

would consider the Lynch nomination through regular order, and that has not happened. He gave his word that we would vote on confirmation this week, but now he is hedging on that. There is no reason my friend, the majority leader, cannot live up to his numerous commitments.

Loretta Lynch's nomination is on the Executive Calendar, meaning the Senate can consider her nomination and then immediately move back to the trafficking bill. Any attempt to hold her nomination hostage because of the abortion provision is a sham.

This Congress is barely 2 months old. Yet this is just the latest on a growing list of examples proving Republicans simply cannot govern.

The American people need a human trafficking bill, and the American people need an Attorney General. Let's confirm Loretta Lynch as soon as possible.

Madam President, what is 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 for 1 hour, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Texas.

HUMAN TRAFFICKING LEGISLATION

Mr. CORNYN. Madam President, tomorrow morning the Senate will be casting a very important vote. We will be voting on a piece of legislation called the Justice for Victims of Trafficking Act, which currently has 12 Democratic cosponsors and virtually an equal number of Republican cosponsors. In other words, this is generally bipartisan legislation.

As further evidence of its bipartisan support, this bill passed unanimously out of the Senate Judiciary Committee in February, and it enjoys the support of more than 200 victims' rights and law enforcement organizations. But as everyone in this Chamber knows, Senate Democrats have said they will filibuster this bipartisan legislation that is designed to provide justice for victims of trafficking because it contains a particular provision they have voted for on a number of occasions and, indeed, have chosen to cosponsor. It is unconscionable and shameful and more than that it is just simply baffling to me.

The reason it is so shameful is because there are children waiting for our help. The average victim of human trafficking in the United States is a young girl between the age of 12 and 14

years of age. Children are being abused and literally sexually assaulted while apparently some of our colleagues on the other side of the aisle have decided to try to make a political point. It is baffling because my colleagues have voted for essentially this very same provision in one form or another time and time and time again.

Apparently, the Democratic leader, who is pressuring Members of his caucus to filibuster this bill is—well, he says we need to take out the language they object to, but I was standing on the floor just a few days ago when—I guess it was Thursday afternoon—the majority leader, Senator MCCONNELL, offered them an opportunity to have an up-or-down vote to strip that language out of the bill and they objected to it. So it is getting harder and harder to believe the sincerity of their protests, and it is appearing more and more likely that what they want to do is have the Senate return to the same dysfunctional nature it was under for the last 4 years by the previous majority.

I wish to pose several questions to our colleagues who insist on filibustering this bipartisan piece of legislation. The first question I have is: Isn't it the case that only 3 months ago 50 Democrats voted for the 2015 Defense authorization bill? Isn't that a bill a piece of authorizing legislation much like the underlying justice for victims of trafficking bill? If 50 Democrats voted for similar language with regard to the limitations on the use of funding just a few months ago, how in the world can they filibuster this bill for including the same language they voted for, more or less, just a few short months ago? In fact, it is true that in 2009 all of the Senate Democrats—in a partisan vote—voted to include this similar language as part of ObamaCare. Groups such as NARAL, the National Abortion Rights Action League, protested that the language “went far beyond even the Hyde Amendment.” Yet 60 Democrats, including the then-majority leader—now minority leader—voted for that in the wee hours of Christmas Eve 2009.

Again, I ask our friends who are filibustering this bipartisan piece of legislation designed to help the victims of human trafficking: Isn't it true that in 2009, 58 Senate Democrats voted to reauthorize the Children's Health Insurance Program, which like Medicaid is subject to the Hyde Amendment?

To each of those questions, the record would demonstrate they should be answered with a resounding yes.

So time and time again, our colleagues on the other side of the aisle, who now find themselves in the inexplicable position of filibustering a bill they are cosponsoring or which they have already voted for in the Judiciary Committee and which contains very similar restrictions on the use of the funding—how in the world have they decided to make the stand, here and now, denying even the opportunity they have been given by the majority

leader to have an up-or-down vote to strip the language out that they object to?

Well, despite the hypocrisy of their position, the question this really boils down to is this. This is the question, the only question that really matters: To our colleagues who are filibustering this legislation, Are you prepared to turn your back on the thousands of people living every day in bondage and who are desperately clinging to the hope that someone—someone—will lend them a helping hand? Are you prepared to abandon these children and these other victims of human trafficking who deserve a roof over their head, someone to lean on, and somehow, some way to get a fresh start in life?

Do our colleagues who are filibustering this legislation really want to play politics with such a sensitive and vulnerable part of our population over an issue that some advocates have called a phantom problem? The reason why some advocates who support this legislation have called the objection of the Democratic leader a phantom problem is because not only have they voted for similar provisions over and over and over again, this essentially has been the settled law of the land for 39 years—since 1976. Just in case our colleagues think that the examples I mentioned are exclusive, there are a number of other provisions—32 Democrats voted for the so-called CR omnibus, the continuing resolution omnibus, in December. Thirty-two Democrats voted for that which contained very similar language. And I mentioned several others.

I want to conclude with the Washington Post editorial for today. I do not always find myself in agreement with the Washington Post editorial board, but this morning I think they encapsulated the Democratic filibuster of the bipartisan antitrafficking bill perfectly. In urging the Senate to pass this legislation, they wrote: “[T]his week the question will be whether Senators can put the interests of scared, abused children ahead of the chance to score political points.” I could not agree more.

So tomorrow morning, an hour after we convene, we will have a vote that will decide whether this legislation goes on to final passage. We need six brave Democrats—six brave Democrats—to join all the Republicans on this side to keep hope alive for these victims of human trafficking. We need six Democrats who are willing to break away from the tyranny of their party's own leadership here in the Senate and do what they know is the right thing to do. They know it in their heart, and they know it in their mind, and they know they have supported similar language in legislation time and time again.

We need six Democrats willing to break away from the mindless, heartless filibuster of this legislation. I hope they will examine their conscience. I

hope they will ask themselves, Isn't this exactly the kind of vote that I came here to the U.S. Senate to cast? I hope they will pray on it, and I hope they will think long and hard before saying no to the abused children and the victims of human trafficking.

That is what this is all about. It is not based on any Hyde amendment language in this legislation. It is based on a determination to render this institution dysfunctional, not because of any principal policy disagreement, because, as I point out, our colleagues on the other side have voted for similar language time and time and time again.

Our colleagues on the other side realize that on November 4, the voters rejected the then-majority and gave this side of the aisle the opportunity to serve in the majority because, frankly, they were sick and tired of the way that Washington operates and the dysfunction that prevailed here for so long. I had higher hopes that after the election we would all learn something from what the voters were telling us on November 4 and thereafter and that we would take advantage of the opportunity to try to work together to find areas where we could agree, in a bipartisan way, to actually move the ball forward and help people who need our help. If we cannot do that on an antihuman trafficking bill, what can we possibly work together on?

This whole phony issue of the Hyde amendment provision in this bill is a joke. It is a sick, sad joke, after time and time again voting for similar provisions in other legislation. As I pointed out, you have 12 Democratic cosponsors of the legislation. Do you think they did not read the legislation? That is ridiculous. Do you think their staff did not tell them what was in the legislation? Do you think before the Judiciary Committee voted unanimously to pass it out people did not know what they were voting on? I do not believe that for a minute. I have too much respect for our colleagues and their professionalism to think they missed it.

Our colleagues have an important choice to make tomorrow morning. I hope they will say yes to these victims of human trafficking and no to the kind of political gamesmanship that gives this institution a bad name.

The PRESIDING OFFICER. The Senator from Illinois.

SENATE AGENDA AND NEGOTIATIONS WITH IRAN

Mr. DURBIN. Madam President, I listened to the impassioned speech by my colleague from Texas on the issue of human trafficking. There is no dispute here. This legislation is bipartisan. Democrats and Republicans are prepared to support the bill that has been offered on human trafficking by Republican Senator CORNYN and Democratic Senator KLOBUCHAR. There are amendments pending I think which improve the bill—one by Senator LEAHY about runaway children. In fact, we are so

prepared to do this that we have put together a comprehensive substitute amendment to what has just been described which could be quickly passed on the floor. I do not believe there would be more than a handful of Senators voting no. I certainly would support the passage of the Leahy version.

What is the difference? Senator CORNYN has injected into this important issue a side issue, but not an inconsequential one, on the Hyde amendment.

Henry Hyde was a Congressman from Illinois who served in the House of Representatives with me for a period of time. He authored the Hyde amendment that said no Federal funds shall be used to pay for abortion procedures except in very limited circumstances—rape, incest, and the life of the mother. That has been put in appropriations bills every year since—without question, without challenge.

What Senator CORNYN is trying to do is to make this permanent law, and make it part of a human trafficking bill. I do not doubt this is an important issue. I know it is because I have served in the House and the Senate. But I do question whether we should make every bill that comes along a vehicle or carrier for debating abortion or other really controversial issues.

This question of passing a human trafficking bill to protect the scores—thousands—of victims of human trafficking is one which would pass in a heartbeat in the Senate if the Senator from Texas would remove this controversial section. Senator LEAHY has offered that substitute. I hope we will have an opportunity to vote on it, and vote on it soon.

As to whether this is a reflection of a dysfunctional Congress, well, most of the people back in Illinois and Chicago whom I run into—particularly this weekend—have raised that issue from time to time, and I can see where the argument could be made. We now have a Congress controlled by Republicans—the House and the Senate—and the White House, obviously, with a Democratic President. It is a tough political terrain under the best of circumstances, and we certainly have not been facing the best of circumstances for a long time. There are just a lot of differences between the House and the Senate and the President and the White House, and many of those are manifest.

What was the first bill the Republican majority in the Senate called—No. 1, Senate bill 1? The Keystone Pipeline—a bill to authorize the construction of a pipeline owned by a Canadian company in the United States. That was the highest priority for the Senate Republicans. The President said at the outset: Do not try to preempt my authority as President. I will veto it.

But they insisted. We went through several weeks—2 or 3 weeks—of amendments, and we cooperated on the Democratic side. I think there might

have been 30 or more amendments offered during that period of time. In the end, the bill passed with six or eight Democratic votes, was sent to the President, and was vetoed.

So the first 3 weeks were spent on this politically controversial issue, for which, at the end of the day, the President's veto was sustained, and it was wiped off the slate.

Then we went into a rather bizarre chapter here where the House Republicans insisted that before—before—they would fund the Department of Homeland Security—you know, the folks at the airport, the people who are guarding our borders—before they would fund the Department of Homeland Security to guard us against terrorism, we had to vote on five separate riders relative to the President's immigration Executive orders.

They held up this appropriation—giving partial funding to it week after week after week—until we finally said: Enough is enough. Fund this agency that keeps us safe. Stop playing political games with this issue. It went back and forth and back and forth. Another 3 weeks were wasted on this issue before finally—finally—on a bipartisan basis we passed this measure funding the Department of Homeland Security and said to the House of Representatives: Please, stop putting extraneous issues on important matters like funding our government.

I thought perhaps we turned the corner and moved in a more positive way, but we are mired now over this one, small provision in this bill which Senator CORNYN could remove in a heartbeat.

Then last week came a blockbuster issue. I did not realize a week ago today that still a week later I would be going on Chicago television being questioned about a letter signed by 47 Republican Senators which was sent to the Ayatollah of Iran, a letter sent by 47 Republican Senators to the Ayatollah of Iran telling him and his government not to negotiate with the President of the United States in an effort to stop Iran from developing nuclear weapons. The author of this letter, Senator COTTON of Arkansas, and those who signed it, went to great lengths describing how they would, in fact, have the last word on anything negotiated by this President and that they planned on being around for a long, long time, urging the Ayatollah to not enter into negotiations with the President of the United States of America.

There is no historic precedent for what just occurred—none. We have never had 47 Senators of any party send a letter to a head of state and say: Stop negotiating with the United States of America. And they did it. The press reaction across the United States has been overwhelmingly negative to this action that was taken by these 47 Senators. I could go through the long list here of what newspapers across America have said about that letter.