

should get beyond the discussion as to whether climate change is real—

Mr. CORNYN. Mr. President, I ask for regular order.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. WHITEHOUSE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CORNYN. 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. CORNYN. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. CORNYN. Mr. President, I renew my unanimous consent request. I have conferred with the Senator from Rhode Island and yield to him for purposes of asking a question.

Mr. WHITEHOUSE. Reserving the right to object—it is not in the form of a question—but, as I said, during the Keystone debate, the energy committee chair said we should get beyond the discussion as to whether climate change is real and talk about what do we do. I will not take more time now than to say that I hope we soon do get to that question: What do we do?

With that, I will not object.

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

ORDER FOR ADJOURNMENT

Mr. CORNYN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of the Senator from Alabama, Mr. SESSIONS, who I understand is en route.

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

Mr. CORNYN. 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. SESSIONS. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. SESSIONS. Mr. President, tomorrow we will vote on whether to proceed to the Department of Homeland Security appropriations bill, which fully funds the Department of Homeland Security and includes the law enforcement priorities that were agreed to on a bipartisan basis in the House. It is indeed a clean bill. The House of Representatives has voted to fund fully homeland security, as the President has requested.

Now, it is not a perfect bill. Republicans and Democrats and individuals on both sides have different priorities on some matters, but they did come to an agreement to fund all of the programs of the Department of Homeland Security and on how much they were funded—activities and actions that are authorized, however, by the laws of the United States.

So this bill will not deny a penny of funding. In fact, it says: Mr. President, spend the money on enforcing and following the law. Spend the money on enforcing the Immigration and Nationality Act as passed by Congress—that is the law of the United States of America. Spend the money to let our law enforcement officers carry out their duties as prescribed by the laws.

Yet our Democratic colleagues say they are going to block this bill—that they will all stick together and not even let it come to the floor of the Senate. Why? Why would they do that? Because, they say, they want to give the President the funds, apparently, to spend on his unconstitutional and unlawful Executive amnesty. They will not allow the bill to even be voted on, and without a vote in the Senate, the funding for Homeland Security does not go forward. They are not going to allow it to be voted on because they want to protect the President in his assertion of an unconstitutional and illegal power to order duly-constituted enforcement officers of the U.S. Department of Homeland Security to carry out unlawful activity.

The President is not entitled to spend taxpayer dollars to implement a system of immigration that Congress—representing the American people's wishes, let me add—rejected just last year. Surely our Democratic colleagues will not block the Senate from proceeding to this bill to fund the Department of Homeland Security. If they are unhappy with the language of the bill of the House of Representatives, if they think the President wrongfully or rightfully, using legitimate powers, could direct them to provide Social Security numbers, Medicare participation, earned income tax credit money from the Federal Government and the right to work in the United States when the law says they are not entitled to be employed in the United States, then they can offer an amendment to the bill and bring it up on the floor of the Senate to strike that language if they think it is so bad.

Of course, if you think about it, that would be a stunning event; would it not be—the Senate taking language from a bill or striking language from a bill that restores the separation of powers as properly understood by the Framers and preventing the President from violating law and the constitution. They are going to vote against that? Maybe that is why they choose not to have this bill go forward. Maybe they do not want to confront the issue.

I am going to quote Senator REID in a moment because he said we ought to

confront the issue square-on. All right, let's do so. I suspect Senator REID, though, and his team are not so interested in having votes and being held accountable for their votes.

Our colleagues would have the right to offer amendments. Senator MCCONNELL is allowing amendments. He is going out of his way to allow amendments and changing the terrible state the Senate had found itself in under the leadership of Senator REID. Consistent with the rules of the Senate, those amendments can be brought up, and a motion to strike this language is certainly appropriate.

It is an untenable position—untenable constitutionally, untenable because it is contrary to the will of the Members of the House and Senate who oppose the President's action—Republicans and Democrats. Perhaps most importantly, it is untenable politically because the American people strongly reject it. So why would any Senator—Democrat or Republican—when the very integrity of the Congress is under assault by an overreaching executive branch, not want to assert congressional authority at this point?

We are coequal branches of government, and the President does not have the authority to enforce a law that was never passed—indeed, a law that was explicitly rejected by the Congress of the United States—and grant amnesty to people who are unlawfully here, provide them work authorizations, a photo ID allowing them to apply for any job in America, with Social Security numbers and the right to participate in Social Security and Medicare. That is what the President's actions are going to do.

This is not prosecutorial discretion—nowhere close to prosecutorial discretion. It is an Executive fiat. It is an imperial act. As the President himself said repeatedly: I am not a king; I am not an emperor. When dealing with this very issue, he told people over a period of years—20 times—that he did not have the power to do this. But then he changed his mind. Under pressure from certain political interest groups and because he couldn't get Congress to vote for the bill he wanted, he just decided to do it on his own.

This is an unthinkable overreach. It is a matter of great national importance. The American people were engaged in this. They were following this issue. The President couldn't get the constitutional process to give him the power he wanted, so he just did it anyway.

Why can't it be stopped? I get asked that. What is the matter with you people in Congress?

Well, we had seven Members on the Democratic side of the aisle, still in this Senate today, who said the President overreached. They said he shouldn't have done this, and it should have been done by the legislature, by the Congress, not by the President. Yet are all seven of them going to vote with Senator REID and become part of