

community, the taxpayers pay for that through write offs in the Tax Code, people say: You have got to be kidding. Why did we let that happen?

Well, the Bring Jobs Home Act is a way to address that and to stop it from happening. Let me talk about the very specific and very simple ways we do that. We would stop the taxpayer subsidies that pay for moving costs. We instead would say to companies: If you are coming back, you can write off those costs. If you want to move back, you can write off those costs, and we will add an additional 20 percent tax credit for the cost of moving, so you get an additional tax cut. So if you want to come home, we are all for it. You can write off those costs. You will get an additional tax cut. But if you want to leave this country, you are on your own.

It is very simple. That is what this does.

Are there other things we need to do in the Tax Code? You bet. We have very serious issues. More and more of our companies are using this process called inversion. It seems to me that a good place to start a full discussion about how we have a tax code for America, that invests in America, that rewards American business and American workers, families, communities, is to start with the Bring Jobs Home Act. Surely everybody on both sides of the aisle ought to be able to agree that we would not pay for the cost of shipping jobs overseas through the Tax Code.

I also wish to commend a lot of companies right now that are actually bringing jobs home. It is exciting for me, being from a major manufacturing State, to see that we are having a resurgence in manufacturing. For a number of reasons—including lower energy costs, transportation costs, and a resurgence in manufacturing—we are seeing jobs come home. We are seeing manufacturers such as Ford and Caterpillar and GE, which have announced major investments in the United States, bringing jobs back from Japan and Mexico and China. This is good. We want that. There are smaller manufacturers that are taking advantage of our skilled and ready workforce. Over 80 percent of the companies actually bringing jobs back are companies with less than \$200 million in sales.

Companies are taking a look and they are coming back. We want to reward that. When they look at the Tax Code, we want them to see the right message. We want folks to see that, hey, you know what, if you are one of the good guys and you are bringing jobs home, we want to give you some extra help—to pay for that with an extra tax credit. But we also want to send a message to those who are thinking about leaving: Our Tax Code will no longer reward your leaving America.

I do not know how many times I have heard from workers saying they not only are insulted by paying for the cost of the move through the Tax Code, but oftentimes they are training their re-

placements from other countries. The replacements come over and they train them. I mean, this is craziness.

At a time when too many people have lost their jobs and are looking for that fair shot—what is the next job, what is the next opportunity for them—how do we make sure the Tax Code, our laws, and our investments work for Americans and give everybody a fair shot? That is what this is about. It is very much about making sure we have a fair shot for every American. Part of that is making sure that we have good-paying jobs in America and that our Tax Code is rewarding the creation of those good jobs and rewarding the companies that are bringing jobs home.

I again thank Senator WALSH for his leadership. He has been very clear about how this affects his State of Montana and his concerns about this issue. I thank all of those who are co-sponsors and working with us on this bill. I hope it will be brought up as soon as possible. This is really an opportunity for all of us to show the American people that we get it, that we are willing to work together on a bipartisan basis to do something that is very simple and very straightforward and say: As an American we are no longer going to pay for the move, and when you move jobs overseas, the Tax Code is not going to pay for that. But we will stand together in supporting those efforts that help companies bring jobs home.

I hope when we do have the vote on this issue we will see a resounding yes from everyone. I know the American people would love to see a strong bipartisan vote right now that would actually address something they care about deeply, which is the ability to have a good-paying job, to work hard, play by the rules, and have a fair shot to get ahead, which is what America has been all about. That is who we are as opposed to other places—the ability to have the opportunity to work hard and get ahead. Everybody needs to know that fair shot is still available to them. The Bring Jobs Home Act is part of letting people know it is.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

#### EXECUTIVE ACTIONS

Mr. SESSIONS. Mr. President, a few weeks ago I wrote my colleagues a letter that had a serious front line about policies being executed, we are told, by the President that would seriously undermine the constitutional structure of our Republic and give to the President powers that would allow him to take powers he had never been given.

Subsequent to that, a George Washington law professor, Mr. Jonathan Turley, remarked during recent congressional testimony:

When President Obama pledged to circumvent Congress [he was referring to his State of the Union Address] he received rapturous applause from the very body that he was proposing to make practically irrelevant.

Professor Turley emphasized that the “most serious violations, in my view, are various cases where he went to Congress, as in the immigration field, as in the health care field, asked for very specific things and was rejected and then decided just to order those on his own.”

He testified before a House committee. Professor Turley I think has been known as a Democrat. I think he said he supported President Obama's election. He is not a partisan person. He is an observer who has testified before Congress many times and is well respected, and that statement should cause concern on the part of every Member of Congress.

Is it so? Is it so that he asked for the very specific things that were rejected by Congress and he decided to just order them with his pen on his own?

The primary immigration action Professor Turley was referring to was the President's decision to implement the DREAM Act by fiat, providing administrative amnesty and work permits to an entire class of illegal immigrants.

Professor Turley described it as “. . . the clear circumvention of Congress. And for Congress not to act in my view borders on self-loathing.”

Is that a serious comment? I think it is exactly right. He is exactly right on this. Has Congress no gumption at all?

Multiple news reports have now made it clear that the President is now considering an Executive immigration action on a scale so far and indeed beyond our own imagination. Here is how that action was described by the National Journal, a prestigious publication in our country. This is the poster. This is what the National Journal reported: “President Plans To Expand Unilateral Executive Amnesty.”

Executive amnesty means the Chief Executive, the President, expanding Executive amnesty including work permits for illegal immigrants and visa overstates.

Obama made it clear he would press his executive powers to the limit.

I would say well beyond the limit, according to Professor Turley. The article continues:

He gave quiet credence to recommendations from La Raza and other immigration groups that between 5 million to 6 million adult illegal immigrants could be spared deportation under a similar form of deferred adjudication he ordered for the so-called Dreamers in June 2012.

The article is referring to the DREAM Act that the President executed. One of the things that I think is extremely important, colleagues, is that what they are suggesting is that 5

million to 6 million people will be given a document that basically provides them legal status in America. The article continues:

Obama has now ordered the Homeland Security and Justice departments to find—

Ordered them to find—

Executive authorities that could enlarge that non-prosecutorial umbrella by a factor of 10.

That is all with the DREAM Act. 10 times that which was done. Continuing:

Senior officials also tell me Obama wants to see what he can do with executive power to provide temporary legal status to undocumented adults.

This is 5 million to 6 million. That is what a factor of 10 means. That is maybe more than half of the people who are illegally in the country today. Congress has considered these matters at great length and Congress set the law as to how someone enters the country lawfully and how someone enters the country, in effect, unlawfully and what is acceptable and what is not acceptable.

The President is the chief law enforcement officer in America. The FBI, DEA, Border Patrol officers, ICE officers, Attorney General all work for him, and the leaders of those organizations serve at his pleasure. He can remove them at will if they don't carry out his policies.

He has ordered the Homeland Security and Justice Departments, to find Executive authorities—not to see if they could find them but to find them—because he has a policy he wants to carry out and Congress doesn't agree with him.

I will read another poster quoting Professor Turley. He talks about the danger, colleagues. This is dangerous.

Does anybody not respect this institution? Do we not respect the House of Representatives, the Senate? Have we become so partisan that we don't care what the President does to diminish Congress? Don't we have an institutional responsibility, a constitutional responsibility to defend the legitimate powers of Congress?

Sure, we can disagree sometimes, but this one is not a matter of disagreement, it seems to me. This is an overreach of dramatic proportions.

Professor Turley said:

The President's pledge to effectively govern alone is alarming, and what is most alarming is his ability to fulfill that pledge. When a president can govern alone, he can become a government unto himself, which is precisely the danger the framers sought to avoid.

Certainly they sought to avoid that. They were very suspicious and aware that the tendency of chief executive officers is to assume more power than they are given. So they created a strong Congress and they gave certain powers to Congress that could not be delegated to the executive branch.

Professor Turley, in his most recent testimony before the House Rules Committee—I believe last week—said:

What we're witnessing today is one of the greatest crises that members of this body will face . . . It has reached a constitutional tipping point that threatens a fundamental change in how our country is governed.

No matter what somebody thinks about immigration issues or health care issues, there are limits on what the President can do without Congress.

So the President says: Congress will not act; therefore, I have to act.

Have you ever heard that? They used to say Federal judges would say that. They would say: The legislature will not act. Governor King will not act. The court has to act.

That is not so. That is so bogus. If a Governor decides not to act, if a Congress decides not to act, if a State legislature decides not to act and do what some President would like to see done, that is a decision. It is every bit as real and firm a decision as if they had passed a law. If they are asked to pass a law and they say no, that is a decision reached through the legislative branch by people duly elected from all over this country who come to this Congress to pass laws.

I am very frustrated that my Democratic colleagues are not sufficiently concerned about it, and we certainly need more discussion from the loyal opposition, the Republicans on this question.

Do my Democratic colleagues express concern about it? Not that I have seen. They seem to celebrate it.

The newspaper, *El Diario*, quotes New Jersey Senator BOB MENENDEZ, saying:

Sen. Bob Menendez (D-N.J.) said Friday that he has "no doubt" that President Barack Obama will deliver on his promise to take executive action on immigration despite the current attention on the unaccompanied minors crisis.

It goes on to be quoted there as saying:

One executive action that Senator Menendez and other Democrats are pushing for is the expansion of Deferred Action for Childhood Arrivals program, which provides deportation reprieve and work permits to undocumented youth.

Colleagues, it is one thing to be less than vigorous in carrying out deportations as the law requires; it is quite another class of action to give people who are unlawfully in the country a document from the President that says you can work and stay in the country—to give them legal status when Congress has considered this and rejected it. It is beyond the power of the President.

I wrote a letter to my colleagues, Democrat and Republican, before this testimony about these planned executive actions that I had been reading about. I said they would amount to an—

. . . executive nullification of our borders as an enforceable national boundary, [guaranteeing] that the current illegal immigration disaster would only further worsen and destabilize.

We cannot provide continuous amnesty on a regular basis and ever expect everybody not to attempt to come

to the country if they believe they, too, in a manner of years—maybe now even fewer years—will be rewarded for their unlawful act by being put on a path to citizenship or permanent status.

So I therefore make two requests today:

I believe any border legislation that is sent to the Senate by the House of Representatives should include specific language denying the President any funds to execute his planned work permits. Congress clearly has that power. We can appropriate or not appropriate money. We can say that money cannot be spent for this or that thing. So we have every right to say the President should not spend money delivering work permits to people whom Congress has declared to not be lawfully able to work in America. I believe the President's actions are in clear contravention of the law, and I feel strongly about that.

Second, I am calling on every Senate Democratic colleague to stand up and be counted. Senator CRUZ has a bill that would stop this Presidential overreach. It is very simple. It lays out that we won't spend money providing legal documents to people unlawfully in the country as defined by the law of America and as defined by the Congress of the United States.

So I ask: Will you cosponsor Senator CRUZ's bill, and let us defend our constituents? Or, will our congressional colleagues remain complicit in the nullification of our laws and basically the nullification of border enforcement?

I would make a final note on what we owe to the citizens of this country. President Obama's illegal work permits add to the already huge flow of lawful work permits issued by the Federal Government. Between 2000 and 2013, we lawfully issued almost 30 million work and immigration visas. To put that number in perspective, 30 million is about the entire population of El Salvador, Honduras, and Guatemala combined.

This matter and our situation today are in disarray as a result of confused and politically driven thinking by this administration. It just is. I wish it weren't so, but it is. Obama administration officials have gone so far as to describe amnesty as a civil right. That is an argument against the very idea of a nation-state and the idea of a nation's borders. Of course there is, and can be, no civil right to enter a country unlawfully and then to demand lawful status and even citizenship. Of course there is not. How could this possibly be, that the Attorney General of the United States of America would assert that people have a constitutional right to enter unlawfully and be given amnesty? That is the kind of thinking which has got us into this fix, and it has encouraged the flow of unlawful immigration.

The actual legal rights that are being violated here today I suggest are the rights of the American citizens.

As Civil Rights Commission Member Peter Kirsanow warned, our African-American citizens often are the ones who are hurt the most, as well as recent immigrant arrivals and working Americans. What about their rights? They have sweat and bled and died for this country, been called on to serve and responded, paid their taxes, raised their children, tried to do the right thing day after day. What about their rights? What about the right of every citizen to the protections our immigration laws afford? Will no one rise to their defense?

We need an immigration policy that helps all residents—including millions of immigrants who have come to America. We want to help them rise into the middle class and above. We need rising wages, not falling wages. We can't help those living here today if we keep bringing in record numbers of new workers to compete for their jobs, to drive up unemployment, and then pull down wages. That is just a fact.

After decades of large-scale immigration, and with large illegal immigration flows in addition, we need to get serious and establish a principled policy of immigration and consistently enforce it, a policy that is honorable, that we can be proud of, and that serves the interests of all Americans—especially working Americans. These are the people who have made our country great. They deserve our attention and compassion, too. Middle America has been decent and right on this issue from the beginning.

For 40 years American people have called on Congress and called on their Presidents to create a lawful immigration system they can be proud of that serves the national interests and serves their interests. But what have they gotten? Nothing but more illegality and more demands for amnesty. The leaders of their country have not listened to them, and they aren't listening now. It appears to me the leaders of this country are not very interested in what the American people think.

The President plans to dramatically exceed his powers. It is the latest example of rejecting what the American people have asked for and it is a breathtaking violation of congressional power. It cannot be allowed to happen. We need to defend our Constitution, we need to defend the rule of law, and we need to defend the powers of Congress—and, at bottom, to defend legitimate rights, interests, and desires of the people who sent us here.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

Mr. SESSIONS. Mr. President, I know the Chair serves as a member of

the Budget Committee, as I am the ranking Republican on that committee. We have gotten a CBO, Congressional Budget Office, analysis—our official scorekeeper of spending—on the part of the proposal the President has presented to spend \$4.346 billion to deal with the Southwest border crisis. What CBO has done is provided its cost estimates of the President's recent supplemental request for the Southwest border.

Significantly, CBO's analysis suggests that only \$25 million of the \$4.346 billion request will be spent this year. This indicates clearly that the agencies are not in dire need of supplemental funding from this Congress, certainly not in the degree asked for.

Again, CBO's analysis suggests that only \$25 million out of the \$4.3 billion request will be spent this year. What does that mean? It means we ought to slow down. There is no basis to demand a \$4.3 billion increase in emergency spending. Every dollar borrowed—because we are already in debt. To spend \$4 billion more is to borrow every penny of it. We should not do that until we find out more about what is happening at our border.

Twenty-five million dollars is a lot of money in itself. The Homeland Security and other agencies, Health and Human Services, have monies they can apply to these problems.

I am not saying no money is needed now, because we want to treat children and be helpful and treat them in a humanitarian way and a compassionate way. But we don't need \$4 billion. That is clear. And we are not to be doing that. Thank goodness, the House of Representatives is looking at it carefully. They need to reject this request out of hand.

Colleagues, the fundamental problem here is that when the President of the United States did his DACA bill, when he did his DREAM Act Executive order, what did he do? He basically said: We are not going to deport young people. Then we began to see this surge of young people coming to America, and we are not deporting them effectively. They are being taken in, turned over to HHS, found housing, turned over to whoever comes and picks them up even if they are not citizens and not lawfully here. They are not being deported. So more have come in record numbers.

I guess, first of all, the very idea that we would spend—I guess for that project—\$3.7 billion is a stunning amount of money. It is a huge amount of money at a time when we don't need to be borrowing money more than we have to. So I believe and would say to our colleagues, this plan does not call for the expenditure of money this year except for \$25 million, and therefore we are not in a crisis that demands us to produce billions of dollars in revenue for this President to continue to carry out policies that only encourage more people to come to America and cost us even more in the time to come.

Mr. President, I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### IMMIGRATION

Mr. CORNYN. Mr. President, from the beginning of our Nation we have had our challenges. We have had big challenges and little challenges, and somehow, some way, America has always risen to those challenges and addressed those in a way that was in the best interest not only of the present generation but future generations as well.

During those times, it was not true that our leaders always saw things the same way or agreed with each other 100 percent, but they saw greater value in trying to solve the Nation's problems rather than just saying: This is too hard; we can't agree, so we quit. That is not our tradition. That is not our heritage.

But looking at the present situation here in Washington, DC—and in particular the Senate—I find myself sometimes wondering whether those days have passed us by. I hope not, but I sometimes wonder whether the youth of America will witness in their lives some of the great attempts to address our Nation's challenges they read about in their history books.

Right now we know we have an urgent humanitarian crisis on the U.S.-Mexico border, more specifically in the State of Texas. I was back in McAllen, TX, on Friday, and I was grateful to see a number of our colleagues who were there: Senator HIRONO, Senator BLUMENTHAL, Senator MURKOWSKI, as well as a number of House Members, seeing for themselves what the crisis consists of and exploring what might be some of the possible solutions.

I was meeting with Congressman CUELLAR, who is from Laredo, TX, and with a number of local officials in the Rio Grande Valley. Many of them have expressed the same wish that I had expressed and Congressman CUELLAR had expressed. They wished the President would come down to the Rio Grande Valley and see for himself what we have seen. We know he had an opportunity to do that a couple weeks ago and chose not to do so, but they said the invitation is still outstanding. They would love to see him. The least you think the President might consider doing is congratulating the professional efforts of our Border Patrol and other law enforcement specialists who were down there doing an amazing job. Of course, FEMA and other Federal agencies are on the ground as well. That invitation is still outstanding, and I think the President would benefit from seeing this crisis for himself.

What I saw were children packed into detention facilities that were filled to overflowing, some with only a single toilet in the room, and conditions you would not want your children to be in. We learned even more about the horrific journey from Central America