of insanity, when you keep doing the same thing over and over again, getting the same result.

We have said all along that we are more than happy to have an immigration debate once Homeland Security is funded. Nevada so badly needs full funding of Homeland Security. State and local governments demand full funding of Homeland Security. It is not only for Nevada, it is all across the country, because the homeland cannot be protected the way the law is now set up unless the Secretary of the Department of Homeland Security has the ability to grant. If there is full funding, it would be almost \$2 billion worth of programs to allow the homeland to be protected by State and local governments.

So we are happy to have a debate on immigration, but we have to fully fund Homeland Security. We have said that all along. We have said it not once, not twice, but we have said it many different times.

In fact, there was a proposal brought to the Senate floor 3 weeks ago, sponsored by Senators MIKULSKI and SHAHEEN, only to have the Republicans object to that.

We want a debate on immigration. We are happy to have a debate on immigration. We are eager to debate immigration now or any other time, but we can't do that until we fully fund the Department of Homeland Security. We have been saying that for 4 weeks and nothing has changed in the last 24 hours.

The majority leader should allow a vote on the Mikulski-Shaheen funding, which is sitting on the floor right now. It is on the calendar. That is the only way to resolve this mess which the Republicans created. The only thing that can pass the Senate is a clean bill to fund Homeland Security. And then, once that is done, there is a consent pending here on the Senate floor that says once that is done and the President signs that, we will be happy to debate immigration for whatever time the Republicans deem necessary.

Would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until

12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided, and with the Democrats controlling the first half and the Republicans controlling the final half.

The assistant Democratic leader.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. DURBIN. Mr. President, by calculation, we have today and 3 more days before the Department of Homeland Security is shut down.

Think about what happened this last weekend all across America. It was disclosed publicly that an extremist group, a terrorist group—Al-Shabab—had some communication among their membership targeting malls in America for extremism and terrorism. God forbid that ever happens.

I know those who are managing these malls look at the terrible situation that occurred in Africa and want to make certain it is never repeated anywhere, let alone in the United States. They are making extraordinary efforts to protect people across America, not only as they are shopping in malls but in other places, as they should.

What is the lead agency to protect America against terrorism? What is the lead agency to make sure we never ever again in our history experience 9/11? The Department of Homeland Security. That Department was created after 9/11, because we felt the way we were protecting America wasn't good enough. We took 22 different Federal agencies and put them under the roof of the Department of Homeland Security and said to that Department: Now focus; focus all your time and efforts to keep us safe. They have done a good job. I am sure they have made some mistakes along the way, but they have really dedicated themselves—all the men and women who work there—to keeping America safe.

Now what has Congress done for the Department of Homeland Security? Last December, when we considered the appropriations—the budget—for the Department of Homeland Security, the Republicans insisted we take that Department out of the regular budget process and give it only temporary funding, a continuing resolution—temporary funding—which limits the authority of the Secretary of Homeland Security to do his best job to keep America safe. Why would the Republicans pick this appropriation, the single appropriation to keep America safe from terrorism and decide they don't want to properly fund it? They are only giving it temporary funding and a continuing resolution because they disagree with President Obama's position on immigration. That is it.

They want this issue of immigration, separate and apart from the budget of the Homeland Security, to be debated, and they insist they will not fund the Department of Homeland Security until it is debated. So come February