

dictate where and how those funds may or may not be used. If the President exceeds the limits of his Executive authority to create an illegal program such as DACA or DAPA, Congress has the power to defund such a program.

The Department of Homeland Security appropriations bill is a check on the executive branch. It is a result of the last election, and elections are supposed to have consequences. This bill is our way of showing to the American people we are carrying out a campaign promise to make sure the President doesn't act in an unconstitutional way and abuse his authority.

So I ask my colleagues to take this under serious consideration when deciding whether to vote in favor or against proceeding to this bill.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

CLAY HUNT SUICIDE PREVENTION FOR AMERICAN VETERANS ACT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 203, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 203) to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided in the usual form.

The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. SESSIONS. Mr. President, I thank Senator GRASSLEY for his remarks. As chairman of the Judiciary Committee and a longtime vigorous leader in the U.S. Senate, I know he was here and saw the problems of the 1986 amnesty. It had bad ramifications in a lot of ways. I believe if we listened to the experience of Senator GRASSLEY and his understanding of what is at stake, we would all be in a lot better shape than we are today.

The American people want a lawful system of immigration. They want one that is fair to applicants who want to come to America. They are not for eliminating immigration to America. They want a system that allows people to apply, wait their turn, and if they are qualified, be admitted; if they don't qualify, not be admitted. They want

that enforced. They don't believe we should have open borders and open visa programs that allow people by the millions to come unlawfully into this country. The President obviously has a different view. As a result, we are in a situation in which the Constitution is at stake in a lot of ways.

We will vote after lunch on moving forward to the Department of Homeland Security bill. The Department of Homeland Security bill, passed by the House of Representatives, fully funds the Department of Homeland Security. The basic funding mechanisms and agreements and allocations of money in that legislation were approved on a bipartisan basis. The House of Representatives simply said: Mr. President, the money in the Department of Homeland Security funding mechanism will be spent for lawful purposes. That money will be spent to secure the homeland in an effective way. That money, however, will not be spent by anyone to take actions outside the lawful limitations and lawful powers of the Department of Homeland Security. But that is what the President wanted to do, and that is what he wants to do through his Executive action.

They are now leasing a new building across the river in Crystal City. They are hiring 1,000 new Federal employees. Those Federal employees will be processing the applications for up to 5 million people and they will be providing those people with photo IDs. These are people in the country unlawfully. They are not lawfully allowed to work in America. Businesses aren't allowed to hire people who are here unlawfully.

It is plain and simple. They are not eligible to qualify for Social Security or Medicare. So the President has declared he is going to set up this office. They will process these individuals, and they will provide up to 5 million photo IDs, 5 million Social Security numbers, and the right to work in America. They will be allowed to participate in Social Security and Medicare.

He says: I am entitled to do that. Well, he is not entitled to do that. As scholar after scholar and as common sense tells us, the President doesn't have that power. That is what this is about.

The House barred any spending on this unlawful activity—an activity the President asked Congress to allow him to do and which Congress rejected. This proposal was presented to Congress, and Congress refused to pass it. But he is doing it anyway. It is an arrogant overreach, a direct challenge to the historic role of Congress in our American system.

Our Democratic colleagues say they don't want controversial immigration riders on this bill—controversial immigration riders. In other words, they don't want the Congress to do what it is required to do—fund the programs it believes need to be funded and not fund programs it doesn't believe should be funded.

As a matter of policy, Congress has not adopted and does not support what the President wants to do. In fact, it has prohibited it. It has no duty whatsoever to allow the President to spend moneys of the United States of America to advocate a program they don't approve of, or certainly one that is unlawful. That is what this is all about. Our colleagues are voting to block the bill that would fund Homeland Security at the level the President has asked for. So there is no policy change here. Every lawful activity of Homeland Security is funded.

There was a headline in the New York Times today. I am going to push back a little on my colleagues because they have been spinning this idea that somehow the Republican House, in sending this legislation over that funded Homeland Security, is disrupting the fair flow and causing controversies within our funding mechanisms of Congress. The headline from an experienced reporter's article in today's New York Times is: "Democrats Look to Protect Obama's Immigration Directives."

That is exactly what this is about, colleagues. At least seven of our Democratic colleagues have explicitly said they don't agree with the policy of the President with regard to Executive amnesty and providing work permits and Social Security to people unlawfully here. But they are now united. We are told all of them are going to stand together to protect President Obama's immigration directives.

When they were running for office during the campaign last fall, people were saying they didn't agree with him. Now, when the issue hits the floor and we have an opportunity to do the normal and rational thing and not fund an unlawful policy, they are all sticking together like a palace guard around the White House to protect Obama's immigration directives. This is a sad thing and a disappointing thing to me. The article goes on to say:

Democrats are hoping they can force the new Republican majority to drop the immigration provisions and send the \$40 billion spending bill to the President.

Congress is spending \$40 billion on homeland security. All of that money is directed to legitimate lawful policies of Homeland Security and not allowing any of it to be spent on unlawful, unapproved policies in Homeland Security—an absolute power that Congress has, a duty that it has. Congress is violating its fundamental duty if it allows the President to carry out power he is not authorized. It is absolutely violating its duty if it supports and funds actions by the President to violate the law. It has a duty to say no to the President who overreaches.

The article goes on to say:

But Democrats have decided to shut down debate on the measure altogether, fearful that it could lead to the bill's approval and could prompt negotiations with the House that would put them at a disadvantage.

Fearful that the process could lead to the bill's approval during negotiations