

take any steps to confront the problems we have with regard to immigration unless they get a massive increase that satisfies activist groups, business interests, and their own political interests.

It is not in the interests of the American people. We need to do the right thing for our country based on law, on principles, on fairness. That is what we need to do. People who come to the country illegally aren't entitled to get child tax credits. I would think certainly not for children who don't exist. Nobody is going out and checking to see if children are in the home. They are just claiming this. The numbers have surged in recent years. The inspector general expressed great concern about that—how it went from \$1 billion to \$4 billion. That is a lot of money, \$4 billion in 1 year, subsidizing, encouraging further illegal entry into America.

The first thing any country ought to do to control its borders, its sovereignty, its legal integrity, is not to provide financial benefit to people who violate the law and then give them benefits that are unlawful. That is beyond comprehension.

I want to say to my colleagues, the last few weeks it is becoming more and more clear that we have chaos at the border—all a direct result of the President and his administrative officials who have told the world we have no intention, basically, of deporting people who enter the country unlawfully, particularly the young people. And has that been heard? Have people around the world heard what has been said? Yes. And they are coming in unbelievable numbers, creating a humanitarian crisis, creating a crisis of law for America, and creating a financial crisis. The President's Fiscal Year 2015 Budget request \$868 million for the Unaccompanied Alien Children program at HHS. Now that cost is expected to be \$2.28 billion, based on the numbers today. In 2011 there were 6,000 apprehended children trying to come into America illegally. This year they say it could reach 90,000 or higher. 90,000 from 6,000? It is a direct result of the unwillingness of President Obama to look the American people in the eye, tell the people throughout the entire world: We believe in immigration. We have a lawful system of immigration. Please apply. Wait your turn. If you qualify, you will be able to come to America, and we are going to do it fairly and objectively and treat everybody with respect, but do not come unlawfully. Do not give money to some smuggler. Do not attempt to sneak over our border across the desert and place your lives at risk because it is against our law, and we will apprehend you and we will promptly deport you and you will lose all the money you have invested in this effort. Just do not do it.

They refuse to say that with clarity. Secretary Johnson was before the Judiciary Committee and I asked him about it. He almost refused to say:

Don't come to America because it is against our law. He said: Don't come because it is dangerous. That is not the kind of message we need to hear from our leaders. The first thing a law enforcement officer should do—and the President is the chief law enforcement officer—but the Secretary of Homeland Security has the Border Patrol, he has Immigration and Customs enforcement officers, he has the Citizenship and Immigration Service. That is who is supposed to be enforcing our immigration law. He will not say that with clarity and he will not communicate it with clarity.

Vice President BIDEN supposedly made a statement in Central America about it. It was weak. It just was not strong. What is it? Do they want the illegality to continue? Do they believe in open borders? This Congress, this Senate is about to recess having done not one thing about it, and the humanitarian crisis continues on the border.

These children, some of them are young. Some of them are 16, 17, 18, 19, 20, 21, and they claim to be 17. Who knows. They are not carrying birth certificates with them. It is creating an incredible crisis. One reporter said the Border Patrol, instead of enforcing the law, are changing diapers. This is a very dangerous situation. Our entire legal system is crumbling about us, and the chief law enforcement officer in America—the President—alone is the one who can bring order to it.

The Secretary of Homeland Security works for the President. If he does not get on it, he needs to be out of there. The President needs to say: Get this thing under control. What are we paying you for?

What about the officers and agents? What do they think? Our officers and agents are stunned. There is report after report of senior officers saying they have never seen anything like this. It is a direct result of the inconsistent message we are sending. They are saying a message is only part of the solution. It has to be backed up with words.

So how is it happening today? A child and an adult cross the border. What are they doing today? They are going straight up—this is, I know, hard to believe—they go straight to the Border Patrol officer and turn themselves in. What does the Immigration officer do? He takes them into custody. If they have a child, the adult has to stay with the child, and then they put them in a shelter. Then they give them a hearing date. The hearing date is down the road. They have a backlog. So what do they do then? They release them. They allow them to go someplace where somebody will take them in, which is what they desire to begin with. Then they are told to appear at court at some given date in the future.

Nobody is going to investigate if they do not show up, or to see where they are, and there is nobody to investigate it. We are talking about a huge increase—by tens of thousands—of people

coming into the country, in addition to the 11 million who are already here. So this is a guaranteed failure. That is what everybody has been telling us who knows anything about it.

The ICE officers, the Immigration and Customs enforcement officers—their association went so far two years ago to file a lawsuit in Federal court. What did they say? They said this administration is violating the laws of America and the Constitution by directing them not to enforce the laws they had sworn to uphold. The Federal judge was very sympathetic with them. He eventually ruled there was not standing for this lawsuit to proceed, but he was very sympathetic with the merits of their claim because that is exactly what has happened.

We have a situation where the President of the United States, based on the DREAM Act—the idea that we would provide legal status to everybody who was brought here under, I think, 18, that we would provide basically a legal status and a pathway to citizenship—that bill came up before the Senate and has been voted down three times by the Senate.

So what did the President do? He directed that the law not be enforced as to them, even though the law remains on the books. That is part of the message that was heard in Central America, and that is encouraging people to come unlawfully to America.

So we are not against immigration. We do need a certain number of farmworkers. We do need and will accept validated people who come with skills who are ready to go to work. We should do that, and we have a generous policy, but we should not be doubling it, as the Gang of 8 bill did. We just do not have the jobs for them. If we had low unemployment, rising wages, and a shortage of workers, I think we could justify a generous immigration policy perhaps but not now. Canada is not doing this. England is not doing this. They are reducing, right now, the number of people who are allowed into their countries. They feel an obligation to see that their people get the jobs first.

The whole matter is disturbing to me, that we are at a point where the law is not being enforced properly in this country.

#### RECESS APPOINTMENTS

Mr. SESSIONS. Mr. President, today, a unanimous Supreme Court ruled against the President's unconstitutional recess appointments in a dramatic repudiation of the White House's position. Nine to zero they ruled. It was an obvious decision, in my opinion. It was breathtaking that the President of the United States would appoint members to the National Labor Relations Board who have to come before the Senate for confirmation under the Constitution—we have the advice and consent authority—and he did not want to do that, so he just appointed them and claimed we were in recess. We were

not in recess. It was not a close question. He just did it. So it took over 2 years of a lawsuit, and finally the Supreme Court has now ruled. A lower court ruled against the President some months ago. The President clearly and deliberately violated article II of the Constitution in circumventing the advice and consent clause.

At the time of these appointments, the Senate had determined it was not in recess. We determined we were not in recess, and the Court affirmed that determination. The question of whether the Senate is in session is up to the Senate, not the President. So the President has to yield to the Senate's authority to determine its own rules and procedures. This is basic law, it seems to me.

Unfortunately, the President has made it clear that he will only follow the letter of the law when it is not an impediment to whatever agenda he has at the time.

Just today, the White House displayed again its lack of respect for our constitutional traditions. In a rather brazen display of candor, the new White House spokesman today explained the administration's rationale for moving unilaterally to rewrite America's immigration laws. Here is what Josh Earnest had to say. Hear me, colleagues. This is a direct threat to the integrity of our constitutional separation of powers. It is not far different from what the President said before, but it was today.

[W]e're not just going to sit around and wait interminably for Congress. . . .

How about that: We are not going to sit around and wait on Congress. We do not have to fool with Congress.

We have been waiting 1 year already. The President has tasked his Secretary of Homeland Security Jeh Johnson with reviewing what options are available to the President, what is at his disposal using his Executive authority to try to address some of the problems that have been created by our broken immigration system.

So this is about as close as you can get to an open admission that the administration does not believe it has an obligation to follow the law. You cannot just eviscerate whole code sections of the law claiming that you have authority to decide what you want to prosecute and what you do not. Jonathan Turley, the great law professor, has hammered this idea. He is a liberal. He voted for President Obama in 2008. He has hammered this idea. This is an abuse of Executive power.

We are seeing the results of this on our borders right now. In 2011, we had 6,000 illegal immigrant youth from Central America apprehended. This year, we may hit more than 90,000. Next year, projections are as high as 130,000, costing billions of dollars to take care of them. That would be more than a 2,000-percent increase.

The President's policies are directly responsible for this crisis. They just are. He has acted unilaterally to sus-

pend immigration enforcement and has sent the signal to the world that our borders are open and that if you get here unlawfully and borough in, you will be able to stay here.

As former ICE Director John Sandweg said: "If you are a run-of-the-mill immigrant here illegally, your odds of getting deported are close to zero."

I asked Homeland Secretary Johnson about this during his testimony, to say clearly to the world: Do not come unlawfully. You must follow the laws of the country. If you come unlawfully, you will be sent back home. He refused to even say that in my presence with any clarity.

Here is what the New York Times reported on April 10:

With detention facilities, asylum offices and immigration courts overwhelmed, enough migrants have been released temporarily in the United States that back home in Central America people have heard that those who make it to American soil have a good chance of staying. "Word has gotten out that we're giving people permission and walking them out the door," said Chris Cabrera, a Border Patrol agent who is vice president of the local of the National Border Patrol Council, the agent's union. "So they're coming across in droves."

That is exactly what has happened. It is a national tragedy. It is a human tragedy for those children. It is costing them money, placing their lives at risk, and we are not able to handle them effectively.

Colleagues, I have a timeline over 17 pages long of the ways systematically this administration has ignored or simply suspended immigration law by issuing orders to the officers not to do their duty essentially.

So 1 week before the Fourth of July holiday, America cannot even protect its own borders, and what do our Democratic colleagues wish to do? They want to adjourn this Chamber, go home to their barbecues, work on their reelection campaigns, and promise while they are home they are fighting to end the lawlessness at the border, while doing nothing, while actually doing nothing but objecting to legislation that would make a real difference.

I see my colleague Senator SANDERS and I will wrap up.

I believe we were elected, colleagues, to protect this country and its people and the laws of our country. A critical component of national sovereignty is a control over your borders. We have passed immigration laws that are on the books and not being enforced. We on the Republican side have opposed immigration laws that would reduce the illegality that cannot even see the light of day on the floor of the Senate.

So I am asking my colleagues, we ought to stay here. Why do we not stay here and work on this crisis? I intend to request that we do so—and have done so—and offered unanimous consents to bring up legislation that would help improve the situation. But that has been objected to.

Our taxpayers are overstressed. If we want to get this country back on track,

we need to control this border and enforce the Nation's laws in a fair and equitable way that allows generous immigration to America, that treats people fairly and decently, but is not an open border, where people can come by the tens of thousands unlawfully.

How can any of us relax at an Independence Day barbeque next week knowing at this very moment the Nation's sovereignty is being eroded? I think we have failed in our session. We have not responded to the crisis that is on our border. We could have made real progress. But there is a lack of will and a lack of willingness to act. I am disappointed to see that fact.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

#### VETERANS HEALTH CARE

Mr. SANDERS. Madam President, as chairman of the Senate Veterans' Affairs Committee, I would hope that every American understands that the cost of war does not end when the last shots are fired or when the last missiles are launched. The cost of war continues until the last veteran receives the care and benefits he or she has earned on the battlefield.

War is an incredibly expensive proposition in terms of human life, human suffering, and in financial terms. In my very strong view, if we are not prepared to take care of those men and women who went to war, then we should not send them to war in the first place. Taking care of veterans is a cost of war, period.

In terms of Iraq and Afghanistan, the human cost of those wars is almost 7,000 dead. The cost of war is 530,000 veterans seeking care at the VA in 2013 for post-traumatic stress disorder, not to mention those struggling with traumatic brain injury.

The cost of war is too many servicemembers coming home with missing arms and legs, lost eyesight, or lost hearing. The cost of war includes veterans each day dying by suicide, high rates of divorce, wives trying to rebuild their lives after losing their husbands, kids growing up in one-parent homes, and a too high rate of unemployment for returning servicemembers. Those are some of the real costs of war that this Congress cannot ignore.

Several weeks ago, Senator McCain and I hammered out an agreement which I think goes a significant way to address many of the serious problems facing the VA. I am very proud that the Sanders-McCain bill passed the Senate with overwhelming bipartisan support, with a vote of 93 to 3. In terms of funding, very importantly, by a vote of 75 to 19, an overwhelming vote, the Senate made it crystal clear that the current crisis in the VA, the crisis facing veterans who are not getting health care in a timely manner, is an emergency and should be paid for through emergency funding. I am very proud that in a bipartisan way the Senate made that important vote.