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No. 125

House of Representatives

The House was not in session today. Its next meeting will be held on Monday, September 8, 2014, at 2 p.m.

Senate

TUESDAY, AUGUST 5, 2014

(Legislative day of Friday, August 1, 2014)

The Senate met at 11 a.m. and was called to order by the Honorable CARL LEVIN, a Senator from the State of Michigan.

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by Rev. Adam Briddell, Associate Pastor of Asbury United Methodist Church, Washington, DC.

The guest Chaplain offered the following prayer:

Let us pray.

Holy God, we give You thanks for the abundance of Your blessings and the promise You have made to Your people—a promise to never fail or forsake us. So You have sent Your Spirit, a spirit of truth, courage, grace, and love; a spirit that calls us together in fellowship because we are so much stronger when we are united and not divided.

May Your Spirit be at work in the hearts of the men and women of this great Chamber. May all find the courage to choose Your righteousness over self-righteousness. Let Your truth inspire us to great acts of grace and love. This day and every day may we be found faithful to who You are and who You are calling us to be.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 5, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CARL LEVIN, a Senator from the State of Michigan, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. LEVIN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 5 minutes each.

The Senator from Delaware.

BUDGETARY REVISIONS

Mrs. MURRAY. Mr. President, I previously filed budgetary aggregates and committee allocations for budget years 2014 and 2015 pursuant to section 116 of the Bipartisan Budget Act of 2013. Today, I am adjusting those levels.

Section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 establishes statutory limits on discretionary spending and allows for various adjustments to those limits, while sections 302 and 314(a) of the Congressional Budget Act allows the Chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments. On August 1, 2014, the Senate passed one bill that is eligible for an adjustment under the Congressional Budget Act: H.J. Res 76, Emergency Supplemental Appropriations Resolution, 2014, which includes \$225 million in budget authority and \$150 million in outlays in 2014 and \$75 million in outlays in 2015 that is designated as emergency funding pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Consequently, I am revising the budgetary aggregates for 2014 by a total of \$225 million in budget authority and \$150 million in outlays. For 2015 I am revising the budgetary aggregates by \$75 million in outlays. I am also revising the budget authority and outlay

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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allocations to the Appropriations Committee by \$225 million in revised security budget authority and \$150 million in outlays in 2014 and by \$75 million in outlays in 2015.

I ask unanimous consent that the following tables detailing the changes to the allocation to the Committee on Appropriations and the budgetary aggregates be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUDGETARY AGGREGATES

(Pursuant to section 116 of the Bipartisan Budget Act of 2013 and section 311 of the Congressional Budget Act of 1974)

\$s in millions	2014	2015
Current Spending Aggregates: *		
Budget Authority	2,842,558	3,015,208
Outlays	2,819,514	3,035,686
Adjustments:		
Budget Authority	225	0
Outlays	150	75
Revised Spending Aggregates:		
Budget Authority	2,842,783	3,015,208
Outlays	2,819,664	3,035,761

* 2014 current spending aggregates reflect previous adjustments made for the farm bill and unemployment insurance. 2015 current spending aggregates reflect previous adjustments made for disaster, overseas contingency operations, and terrorism risk insurance.

REVISIONS TO THE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2014

(Pursuant to sections 302 and 314(a) of the Congressional Budget Act of 1974)

In millions of dollars	Current allocation/limit	Adjustments *	Adjusted allocation/limit
Fiscal Year 2014:			
Revised Security Category Discretionary Budget Authority	605,882	225	606,107
Revised Nonsecurity Category Discretionary Budget Authority	504,843	0	504,843
General Purpose Discretionary Outlays	1,201,186	150	1,201,336
Memorandum: Total Discretionary Budget Authority	1,110,725	225	1,110,950

* Pursuant to section 314(a) of the Congressional Budget Act of 1974, the allocation to the Committee on Appropriations will be adjusted following the reporting of bills, offering of amendments, or submission of conference reports that qualify for adjustments to the discretionary spending limits as outlined in section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVISIONS TO THE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2015

(Pursuant to sections 302 and 314(a) of the Congressional Budget Act of 1974)

In millions of dollars	Current allocation/limit	Adjustments *	Adjusted allocation/limit
Fiscal Year 2015:			
Revised Security Category Discretionary Budget Authority	579,851	0	579,851
Revised Nonsecurity Category Discretionary Budget Authority	508,872	0	508,872
General Purpose Discretionary Outlays	1,191,903	75	1,191,978
Memorandum: Total Discretionary Budget Authority	1,088,723	0	1,088,723

* Pursuant to section 314(a) of the Congressional Budget Act of 1974, the allocation to the Committee on Appropriations will be adjusted following the reporting of bills, offering of amendments, or submission of conference reports that qualify for adjustments to the discretionary spending limits as outlined in section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DETAIL ON ADJUSTMENTS TO FISCAL YEAR 2014 ALLOCATIONS TO COMMITTEE ON APPROPRIATIONS PURSUANT TO SECTIONS 302 AND 314(a) OF THE CONGRESSIONAL BUDGET ACT

\$s in billions	Program integrity	Disaster relief	Emergency	Overseas contingency operations	Total
H.J. Res. 76, Emergency Supplemental Appropriations Resolution, 2014*:					
Budget Authority	0.000	0.000	0.225	0.000	0.225
Outlays	0.000	0.000	0.150	0.000	0.150
Total:					
Budget Authority	0.000	0.000	0.225	0.000	0.225
Outlays	0.000	0.000	0.150	0.000	0.150
Breakdown of Above Adjustments by Category:					
Revised Security Category Budget Authority	0.000	0.000	0.225	0.000	0.225
Revised Nonsecurity Category Budget Authority	0.000	0.000	0.000	0.000	0.000
General Purpose Discretionary Outlays	0.000	0.000	0.150	0.000	0.150

* This table reflects the Congressional Budget Office estimate of H.J. Res. 76, Emergency Supplemental Appropriations Resolution, 2014 as passed by the Senate on August 1, 2014.

DETAIL ON ADJUSTMENTS TO FISCAL YEAR 2015 ALLOCATIONS TO COMMITTEE ON APPROPRIATIONS PURSUANT TO SECTIONS 302 AND 314(a) OF THE CONGRESSIONAL BUDGET ACT

\$s in billions	Program integrity	Disaster relief	Emergency	Overseas contingency operations	Total
H.J. Res 76, Emergency Supplemental Appropriations Resolution, 2014*:					
Budget Authority	0.000	0.000	0.000	0.000	0.000
Outlays	0.000	0.000	0.075	0.000	0.075
Total:					
Budget Authority	0.000	0.000	0.000	0.000	0.000
Outlays	0.000	0.000	0.075	0.000	0.075
Breakdown of Above Adjustments by Category:					
Revised Security Category Budget Authority	0.000	0.000	0.000	0.000	0.000
Revised Nonsecurity Category Budget Authority	0.000	0.000	0.000	0.000	0.000
General Purpose Discretionary Outlays	0.000	0.000	0.075	0.000	0.075

* This table reflects the Congressional Budget Office estimate of H.J. Res. 76, Emergency Supplemental Appropriations Resolution, 2014 as passed by the Senate on August 1, 2014.

CYPRUS

Mr. LEVIN. Mr. President, this summer marks the 40th year since the Turkish invasion of Cyprus and the division of the island into Greek and Turkish zones. That division has led to great hardships on both sides of the divide and been a source of some instability in a part of the world—the eastern Mediterranean—that already is far too unstable. It is profoundly in the interests of the United States, our friends and allies in the region, and the Cypriot people, both Greek and Turkish, to resolve this dispute and achieve the goal of a unified Cyprus.

The division of Cyprus has had profoundly negative consequences for its people and the region. Cyprus has been a source of ongoing tension between

two important NATO allies, Greece and Turkey. The division has stunted Cyprus economically and politically. Tragically, the line has divided families for four decades. None of this is in the interests of Greece, Turkey, the United States, our allies, or the world. That is why the United States supports the creation of a bizonal, bicomunal federation as envisioned by numerous United Nations Security Council resolutions.

It is unfortunate that, four decades after the island's division, we have yet to achieve that goal. It is long overdue that Cyprus be unified. And there are reasons today to believe that goal is closer. In February, U.N.-sponsored talks between Greek and Turkish leaders restarted after a 2-year halt. They

agreed to a roadmap for further negotiations and, importantly, committed to build a positive atmosphere surrounding the talks, including important confidence-building measures designed to help ease 40 years of mistrust. Little over a week ago negotiators met and committed to progress on outstanding issues in advance of their next meeting on September 2.

It is vitally important that negotiators continue to build momentum toward peace and unity on the island because so much is at stake. The discovery of large natural gas reserves off the island's coast promises a newly prosperous future for Cyprus and its people, but it will be far more difficult, if not impossible, to fully capitalize on

that opportunity in the absence of peace and unity.

The United States should continue to work closely with all sides in pursuit of the peaceful reunification of Cyprus that is so long overdue.

ADDITIONAL STATEMENTS

TRIBUTE TO ROBERT PERCIASEPE

• Mr. CARDIN. Mr. President, I want to take a moment today to honor Robert “Bob” Perciasepe, the Deputy Administrator of the U.S. Environmental Protection Agency EPA. Bob is a true public servant and dear friend who will be departing government service shortly. He has spent the past several decades protecting our environment and his work in this regard has been exemplary. The air we and our children and grandchildren breathe and the water we drink are cleaner because of Bob Perciasepe.

Bob graduated in 1974 from Cornell University with a bachelor of science degree in natural resources and then received his master’s degree in planning and public administration from the Maxwell School of Citizenship and Public Affairs at Syracuse University. After Bob graduated from Syracuse, he began his career in public service with the Baltimore City Planning Department in 1976, eventually becoming the city’s assistant director for planning in 1986. Later, he served as the Maryland secretary of the environment. It was during his service in my home State of Maryland that I first had the opportunity to know and work with Bob, particularly as he worked on an issue near and dear to me—protecting the Chesapeake Bay.

Following Bob’s service in Maryland, he served President Bill Clinton in two different capacities at the EPA, first as the Assistant Administrator for Water and then as the Assistant Administrator for the Office of Air and Radiation. In these positions, he continued his tireless work to improve the air we breathe and protect our drinking and recreational waters.

Bob was instrumental in working with us in Congress to pass the 1996 Safe Drinking Water Act—a law that provided critical protection standards for drinking water. When he led the Office of Air and Radiation, he signed the first official finding that mercury pollution from our Nation’s power plants should be controlled.

Bob left government service but he didn’t stop working to protect human health and the environment. He went to work for the National Audubon Society, where he continued to champion conservation and environmental progress. When Barack Obama became President in 2009, Bob returned to Federal service as the EPA’s Deputy Administrator and served as Acting Administrator between the tenures of Lisa Jackson and Gina McCarthy.

Bob’s dedication to public service and his practical approach to problem-

solving were evident from my first interactions with him. His fun-loving nature, intellectual capacity, and devotion to duty make him an exemplary public servant. We all breathe easier—literally—because of Bob Perciasepe, so I wanted to take this opportunity to express my appreciation for his service and congratulate him on his countless contributions to protecting our Nation’s environment during his long tenure at EPA. I have no doubt that Bob will maintain his untiring commitment to the betterment of the environment in his next venture, and I wish him all the best.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on August 4, 2014, during the recess of the Senate, received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 112. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the House agrees to the amendment of the Senate to the text of the joint resolution (H.J. Res. 76) making an emergency supplemental appropriation for the fiscal year ending September 30, 2014, to provide funding to Israel for the Iron Dome defense system to counter short-range rocket threats, and further that the House agrees to the amendment of the Senate to the title of the aforementioned joint resolution.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on August 4, 2014, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

H.R. 3548. An act to amend title XII of the Public Health Service Act to expand the definition of trauma to include thermal, elec-

trical, chemical, radioactive, and other extrinsic agents.

H.R. 4360. An act to designate the facility of the United States Forest Service for the Grandfather Ranger District located at 109 Lawing Drive in Nebo, North Carolina, as the “Jason Crisp Forest Service Building”.

H.R. 4631. An act to reauthorize certain provisions of the Public Health Service Act relating to autism, and for other purposes.

H.R. 4838. An act to redesignate the railroad station located at 2955 Market Street in Philadelphia, Pennsylvania, commonly known as “30th Street Station”, as the “William H. Gray III 30th Street Station”.

Under the authority of the order of the Senate of January 3, 2013, the enrolled bills were subsequently signed on August 4, 2014 by the Acting President pro tempore (Mr. LEVIN).

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on August 4, 2014, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. WOLF) has signed the following enrolled bills:

H.R. 606. An act to designate the facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, as the “Specialist Christopher Scott Post Office Building”.

H.R. 1671. An act to designate the facility of the United States Postal Service located at 6937 Village Parkway in Dublin, California, as the “James ‘Jim’ Kohnen Post Office”.

H.R. 2291. An act to designate the facility of the United States Postal Service located at 450 Lexington Avenue, in New York, New York, as the “Vincent R. Sombrotto Post Office”.

H.R. 3472. An act to designate the facility of the United States Postal Service located at 13127 Broadway Street in Alden, New York, as the “Sergeant Brett E. Gorniewicz Memorial Post Office”.

H.R. 3765. An act to designate the facility of the United States Postal Service located at 198 Baker Street in Corning, New York, as the “Specialist Ryan P. Jayne Post Office Building”.

H.R. 4386. An act to allow the Secretary of the Treasury to rely on State examinations for certain financial institutions, and for other purposes.

H.R. 5195. An act to provide additional visas for the Afghan Special Immigrant Visa Program, and for other purposes.

H.J. Res. 76. Joint resolution making an emergency supplemental appropriation for the fiscal year ending September 30, 2014, to provide funding to Israel for the Iron Dome defense system to counter short-range rocket threats.

Under the authority of the order of the Senate of January 3, 2013, the enrolled bills and joint resolution were signed on August 4, 2014, during the recess of the Senate by the Acting President pro tempore (Mr. LEVIN).

MESSAGE FROM THE HOUSE

At 11:02 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5230. An act making supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

H.R. 5272. An act to prohibit certain actions with respect to deferred action for aliens not lawfully present in the United States, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 5230. An act making supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

H.R. 5272. An act to prohibit certain actions with respect to deferred action for aliens not lawfully present in the United States, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MIKULSKI, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Years 2014 and 2015" (Rept. No. 113-241).

By Mr. TESTER, from the Committee on Indian Affairs, without amendment:

S. 2040. A bill to exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, and for other purposes (Rept. No. 113-242).

ADDITIONAL COSPONSORS

S. 429

At the request of Mr. NELSON, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 429, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 932

At the request of Mr. BEGICH, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 932, a bill to amend title 38, United States Code, to provide for advance appropriations for certain discretionary accounts of the Department of Veterans Affairs.

S. 2481

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2481, a bill to amend the Small Business Act to provide authority for sole source contracts for certain small business concerns owned and controlled by women, and for other purposes.

S. 2687

At the request of Mrs. SHAHEEN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2687, a bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the

contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 2692

At the request of Mrs. MCCASKILL, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2692, a bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual violence, and for other purposes.

S. 2771

At the request of Mrs. BOXER, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 2771, a bill to establish a WaterSense program, and for other purposes.

PROVIDING FOR AN ADJOURNMENT/RECESS

Mr. COONS. Mr. President, I ask unanimous consent the Senate proceed to H. Con. Res. 112, which was received from the House and is at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 112) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The concurrent resolution (H. Con. Res. 112) was agreed to, as follows:

H. CON. RES. 112

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Monday, August 4, 2014, through Friday, September 5, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, September 8, 2014, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Monday, August 4, 2014, through Friday, September 5, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 2:00 p.m. on Monday, September 8, 2014, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after consultation with

the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

Mr. COONS. I ask unanimous consent the motion to reconsider be considered made and laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURES READ THE FIRST TIME—H.R. 5230 AND H.R. 5272

Mr. COONS. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the first time en bloc.

The legislative clerk read as follows:

A bill (H.R. 5230) making supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

A bill (H.R. 5272) to prohibit certain actions with respect to deferred action for aliens not lawfully present in the United States, and for other purposes.

Mr. COONS. I now ask for a second reading en bloc, and I object to my own request en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be read the second time on the next legislative day.

APPOINTMENTS AUTHORITY

Mr. COONS. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences or interparliamentary conferences authorized by law, concurrent action of the two Houses or by order of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AUTHORITY TO REPORT

Mr. COONS. Mr. President, I ask unanimous consent that notwithstanding the Senate's recess, committees be authorized to report legislative and executive matters on Tuesday, August 26, 2014, from 10 a.m. to 12 noon.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

U.S.-AFRICA SUMMIT

Mr. COONS. Mr. President, before I conclude I simply wanted to thank the staff of the Senate Foreign Relations

Committee and our chair, Senator BOB MENENDEZ, for hosting—along with the House Foreign Affairs Committee—yesterday a very successful reception in the Russell Office Building where 50 African heads of state and heads of government were received. It was a successful event and an important kickoff to a 3-day U.S.A.-Africa summit currently being led by the President and Secretary of Commerce.

ORDERS THROUGH MONDAY, SEPTEMBER 8, 2014

Mr. COONS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for a pro forma session only, with no business conducted, on Friday, August 8, at 9:15 a.m.; that when the Senate adjourns on Friday, it adjourn under the provisions of H. Con. Res. 112 until Monday, September 8, 2014 at 2 p.m.; that on Monday, September 8, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, there be a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees; further, that at 5:30 p.m. the Senate proceed to executive session, resume consideration of Executive Calendar No. 848, and immediately proceed to vote on confirmation of the Pryor nomination, as provided under the previous order.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

PROGRAM

Mr. COONS. Mr. President, on Monday, September 8, 2014, at 5:30 p.m., there will be at least three rollcall votes on confirmation of the Pryor nomination to be U.S. circuit judge for the Eleventh Circuit; confirmation of the Aaron nomination to be a member of the Social Security Advisory Board; and a cloture vote on the motion to proceed to S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States on campaign finance reform. There will be voice votes on the Cohen and Chen nominations for the Social Security Advisory Board.

ORDER FOR ADJOURNMENT

Mr. COONS. If there is no further business to come before the Senate, I ask that it adjourn under the previous order following the remarks of Senator SESSIONS for up to 40 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Alabama.

IMMIGRATION POLICY

Mr. SESSIONS. Thank you, Mr. President. The facts are plain, colleagues. The immigration policies of President Obama are having a devastating effect on the classical American goal of a fair and lawful system of immigration, one that serves our national interest. He has directed the Federal immigration officers not to enforce plain law. He meets privately with pro-amnesty, open borders, and special interest business groups and promises to take even more actions in the future to erase plain law. Unfortunately, our fine law enforcement officers are excluded from the discussion. I have asked that they be involved for years now, and the President has flatly refused.

The President's actions evidence no policy or guiding principle that is sustainable. Now the heretofore largely covert actions by the President are open and blatant, and he has announced them. He has told the world that with the stroke of his pen he will, by Presidential directive, by Executive order, provide legal status to 5 to 6 million people unlawfully in the country today—all this contrary to long established law. But there is more. He has said he will issue, in effect, legal identification cards and work authorization.

Surely we know the President cannot make law. Congress makes law. As Chief Executive, the President executes, carries out, and enforces law. This we learned in grade school. This constitutional construct is not a small matter; it is the mechanism by which this Nation conducts its governmental business. Through this method, the people control their government.

Allowing any President to nullify law is a threat to the future of our Republic and to the ultimate power of the people to control it. That is why I have urged the President to reconsider this point and to adhere to his plain statements, where he has expressly stated he did not have the power to do what he now—in a complete reversal—states he will do.

On November 25, 2013, less than a year ago, he stated: "If, in fact, I could solve all these problems without passing them through Congress, I would do so. But we're also a nation of laws."

On March 28, 2011, President Obama said:

With respect to the notion that I can just suspend deportations through executive order, that's just not the case. There are enough laws on the books by Congress that are very clear in terms of how we have to enforce our immigration system that for me to simply through executive order ignore those congressional mandates would not conform with my appropriate role as President.

Again, on September 28, 2011, he said:

I just have to continue to say this notion that somehow I can just change the laws unilaterally is just not true. We are doing ev-

everything we can administratively. But the fact of the matter is there are laws on the books that I have to enforce. And I think there's been a great disservice done to the cause of getting the DREAM Act passed and getting comprehensive immigration passed by perpetrating the notion that somehow, by myself, I can go and do these things. It's just not true. But we live in a democracy. You have to pass bills through the legislature, and then I can sign it.

That is true. Every schoolchild knows that. But what is happening today? The President is saying something quite different.

It is important for Congress to stand and resist the complete erosion of its powers—and even more significantly, the powers of the American people—and see that our laws are carried out effectively.

I know this is a somewhat postmodern time where many believe words have no meaning except as they advance one's agenda of the day, but such approaches are wholly inconsistent with the founding concepts of America. We were founded on the belief that words do have meaning, that sound principles must be adhered to, and that truth is real and must be sought.

While we debate many issues, and good people can disagree, surely we can all agree that at this moment we are in the Senate Chamber and that there is daylight outside. Those are not matters for debate or else we are, indeed, through the "looking glass." Likewise, it is surely not a matter of debate—among Democrat or Republican—that the President cannot make or nullify law. He cannot do that. Thus, we must in unity call on President Obama not to go through with his stated desire which would eviscerate long and clearly established American immigration law. What law might the next President ignore, bend, or nullify?

It is said that he has ordered his lawyers and officials to tell him how he may carry out such actions before the end of the summer. Apparently he did not ask them whether he had such power; he just ordered them to develop a plan to do that which the law does not allow.

Mr. President, frustration and pique can result in hasty and unwise decisions. Please do not do this.

To the officials and lawyers who have received this directive from the President, you must always remember that your first duty is to the Constitution and the Nation and its laws. There will be times when you have the duty to say no.

Lawyers at the Departments of Justice and Homeland Security are going to be asked how they can carry out the President's plan that he previously said he had no authority to do. They are also challenged. Their duty is to say no. And sometimes you have to resign your office.

Just imagine, this past Sunday—2 days ago—White House adviser Dan Pfeiffer repeated the Obama administration's warning of an impending Executive action on immigration. Mr.

Pfieffer said this action would come at “the end of the summer.” According to repeated and multiple news reports, these Executive actions could provide administrative legal papers and work permits for up to 5 to 6 million immigrants in clear contravention of Federal law. If these actions are taken, we will have effectively opened the borders of America. We are nearly there already.

Consider that millions of people come every year to America on visas. Currently, if you overstay a visa, there is no legal consequence today. No one is going to come and get you. No one even clocks if you come in or if you leave. If you get a student visa and drop out of school, or if you come to work on a visa and it expires, or if you just come on a tourist visa and never leave, nobody checks, nobody asks these individuals to leave.

The Congressional Budget Office said, in analyzing the Gang of 8 bill that came through the Senate, that as much as 40 percent of the illegality in America today is a result of visa overstays. They also projected that was going to increase in the years to come.

If you get past the Border Patrol at the border and somehow get to the interior of this country, you are also allowed to stay under President Obama's policies, which are not to deport anybody unless they have been arrested for a serious crime, maybe even limited to a serious felony.

As the President's former ICE Director John Sandweg explained, “If you are a run-of-the-mill immigrant here illegally, your odds of getting deported are close to zero.” In order to be deported from the interior, you basically have to commit a serious criminal offense. Otherwise, you are mostly free to enter illegally, work illegally, and even collect benefits like the additional child tax credit. The Treasury Department inspector general said that loophole should be eliminated, and we could do so, but Congress and the majority in this Senate have refused to allow us to do so.

Chris Crane, the head of the ICE officers association—that is Immigration and Customs Enforcement officers who do all the work on the interior of the country and help in other areas too—testified before Congress:

Most Americans would be surprised to know that immigration agents are regularly prohibited from enforcing the two most fundamental sections of the United States immigration law. According to ICE policy, in most cases immigration agents can no longer arrest persons solely for entering the United States illegally. Additionally, in most cases immigration agents cannot arrest people solely because they have entered the United States with a visa and then overstayed that visa and failed to return to their country. Essentially, only individuals charged or convicted of very serious criminal offenses by other law enforcement agencies may be arrested or charged by ICE agents and officers for illegal entry or overstay.

This is a very serious matter. This has not been the policy of America; it

is the policy President Obama has directed through his top administrative officials down to the very officers on the street.

Furthermore, if you show up at the border and simply turn yourself in, you are often released into the interior of the country.

A recent newspaper in New Jersey interviewed a 27-year-old illegal immigrant from Honduras. The newspaper wrote that he had “arrived in Freehold Borough 15 days ago from Honduras.” The article says he “left behind his parents and 10 brothers and sisters,” but “he is hoping his family will join him at some point in the future.”

Once illegal immigrants have been released into the interior, they frequently do not show up for court hearings. The National Review reports that “in one day at a Los Angeles immigration court last week, Judge Ashley Tabaddor heard the cases of nearly 40 illegal immigrant minors, but none of the children appeared in court, according to the Los Angeles Times.” None of them came to appear in court.

The article goes on to say:

In each case, the illegal immigrant was thought to have settled elsewhere, and the judge reportedly decided not to deport the children in absentia. Instead, the judge—who declined to speak with National Review Online, citing Justice Department policy—reportedly issued change-of-venue orders in each case.

That basically means nothing. If you fail to show up in court for a DUI or for a speeding ticket or for a reckless driving ticket, a warrant is issued for your arrest. That is what happens in America throughout this Nation, and that is what should happen. But when a person who enters the country unlawfully is released and asked to show up at a hearing at some date in the future, and then doesn't show up, the judge apparently transfers it to some other district on the assumption the individual has moved to some other place. How do they know where they are? And nobody will go out and look for them. There is nobody looking for these individuals. They are not even able to put a warrant in the National Crime Information Center because they probably don't even have their true name or any ability to identify them. It is a complete capitulation to lawlessness.

But there are more ways, unfortunately, to get into the country illicitly. Our asylum system is plagued by fraud. The House Judiciary Committee reported this:

Asylum approval rates overall have increased dramatically in recent years. Approval rates by asylum officers have increased from 28 percent in 2007 to 46 percent in 2013 and approval rates by immigration judges in affirmative cases have increased from 51 percent in 2007 to 74 percent in 2013. Combining both of these approval rates, the vast majority of aliens who affirmatively seek asylum are now successful in their claims.

The report goes on:

This does not even take into account appeals to the Board of Immigration Appeals or

federal courts. At the same time, an internal Department of Homeland Security report shows that at least 70 percent of asylum cases contain proven or possible fraud.

Our system as it is being run today is not lawful, it is not principled, it does not have integrity, and it has no ability to carry out the wishes of the American people—which has always been to have a system that is effective and lawful and serves the national interests.

And remember, all of these entries are in addition to the huge flow of annual permanent immigration into the United States as well as work authorization. That is all in addition to the lawful flow that we have. Between 2000 and today, the U.S. Government issued nearly 30 million lawful visas for individuals and their relatives to either live permanently in the United States or to come to take a job. We are a generous Nation. We have a very generous immigration policy—more than any nation in the world. And the American people have the right to expect that our laws are enforced, that we don't have open borders. They have never believed in that, and no official, to my knowledge, will stand up publicly and advocate for that, although many of the policies being promoted would result in just that.

Now consider what will happen to our system if the President goes through with his plan to provide work authorizations for another 5 million people living illegally in the United States. What immigration law will be left, colleagues? The government is not enforcing visa overstays, illegal entries, illegal work, or asylum fraud. And now the President is just going to start printing millions of work permits for people illegally in the country—after Congress has loudly declared “no.”

Congress has refused to pass his plan. What is the President's excuse for wanting to do this unlawful act? He says Congress won't act. But Congress acts when it refuses to do something the President decides. That is an act of Congress, and Congress has declined to provide amnesty in the method the President asked for and has been advocating for. Therefore, he is not given any power to ignore current law that he wishes to change and Congress didn't change.

This is very serious. I say to my colleagues—Republicans, Democrats—this is more than a dispute over who should enter and what kind of amnesty we should have, if any; it is a challenge to the integrity of our constitutional order and a challenge to this Senate.

If the President persists in his plan, anyone ICE officers come into contact with will simply assert protections and eligibility under this new Executive action. Now, get this. So we are going to give amnesty to 5 million or 6 million people. Well, if there are 11 million, 12 million people here today, what happens to the other 5 million to 6 million? If any ICE officer comes into contact with them, those individuals will assert they are entitled to protections and eligibility under the new Executive action. New illegal immigrants will flood across, as they did after the

President's Executive amnesty for people under the age of 30 because they will believe—correctly, it appears to me—that if they can get into the country unlawfully, they will never be deported. They will wait until the President—this President or the next President or some other President—gives them work privileges in the United States to take jobs that Americans need to be doing at a time of extraordinarily high unemployment, at a time when we have the lowest workplace participation rate since the 1970s. Illegal immigrants won't even have to wait for Congress to pass amnesty if this goes through.

So I ask: What immigration law will be left? The President has simply decided—on his own, without Congress or legal authority—that the immigration laws protecting the jobs and wages of U.S. workers won't exist anymore. The President has taken it upon himself to decide who can enter the United States and who can work in the United States—by the millions—regardless of what laws have been passed. The President often talks of justice, but one of the gravest injustices that has been done is to deny the American people the protections of their laws. The laws on the books in America today are the laws of the people of the United States, and they protect working people from job competition at a time of high unemployment.

My message to the American people today is this. You can stop it. We can stop it, together. We will not let this lawlessness stand, and that fight begins with a vote on the House-passed bill just last Friday to block this new Executive action the President would undertake. The Senate cannot be allowed to surrender to the President's lawlessness. It cannot. So I am calling today on every Senator to support this bill from the House and to demand that Majority Leader REID call it up, and let's have a vote. Every American needs to know where their leaders stand on this issue.

Let me share a message with my friends on the other side of the aisle. Each of my colleagues on the other side of the aisle will have to decide whether they work for Majority Leader REID, whether they work for the President of the United States, or whether they work for their constituents.

I remember in 2007 when President Bush got it in his head that we had to

have amnesty, without being able to present any compelling reason for us to believe the lawlessness would end in the future—and that effort failed. Three-fourths, I believe, or at least well more than half of the Republicans, opposed their President on this. Why shouldn't Democrats now stand up and oppose President Obama if he is overreaching in his policies?

So I will ask this. Will my Democratic colleagues protect the jobs of the American people? Will they protect the borders of this Nation and, in essence, the sovereignty of this Nation? Will my colleagues demand the Senate leader bring this House bill up for a vote? If my colleagues oppose these Executive actions, as some on the other side of the aisle have indicated they do, there is only one way to demonstrate it with integrity: Support the House bill and demand it receive a vote in the Senate.

There is nothing in that bill that is wrong or unprincipled or improper. There are two bills coming over from the House—a good bill that improves the technical enforcement issues that are at the border today that are making it hard to enforce the law. They improve that in one piece, and they provide almost \$700 million in funding to help improve that situation and take care of the humanitarian need there. But they passed a second bill that simply uses a traditional congressional power to bar the President of the United States and any of his officers from spending moneys of the United States to execute some amnesty or work permit program.

Every member of the public—whether in a red State or a blue State or a purple State—ought to call their Member of Congress and Senators and ask them where they stand on this issue. Ask them if they support the House bill to block this executive amnesty that would be contrary to law, contrary to heritage, contrary to the President's own words on more than one occasion. Will your elected representatives demand that we at least have a vote in the Senate? You are a citizen of this country. You are entitled to a clear answer to the question.

We work for the people, and I believe the people are not happy with us. I be-

lieve the people rightly believe this Nation should have a principled immigration policy, one that is enforced and carried out fairly and objectively, that serves the national interest, an immigration policy where a person in another country who wants to come to the United States can read the requirements and submit an application, and if they meet those requirements and meet the limits of our law can be admitted to America, and those who do not, are not.

That is what nations all over the world have. There is not anything wrong with that. No nation, particularly any developed nation, can just open its borders to every individual who would like to come here. It just cannot be done. The American people have a right to expect that. That is what they have wanted, that is what they have demanded of their Presidents and their Congresses for 40 years, and that is what the powers that be, the masters of the universe, surreptitiously and openly and otherwise have blocked, refused to give them. They are entitled to that. I believe it truly, and I believe they will get it.

This issue is not going away. We are going to confront it here in the Senate. I believe in the end the American people will be able to hold to account those who do not support a lawful system of immigration.

I thank the Chair and yield the floor.

ADJOURNMENT UNTIL FRIDAY,
AUGUST 8, 2014, AT 9:15 A.M.

The ACTING PRESIDENT pro tempore. The Senate stands adjourned until Friday, August 8, 2014, at 9:15 a.m.

Thereupon, the Senate, at 11:34 a.m., adjourned until Friday, August 8, 2014, at 9:15 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

JORGE LUIS ALONSO, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE RONALD A. GUZMAN, RETIRING.
JOHN ROBERT BLAKEY, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE JAMES HOLDERMAN, RETIRED.