

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-

erything 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.