

support of Operation Enduring Freedom in January of 2014.

Joshua's funeral was held at Johnson County Middle School. He was buried with full military honors at Highland Memorial Park in Staffordsville, Johnson County.

We are thinking of Josh's family as I recount his story for my Senate colleagues, including his parents Seth William Gray and Robin Rena Gray, his brother Dustin Mollett, his sister Delaney Mollett, his maternal grandparents Andy and Kathleen Price, his paternal grandmother, Irene Gray, and many other beloved family members and friends.

PFC Joshua A. Gray was truly a talented and bright young man who could have done many things. The fact that he chose to serve his country in the U.S. Army is a testament to his character and his patriotism. I hope the family of Private First Class Gray knows that we in the Senate honor his choice to serve and we are grateful for his sacrifice.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### KEYSTONE PIPELINE AND ENFORCING THE LAW

Mr. BLUNT. Mr. President, it is good to be here.

I was disappointed yesterday to see that we weren't able to move forward on the Keystone Pipeline. It has become symbolic in many ways of whether we are willing to embrace the opportunities of more American energy.

The American people clearly have a sense that it is to their advantage for us to take advantage of those opportunities, for us to deal with not only our own economy, with the energy we can produce but even with our next-door neighbors. Canada is our greatest trading partner, and Mexico continues to play a bigger and bigger role as a trading partner—I think now No. 4 and No. 5 of all the countries in the world we have economic exchanges with—but friendly neighbors in North America that can produce energy in ways that meet every logical standard.

I heard some discussions about the pipeline, that once this is built, even though it may create tens of thousands of jobs in building the pipeline, it will only take three dozen or so people to run the pipeline. Of course that is right; it is a pipeline. It is an efficient, safe way to transport the energy we need. But I think it is important to understand that just the jobs to run the pipeline have nothing to do in many ways with the job potential that is created when we embrace the energy potential we have. If we ask about that

energy potential, the American people say yes. If we ask about lower utility bills or dependably payable utility bills, the American people say yes. If we ask about price at the pump, the American people say yes.

But beyond that, if somebody is thinking about a manufacturing job or any other job as a job creator, if they have that utility bill they can pay, if they have the delivery system they can rely on, the country is much more likely to make things again, the country is much more likely to compete, and the American people understand that.

Even if we ask specifically about this one small part of that puzzle—the Keystone Pipeline—the American people say yes. Six years is enough. The State Department has evaluated this over and over again under two different Secretaries of State. Both times they have said there is no problem moving forward with this. I was disappointed that we didn't.

Even the White House suggesting they would veto that if it was sent to them seems to continue to indicate to me that nobody is listening to what the people we all work for are saying.

The President said he wasn't on the ballot but his policies were. If his policies were on the ballot, as he said they were, those policies were widely rejected—not just to change next year in the body we get to serve in here, but also two-thirds of the legislative Houses in the country are no longer run by the President's party, and 60 percent-plus of the Governors are no longer run by the President's party.

People are trying to send a message. It would be a good idea if the White House would get on the receive and begin to figure out what that message is and what is wrong with those policies that the American people don't like. I don't think it is because they don't understand them. I know there would be one sense probably most closely held at the White House: If they just understood what we were trying to do, they would be for what we are trying to do.

I think it is not that way, even though the President might like to think it would be. In fact, the clear message is that people are concerned about costly energy policies, they are concerned about the President's recent overreach on a topic we wouldn't even think people would have engaged on, but they have: net neutrality, where even the Chairman of the FCC, nominated by the President and confirmed by this Senate—even the Chairman of the FCC said: I think the President is headed in the wrong direction there, and we need to do something different than that.

The SBA recently called on the EPA to withdraw one of their proposals and try again because it had too much negative impact on the economy.

I can't think of a similar situation ever, where an administration finds itself so often in conflict even with itself, even having the administration

challenged. When the SBA thinks the EPA is off target, and that was empaneled sometime before a rule was laid down—a proposed regulation was laid down—we wonder, why not? Why wouldn't we be managing this discussion in a better way? Why wouldn't we be moving the country forward in a better way?

Ignoring the voters is an incredible tragedy in a democracy. Ignoring the law is an even more incredible tragedy in a constitutional democracy.

According to reports, the President is considering two requirements deciding on the 11 million people who are here without documents who either came illegally or stayed illegally and what to do about that. The President is looking at the length of time as a qualifier. Nowhere in the law is that a qualifier. The President is looking at the ties people might have to others in the country. These requirements, depending on how broadly they are drawn, could wind up with the President's announcement as early as Friday, leaving another 5 million people in the country in a status I don't quite understand and they will not either.

When someone is here based on an Executive order, that is totally dependent on one thing: Who is the Executive?

When someone is here based on the law, that is very dependent on everything having to come together that changes the law before their status will change.

Why would we put people in that kind of jeopardy? Why would we send that kind of mixed message?

After legislation overhauling the immigration process died in the Congress, the President said he is going to act on his own. I can't find that part of the Constitution which allows that to happen. In fact, in statements made more than one time, he couldn't find it either—statements made more than one time where the President said: I can't do this on my own. We are a nation of laws. That is his observation about who we are, not my observation about who we are.

I know there will be people on this side of the Capitol Building who will say: We sent something over there, I didn't vote for it, but it doesn't mean I am not aware that it was sent to the House. But the House sent a bill over here too. Apparently both the House and the Senate are so far from where the other side is that neither is willing to take up the other bill.

But that is the Constitution. The Constitution is designed so that when we change law, we do that in a fairly cumbersome way, but that has served our country pretty well for a long time, and it is not up to the President to decide that can be suspended on a topic he thinks is important and a topic he in fact has previously said he couldn't do on his own.

As he was talking about this the last several months, not just Republicans but Republicans and Democrats—and I

will admit particularly Democrats in close races around the country—said the President was overstepping his authority; the President is putting people in jeopardy of not knowing whether they are here on some kind of basis that nobody has quite defined or quite understands even after he acts.

Recently, a union representing thousands of Federal immigration officers raised an alarm that the U.S. Government had ordered supplies to create millions of blank work permits and green cards. According to reports following that union report, the new Federal contract proposal for Homeland Security would allow the government to buy enough supplies to make as many as 34 million immigrant work permits and residency cards over the next 5 years.

We issue immigrant work permits all the time but not at the level that is being talked about here. Nobody has contended, by the way, that we just got a particularly good opportunity to buy a lot of card stock. I haven't heard that given as the reason.

So these people who work with that every day are saying: What is going on here? The President of the National Citizenship and Immigration Services Council—the union representing 12,000 immigration service agents—called reports about planned Executive action dangerous, people who deal with this every day—his words—said it would increase exponentially the health risks, the threats to national security, and expense to taxpayers that he said are on the rise because of lax enforcement of immigration laws already.

Article II, section 3 of the Constitution declares that the President “shall take Care that the Laws be faithfully executed.”

Simply put, these constitutional requirements are just that. They are requirements the President shall take care that the laws are faithfully executed, to execute the acts of the Congress, to enforce the law as written. Signed into law by some President and never changed by the current President would indicate that is what the law is and the President is supposed to enforce the law.

Yet President Obama continues to refuse in this and other areas to show a willingness to try to convince the Congress to change the law rather than assume: If the Congress doesn't do this, I will.

As I said earlier, and will say again, I am still trying to find that phrase in the Constitution that says: If the Congress doesn't do this, the President can. Whether it is issuing waivers to States from the work requirements contained in the bipartisan Welfare Reform Act of 1996 or announcing another change in the President's health care law—and I have lost count of how many changes on his own the President has had the administration do—they continue to look for ways to circumvent what the law says: a nation of laws, respect for the laws.

Americans are appropriately concerned the government is just too willing to overreach and at the same time unbelievably dysfunctional, whether it is kids at the border or a Secret Service that can't keep people out of the White House or how we deal with Ebola.

We have a Centers for Disease Control and Prevention, and when we have a disease control problem we have to put somebody else in charge. What is wrong with that?

That is why I introduced the ENFORCE the Law Act in March, a bill that would allow Congress to authorize a legal case to be brought against a President if he fails to uphold the law as written.

This bill would restore the system of checks and balances reiterated in the Constitution. The ENFORCE the Law Act removes the procedural barriers and then would allow the House or Senate or both together to jointly adopt the resolution that just says we don't believe the law is being enforced.

There is a set of regulations out now on the Clean Water Act which did authorize the Federal Government, the EPA, to monitor and have some authority over the navigable waters of the United States. I don't have any doubt that in the 1970s when that happened, people thought navigable waters meant the same thing they thought navigable waters meant when it was first put into Federal law in the 1880s. Suddenly, navigable waters in the new rule means any water anywhere that could ever become part of water that could become part of water that could become navigable. This is a case that can easily be litigated sooner rather than later, long before people try to comply with an area where the Federal Government will turn out not to have control, as they did in a number of areas this year. So I hope we will look at that again. The House has passed it in a bipartisan manner. The Congress should be concerned about enforcing the law as written. As the Constitution says, both the Members of the Congress and the President of the United States should be concerned about enforcing the law as written.

I thank the Presiding Officer for the time and yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### TRIBUTE TO SENATOR TOM HARKIN

Mr. GRASSLEY. Mr. President, I rise today to celebrate the 75th birthday of my friend and longtime colleague from our home State of Iowa, Senator TOM HARKIN.

As the Presiding Officer knows, Senator HARKIN will be retiring from public office in a few weeks. At the end of the 113th Congress, Senator HARKIN will then close a chapter on public service that spans more than a half century, including four decades in Congress. He also served 27 years in the

U.S. Navy and U.S. Naval Reserves, 10 years in the House of Representatives, and 30 years here in the U.S. Senate.

Now, I think anybody looking at that would say that is a remarkable and distinguished record of public service. After 40 years of representing Iowans in Congress, my friend TOM soon will leave behind the Halls of the U.S. Capitol. He also will leave behind a legacy of fiery floor speeches, passionately delivered on behalf of individuals with disabilities, also for Iowa farmers, also for the elderly, also for child laborers, and for many causes that he championed such as early childhood education, nutrition and wellness, conservation, renewable energy and the environment, and probably lots of others. But those are things everybody knows that he has worked hard on.

Throughout the years TOM and I have served side-by-side in Washington for the good of our home State. For three terms we worked together in the U.S. House of Representatives. It was here in the Senate our shared commitment to give rural America a voice at the policymaking table was sown, and for many years we worked together on the Senate agriculture committee, looking out for the millions of Americans who choose to work and earn a living in rural America. We worked together to advocate for rural infrastructure and investment, access to health care, housing, technology, and transportation.

For the last three decades we have served alongside one another in this distinguished body, the U.S. Senate, an institution that both of us hold near and dear to our hearts. Although some of our silver-tongued critics over the years may have ascribed TOM's views as those of a bleeding-heart liberal or mine mischaracterized as that of a cold-hearted conservative, we both, TOM and I, know that our hearts have always been in the right place.

Neither of us was born with a silver spoon in our mouth and we learned early on to appreciate the work ethic of our parents and grandparents. Each of us raised our families with the hopes that our children and grandchildren would achieve the promise of America's prosperity and grow up to enjoy the pursuits of happiness.

As Iowa's U.S. Senators, we have worked to keep alive the dream of hard-working Iowan families.

Now of course it is true that we have vastly different views on the government's influence on America's ladder of opportunity. However, we do wholeheartedly agree it is an honor and a privilege to serve the people of our State. For some reason our respective reelections every 6 years have actually confounded political observers. Many couldn't seem to square the notion that Iowans would continue to elect two U.S. Senators from opposite sides of the political spectrum for the last three decades.

So to explain—or perhaps I don't have to because it is widely understood—Iowans are not casual political