

be demanding a meeting as soon as possible with the head of the New Orleans VA hospital so I can answer those questions directly, and that person had better not stonewall me to my face. That will have very negative consequences. We are setting up that meeting. That meeting will happen, and I will be following up on this New Orleans case.

Similarly, I am following up on the Shreveport case that came to light because of the whistleblower. I will be in Shreveport tomorrow, meeting with two significant people directly involved in these issues—one an official at the VA; the second, someone who has come with additional information to confirm the fears, claims, and concerns of the original whistleblower. So I will be having those meetings in Shreveport tomorrow.

Again, these Louisiana cases that I have been personally involved in underscore the serious scandal at the VA. Every community has these cases. Every State has these cases. Every Senator—Republican, Democrat, Independent—has these cases. We need to fix these to properly honor our veterans. We need to ensure that this sort of abuse—in some cases, fraud and dishonesty—to the great detriment of our veterans never happens again.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BOOKER). Without objection, it is so ordered.

#### IMMIGRATION REFORM

Mrs. MURRAY. Mr. President, almost exactly 1 year ago to this day, all of the Members of this Senate came to this Chamber for what each of us understood was a historic vote because after years and even decades of debate and discussion, a small group of bipartisan Senators—Members from different backgrounds, different States, and certainly different philosophies—came together to reach an agreement on landmark legislation, a bill that would truly change the lives of millions of Americans. They had reached a deal that would significantly boost our economy, make every one of our communities fundamentally safer, and help millions of men and women pursue the American dream. But most of all, it was a deal that showed the United States was still capable of adapting, improving, and striving for perfection.

Still, the deal was not perfect. After all, it was a compromise, and once it was reached, it had to survive incredible scrutiny throughout the committee process and then during the floor consideration. But somehow it made it through.

So 1 year ago this week when each Member of the Senate came to the

Chamber, we did something we don't normally do: We honored an old Senate tradition and actually cast our votes from our desks. That night, we finally passed comprehensive immigration reform through the Senate. I well remember the optimism we all shared that night. After years of trying, we had finally passed—with votes from both Republicans and Democrats—legislation that would finally start to fix our broken immigration system. It would strengthen our borders, support our businesses and, most importantly, provide a real path to citizenship for the millions of undocumented immigrants who are forced to live in the shadows as Americans in all but name. The Congressional Budget Office even estimated that the Senate bill would grow our economy and reduce the deficit by nearly \$1 trillion over the next 2 decades.

We sent the bill to the House of Representatives knowing the path forward there might not be easy, but we heard from Speaker of the House JOHN BOEHNER, majority leader ERIC CANTOR, and dozens of other Members from both sides of the aisle that they also knew immigration reform had to happen in this Congress.

Well, since then we have watched and we have waited as the Speaker and House Republicans simply refuse week after week, month after month to take up the Senate bill and move this process forward. For a full year we have witnessed exactly what it looks like when Congress simply fails to do its job for the American people.

Our broken immigration system is not a hypothetical problem. This isn't an obscure, philosophical disagreement over the role of government. This is an issue that has real, tangible consequences for millions of Americans. While America has watched House Republicans fail to act for a full year, we have seen some of those consequences up close.

Since the Senate passed immigration reform, tens of thousands of people—many of them women and children—have been senselessly deported from this country and separated from their families for no reason other than their undocumented status.

Businesses large and small have begged Members of the House to pass reform, including tech companies that need to hire the best and brightest from around the world and agricultural businesses that desperately need a stable workforce.

Now we are seeing hundreds of unaccompanied young children along our country's southern border. Many of these children are fleeing horrific gang violence in their home countries. They are desperately seeking safety and a new life in the United States. But because of our broken immigration laws, we are nearly helpless to respond and live up to our Nation's global reputation as a place of safety and fairness and freedom. Although these children broke our immigration laws, they are

not criminals. They are simply coming to our country to escape violence at home and strive for a better life in America.

It is not only along our southern border where our immigration system is hurting families and hurting communities. In my home State of Washington I have heard from hundreds of families and businesses that have been directly impacted by this broken system, businesses such as West Sound Lumber Company on Orcas Island. It is a small sawmill that has been owned by the Helsell family for more than four decades. West Sound Lumber is only able to keep its doors open because of one young man—Benjamin Nunez-Marquez. He goes by “Ben.” Ben is an undocumented immigrant from Mexico, and he arrived on Orcas Island more than a decade ago. He has become a cherished member of that community and an expert sawyer. The Helsells will tell you that they would have to close down if they lost Ben, and that possibility nearly became a reality when Ben was randomly stopped by an immigration official while he was taking an elderly neighbor to a doctor's appointment out of town. Although he posed no danger to his community, the Department of Homeland Security scheduled him for deportation, which was only narrowly avoided this year after I took his case directly to the Secretary of Homeland Security and the Seattle Times told Ben's story on its front page.

We should not be kicking people like Ben Nunez-Marquez out of this country. We should welcome him, treat him as a human being, and give him an opportunity to become a citizen in the country he loves—our country.

Senseless deportations are not the only symptom of our broken immigration laws. Just this year local headlines and television reports in Washington State have revealed very concerning treatment of undocumented detainees at the Northwest Detention Center. That treatment led to a widely publicized hunger strike and protest in communities across my State.

This is simply unacceptable. We must demand better than an immigration system that leaves men and women whose only crime is pursuit of the American dream to be locked up, abused, and discarded over the border. These problems are not new, and they are not going away.

Throughout this year we have heard that House Republicans will have a window of opportunity to act on immigration reform. Well, we are in that window now. Republican primaries are behind us and the general election is months away, but that window is quickly closing. The pressure is on House Republicans, and millions of Americans across the country are hoping they do the right thing. The time to act is now.

I think it is time to hope for the best but also plan for the worst. President Obama has made it clear that he is

willing to take administrative action if the House refuses to pass comprehensive immigration reform. I am on the floor of the Senate today to lay out my principles of what that action should look like and what I will urge the President to do if the worst happens and Republicans in the House do nothing.

First of all, the administration should make changes to ensure that while we are being tough on those who are a threat to our public safety or our national security, we are also enforcing our immigration laws in a smart, humane way for the millions of undocumented immigrants who are American in all but name. Frankly, that means changing our priorities. It means focusing our immigration enforcement efforts, including deportations, on actual criminals who are a danger to our communities, not innocent people such as Ben who randomly cross paths with an immigration official and not undocumented immigrants who live in our communities, attend church alongside us, and whose crime is seeking a better life in the United States of America.

It also means we should stop relying on detention centers to lock away undocumented immigrants who pose no public safety risk, are already in our country, and are contributing members of their community. Rather than simply locking them up under terrible conditions and then sending them away, we should take advantage of more humane, more cost-effective methods of enforcement, such as weekly check-ins with our immigration officials.

Secondly, we need to reestablish in our immigration system the most basic of American principles: due process of law. For example, if you are in our country, absolutely no one should be deported or turned away from the United States without a hearing before an immigration judge. Part of making that a reality is providing the funding for immigration judges and access to legal information for undocumented immigrants.

The policies at every single Federal agency that deals with undocumented immigrants, including ICE, Border Patrol, and any other agency, should be reformed so they are consistent, transparent, and fair. For far too long the rules have been different from one Federal agency to another and the policies have been so convoluted and illogical that innocent families are being torn apart.

We should also discontinue the use of unconstitutional ICE detainees when there is no probable cause, as many counties have bravely done in the Pacific Northwest, because not only is holding someone without probable cause a violation of our constitutional rights, it is expensive to local sheriffs and diverts precious law enforcement resources away from policing and protecting communities.

We should reduce the 100-mile enforcement radius for Border Patrol agents and make sure there is not 1

inch of land in this country that can be called a Constitution-free zone.

Finally, we must expand prosecutorial discretion and decide that before we deport someone such as Ben Nunez-Marquez out of this country, we should take a second to use our common sense first. We should build on the great success the administration has had with DACA—the deferred action for childhood arrivals policy—and ensure that Federal agencies are focusing their efforts on actual criminals, not families trying to make a life in the United States.

None of these actions can solve the underlying problem of a broken immigration system. Only legislation from Congress can do that. If the inaction of the House Republicans continues—and I hope it doesn't—we could be left without a choice.

Since that historic vote 1 year ago, we have all watched as more and more of our friends and neighbors fall victim to immigration laws that were designed for criminals, not families or our economy. We have seen Members of the House of Representatives choose politics over good policy and completely ignore a full-blown crisis that we have the power to change.

I look forward to working with President Obama, along with Republicans and Democrats alike in Congress, to make sure our immigration system works. I know so many people here and around the country join me in hoping the House Republicans step up and do the job the American people expect them to do.

I thank the Presiding Officer.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### SUPREME COURT DECISION

Mr. MCCONNELL. Mr. President, I welcome the Supreme Court's decision in the Noel Canning case. It represents a clear rebuke to the President's brazen power grab—a power grab I was proud to lead the effort against. Today's decision was clear, and it was a unanimous—unanimous—rebuttal of the President of the United States.

As my Republican colleagues and I have said all along, President Obama's so-called recess appointments to the NLRB in 2012 were a wholly unprecedented act of lawlessness. The President defied the Senate's determination that it was meeting regularly, and the Supreme Court unanimously—unanimously—agreed with us.

Today's ruling is a victory for the Senate, for the American people, and for our Constitution.

The Court reaffirmed the Senate's clear and constitutional authority to prescribe its own rules, including the right to determine for itself when it is in session. And the Supreme Court unanimously rejected the President's completely unprecedented assertion of a unilateral appointment power—a power the Framers deliberately withheld from his office.

Our counsel, Miguel Estrada, did an outstanding job defending the Senate and its uniquely important place in our constitutional system. By contrast, our Democratic colleagues shirked their institutional duty to defend the Senate. They failed, yet again, to stand up to the President. Although they failed to defend the Senate when it mattered most, they, their successors, and their constituents will benefit from today's ruling.

The principle at stake in this case should extend well beyond narrow partisanship. It should be about more than just one President or one political party.

In closing, the administration's tendency to abide only by the laws it likes represents a disturbing and dangerous threat to the rule of law. That is true whether we are talking about recess appointments or ObamaCare.

So I hope the Obama administration will take away the appropriate lessons because the Court's decision today is a clear rebuke of this behavior.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### NOMINATION OF CHERYL ANN KRAUSE TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk reported the nomination of Cheryl Ann Krause, of New Jersey, to be United States Circuit Judge for the Third Circuit.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows: