

American farmers, American families, and America's future, and nowhere near enough reduction in global emissions to show for it. It is a self-inflicted wound for the low price, by one estimate, of somewhere in the neighborhood of \$93 trillion.

This is not based on logic or reason; it is just based on the prevailing fashions in New York and San Francisco. That is what is defining today's Democrats.

#### ORDER OF BUSINESS

Madam President, I ask unanimous consent that following the disposition of the Beach nomination, the Senate resume legislative session for a period of morning business, with Senators permitted to speak for up to 10 minutes each, and that there be 30 minutes of debate controlled by Senator ERNST or her designee.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### DECLARATION OF NATIONAL EMERGENCY

Mr. SCHUMER. Madam President, tomorrow, the Senate will vote on a resolution to terminate the President's emergency declaration—a declaration that undermines our separation of powers in order to fund the President's wall with American taxpayer dollars, despite Candidate Trump's repeated promises that Mexico would pay for it.

The resolution could not be any simpler. All it says is this, one single sentence: "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, pursuant to section 202 of the National Emergencies Act . . . the national emergency declared by the finding of the President on February 15, 2019, in Proclamation 9844 . . . is hereby terminated."

That is it in the entirety. There are no political games here. There is no "gotcha." There is no discussion as to whether we need a wall, whether there is a crisis on the southern border. It simply says that this is not an emergency.

The vote tomorrow boils down to something very simple for our Republican friends: Do you believe in the Constitution and conservative principles? There are all of these self-proclaimed conservatives. Well, the No. 1 tenet of conservatism is that no one, particularly an Executive, a President, should have too much power. That has been what conservatives have stood for through the centuries, and all of a sud-

den, because Donald Trump says he wants to declare an emergency, are people going to succumb?

The Founding Fathers would be rolling in their graves. They would be rolling in their graves for any President, let alone this one who we know overreaches in terms of power and who we know has no understanding of the exquisite and delicate balance that James Madison, George Washington, Thomas Jefferson, and so many others created in the Constitution and the Bill of Rights.

Do our Republican friends stand for conservative principles? Do they stand for any principles at all, or do they just take a loyalty pledge to President Trump and meekly do whatever he wants? It is that simple.

There are a lot of issues on which we disagree. There are lots of times our Republican friends bow to President Trump, but there ought to be an exception. And if there ever were an exception, it should be this.

Many of my Republican colleagues rightly stood up and told the President not to take this action. Leader MCCONNELL himself said it was a bad idea, a bad precedent, contravenes the power of the purse, a dangerous step, an erosion of congressional authority. And they, our Republican friends, were right. The President himself said he "didn't need to do this." That is not an emergency.

Are we going to say that anytime a President can't get his or her way with Congress, they can declare an emergency and Congress will meekly shrug its shoulders and walk by and bow in obeisance to any President, Democratic or Republican? What a disgrace.

This is one of the true tests of our Republican colleagues—one of the true tests—because it has always been the Democratic Party that has been for a stronger Executive. Dwight Eisenhower was worried about too much power going to the President, and so was Ronald Reagan. Where are our Republican friends now? Has Donald Trump turned this Republican Party and its conservative principles so inside out that we can't even get four votes to declare that this isn't an emergency, that we can't get 20 votes to say to the President that we will override this, because this is far more important than any view on the wall or the southern border, which we all know has been going on for a long time. While the President thinks it is an emergency, Congress clearly didn't. Even when Republicans controlled the House and Senate, they did nothing about the wall.

I have talked to a lot of my Republican colleagues. They know what this is all about. Everyone here knows the truth. The President did not declare an emergency because there is one; he declared an emergency because he lost in Congress and wanted to go around it. He has no principles in terms of congressional balance of power. We know that. We all know that. So to bow in obeisance to him when we all know

what he is doing is so wrong—a low moment for this Senate and its Republican friends.

When it comes to the Constitution, you ought to stand up to fear and do the right thing no matter who is in the White House. My Republican friends know the right thing to do. They should not be afraid to do it.

Last I checked, we all took the same oath of office. What did it say? "Uphold the Constitution."

There are different views on the Constitution, but I haven't heard one constitutional scholar—left, right, or center—say that this upholding the President on this emergency is the right thing to do in terms of the Constitution. I hope my Republican friends will join us.

Now, it seems, from what I read in the press reports this morning, that some Senators are in search of a fig leaf. They want to salve their consciences. They know this is the wrong thing to do.

They came up with this idea that will change the emergency declaration for future moments. Reports indicate that a group of Republican Senators are pushing legislation that would ignore the President's power grab but limit future emergency declarations—what bunk, what a fig leaf. That will not pass.

To my friend, the Senator from Utah, who I know does have constitutional qualms, he is squirming. His legislation will not pass.

Let me just read you what Leader PELOSI said a few minutes ago. This is from her statement:

Republican Senators are proposing new legislation to allow the President to violate the Constitution just this once in order to give themselves cover. The House will not take up this legislation to give President Trump a pass.

Do you hear me, my colleagues—my Republican colleagues? This will not pass. This is not a salve. It is a very transparent fig leaf. If you believe the President is doing the wrong thing, if you believe there shouldn't be an emergency, you don't say: Well, in the Congress we will introduce future legislation to change it, and, then, when the President declares another emergency, we will do new legislation to allow that too.

Come on. This fig leaf is so easily seen through, so easily blown aside that it leaves the constitutional pretensions of my Republican colleagues naked. The fig leaf is gone. Don't even think that it will have anything to do with what we are doing.

I hope my colleagues will stand strong. What the Republicans want to say with this fig leaf is, to paraphrase St. Augustine, "Grant me the courage to stand up to President Trump, but not yet."

Next time and next time and next time they will say the same thing.

Let's do the right thing. Let's tell the President that he cannot use his overreaching power to declare an emergency when he couldn't get Congress to