

country and the litigants depending on a way to get to court to go to trial.

The Republican leader has the power to alter the destructive path Senate Republicans have charted. Before we leave for the holidays, the Senate should act to schedule votes on the dozens of judges who have been denied a vote. Where we have the judicial emergencies, the criminal cases are allowed to go forward but not the civil cases, involving people's businesses. They can't have their day in court. There are too few judges who have to take care of all of the criminal cases first. The civil cases wait—damaging to our economy and certainly damaging to people's lives. Thousands of Americans waiting for years deserve their day in court without further delay by Republicans, which is outrageous.

Mr. President, I see no one on the floor. Will the Presiding Officer announce to the Senate the work of the day.

RESERVATION OF LEADER TIME

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

STUDENT SUCCESS ACT— CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the conference report to accompany S. 1177, which the clerk will report.

The senior assistant legislative clerk read as follows:

Conference report to accompany S. 1177, a bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mr. REID. Is the time divided equally on quorums?

The PRESIDING OFFICER. There is no order for division of time.

Mr. REID. I ask unanimous consent that during all quorum calls this morning, the time be equally divided between the two sides.

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

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

RELIGIOUS FREEDOM

Mr. DURBIN. Mr. President, the Founding Fathers took great care when it came to the issue of religion in our Constitution. Many of the people

who had come to the United States and became its earliest White settlers came for religious freedom. They had witnessed discrimination. They had witnessed government religion. They had witnessed the type of conduct which not only offended their conscience but motivated them to come to this great Nation. So when the Founding Fathers sat down to craft our Constitution, they made three hard-and-fast rules when it came to religion in this United States of America. The first was our freedom to believe as we choose or not to believe, a personal freedom when it came to religion embodied in the civil rights. The second was prohibition against any Government of the United States establishing a state or government religion. Third, the prohibition of any litmus test before anyone could run for public office when it came to religion.

For over 200 years now, those fundamental principles have guided the United States and have kept us away from some of the terrible conflicts which have occurred in other nations across history when it came to the clash of religious belief. It is hard to imagine that in this 21st century, more than 200 years after the Constitution was written, that in the midst of this Presidential campaign, we would once again be reflecting on religion in America, but we are.

Statements that were made over the last several months, and especially a statement made yesterday by a Republican candidate for President, have called into question again the policy and values of the United States when it comes to the practice of religion. Mr. Donald Trump, Republican candidate for President, has proposed excluding people of the Muslim religion from the United States. He said we need to do that until our government figures out what to do with terrorism. Mr. Trump's statements have been condemned, roundly condemned by most of the other Republican Presidential nominees, as well as former Vice President Richard Cheney. It is an indication that he has gone too far. I hope it is an indication that we in America will reaffirm fundamental values, when it comes to religious beliefs, that have guided this Nation for more than two centuries. I might add, this is just the latest chapter in this story.

REFUGEES

Mr. President, it was only a few weeks ago when there was a conscious effort promoted by the Republican Presidential candidates to exclude Syrian refugees from the United States. They called it a pause. They said we needed to assess whether or not we ought to change our system for refugees coming to this country, and, in so doing, they required the certification by the heads of our national security agencies of each individual refugee before they could come to the United States.

Each year, the United States allows about 70,000 refugees to come to our

shores from all across the world. They come from far-flung nations. The largest contributor last year was Burma—those who were escaping persecution in Burma. The second largest group was those coming from Iraq. They included, incidentally, those Iraqis who had served and helped the United States and its military during our period of occupation. Many of them risked their lives for our soldiers, and now they are worried about retribution and have asked for asylum refuge in the United States.

The proposal was made by the Republican side that we should limit—in fact, should delay and then limit—Syrian and Iraqi refugees. One has to wonder whether or not it has anything to do with the fact that the vast majority of people living in those two countries are of the Muslim faith.

I have met some of these refugees in the city of Chicago. Some of them waited up to 2 years after they were being investigated and interviewed and fingerprinted—up to 2 years—before they could come to the United States. Their stories of what they and their families have been through are tragic. They come here simply to start a new life in a safe place and to raise their children. It truly is what has motivated people across the span of history to come to this great Nation, and these refugees are no different.

The fact that the Republicans would start by excluding refugees—and now, Mr. Trump takes it to the extreme of excluding people of a religious faith, the Muslim religion—is an indication of a conversation in American politics that needs to stop. We need to reflect once again on the fundamental principles of this country and the fundamental values of this country as well. I hope this is the beginning of a reevaluation.

It wasn't but 2 weeks ago that the House of Representatives passed the measure, the so-called pause in accepting refugees. It is interesting what has happened since. More than half of Democrats who voted for this—47 of them—have said they don't want to include this measure in any final appropriations bill considered by Congress. They are obviously having second thoughts about their votes. At least one Republican Congressman from the State of Oklahoma said he made a mistake; he never should have voted for this policy when it came to Syrian refugees. So perhaps, as tempers cool and as we reflect on who we are as a Nation and what we want to be, we will have second thoughts about this question of refugees.

GUN VIOLENCE

Mr. President, there was another vote last week which I noted on the floor yesterday and which I still find hard to believe. A measure was offered by Senator FEINSTEIN of California. What it basically said is: If you are on a no-fly list—if you have been identified by our government as a suspected