

now Congress's duty to step up and take the lead.

We have an obligation to be straightforward and honest with the American people about the financial challenges America faces. There was a furor over our continuing plunge into debt and deficit starting in 2009 and 2010 as we saw the spending explode with stimulus plans that didn't work and other policies that continued to drive us into debt. Unfortunately, that level of intensity and displeasure over all that was happening has subsided, but the problem hasn't gone away. It needs to be addressed, and it needs to be addressed now.

As I said, we have an obligation as Members of this body and of the Congress to be honest and straightforward with the American people about where we stand and what we will do about it.

I received a letter from one of my constituents, Steven of Martinsville, Indiana. Steven wrote to me to describe his concerns about our national debt and spending. Let me quote from his letter:

As of today, the outstanding national debt is over \$18 trillion. That is an overly exorbitant amount of money.

It certainly is, Steven. You are right. It is an exorbitant amount of money—one we can hardly even get our minds around in terms of what \$18 trillion means.

Steven continued:

Therefore, I would like to know our options in America.

I think we as elected officials have an obligation to list those options and describe what we would do about it if we had the opportunity and the support from the President, which is not forthcoming, but perhaps it will be. Surely even the executive branch and the President have to understand the situation we are in and the consequences of not doing something about it.

I am sure my colleagues received many letters and information from constituents who are concerned about the health of our Nation, from our mounting Federal debt, to our management—or I suppose I could say mismanagement of the Federal budget. Our constituents want to know what we, as their elected officials, are going to do about it.

What is plain as day to Steven, unfortunately, is not so clear here in Washington because the President says we don't have a spending problem, we have a revenue problem. I can't go home to people in Indiana and tell them that we need to tax more because government is growing and needs their money, and do so without derision coming back my way because people are being taxed to death. This President has an obsession with solving every conceivable problem by asking for more revenue and more taxes. The revenue is increasing; yet we have not placed the necessary spending restraints to control this ever-growing dilemma of deficit spending.

I think there is only one real solution to our problem—a solution that is

absolutely necessary because we literally have tried everything else and come up short—and that solution is for this body to pass a balanced budget constitutional amendment. That is why I am cosponsoring an amendment to the United States Constitution that forces the Federal Government to balance its budget, limits the growth of government spending, and that requires a supermajority to pass any tax increase. Without these measures, we will not successfully deal with this problem.

This is not a new idea. I served here in 1995 and again in 1997. I voted for a balanced budget amendment to limit spending and require the Federal Government to balance its checkbook. Both times, the Senate came one vote short of the necessary two-thirds to pass the constitutional amendment and send it to the States for ratification. One vote—one Member out of 100—could have voted with us, and we would have put ourselves on the path towards a balanced budget. We would not have begun to have the problems of ever-increasing debt, ever-increasing new taxes to cover that debt, and constriction in terms of spending for national priorities, such as defense and health research. Unfortunately, it didn't. When the amendment failed in 1997, our nation's debt stood at \$5.36 trillion. Our debt is about three and a half times larger today. If we had had the political will to act then, we would not be faced with the financial challenges that exist today.

By passing a balanced budget amendment, we can send to the States not just a message that we are serious about addressing our fiscal woes, but that we are giving them a voice, we are giving people a voice, and we are giving them the power to hold Federal spending accountable. It would be a unique opportunity to right a wrong and begin restoring our fiscal house by making the Federal Government accountable for its spending.

In March of 1997 I stood on this very floor and warned about the dangers of operating outside our means. I said it then, and I would like to say it again today. I am quoting from what I said in 1997:

There is no reliable check on this process of intergenerational theft. It is politically prudent, even popular, and this political calculation will not change, will never permanently change without some kind of systematic institutional counterweight, without some measure to give posterity a voice in our affairs. Nothing, in my view, will permanently change until the accumulation of popular debt is a violation of our oath to the Constitution. Perverse incentives of the current system will not be altered until the system itself is altered, until our political interests are balanced by the weighty words of a constitutional amendment. It would be a much needed balance.

We need to come to this body at the beginning of each session and put our left hand on the Bible and our right hand forward and swear to uphold the Constitution, which would involve re-

sponsible spending to keep us from plunging into disastrous consequences.

I mentioned earlier that Steven from Martinsville, IN, sent me this letter. What I did not mention is that Steven is a Boy Scout working toward his Citizenship in the Nation merit badge, which teaches Scouts how to become active citizens who are aware of and grateful for their liberties and their rights.

We all know that Boy Scouts take this oath—the oath to be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, brave, clean, reverent, and thrifty. If we just take one of those principles, thrifty, and apply it to our governing, then America would be in a better place.

We cannot fail Steven, and we cannot fail his generation. His share of the debt will amount to more than \$62,000 in 10 years. Let's not keep shifting the hard choices to our children and grandchildren. Let's not deny them the opportunity at the American dream that all of us in my generation have enjoyed. The opportunity that comes with responsible spending and a responsible government. Opportunity that comes to few people in the world. We are so privileged as Americans to have that, and we are denying that to the future. By passing this balanced budget amendment, we can honor the moral tradition of sacrificing for posterity instead of asking posterity to sacrifice for us.

With that, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF ASHTON B. CARTER TO BE SECRETARY OF DEFENSE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of Ashton B. Carter, of Massachusetts, to be Secretary of Defense.

The PRESIDING OFFICER. Under the previous order, the time until 2 p.m. will be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Who yields time?

The Senator from Maine.

(The remarks of Ms. COLLINS and Ms. KLOBUCHAR pertaining to the submission of S. Res. 74 are printed in today's RECORD under "Statements on Submitted Resolutions.")

Ms. KLOBUCHAR. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. RUBIO). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. SESSIONS. Mr. President, I always try to be accurate in what I say on the floor. Having been trained before Federal judges for almost 15 years, practicing law, if you said something out of line, you got hammered for it.

My friend, very good friend and colleague, the Democratic whip, Senator DURBIN, earlier today came to the floor and said: Mr. President, I have been trying to understand what is holding up the funding for the Department of Homeland Security.

I would ask my colleague Senator DURBIN: Have you ever heard of a filibuster? What about the filibuster you are leading to block the bill that funds Homeland Security? I mean how much more obvious can the answer be to what is holding up funding for the Department of Homeland Security, the House-passed legislation?

It is good legislation, to my knowledge. There is very little dispute about the agencies and the departments in Homeland Security in terms of what they would get in terms of funding. They simply said that the extra-lawful actions of President Obama would not be funded.

The Los Angeles Times now says that this executive amnesty could cost up to \$484 million. I think it will be much more. The Los Angeles Times isn't counting the cost to State and local governments, welfare costs, tax costs. This is just their idea of what it will cost to give lawful status to 5 million people. It is going to cost more than that. But \$484 million is still a lot of money.

Congress, the House of Representatives, said: Mr. President, we don't agree with this policy and your policy is unlawful. You said 20 times yourself you don't have the power to do this. Constitutional scholars say that. It is an erosion of our power and, based on the fact that we don't like the policy and we think it is unlawful policy, we are going to fund Homeland Security, we are just not going to allow you to take money from enforcement of homeland security laws to reward people who violated the laws.

Isn't that a responsible thing for Congress to do? Isn't it an absolute fact that Congress has the power to fund what it desires to fund and not fund what it does not desire to fund? That is the power of the purse, vested in the coequal branch of Congress. It is Congress's fundamental power.

Senator DURBIN is now leading the filibuster. We have had a series of votes. He has been able to get every single Democrat to vote with him to block even going to the bill, even allowing a bill to come up on the floor of the Senate for debate and amendment.

If he wants to offer language that says we want to ratify what the Presi-

dent did and allow all this to happen, he is free to offer that amendment on the floor of the Senate. But he is not even attempting to do that. He is basically saying we are not going to allow the bill to come up for a vote, and we are going to blame the Republicans for blocking the bill.

What kind of world are we living in? I have suggested that is "through the looking glass." We have the people leading the filibuster accusing the House and Republicans in the Senate for blocking the bill when they, indeed, are the ones doing it.

He also quoted our fine colleague Senator FLAKE to say: To attempt to use the spending bill to try to poke a finger in the President's eye is not a good move, in my mind.

I agree with that, we shouldn't be using a spending bill to poke the President in the eye. But I suggest to my colleagues that the President is the one who has poked the American people in the eye, he has poked the rights and powers of Congress in the eye by taking money that was assigned and given to Homeland Security to enforce the laws of the United States. He is taking out money and spending it at this very moment to undermine and to violate the laws of the United States.

Colleagues, the law of the United States—we have a lot of laws—says that an employer, for example, cannot hire somebody unlawfully in the country.

So the President's proposal: Well, I am going to make 5 million people who are unlawful today lawful. I am going to give them a photo ID, I am going to give them a right to work, a Social Security number, and the right to participate in Social Security and Medicare, because I am angry that Congress wouldn't pass it.

Senator DURBIN says this—and our colleagues who have been leading the filibuster have been saying this—repeatedly.

It is impossible to explain the situation, quoting Senator DURBIN, where the agency "with the premier responsibility to keep America safe is not being adequately funded."

He goes on to say that again about placing America at risk.

I would ask a couple of questions. How does taking funding from the lawful, authorized policies of Homeland Security that are supposed to identify people unlawfully here, to identify terrorists, and do other things to make America safe—how does taking the money from them, to give legal status to 5 million illegal aliens make us safer?

Does that make us safer? How absurd is that?

Ken Palinkas, who is head of the union of CIS workers, the National Citizenship and Immigration Services Council, said:

Unfortunately—and perilously overlooked in Washington—our caseworkers are denied the urgent professional resources, enforcement tools, and mission support we need to

keep out those who are bent on doing us harm.

This is processing the 1 million or so per year who are given lawful status in America. He is not referring to the future when they are going to be expected to process—immediately, apparently—5 million more. They don't have money to process the people today. These are his words, not mine, in a letter dated September of last year. He said:

The 9/11 hijackers got into the U.S. on visas and now, 13 years later, we have around 5 million immigrants in the United States who overstayed their visas—many from high-risk regions in the Middle East. Making matters more dangerous, the Obama Administration's executive amnesty, like S. 744 that he unsuccessfully lobbied for, would legalize visa overstays and cause millions additionally to overstay—raising the threat level to America even higher.

That is what the people who enforce the law every day are saying.

In January of this year, a few weeks ago, January 22, Mr. Palinkas said:

The President's executive amnesty—

And that is what they are objecting to. That is what the people who are filibustering this bill today are doing. They are protecting, advancing, supporting, and attempting to fund the President's unlawful amnesty.

Mr. Palinkas, whose duty it is to enforce these laws, said:

The President's executive amnesty order for 5 million illegal immigrants places the mission of USCIS [that is the immigration service] in grave peril. Instead of meeting our lawful function to protect the Homeland and keep out those who pose a threat to U.S. security, health, or finances, our officers will be assigned to process amnesty for individuals residing illegally inside our nation's borders. This compromises national security and public safety, while undermining officer morale.

That is exactly right. You don't have to be a real expert to understand he is exactly right about this.

He continues:

The Administration's skewed priorities means that the Crystal City amnesty processing center will likely have superior work-site conditions for personnel relative to our normal processing centers. Additionally, the security protocols at place in this facility will be insufficient to engage in any basic screening precautions, ensuring and rewarding massive amounts of fraud. For the administration to continue down this course after the Paris attacks is beyond belief.

This is what we are dealing with. In October of last year, Mr. Palinkas, when the President was proposing this amnesty before it happened, issued a statement on behalf of his workers and his colleagues in the immigration service. He concludes in his statement:

That is why this statement is intended for the public. If you care about your immigration security and your neighborhood security, you must act now to ensure that Congress stops this unilateral amnesty. Let your voice be heard and spread the word to your neighbors. We who serve in our nation's immigration agencies are pleading for your help—don't let it happen. Express your concern to your Senators and Congressmen before it is too late.

Well, that is what it is all about. The President 20 times said he did not have the power to do such a thing, but he—under political pressure, I suppose, or just an overreach on his part—decided to do it anyway. He said he didn't have the power to do this. Now he has acted on it, even though the officers pleaded for him to not do it, even though an overwhelming majority of the American people said don't do it, even though at least nine Democratic colleagues who were supporting this filibuster said the President didn't have the power or shouldn't do it this way, that these kinds of decisions are part of Congress's power.

Mr. President, don't do it, is what they said. Yet all nine of them are now standing in lockstep to block the funding of homeland security that funds every part of homeland security—it just doesn't fund this building they have leased across the river in Crystal City that is supposed to process up to 5 million people.

Colleagues, I want you to know it is absolutely true they will not even have face-to-face interviews with these applicants. This is going to be coming in by mail and computer. They will eventually be sent someplace to get a photo ID, they will be given a work permit to take any job in America, and the right to participate in Social Security and Medicare, weakening both of those programs over the long term, without any doubt.

That is what is occurring without congressional approval. This is going to cost hundreds of millions of dollars just in the process.

But what I want Senator DURBIN to know is this is going to weaken national security. Because if someone is here to do harm to America—perhaps they are a drug dealer or they are a terrorist and they want to do criminal acts in America, and they have a record—they are not going to ask for the amnesty. They are going to stay and continue to work their wicked will. That is what they are going to do. Nobody is going to go look for them. Nobody is looking for them now, and nobody will be looking for them then. It will be business as usual.

But if you came here with a bad purpose—terrorism, drug dealing, other criminal activity—and you don't have a criminal record, you will just call in, send an email in, get your identity, and be allowed to permanently operate in the United States.

And colleagues, the American people, I think, understand this. Nobody is going to investigate anything, other than maybe to run a computer background check—a computer check to see if there is a criminal record out there. There is no way anybody is going to go back and try to verify whether someone has actually been in the country a number of years, verify family relations. They are not going to go back to some school to see if they actually graduated. There are no people to do that. This is just a blanket approval

for people who apply, basically. You send in a few documents, and you are in. There is no capability of doing anything other than that.

So the President has just made a big mistake—a big mistake—and Congress needs to push back. Congress has the power to consider what kind of policies we want to set with regard to immigration. Those have been set. It is unlawful for people unlawfully in America to work in America and to participate in Social Security and all of those programs. It is just unlawful to do that. The President is violating that law in issuing directives through these departments and agencies to Federal employees, and those employees are protesting dramatically, but nobody seems to care.

Congress is the one body that is supposed to stand up to that, and the House of Representatives has done so. They passed a bill that would stop this activity, that says: we will not authorize the expenditure of any money to carry out this plan that Congress has not approved, that undermines the laws we have in place, and that—as Palinkas and other officers have told us—will encourage more people to come to America unlawfully, further decimating any integrity the system has.

We issued a 49-page document of 200 different actions taken since President Obama has been in office that undermine the moral integrity of the immigration system, making it more and more difficult to maintain even a modicum of legality in the system. His actions are continuing to erode that—the most dramatic, of course, being this Executive Amnesty. So we are just supposed to accept this.

This isn't a personal issue to attack President Obama or any of our colleagues. It is a big American policy issue. It is a huge issue for this country, and we need to understand it. It is a constitutional question as well as a policy question.

The constitutional question, which the House of Representatives understands, is that Congress appropriates money. Congress has no duty to placate the President of the United States when he wants to carry on an activity that Congress chooses not to fund. Congress has a duty to history and to generations yet unborn to defend and protect its power of the purse. Congress has to do that.

I plead with and say to my colleagues that those who know the President overreached on this, this is the time, this is the bill when we should fix this. Passage of this bill without the language of the House would basically fund all of the Executive Amnesty. It would not block funding of this activity. To take out the House language and to pass what our colleagues want to pass—a bill that makes no reference to the Executive Amnesty—takes no action to stop that activity; that is, it ratifies it. It is in effect a financial ratification of an unconstitutional

overreach by the executive branch that will have ramifications in the future that we can't even imagine today.

Somebody asked the question—and I think it is a valid analogy—what if the President wanted to reduce the tax rate from 39 percent to 25 percent and Congress wouldn't pass it. So he tells all of his IRS agents—they work for him—don't collect any money over 25 percent. He says to the people: Don't send in money more than 25 percent. I told the agents not to collect more than 25 percent.

Is that so far-fetched, if this were to pass?

What the President is saying is, I know the law says you can't work here. I know the law says you are supposed to be removed if you are here illegally. I know all of these things, but we are just not going to do it. Not only am I not going to enforce the law with regard to immigration, but what I am going to do is I am going declare you as lawful. I am going to give you Social Security numbers and work permits.

A recent report from a liberal group, the Economic Policy Institute, announced on February 10 that the unemployed exceed job openings in almost every industry in America.

We know unemployment is exceedingly high, and we know that we have high job unemployment in the country. Remember, the unemployment rate we see today does not include people who drop out of the workforce, it only reflects those people who are underemployed and looking for more work or people who are actually seeking employment aggressively and have signed up on the unemployment rolls in efforts to get a job.

This indicates that in the big industry we used to hear a lot from—the construction industry—there are six times as many construction workers as there are job openings. Even for professional and business services they are higher. In retail trade there are far more applicants than jobs. It goes on and on, sector after sector.

So remember, at a time of this high unemployment, we are also going to be legalizing 5 million people to take jobs. We know we have to get over 200,000 jobs created in a month—that it takes 180,000 or 200,000—just to stay level with the growth in the population of America. We have been slightly above that recently, and there has been a lot of positive spin about that. But we still have the lowest percentage of Americans in their working years actually working that we have had in this country in 40 years.

Income is down \$4,000 since 2007 for middle-class working families. The median income is down \$4,000 since 2007. So how is this good for lawful immigrants, permanent residents, American citizens? How is it good to bring in even more workers at a time when we have the smallest percentage of Americans in the workforce in 40 years? I point to 40 years ago because we began to see a lot more women working in

those years, so this is a reversal of that trend.

What do the American people think about it? Here is some Paragon Poll data that says by a more than 2-to-1 margin Americans strongly oppose rather than strongly support the President's Executive actions. Blue collar and middle class workers strongly oppose the President's action by more than a 3-to-1 majority. By a 50-point margin, voters want Congress to pass legislation making it harder for companies to hire workers now illegally in the country—71 to 21.

The American people want to make it harder. Their children, their husbands, their wives are looking for work and not finding any. They want to have a decent wage, a rising wage, and a chance to get a job. So this is a 50-point margin. Remember, the President's action—far from making it harder for people to get a job—is going to provide a photo ID, work authorizations, and Social Security numbers to 5 million people unlawfully here. Almost all of those are adults, frankly.

Just to show how people feel about this and how strongly they feel about it, Kellyanne Conway's polling data shows that by a 75-to-8 margin Americans say companies should raise wages instead of allowing more immigrant workers to fill jobs.

People would like to see a pay raise around here for a change. Salaries dropped 5 cents in December. We are not doing nearly as well as some would like to say. That is a Department of Labor statistic—a government statistic—that says that.

How about this? What about people who have the hardest time finding work right now. African Americans, according to the Conway poll, by an 86-to-3 margin say companies should raise wages instead of allowing more immigrant workers to take jobs. For Hispanics that is true by a margin of 71 to 11. So by a 71-to-11 margin, Hispanics in America say companies should raise wages instead of bringing in more workers to take jobs, pulling wages down. That is what the market says.

So let's go back to the morality of all of this, which is fundamental. We as members of Congress represent the people of the United States. That includes immigrants, recent immigrants—naturalized citizens—living here today. It includes native-born citizens. That is who our obligation is to. So we need to ask ourselves, how are we helping them at a time of difficult wage conditions, difficult job conditions, while allowing a surge of workers to come to compete for the few jobs there are? Is that fulfilling our duty to the voters, to the electors who sent us here? I think not.

I think it is time for somebody to focus on the needs of people who go to work every day, who have had their hours reduced, who have had their wages decline, who have had their spouses and children having a hard time finding work. That is what is happening.

To repeat for my good friend Senator DURBIN, who says he has been trying to understand what is holding up the funding for the Department of Homeland Security, let me answer that question. The House has passed a bill. They have sent it to the Senate. More than a majority of the Senators have voted to pass a bill and fund the Department of Homeland Security. And you, as the Democratic whip, are leading the filibuster to block it from even coming up on the floor so amendments can be offered.

That is the answer to your question. So I don't think you should continue blaming Republicans for not attempting to fund Homeland Security. The whole world knows who is blocking the bill that funds Homeland Security: You and your team of filibusterers.

That is what it is. There is no doubt about that, and we need to get this straight. I don't believe the American people are going to be misled by that argument. I believe they are going to know what is happening in this Senate and why we have this difficulty.

I thank the Chair, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, the Senate will vote later today on the confirmation of Dr. Ashton Carter to fill a critically important Cabinet position, that of Secretary of Defense. I think we all know Dr. Carter is a dedicated and distinguished public servant. He has actually been confirmed twice, unanimously, to two senior positions at the Pentagon. He has been recognized as a four-time recipient of the Department of Defense Distinguished Service Medal, and he has been awarded the Defense Intelligence Medal. I have no doubt the vote today in support of Dr. Carter will be overwhelmingly favorable.

The Defense Department faces important, timely, and difficult decisions in the coming months and years. They have to learn how best to balance what we know are our fiscal constraints with not only existing but emerging international challenges. Dr. Carter served as the day-to-day financial officer of the Pentagon, so he is one of the few people who understand the complexities of the Pentagon's budget. I believe that Dr. Carter will build upon the fine work of Secretary Hagel to chart a path toward fiscal accountability while maintaining the kind of military capabilities we need to face current global threats.

Dr. Carter is receiving his confirmation vote just over a week after he testified before the Armed Services Committee and two days after his nomination

was reported to the full Senate, and that swift action is commendable. But I want to contrast how his nomination was handled as compared to Loretta Lynch's for Attorney General.

LYNCH NOMINATION

It is a disappointment that contrary to what was done for Dr. Carter, Republicans on the Judiciary Committee chose to hold over for another two weeks another critical nomination, that of Loretta Lynch to be the Attorney General of the United States, the Nation's chief law enforcement officer.

Loretta Lynch is a renowned prosecutor, twice unanimously confirmed by the Senate. She has worked to put criminals behind bars for such crimes as terrorism and fraud. Some Members of this body said these terrorists should be held in Guantanamo because we, the most powerful nation on earth, should be afraid to try them in our Federal courts—the best court system in the world. She showed a lot more courage. She said, we will try these terrorists in our Federal courts, and we will show the rest of the world America is not afraid—and it worked. She got convictions. Now, the President announced the nomination of Ms. Lynch nearly one hundred days ago. It has been more than two weeks since she testified before the Judiciary Committee. In addition to nearly eight hours of live testimony, she has responded to more than 600 written questions. Her nomination has been pending for longer than any modern Attorney General nominee.

I contrast this to another nominee. In 2007, Democrats, who had been in the minority, took back over control of the Senate. President Bush had had an Attorney General, a man who, by just about any objective standard, had been a disaster. He was removed, and President Bush nominated Michael Mukasey to serve as Attorney General. It took only 53 days from the time his nomination was announced to his confirmation. That included doing all of the background checks and having the hearings. And then, after Mr. Mukasey's hearing, of course under our rules we could have held his nomination over in Committee, but I asked the Committee not to and we did not. While I ultimately voted against Mr. Mukasey because of his responses relating to questions on torture, as Chairman I made sure to have the Committee act quickly on him. In fact, I held a special markup session in order for the Committee to be able to report his nomination as soon as possible, because the President should have an Attorney General—and he was confirmed by the Senate two days later. Now, Republicans should extend the same courtesy with respect to Ms. Lynch's nomination to serve as the Nation's top law enforcement officer.

I look forward to working with Dr. Carter. I am not suggesting we should hold him up because they are holding her up. Of course not. He should be confirmed, as she should be confirmed, and

I look forward to working with Dr. Carter on issues of great importance to Vermonters and to the Nation, particularly concerning our continued diplomatic efforts to end Iran's nuclear program, in halting and reversing the proliferation of landmines around the world, in responsibly managing the Pentagon, and in supporting our servicemembers at home and abroad.

And I look forward to working with Loretta Lynch when the Senate ultimately confirms her nomination, as it will. I urge the Republican Leader to serve the national interest by scheduling a confirmation vote on her nomination as soon as she is reported by the Senate Judiciary Committee on February 26. She has already waited far longer for a confirmation vote than any Attorney General in modern history, and she should be confirmed just as Dr. Carter is going to be.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I rise to join my friend and colleague from Rhode Island, Senator REED, in supporting the nomination of Dr. Ash Carter to be Secretary of Defense. I am confident Senator REED and I feel we have had a very good nomination hearing and that Dr. Carter is qualified to be the Secretary of Defense.

I have known Dr. Carter for many years during his lengthy service in Washington. He is one of America's most experienced defense professionals, respected by Republicans and Democrats alike.

He has served as Assistant Secretary of Defense for Global Strategic Affairs, Under Secretary of Defense for Acquisition, Technology and Logistics, and most recently as Deputy Secretary of Defense. In these positions, I have known him to be an honest, hard-working, and committed public servant. I have had the opportunity to work together with Dr. Carter on several issues of shared concern, especially trying to reform the Defense Acquisition System, improving financial management of the Department, and repealing and rolling back sequestration.

I was also pleased to hear Dr. Carter explain his views on a number of critical national security issues at his confirmation hearing earlier this month.

On Afghanistan Dr. Carter told the committee he would consider revisions to the size and pace of the President's drawdown plan if security conditions warranted. To achieve the success that is possible there, he urged the United States to "continue its campaign and finish the job."

Dr. Carter indicated he is very much inclined in the direction of providing defensive lethal arms to help Ukraine resist Russian aggression.

He pledged to do more to streamline and improve the Defense Acquisition System that takes too long and costs too much, and Dr. Carter agreed it is time to roll back sequestration because, in his words, "it introduces tur-

bulence and uncertainty that are wasteful, and it conveys a misleadingly diminished picture of our power in the eyes of friends and foes alike."

America is confronted with a diverse and complex range of national security challenges. A revisionist Russia, a rising China, and radical Islamist groups each seeking in their own way to fundamentally challenge the international order as we have known it since the end of World War II, a system that cherishes the rule of law, maintains free markets and free trade, and relegates wars of aggression to their rightful place in the bloody past.

We need a coherent national security strategy incorporating all elements of America's national power to sustain and defend the international order that has produced and extended security, prosperity, and liberty across the globe.

We need to stop holding our military hostage to domestic political disputes and send an unmistakable message to friend and foe alike that America intends to lead in the 21st century by repealing sequestration immediately.

We need to reform our Defense Acquisition System to restore confidence that every defense dollar is spent well and to ensure that the men and women in uniform are getting the training and equipment they need on time and at a cost acceptable to the taxpayer.

That is why America needs a strong Secretary of Defense now more than ever. I think Dr. Carter will be a good Secretary of Defense, who will always keep faith with our men and women in uniform and work tirelessly on their behalf and that of our national security. I am hopeful about the prospects of working together with Dr. Carter, along with my colleagues in the Senate Committee on Armed Services on both sides of the aisle, to achieve our shared priorities, especially the reform of our Defense Acquisition System, the modernization of our military compensation system, and the repeal of sequestration.

But when it comes to much of our national security policy, I must candidly express concern about the task that awaits Dr. Carter and the limited influence he may have.

Two of his predecessors, Secretary Gates and Secretary Panetta, have severely criticized White House micromanagement of the Defense Department and overcentralization of foreign and defense policies. According to numerous news reports, Secretary Hagel experienced similar frustrations with the insular and indecisive White House national security team over issues ranging from ISIL to Ukraine, detention policy to sequestration.

Dr. Carter is a worthy choice for Secretary of Defense. He has the experience, knowledge, and skill to succeed. The Armed Services Committee voted unanimously to approve his nomination last week, and I will gladly vote to confirm him today. I do so with sincere hope, and sadly, little confidence that

the President who nominated Dr. Carter will empower him to lead and contribute to the fullest extent of his abilities. At a time of global upheaval and multiplying threats to our security, the American people need and deserve nothing less.

I thank my colleague from Rhode Island for his cooperation and coordination with the hearing and for his input and influence which led to a unanimous vote from the committee.

I yield the floor for my friend and colleague from Rhode Island.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Rhode Island.

Mr. REED. Mr. President, I commend the chairman for his very clear and thoughtful conduct of these hearings with respect to Dr. Carter. The reason we are here today on the verge of a very strong vote for Dr. Carter to be the next Secretary of Defense is due to the contribution that Chairman MCCAIN has made to this process, which was extremely thoughtful and bipartisan. I thank him again for that.

Mr. President, I join Senator MCCAIN, and I not only commend him for his leadership but I also wish to express my strong support for the nomination of Dr. Ashton Carter to be the 25th Secretary of Defense. Dr. Carter is uniquely qualified to lead the Department of Defense at a time when—as Henry Kissinger recently said in a hearing before the Armed Services Committee—"the United States has not faced a more diverse and complex array of crises since the end of the Second World War."

Dr. Carter was born and raised in Philadelphia. He received a bachelor's degree in physics and medieval history from Yale and a doctorate in theoretical physics from Oxford, where he was a Rhodes Scholar.

During his career, Dr. Carter has already held three critical positions in the Department of Defense: Assistant Secretary of Defense for Global and Strategic Affairs in the Clinton administration; Under Secretary of Defense for Acquisition, Technology and Logistics from 2009 to 2011; and most recently, Deputy Secretary of Defense from 2011 to 2013. He is well aware of, and has already been deeply immersed in, many of the significant challenges facing this Nation and the Defense Department.

As Deputy Secretary of Defense, Dr. Carter was a critical player in the discussions and decision making on a myriad of international issues—issues that will continue to need the close attention in his tenure as Secretary of Defense.

I wish to name just a few. While the Secretary of Defense is not a party to the negotiations relating to Iran's nuclear program, the Secretary will undoubtedly be responsible for any number of potential contingencies. In the event of a breakdown in the negotiations, the consequences could alter the face of the region for generations and generations to come, and the Secretary

of Defense will be intimately involved in shaping the reaction.

Another area of deep concern is ISIL. Their violent campaign in Iraq and Syria to establish an extremist caliphate threatens to erase borders, destabilize the region, and create a breeding ground for foreign fighters willing to return to the West to carry out attacks against the United States and our allies. The Department must provide critical leadership in a coalition effort that includes Arab and Muslim States to degrade and ultimately defeat ISIL while being careful to ensure that the United States does not end up, as Brent Scowcroft and Dr. Brzezinski indicated to us in a hearing before the committee, “owning” some of these conflicts in Syria and elsewhere.

In Afghanistan the hard-won gains of the past decade are significant but remain fragile. As the Afghan National Security Forces continue taking over responsibilities to secure Afghanistan, the United States and coalition forces have transitioned to a more limited mission of training and assisting the Afghan forces and conducting counterterrorism operations. Yet it remains to be seen whether conditions on the ground in Afghanistan will improve sufficiently by the end of 2016 to warrant the pace of further reductions under the current plan. Dr. Carter’s participation in evaluating that plan will be absolutely critical.

Russia’s aggression against Ukraine has raised tensions in Europe to a level not seen in decades. Recently separatists in eastern Ukraine, with substantial Russian equipment, training, and leadership, have abandoned any pretext of a cease-fire, although there were discussions that were held overnight that perhaps might indicate a cease-fire. But in any case, the United States must determine the best way to support the Ukrainian people and their forces in defending their country.

Political instability in Yemen has caused the United States to evacuate its Embassy and created a vacuum, allowing the free reign of Al Qaeda in the Arabian Peninsula, which is intent on striking the United States and its interests. Again, the Defense Department plays a key role in supporting our partners in Yemen and navigating the complex political situation and continuing to have a presence there—which they do—which can effectively help to preempt any attempt to use that as a launching pad for operations in the region or across the globe.

The same brand of violent extremism in the Middle East can also be found in parts of Africa—al-Shabaab in Somalia, Al Qaeda in the Lands of the Islamic Maghreb, and Boko Haram in Nigeria. Countering the threat posed by these groups will require building partner capacity and enabling support to foreign security forces at a time when resources are scarce and those capabilities are in high demand.

In North Korea, Kim Jong Un’s regime has increased tensions on the pe-

ninsula with his provocative and belligerent behavior. The recent cyber attack on Sony is just the latest in a string of destabilizing actions. The regime is playing a dangerous game that could have disastrous consequences—especially for its own civilian population which has already suffered untold hardships and deprivation under his leadership. The North Korean regime is painting itself into a corner where it will be left with few friends and few options, and again, the United States, and particularly the Department of Defense, must be ever vigilant.

While the United States and China have many areas of coordination and cooperation, our future relationship remains uncertain. We welcome the rise of a peaceful and prosperous China. Especially in this new century of global commerce and economies, a prosperous China is not only in the region’s best interests but also in the world’s best interest. China’s increasingly controversial claims of sovereignty in the South China Sea and dangerous altercations with its neighbors raise serious concerns. While legal and peaceful avenues for dispute resolution are available, China has instead chosen to pursue, in too many cases, adversarial and unilateral actions that raise questions about its intentions.

On the cyber front, China is engaged in massive theft of U.S. intellectual property from American industry and government, which threatens our technological edge and sows distrust and profound misgivings. China will remain one of the Department’s most persistent and complicated challenges. With the focus on so many crises overseas, it is easy to overlook the challenges on our own continent. We have a violent threat of transnational organized crime in our own hemisphere. When the United States faced a threat stemming from violence and the drug trade in Colombia in the 1990s, it dedicated significant resources and entered into a decade-long commitment to provide training and other enabling assistance.

Colombia is a success story, but the problem has simply moved, in many cases, to other nations in the region. General Kelly, Commander of U.S. Southern Command, leads the Department’s efforts in the hemisphere, but he operates with scarce resources, a situation that may have serious consequences.

In addition to these traditional challenges that nation-states have faced for many, many years, the United States now faces new 21st century threats. For years we have devoted significant attention to the complex challenge of cyber warfare. The attack on the Sony Corporation was a watershed event in many respects, and it should and must stimulate fresh critical thinking. This attack demonstrated that a relatively small and weak rogue nation can reach across the oceans to cause extensive destruction to a U.S.-based economic target and very nearly succeed in sup-

pressing freedom of expression through cyber space.

The real and manifest advantages of the offense over the defense in cyber warfare that enable militarily inferior nations to strike successfully against the homeland are a new and worrisome factor for our national security and that requires not only the attention of the Department of Defense but the attention of the Congress.

All of the issues I have talked about are external, but there are local issues that the Secretary of Defense has to deal with. Senator McCain pointed out probably the most significant one, and that is the budgetary and programmatic challenges that have been forced upon us by sequestration.

The most immediate threat facing the Defense Department is, indeed, sequestration because without resources, the programs, the policies, and the initiatives which must be undertaken to confront these national threats cannot be done.

General Mattis, former Commander of Central Command, recently testified before our committee. He said: “No foe in the field can wreak such havoc on our security that mindless sequestration is achieving today.”

Only one-third of Army brigades are ready to fight. Less than 50 percent of our combat squadrons are fully combat ready. Sequestration threatens not only our national security, but it risks damaging our public safety, our health, our transportation, our education, and our environment. In the world we face, there is not a neat distinction between what the Department of Defense does, what the Department of Homeland Security does, and what other civil agencies such as FEMA must do. It is something that we have to consider, not just in the context of the Department of Defense but in so many other agencies of the Federal Government—in fact, in every agency of the Federal Government.

When the Budget Control Act was passed, Dr. Carter organized the Strategic Choices and Management Review to find options for implementing the required defense cuts. The results of this review have helped the Defense Department navigate through difficult fiscal constraints, but Congress must find a balanced and bipartisan solution and a repeal of sequestration across the entire government.

Even without sequestration, the Defense Department has to tackle the rising personnel costs which could crowd out other items in the budget. Currently, military personnel benefits, including health care and retirement, consume approximately one-third of the Defense Department’s budget.

If we are to adequately train and equip the force we have, to ensure they are capable of performing the arduous task we ask of them, and to modernize weapon systems, we must slow the growth of these costs within the Department in line with the slowdown of the overall top line. The congressionally mandated Military Compensation

and Retirement Modernization Commission recently released their recommendations. They are far-reaching and would fundamentally change military personnel benefits. They did so with the idea of improving the benefits available to many of our forces. They did it with the idea of insisting that our recruitment and retention efforts continue to be successful because we are a volunteer force. Their focus was really on the troops, but one of the effects of the recommendations was to make these costs sustainable over time.

As Secretary of Defense, Dr. Carter will have to work with Congress to carefully consider these recommendations to ensure that the Department has the resources to properly train and equip its fighting men and women.

The other major cost driver in the Defense Department is acquisition. To put it succinctly, defense acquisition takes too long and costs too much, but the Defense Department has undertaken significant reforms in recent years and many of these were personally led by Dr. Carter.

As Under Secretary of Defense for Acquisition, Technology and Logistics, Dr. Carter oversaw implementation of the Weapons System Acquisition Reform Act of 2009, and again, I must commend Senator MCCAIN and Senator Levin for their leadership in this effort. The largest restructuring of DOD acquisition policies in more than two decades resulted from this initiative.

He also oversaw and contributed to improvements in a number of major acquisition programs, including the major restructuring on the Joint Strike Fighter program, the largest DOD acquisition program; efforts to reduce the cost of the Virginia-class submarine program and to improve contract performance, which has allowed the Navy to begin a two-per-year procurement program for these submarines, which are under budget and ahead of schedule—a remarkable achievement; improvements to the littoral combat ship program, which was experiencing major costs increases and delays, with Dr. Carter's participation DOD shifted to competitive fixed-price contracts in 2011; restructured procurement for the Air Force's KC-46A strategic tanker program, which led to a competitive procurement, incorporating a firm fixed-price development production contract for buying up to 120 tanker aircraft; and canceling of the VH-71 program, an out-of-control program to replace the current Presidential helicopter fleet.

Clearly not all acquisition problems have been fixed and the Defense Department can and should do more to streamline and improve the system. I believe, from what I have just indicated, that Dr. Carter as Secretary of Defense will do just that. He has already demonstrated he can do it and he will do it.

Finally, and most importantly, as Senator MCCAIN indicated, if confirmed

as Secretary of Defense, Dr. Carter will be leading 1.3 million Active-Duty military, 820,000 Reserve and Guard, and 773,000 civilians. They are under strain after over a decade of war and years of fiscal uncertainty. They are wrestling with many of the same issues as civilian society—issues such as sexual assault and suicide. Yet they are committed to protecting this Nation and remain the finest force in the world.

Every decision Dr. Carter makes, I know he will make it thinking ultimately about what is in the best interests of the men and women in uniform and the DOD civilian workforce who give so much to this country every day, and that, I think, is one of the factors that compels all of us to support this nomination.

Dr. Carter has proven time and time again his commitment to the men and women who serve this Nation. I believe he is the right leader at the right time for the Department of Defense, and I urge my colleagues to support his confirmation.

SECRETARY OF DEFENSE CHUCK HAGEL

Mr. President, I would urge them also at this time to commend and thank Secretary Chuck Hagel for his service. It began decades ago as a young sergeant in Vietnam where he was wounded twice, where he fought in close combat against the enemies of the United States. He took this ethic from his own experience of understanding that ultimately the decisions made here in Washington are carried out by young men and women across this globe. In his tenure, he brought principled leadership, he brought a dedication to the men and women of the Armed Forces, and he also looked ahead in many different ways. One notable approach was his complete review of the nuclear establishment, the triad, not only in terms of its effectiveness but its security and its ability to respond to the threats not just of the Cold War but of the new world we face.

So for many reasons, he has done a remarkable job, and at this juncture, it is an opportunity to salute his efforts.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. President, I have concluded my remarks with respect to the nomination of Dr. Carter, but I wish to speak for a moment on a different topic.

We are in the midst of trying to provide appropriations for the Department of Homeland Security. It is an action we must take and we should take and we should do it without extraneous policy provisions.

Over the past few weeks, the State of Rhode Island has been beset by a series of snowstorms. In fact, the State could face another foot of snow this weekend. In coordinating a response to a disaster such as this, my State depends upon the Rhode Island Emergency Management Agency as well as local emergency managers. Those agencies, in turn, depend on Federal funding through the Department of Homeland Security, particularly the Emergency

Management Performance grant and Homeland Security grant programs, to build the capacity they need to respond to snowstorms, to hurricanes, and to natural disasters of all forms.

However, uncertainty about Federal funding makes it harder on my State to plan and prepare. It is harder for every State to plan and prepare. It is one of the many reasons we ought to pass the bipartisan bill that was negotiated by Democrats and Republicans on the Committee on Appropriations without the provisions added by the House regarding immigration.

A clean Department of Homeland Security bill would probably pass in this Chamber by an overwhelming majority in a matter of minutes. We all understand the security of the United States—not just with respect to natural disasters but with respect to many of the issues that are handed off, if you will, from the Department of Defense to the Department of Homeland Security. When we are worried, as we all are, about the lone wolves who may be in combat zones but coming to the United States, that is quickly a Department of Homeland Security responsibility. I don't think we want to confuse the issue of defending the homeland and protecting communities from natural disasters with other issues.

This is commonsense legislation. We have done it before. We have to move I think with alacrity to get this done. It is about protecting the American people from natural disasters as well as, unfortunately, in this world we live in, the potential for terrorist activities that emanate elsewhere but are directed against the United States.

Issues that are unrelated to funding the Department of Homeland Security I think should be put aside. We can deal with them. We can deal with them through the authorization process, but let's get this Department fully appropriated so it can continue.

I thank the Presiding Officer.

Mrs. FEINSTEIN. Mr. President, I support Dr. Ashton B. Carter to be our next Secretary of Defense.

I have known Dr. Carter for many years, both inside government and out, and especially as members of the Aspen Strategy Group. I have found Dr. Carter to be deeply thoughtful and extraordinarily competent. I am confident he will serve with distinction as our next Secretary of Defense, and I urge my colleagues to support his nomination.

It is vital to swiftly confirm Dr. Carter because we face countless threats around the world, many of which know no simple resolution. On all these national security issues, I strongly believe we need someone in charge who brings leadership, experience, intellect and a strategic lens. Dr. Carter possesses all of these things, and I fully expect he will put his expertise and counsel to good use in tackling our Nation's pressing challenges.

First and foremost, Dr. Carter will need to lead the Pentagon in confronting and ultimately defeating the Islamic State of Iraq and the Levant, ISIL.

ISIL is an unconscionably evil terrorist organization. Its barbarity knows no bounds. ISIL has burned alive Jordanian Capt. Moath al-Kasasbeh, beheaded American journalists and aid workers, and inflicts daily savagery on the people of Syria and Iraq, including the murder of civilians, women, children, and minorities. To marshal international support to sustain the global coalition and ensure ISIL is ultimately eliminated, I trust Dr. Carter to serve his country well.

At the same time, Dr. Carter will need to focus on our drawdown in Afghanistan. The Taliban is resurgent, ISIL is attempting to establish itself in the country, and the Afghan National Security Forces need our continued support. In 2011, the United States fully withdrew from Iraq only to see that country fall apart due to sectarian violence and undue foreign influence. We cannot afford the same in Afghanistan.

I have discussed with Dr. Carter my view that our drawdown in Afghanistan should not be linked to an arbitrary timeline, but rather to the needs on the ground and the necessity of an orderly transition.

Dr. Carter's deep history with nuclear nonproliferation issues will also be important in the coming years. Unfortunately, many of our nonproliferation programs with Russia have gone dormant due to our worsening bilateral relationship. We cannot let this continue to happen.

For decades the United States and Russia have worked together to secure nuclear materials and reduce our nuclear arsenals because doing so is important not only for U.S. security, but for global security. Finding a way to work constructively with Russia on securing and eliminating nuclear material, despite its invasion of Ukraine and continued support for the Assad regime in Syria, is clearly a most difficult assignment. I think Dr. Carter is up to the task.

Finally, Dr. Carter will need to deal with the extremely difficult spending limitations created by the 2011 Budget Control Act. If Congress cannot come together to find a bipartisan solution to raise the spending caps, like we did for fiscal years 2014 and 2015, overall security spending will only be allowed to increase by \$1.8 billion this year, that is a less than one-half of 1 percent increase.

At a time when threats to our Nation are increasing, not decreasing, I am deeply concerned that, under current law, our defense budget will not be allowed to rise to meet current threats. Dr. Carter understands this. In his confirmation hearing, he said, "I very much hope that we can find a way together out of the wilderness of sequester." I fully agree, and I urge my colleagues to work together to increase

the spending caps for both defense and non-defense programs.

Dr. Carter is a rare combination of a strategic foreign policy thinker and an expert on the roles and procedures of the Department of Defense. In his time as Assistant Secretary of Defense under President Clinton, he focused on key national security issues like proliferation of weapons of mass destruction and relationships with other major world powers.

In his two recent positions at the Pentagon—as Undersecretary of Defense for Acquisition, Technology, and Logistics and as the Deputy Secretary—Dr. Carter has managed the Department's business functions and ran its day-to-day operations. As Secretary, he will bring his unique experience in both sides of the job to the numerous challenges the Department and the Nation face.

Dr. Carter returns to the Defense Department at a time of immense global upheaval. Leading the Defense Department in such a time is no easy task, but I believe he will prove to be an excellent pick to help our country address these challenges head-on. He has the support of the President, the military, the civilian leadership of the Department, and by virtue of this vote, the U.S. Senate.

Mr. REED. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

REALITIES OF DRUG SENTENCING IN THE FEDERAL CRIMINAL JUSTICE SYSTEM

Mr. GRASSLEY. Mr. President and Members of the Senate, as chairman of the Committee on the Judiciary, I have mentioned publicly that I am open to certain Federal sentencing, or prison, reforms, and I have tried to make it very clear that I am very opposed to others.

Today I wish to address the realities of drug sentencing in the Federal criminal justice system. I do so because there are many myths that surround this topic.

The myth is that there are thousands of low-level drug offenders, such as people smoking marijuana, in Federal prison for very long terms. This is supposed to mean a waste of Federal tax dollars, overcrowding, and unfairness to people who should not be in prison. These myths are often used to justify lenient and, frankly, dangerous sentencing proposals in the U.S. Senate. One of those proposals is the so-called Smarter Sentencing Act.

It is time to set the record straight, and that is why I am here. It is important to know how many people are in Federal prison for drug possession, who they are, and why they are in prison. Then it will be clear why it is unwise

to make wholesale, one-way lenient changes in drug sentencing. In fiscal year 2013, the most recent year we have statistics, according to the U.S. Sentencing Commission there were 2,332 drug possession cases in the Federal prison. Almost 94 percent involved marijuana, more than 86 percent were against noncitizens, and 88 percent of the cases arose along the southwest border, so it is clear why so many noncitizens were charged. Federal drug possessors were rarely prosecuted for small quantities.

The median amount of drug possession in these southwest border cases, which are 88 percent of the Federal drug possession cases, was about 48 pounds. Understand, we are not talking about a few ounces of possession of marijuana. The average is 48 pounds. Can you imagine being in possession of 48 pounds of illegal drugs? These are not low-level, casual offenders by any stretch of the imagination. Moreover, well over 90 percent of the drug possession cases are along the southwest border. So more than 80 percent of all Federal drug possession cases were brought in the State of Arizona.

In that district, the U.S. attorney will agree to charge a drug trafficker with only drug possession if the offender is a first-time offender who acted only as a courier. Again, the median quantity of the amount of possession is 48 pounds, and many who actually committed trafficking there are charged only with mere drug possession.

Since 88 percent of all Federal drug possession cases derive from the southwest border, only 270 simple drug possession cases arose anywhere else in the United States. Get this, please. The odds of an American being subject to a Federal prosecution for drug possession in any given year are less than 1 in 1 million. It is also imperative to remember that mandatory minimum sentences are not an issue in these cases. The average Federal sentence for drug possession is 5 months; that is, only 5 months—I say that for emphasis—not the years of imprisonment some of the proponents of lenient sentencing would have us believe.

The brevity of Federal drug possession sentences is emphasized by how in the vast majority of these cases the median amount of drugs at issue was 48 pounds. In the 270 cases not along the border, the median amount of drugs the offender possessed was only 4 grams. The average sentence was 1.3 months. Most of those convicted were sentenced to probation.

There is no basis whatsoever to advocate change in Federal mandatory minimum sentencing laws based on drug possession cases since they are not subject to such mandatory minimums. Anyone who raises drug possession as an argument against Federal mandatory minimum sentences is using a stalking horse to lower sentences for much more serious offenders.

There is no separate Federal offense for what is called possession with intent to distribute. Those who possessed with that intent are treated the same as those who distribute. We need to look at drug distribution sentences in the Federal system as well.

Drug trafficking cases are sometimes subject to mandatory minimum sentences. For instance, just under half of all drug courier offenders were subject to mandatory minimum sentences, but under 10 percent were subject to mandatory minimum sentences at the time of their sentencing.

There are two main reasons so few of these offenders are actually sentenced to a mandatory minimum. The first is they may fall within the safety valve Congress has enacted to prevent mandatory minimum sentences from applying to low-level, first-time drug offenders or, second, they may have provided substantial assistance to prosecutors in fingering high-level offenders in a drug conspiracy.

That is an intended goal of current Federal sentencing policy, to put pressure on defendants to cooperate in exchange for a lower sentence so evidence against more responsible criminals can be attained. As a result, even for drug couriers the average sentence is 39 months. That seems to be an appropriate level.

We are not sending huge numbers of nonviolent drug offenders to Federal prison under lengthy mandatory minimum sentences. I want to make it very clear, this is the biggest sentencing myth of them all. When Federal drug sentencing is discussed, we need then to keep in mind the facts. There are hardly any nonviolent drug-offending Americans in Federal prison for mere drug possession. The quantities of drugs underlying the vast majority of Federal possession cases are high and sentences are fair. For drug courier distribution cases, only 10 percent of offenders are subject to mandatory minimum sentences at the time of sentencing.

I hope you will be on notice and be on guard. Don't let anyone tell you Federal mandatory minimum sentences are putting large numbers of nonviolent offenders in jail for long periods of time at great taxpayer expense. Don't let anyone tell you such offenders are the reason for the increase in Federal drug prisoners over the years. Don't let anyone tell you harsh mandatory sentences for low-level nonviolent offenders are decimating various communities.

Apart from the clear evidence from the Sentencing Commission regarding Federal drug offenders, I want to draw attention to the responses to questions from witnesses before our Judiciary Committee just this month. Testifying before the committee, Milwaukee County Sheriff David A. Clarke, Jr., stated: "Federal mandatory minimum sentences have struck terror into the hearts of career criminals . . . and have provided longer periods of respite

from the impoverished and crime-riddled communities that can least afford their return."

The sheriff said he feared the effect in his inner-city community of changing Federal drug mandatory minimum sentences. I have told my colleagues I am going to be open to lowering some Federal mandatory minimum sentences but only where specific situations may warrant that and if we can add or raise new ones for such offenses as arms export control violations, financial crimes, and child pornography possessions. Those three categories do not have to be extremely long sentences under present law, but too many judges are systematically sentencing these offenders to probation. Especially when the Supreme Court has taken away any other means of making sure judges do not let these offenders walk, mandatory minimum sentences are the only way Congress can require these offenders serve any time at all.

I am trying to inform my Senate colleagues through the use of facts. In doing that, by looking at the facts, we will not make unwise and dangerous changes to our Federal sentencing laws. I ask my colleagues to stick to the facts and avoid repeating myths. I pointed out those myths. It is a myth to say sentences for drug possession and nonviolent offenders justify the Smarter Sentencing Act. That bill does not apply to possession at all. Many drug offenses necessarily involve violence. Drug conspiracies operate with the threat or the use of force.

Whatever the offense charged, if the offender has a history of violent crime, he is a violent offender, and the sentence will and should reflect that fact. It is a myth to say the Smarter Sentencing Act would save money. All it would do is shift costs from incarceration to the victims who bear the cost of the crimes that earlier released offenders would commit. That is one of the reasons the bill is dangerous.

The Congressional Budget Office also says it would add billions of dollars in mandatory spending, regardless of what upfront discretionary savings there may be. I would ask my colleagues to get this: It is a fact the Smarter Sentencing Act would cut sentences for a range of heroin offenses, including importation and dealing, while the entire Nation is in the midst of a heroin epidemic and a rising number of deaths from heroin overdoses.

I would ask my colleagues to get this: It is a fact from the heads of the FBI and the Drug Enforcement Agency and Federal police organizations that mandatory minimum sentences spur cooperation from defendants and enable the successful prosecution of high-level drug criminals who cause most of the tremendous harm. That includes cooperation from defendants charged with narcoterrorism.

I would ask my colleagues to get this: It is a fact the so-called Smarter Sentencing Act would cut in half the mandatory minimum sentences Con-

gress put in place for distributing drugs to benefit terrorists or terrorist organizations. It would cut in half the mandatory minimum sentences for members of Taliban, Al Qaeda, ISIS or Hezbollah who deal drugs that fund terrorism. That would mean less cooperation to bring charges of narcoterrorism, get terrorists off the streets, and obtain intelligence to help prevent future attacks.

As President Obama's U.S. attorney for the Southern District of New York has remarked, "[T]here is a growing nexus between drug trafficking and terrorism, a threat that increasingly poses a clear and present danger to our national security.

So I ask my colleagues to get this: It is a fact that the so-called Smarter Sentencing Act is dangerous not only because of its effect on increased crime and victimization but on national security as well.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. MERKLEY. Mr. President, I rise today to urge our colleagues to come together quickly to pass a clean Homeland Security bill. We are now just 16 days away from a Homeland Security shutdown. The clock is ticking. A shutdown would be wholly unnecessary and, quite frankly, completely dangerous. We know we do not lack for security threats. It was less than 2 years ago that terrorists attacked the Boston Marathon. It was just weeks ago that we witnessed a horrific series of terror attacks on our friends in Paris. We know the brutal destabilizing force known as the Islamic State, or ISIL, is determined to hurt our Nation and our citizens. The world is a dangerous place.

At a time like this, we should be working together on a bipartisan basis to fund and strengthen Homeland Security, but instead we are facing insecurity, instability, and uncertainty because some want to hold the funding for the Department of Homeland Security hostage—hostage to a partisan political debate.

Is it really more important to hold a fight over deporting children who came to the United States and know no country other than the United States, came here through no fault of their own? Is it more important to hold this fight over deporting those children than it is to protect America against terrorist threats?

Although protecting against these threats is reason enough to oppose this misguided strategy, the resulting fallout would not just be limited to national security. This bill includes

FEMA grants to disaster-stricken areas. This bill includes funding for grants to local fire departments—grants that would not occur.

Thousands of essential public servants—from Homeland Security, to FEMA, to our terrific men and women in the Coast Guard—would be asked to keep on working even though we are not paying them. This is not the way to run a nation. This is certainly not the way to address national security threats that face us.

I think it is telling when a strategy is being criticized from Members on both sides of the aisle. This is a foolhardy game being played with our national security.

A colleague from Arizona said on this floor just yesterday—a colleague from across the aisle—that “to attempt to use a spending bill in order to poke a finger in the President’s eye is not a good move.”

Another colleague from across the aisle, from Illinois, said, “The American people are pretty alarmed, as they should be, about security . . . the way to go forward is just fund DHS,” the Department of Homeland Security. He continued, “We ought to strip the bill of extraneous issues and make it about homeland security.”

That is the path forward, to have a funding bill for Homeland Security, stripped of political riders designed to take on one issue or another when those issues can be addressed in separate bills. If someone really wants to prioritize the deportation of children who came here through no fault of their own and know no country other than the United States, our DREAMers, then they should write that bill, put it through committee, and then the majority should bring the debate to the floor of this Chamber. I can tell you that I would be voting against that bill, but we would have the debate on that issue separate from the conversation about funding Homeland Security.

I found it interesting to read the Wall Street Journal the other day. It refers to immigration restrictionists who want a larger brawl and have browbeat GOP leaders into adding needless policy amendments. That is coming from the Wall Street Journal. They proceed to say in regard to the fight over prioritizing the deportation of folks who are here without legal credentials and who have criminal backgrounds, that the President is “prioritizing” those deportations of those with criminal backgrounds. The Wall Street Journal says:

That is legitimate prosecutorial discretion, and in opposing it Republicans are undermining their crime-fighting credentials.

So if some of my colleagues want to argue that the President should not prioritize deporting individuals with criminal backgrounds, which I think should be prioritized, have that debate, but do not hold the Homeland Security bill hostage to that particular fight.

In this morning’s paper, there was an article about the funding of the De-

partment of Homeland Security. This is in the Washington Post. It refers to the Grand Old Party at impasse as a measure stalls in the Senate. It quotes the Speaker of the House, Mr. BOEHNER. Speaker BOEHNER says, “It is time for the Senate to do their work,” and he proceeds to give a little lecture to Senators. He says, “You know, in the gift shop out here, they’ve got these little booklets on how a bill becomes a law.” Well, I encourage Speaker BOEHNER to actually read that book because what that book says is that in order to pass through the Senate, it has to get on the floor and it has to have support to be approved by this Chamber.

So, Speaker BOEHNER, I encourage you to actually read the pamphlet you recommended because sending over funding for Homeland Security laden with unrelated policy riders is going to make sure that bill dies here in the Senate. Don’t take my word for it, take the Senate’s version or expression on this. It has come up for three votes in the Senate. We have voted three times to kill this House bill, giving clear instruction to the House: Send us the actual Department of Homeland Security bill free of these political riders, and we will put it on the floor, and we will have that debate, and we will undoubtedly pass that bill. But if you want to play political games rather than looking out for the security of the United States of America, don’t expect the Senate to rubberstamp your political games, Speaker BOEHNER.

So that is where we are now. I do encourage the Speaker to go right down the gift shop—I will be happy to buy him a copy of this, and I will be happy to read the phrases to the Speaker on exactly how a bill becomes law.

It is deeply disturbing to the American people to see these types of political games being played with our Nation’s security. We live in a dangerous world, and we need to take seriously our responsibility to fund this Department.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. BROWN pertaining to the introduction of S. 522 are printed in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. BROWN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. RUBIO. Madam President, are we on the Carter nomination?

The PRESIDING OFFICER. The Senator is correct.

Mr. RUBIO. Madam President, this is an important nomination, at a time when this country faces very significant national security threats.

AUMF

As I commented yesterday, the President came to us yesterday asking us to authorize the use of force, and I think we should do that. I am not necessarily sure we should do it in the way he has asked us to do it. I think it should be a pretty straightforward authorization, and here is what it should say. It should say we authorize the President of the United States to destroy ISIS and to defeat their military. It is up to the Commander in Chief to decide the right way in which to do that.

I have very serious concerns and very serious reservations about our current strategy when it comes to ISIS. I am not sure it is sufficient. I think it is a strategy that will contain them but will not defeat them. In fact, ISIS is now popping up, for example, in Libya, where they have a very significant hub. They have a very significant presence in Benghazi. Just a few days ago they carried out an attack in Tripoli. We are now hearing media reports that ISIS has a presence in Afghanistan, perhaps even terrorist training camps.

So they continue to grow their affiliates, they continue to grow their presence, and we need an authorization of the use of force that allows us to defeat them anywhere in the world where they are to be found.

The President’s suggestion has been well received. We thank him for submitting one. But now it is the responsibility of the Senate to do its job and to write one of its own. It may reflect many of the things the President wants, but what I believe it should reflect more than anything else is that we authorize him to defeat ISIS no matter what it takes and no matter how long it takes. If we have problems with the President’s strategy, there are different ways to address it. I do have problems with the strategy and I want that to be addressed.

ISRAEL

Mr. Carter’s nomination comes at another important moment. In that same region of the world, one of America’s strongest allies and its very existence is under attack. Of course I am talking about Israel, the Jewish State—an extraordinary story in the history of the world. Here is a country founded after the end of World War II as a homeland for the Jewish people so that never again—never again—would they have nowhere to go if they faced the sorts of oppression, the sort of genocide they faced during the Holocaust.

Since that time the Jewish State has had an extraordinary story. From an economic perspective, it is a vibrant, first-rate country with a first-rate economy. What is most interesting is this is not a country with oil or a country with vast supplies of natural gas.

This is not a country that is an agricultural superpower, yet it has a world-class economy providing prosperity and upward mobility to millions of its people, and it has done so on the basis of innovation.

There is a very good book recently written called "Start-up Nation" that talks about the extraordinary story of Israel.

It is also a very vibrant democracy—in fact, observers of Israeli politics often joke perhaps a little too vibrant. They have heated debates. But it is a democracy.

So what we have here is a democratic nation with a vibrant free enterprise economy in the middle of the Middle East.

Israel is everything we want that region of the world to become. We wish every nation in that region were a real democracy, a vibrant one. We wish every nation in that part of the world had a first-rate economy that provided upward mobility to everyone. And we wish every nation in the Middle East was as strong an ally of the United States as Israel has been.

This is the extraordinary story of this small but important nation, and this country must continue to be their strongest ally in the world. But they face extraordinary threats to their safety, to their security, and to their existence.

It begins with what I believe is a concerted effort around the world—including in American academia, including in the universities of this very country—to delegitimize Israel's right to exist and its right to exist as a Jewish state, and it is an outrage.

It continues with the growth of anti-Semitism all over the world, increasingly in Europe. Every day we see stories of a mass exodus as more and more Jews are leaving Europe because of the growth of anti-Semitism.

We saw what happened in Paris—not just the attack that happened but how Jews were deliberately targeted for death by terrorists. It was not a random attack. It was a deliberate act to target Jews. It was a deliberate act of violence in the furtherance of anti-Semitism.

In every international body in the world, Israel is often the target of scorn and criticism, without any consideration whatsoever to what its enemies intend to do to them. And now perhaps the greatest risk of all is to its very existence from the threat of an Iranian nuclear program.

I, like everybody else, wish that I would wake up tomorrow morning to the news that the Ayatollah had come to his senses and realized Iran cannot continue down its path; that they have given up their nuclear weapons ambition; that they have given up sponsoring terrorism all over the world; that they have given up their anti-Israeli, anti-Semitic rhetoric; that they have given up oppressing their own people. But I know that is not going to happen because Iran is not

governed by a normal leader the way we would consider a leader of a nation. Iran is governed by a radical shia cleric—a radical shia cleric who believes he is not only the head of Iran, he believes he is the head of all Islam everywhere in the world. Iran is where he lives. Iran is where he is based. But Iran is not what he believes is his domain; he believes every Muslim on the planet under the Sun is under his control and leadership.

But here is the scariest thing he believes: He believes it is his job to trigger an apocalyptic showdown between the Muslim and non-Muslim world because that would bring about the emergence of the 13th Imam—the Hidden Imam, the Mahdi, as they call him—who will then come and govern the entire world under the flag of Islam—his version of radical Islam. We may say that stuff sounds a little far-fetched. That is what he believes. That is what he passionately and legitimately believes.

So when someone wants to trigger an apocalyptic showdown between the Muslim and non-Muslim world, when someone says they want to destroy the State of Israel, wipe it off the face of the Earth, and that person is trying to acquire nuclear weapons capabilities, we had better be very concerned, and we had better conclude that is an unacceptable risk for us to take. It is particularly scary for Israel because they are closer to Iran than we are. They are in their crosshairs both verbally and militarily.

The administration would have us believe that we are in the midst of this negotiation and hopefully we will delay the Iranian nuclear program or extend the amount of time they would need to break out. Let me break it to everyone: They are not going to break out. They are going to sneak out. They will concoct some sort of excuse at some point in the future as to why they need a nuclear weapons program.

Let me begin by saying that Iran is an oil-rich nation. They have no need for civilian nuclear power. But if they want one, they can have it, like most of the other countries in the world do, by importing enriched uranium or reprocessed plutonium and using it for their reactors for peaceful purposes. But instead they insist on the ability to enrich and reprocess, and there is only one reason why they would insist on that—because they want the infrastructure necessary to one day build a weapon when they decide they need it.

But don't take my word for it. That is not the only thing they are doing. There are two other aspects of their program that aren't even being discussed.

The first is that they continue to develop long-range rockets. Why do they need intercontinental missiles? Why do they need long-range rockets? They don't need them for conventional purposes. They don't put a conventional warhead—they don't spend all the time and energy and money that it takes to

build that capacity to bomb someone with a conventional weapon. There is only one reason to build long-range rockets such as those, and that is to put a nuclear warhead on them. That is not being discussed in these negotiations, and they continue to make unabated progress toward their long-range rocket capabilities.

The other is a weapons design. The three things they need for a nuclear weapons program: a weapons design, long-range rockets, and the ability to enrich and reprocess. They are already building the rockets. The weapons design they can literally buy from dozens of people around the world who will sell it to them. And the reprocessing? Even under the deal the President is asking for, if it went down exactly the way the President is asking for, they would still keep all the infrastructure, all the things that it takes to enrich to weapons-grade. They would have all the equipment, all the scientists, all the infrastructure.

Here is one more point. Iran has always had a secret component to their nuclear program. They have always had some secret component to their program. And I would venture to guess that right now they have a secret component to their program as well that we do not know about.

That is why I have little hope in this deal, and that is why Prime Minister Netanyahu is so concerned about the deal. See, he doesn't have the luxury of living an illusion. He doesn't have the luxury of pretending that somehow we can work this out, as if somehow we are negotiating with Luxembourg or Belgium. He knows the neighborhood he lives in, and he knows his enemy. He knows their true nature. He knows their true intentions. And it is his obligation not just to protect his people but to fight for that nation's very existence. So he has chosen to come before the Congress at the invitation of the Speaker. I am glad he has accepted his invitation, and I think we owe him the courtesy to hear what he has to say.

I want you to go back and look at the United Nations rollcall votes. Time and again, when the interests of this country are being challenged around the world, I want you to see how many times Israel is one of the few countries—often the only country—that vote with the United States of America in that international forum. I want you to see all the times that the Israelis have stood with America on issue after issue around the world.

I also want you to think about what it says about us as a nation if we are not prepared to make it very clear that before anything else, we are the friends of our allies. What does it say to our other allies around the world, to other nations in other parts of the world that are counting on the American security guarantee for their own existence and their own security, what does it say to Japan and to South Korea and to our allies in NATO if the United States is

prepared to create daylight between us and the State of Israel?

That is exactly the message people will get—that there is a division between us and Israel—if, in fact, Members of Congress carry through on their threat to boycott the Prime Minister's speech before Congress on the 3rd of March. If a significant number of Members of the Senate and the House boycott his speech, that message will be heard not only by Israel's enemies but also by our allies. And the message will be twofold—one, that America is no longer firmly on the side of Israel as it once was, and two, that America is an unreliable ally; look what they just did to Israel.

I think everyone has the right to go or not go to any speech they want, but I hope my colleagues who are thinking about not going will reconsider. You may not like the way this went down. You may not like the fact that the Speaker did it the way he did it. That is your choice. But I want you to think about the implications beyond that. I want you to think about the implications this leaves on Israel. I want you to think about the message this sends to Israel's enemies because what we have seen decade after decade is that anytime Israel's enemies get the perception that somehow America is no longer as committed to Israel's security as it once was, it emboldens them to attack Israel, and Israel has no shortage of enemies that want to not just attack them but destroy them. We have seen what Hamas has done. We have seen what Hezbollah has done. We have seen what Iran wants to do and is doing.

If you boycott this speech, if a significant number of Members of Congress boycott this speech, you will send an incredibly powerful message to Israel's enemies. So I hope you will reconsider.

I don't question anyone's commitment on this issue. I believe there are supporters of Israel who won't attend the speech because they think it is disrespectful to the President. This is a lot bigger than that. We are talking about the existence of this nation. We are talking about whether people in that nation will survive in 20 years or 15 years. That is how important and monumental this moment is.

I am not claiming that by you not attending the speech, somehow that is going to lead to Israel's destruction. I am claiming that if you boycott this speech, you will send a message to Israel's enemies that could embolden them, and I hope you will reconsider that position.

I find it quite frankly outrageous that reports are that the White House has asked Members of Congress to boycott the speech. I find it outrageous that the Vice President of the United States—the Vice President—has decided to boycott that speech. I find it outrageous, for example, that on the one hand we are more than glad to send administration officials at the highest

levels to sit down and meet repeatedly with the highest ranking officials that Iran will send, but our strongest ally's Prime Minister is coming to Washington and they won't even meet with him? One of our strongest ally's Prime Minister wants to speak before the Congress and they won't even attend the speech? What do you think the headlines will be read as in Iran, by the terrorists in Gaza, by the terrorists in Judea and Samaria, by the terrorists in all parts of the world, such as in Lebanon, who want to destroy Israel? What do you think they are going to read into it? What they are going to read into it, unfortunately, is that somehow Congress's commitment to the future security of Israel is not as strong as it once was. And I fear what the implications of that will be. We should not take this lightly.

I can think of no nation on Earth that needs our help more right now than Israel, and I can think of no people on Earth who deserve our support more than they do. As I said earlier, they are a reliable, strong, committed ally of this Nation. We have strong links to them on personal, cultural, political, and economic levels. They have stood by us time and again in international forums when America's interests have been challenged. They are everything we want the Middle East to look like in the future—free, prosperous, democratic, aligned with America, peace-loving, desirous of a better future. What more do you want? What more could they do? What else could they be for us to be any stronger an ally of theirs than we should be or are right now? Yet there are people who are talking about boycotting the speech to protest because their feelings are hurt, because they are upset about the way it went down, because they don't like the way it was scheduled, because it was disrespectful to the President.

You have the right to voice your concerns, but don't do this to an ally. Don't do this to a nation that is as threatened today as it has ever been at any time in its existence. Don't do this to a people who are in the crosshairs of multiple terrorist groups with the capability of attacking them. Don't do this to a nation whose civilians are terrorized by thousands of rockets launched against them at a moment's notice. Don't do this to a country that is facing down the threat of a nuclear weapon annihilating them off the face of the Earth. Don't do this to a people who are being stigmatized all over the world even as we speak, who are being oppressed. Don't do this to a country that in forum after forum has become the subject of delegitimization, as people argue that somehow Israel's right to exist is not real. Don't do this to them.

I hope my colleagues will reconsider their decision to not attend. This is an important speech. It is the Prime Minister's choice, obviously. He must always act in the best interests of his na-

tion and his people. But I hope he will speak to us on March 3, and I hope he will speak to us clearly. I hope that through his speech he will open the eyes of this Congress and the American people that this is not child's play, that what Iran intends to have is not just a nuclear weapon to destroy Israel but ultimately to terrorize the world. I hope he will speak to us bluntly about the true nature of this threat.

I know there is a lot going on in the world, but there is no greater threat to the long-term security of the planet than the Iranian nuclear ambition. No people and no nation on Earth know that better than the people of Israel, and no leader on Earth understands that better than Prime Minister Netanyahu.

I think after years of commitment to this alliance, after the bravery he has shown in his time in office and the bravery the Jewish people of Israel have shown in defending their nation's right to exist after being attacked multiple times throughout their history and even to this modern day, they deserve our unambiguous support. Of course, there are differences between allies. There always have been and always will be.

If we won't stand for Israel, for whom will we stand? If the United States of America will not defend its ally, whom will we defend? What message do we send to our alliances across the planet and what message do we send to our enemies and Israel's enemies?

I hope cooler heads will prevail. I hope Members of the House and Senate who have announced they are boycotting will reconsider. I hope we will all be there, if we can, to hear what the Prime Minister has to say the first week in March.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam 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. Madam President, are we in morning business?

The PRESIDING OFFICER. The Senate is in executive session.

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

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

TRIBUTES TO KATHIE ALVAREZ

Mr. DURBIN. Madam President, regular C-SPAN viewers, this is your DVR alert. Get your TiVo ready. After today you will no longer hear the dulcet voice of Kathie Alvarez calling the roll in the United States Senate. After nearly 30 years as an integral part of the floor staff, Kathie is leaving the Senate.

Her road to the Senate began as a young seventh grade history teacher in Louisiana. In 1984 she chaperoned her

students during a class trip to Washington, DC. During the trip she met an old college friend who told her about a job opening in the Senate Document Room. While her students were touring the Capitol, Kathie interviewed and was hired on the spot. Unfortunately for those students, they lost a great teacher that day, but it turned out to be a gain for the Senate.

In 1985 Kathie was hired as the second assistant bill clerk and was quickly promoted to assistant bill clerk.

In 1991, for the first time, Senators came to this Chamber and heard a woman's voice taking the rollcall vote. It was Kathie Alvarez, the first female bill clerk of the United States Senate. What an achievement.

Before the end of the millennium, Kathie Alvarez was a part of another first when she was 1 of 10 officers—all women—presiding over the Senate at the start of the day. If that were not enough, Kathie once again made history when she was promoted to legislative clerk in 2009. She was the first woman to serve in this role too. What a career.

In 1922, for the history books, Rebecca Latimer Felton was the first woman to sit in the Senate. She served in this body for only 1 day, but during those 24 hours she made a bold prediction for her time about the future role women would play in the Senate. She said:

When the women of the country come in and sit with you . . . you will get ability, you will get integrity of purpose, you will get exalted patriotism, and you will get unstinted usefulness.

Well, I will certainly second that.

As the first woman to serve as the bill clerk and legislative clerk of the United States Senate, I would say Kathie Alvarez has certainly lived up to Senator Felton's prediction. She began her career as a seventh grade history teacher and came to the Senate, where she made history.

Thank you for your service to this body. I know you will be joining your husband John and your high school student daughter Georgia in a much more fulsome way now, but we will miss you in the Senate, and I wish you and your family the very best.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. McCONNELL. Madam President, I wish to say a word about a remarkable woman in the Senate we will soon be losing.

Kathie Alvarez, the Senate's legislative clerk, is a bit of a celebrity. Every C-SPAN aficionado knows her voice. All she has to say is "Mr. ALEXANDER, Ms. AYOTTE . . ." and it is instantly recognizable.

Kathie has been calling the roll around here for quite a while. In 1991, she became the first woman to ever call the roll in the Senate. In 1999, with Senator COLLINS in the chair, Kathie became a member of the first all-female team to preside over this body, and in 2009 she became the Senate's first female legislative clerk.

So Kathie Alvarez has been making a lot of history since she first arrived here in 1984.

And you will notice, Madam President, that every female floor staffer is paying tribute to her today. They are each wearing something with Kathie's favorite design—animal print.

Along with the love of Cajun food, sartorial distinction is one thing this Louisianan has become known for, a passion for perfection is another.

Kathie has maintained a laser-like focus for three decades. That is good news for the Senate because we rely on her—and the American people rely on her—to ensure that every bill, every amendment, and every message from the House is processed perfectly. That is a lot of pressure.

So we can't blame Kathie for wanting to retire. I know she is looking forward to spending more time with her husband John, and I know Kathie wants to see more of her daughter Georgia.

It will not be as though Kathie is leaving us entirely. We will still be able to hear her voice on the film every tourist watches when they come to visit the Capitol.

So the Senate thanks Kathie Alvarez, its history-making celebrity, for her many years of service, and we wish the very best to her deputy, John Merlino, as he steps into Kathie's role as the Senate's new legislative clerk.

(Applause, Senators rising.)

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Ashton B. Carter, of Massachusetts, to be Secretary of Defense?

Mr. INHOFE. 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. CORNYN. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

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

The result was announced—yeas 93, nays 5, as follows:

[Rollcall Vote No. 56 Ex.]

YEAS—93

| | | |
|------------|----------|---------|
| Alexander | Boxer | Casey |
| Ayotte | Brown | Cassidy |
| Baldwin | Burr | Coats |
| Barrasso | Cantwell | Cochran |
| Bennet | Capito | Collins |
| Blumenthal | Cardin | Coons |
| Booker | Carper | Corker |

| | | |
|------------|-----------|------------|
| Cornyn | Johnson | Roberts |
| Cotton | Kaine | Rounds |
| Cruz | King | Rubio |
| Daines | Klobuchar | Sanders |
| Donnelly | Lankford | Sasse |
| Durbin | Leahy | Schatz |
| Enzi | Lee | Schumer |
| Ernst | Manchin | Scott |
| Feinstein | Markey | Sessions |
| Fischer | McCain | Shaheen |
| Flake | McCaskill | Shelby |
| Franken | McConnell | Stabenow |
| Gardner | Menendez | Sullivan |
| Gillibrand | Merkley | Tester |
| Graham | Mikulski | Thune |
| Grassley | Murkowski | Tillis |
| Hatch | Murphy | Toomey |
| Heinrich | Murray | Udall |
| Heitkamp | Nelson | Vitter |
| Heller | Paul | Warner |
| Hirono | Perdue | Warren |
| Hoeven | Peters | Whitehouse |
| Inhofe | Portman | Wicker |
| Isakson | Reed | Wyden |

NAYS—5

| | | |
|---------|-------|-------|
| Blunt | Crapo | Risch |
| Boozman | Kirk | |

NOT VOTING—2

| | |
|-------|------|
| Moran | Reid |
|-------|------|

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

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

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT REQUESTS

Mr. McCONNELL. Mr. President, for 2 weeks now Democrats have continued to filibuster funding for the Department of Homeland Security.

They are filibustering Homeland Security for one reason, and that is to defend actions President Obama himself referred to as "unwise and unfair" and "ignoring the law."

For 2 full weeks, Democrats have prevented the Senate from even considering legislation to fund the Department of Homeland Security. Democrats won't allow the Senate to even debate this funding. Democrats won't allow the Senate to even consider amendments to this funding.

Democrats appear willing to do anything and everything they can to prevent the Senate from taking any action to fund Homeland Security, and all to defend "unwise and unfair"—the President's words, not mine—overreach.

This includes Democrats who claim to be against overreach and who claim to be for funding the Department of Homeland Security. Yet these Democrats continue to filibuster things they claim to want.

Listen to the things Democrats have been saying too. We have heard a claim