

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

MARVEL NOMINATION

Mr. CARDIN. Madam President, I would like to say a few words of congratulations to these nominees and particularly to Judge Paige Marvel, a great Marylander, on her reappointment to the Tax Court.

As we know, the Tax Court serves a crucial role in this country's tax system. It is a highly specialized court that provides an important forum in which taxpayers can dispute determinations by the IRS. Tax Court judges have the difficult task of ably and fairly analyzing the highly technical legal issues that arise under our complex tax code.

At the close of Judge Marvel's first term on the U.S. Tax Court, I was a strong supporter of her reappointment, and I am an equally strong supporter of her confirmation. Judge Marvel has served on the court with distinction, and it is in the best interests of this country to keep someone with her integrity and expertise on the Tax Court bench. This integrity and expertise was also apparent prior to Judge Marvel's assumption of her current office. I worked extensively with her on a variety of issues when I served in the Maryland General Assembly in Annapolis.

My colleagues on the Finance Committee, including Chairman WYDEN and Ranking Member HATCH, have worked hard and in a bipartisan manner to bring these nominations forward, for which I am grateful. And, I am extremely proud that a fellow Marylander has been nominated to continue the important work of fairly interpreting and applying our tax laws, which affect the lives of every American citizen and resident.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from New Jersey.

REPRESENTING OUR COUNTRY ABROAD

Mr. MENENDEZ. Madam President, very briefly, I appreciate working on both sides to be able to have what is a distinguished set of career ambassadors go to their posts and represent our country abroad, and I hope we can continue on this march as we move toward the end of the session.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

HONORING GOVERNOR DAVE HEINEMAN

Mr. JOHANNIS. Madam President, I rise today to honor the service of a

dedicated leader in my home State of Nebraska.

Governor Dave Heineman has guided our State during the past 10 years with vision and with laser-like focus on efficient government, economic vibrancy, education, and protecting our families.

Under his leadership and careful management, our State held strong through the economic downturn. During that time, the national spotlight shown very brightly on Nebraska as one of the healthiest States, guided by Dave Heineman's very steady hand, to ensure we remain debt-free and fiscally sound. But the Governor did far more than hold the line on spending and balancing the books of our great State. He provided historic tax relief, bolstered education in our State, and he sent a signal worldwide that Nebraska welcomes new business through enhanced economic development incentives. It is not surprising that Nebraskans' enthusiastically elected and then reelected Dave Heineman to the post, giving him the proud distinction of being our longest serving Governor in the history of our State.

I had the privilege of working side by side with Dave Heineman back in my days as Governor of Nebraska. I was so proud to have him as my Lieutenant Governor in my second term, and I was always grateful for the job he did directing the State's homeland security efforts.

We would have to flip the history books back to 1990, nearly 25 years ago, to see when he was first elected to public office as a member of the Fremont, NE, city council. Four years later, he was elected to his first statewide office to serve as our State treasurer. I was mayor of the city of Lincoln at the time, and I enjoyed watching Dave step onto the statewide stage with enthusiasm and determination. He wanted to get things done.

Nebraskans would nod their head in agreement with the assertion that he remains as determined today, in the last days of his time in office, as the very first day he walked in.

I should note he first served the public as a member of our Armed Forces, having spent 5 years in the U.S. Army after graduating from the U.S. Military Academy at West Point. As anyone can tell you, it is easy to spot those West Point influences even today. All of those experiences prepared him so well to serve as our Governor. I had absolutely no doubt about his ability to step into the role when I was confirmed as the U.S. Secretary of Agriculture. I passed the baton to Dave with immense confidence, and indeed he took the helm and never missed a beat. It is difficult to believe that was 10 years ago. I think both of us have a lot more gray hair to show for it, but we also have something more valuable than gold: the honor of having been entrusted to lead and to serve the best State of the United States. I know Governor Heineman has worked each day to prove worthy of that trust, as I have

also. His nearly 25 years of distinguished service required strength of character and fortitude.

Throughout that service and long before it began, Dave has had a wonderful partner in his life, Sally Ganem. Our First Lady is impressive and accomplished. She is a woman in her own right, having served as principal of an elementary school and now leading numerous volunteer and literacy efforts. She has supported Dave every step of the way on a public service journey that offers a shining example for others to follow. Thus, it is fitting that we have never before had a Governor whose service spans 10 years, and we may never have that again.

On behalf of a grateful State and a grateful nation, I offer my sincerest gratitude for the dedicated leadership Governor Heineman has provided to our great State of Nebraska.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

IMMIGRATION

Mr. INHOFE. Tonight there will be a speech. I think everyone is aware of that. I think we all know pretty much what the President of the United States is going to say.

I would like to read the oath of office that any President of the United States has to take, and this President has taken this oath in an affirmative way for—I ask unanimous consent to speak as in morning business.

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

Mr. INHOFE. Tonight we have the President's speech, and I would like to recite one more time what every President has to say and has to affirm before he becomes President.

I do solemnly swear or affirm that I will faithfully execute the Office of the President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.

I think people are overlooking this because they know what to expect tonight. They know what is going to happen. They know the President is going to do something that in the eyes of most people—and I have to say that most of the people I talk to are from my State of Oklahoma. They have a lot of common sense and ask the question: Is this illegal, what we are about to witness?

The President is bound by the Constitution to ensure the laws on the books are being carried out in a manner that is true to the law that is written and passed by Congress. It is his duty, his obligation. That was envisioned by our Founding Fathers.

As any school-aged kid or any of my grandchildren would say, laws are made in Congress and signed into law by the President. Once bills become law, the President's constitutional duty is triggered at that point, no matter who holds the office or how that person feels about the particular law. If a President finds a law problematic, then this is how he has to address that problem: He has to work with Congress to change the law. He does not have the authority to unilaterally declare that law not to apply to millions of Americans, which is what I think we are going to witness tonight. That is exactly what the President is doing.

He issued ultimatums to Congress: Pass what I want or else. We heard that. We heard those words. When Congress and the American people push back against him, he charges forward with Executive orders that are written and executed behind closed doors. Let's remember that at the time this President first took office, his big thing was transparency. He wants people to know what is going on and not have any surprises. Yet this is what is happening: These Executive orders are taking the place of those laws that are passed by Members who are elected to the House and to the Senate.

He says the reason for this is he is tired of waiting on an immigration system that is broken. Those are his words. He has taken action because Congress won't. That is not the way it works. A Congress that has had—by the way, he had a Democratic majority the first 2 years in the House and Senate and the White House. He can't say we are not doing it. He is certainly not referring to Republicans. These are the excuses for doing what he is doing.

Some claim he is not doing anything different from what President Ronald Reagan or President George H.W. Bush did. I think it is very important, very briefly, to show you that is not true at all.

In 1986 Congress passed and President Reagan signed into law the Immigration Reform and Control Act, which gave amnesty to close to 3 million illegal immigrants. Amnesty was granted by statute, not by Executive order. That was a law which was passed and which the President signed and agreed to.

Soon after, the people realized the children of these immigrants—who were still eligible for deportation—were simply overlooked. The fact is, if there is a husband and a wife and they are able to go ahead and become naturalized citizens, their underaged children would have to be as well. Everyone agreed, no one disagreed, and so they went ahead and did it. That was working with Congress. Congress made that decision with the President of the United States.

In 1990 President Bush expanded President Reagan's grant of deferred deportation to all minor children and to the spouses of those who were granted amnesty in the 1986 law, and Con-

gress codified the policy later that year in the Immigration Act of 1990. So it wasn't George H.W. Bush who did this; it was the Congress of 1990 that did this. We are not talking about the same thing at all.

In the case of both Reagan and Bush, they worked with Congress and interpreted a statute. That is not what is happening now. President Obama is creating a law on his own as to how he wishes the law would be. He has no authority to do it. We are going to see this tonight, and I think we need to have this in our background in what we are looking for.

As we saw with his previous amnesty—that was 2012; we remember that, about 2½ years ago—this new Executive amnesty will encourage more people to come here and break the laws.

This year, thanks to President Obama's Executive order—called the deferred action for childhood arrivals, DACA—Americans watched as unaccompanied alien children—that is, the UAC—poured over our southern border seeking the same amnesty others had been given. Who is to say the President won't give them that? It is reported that tonight he will be changing the qualifications of the DACA to include even more.

What happened then is really worse than what is happening now and going to be announced tonight because at least tonight they are talking about 5 to 6 million people who are going to be granted amnesty, and what he did before in encouraging the young people to get here to the United States—we don't know where they are today or how many there are.

In my State of Oklahoma—Fort Sill in Lawton, OK—we have a base that was given several hundred of these young children. They are under 18 years of age. They were told they were to house these children until January. It worked out pretty well because we were in the middle of building some buildings down there, and so we had a place for them for a temporary period of time. They were supposed to be released in January. I went down there in October, and they were already gone. They didn't really know where they were, but they were gone. Even to this day, if you call up and talk to the commander down there, they will tell you they don't know for sure where they are.

To go even further into this, I went to the Texas border, where I went to a center called Los Fresnos. There are 18 IES facilities on the southern border. It is not just in Texas but all—I think 13 of those are in Texas. I went down there to see the process they used. I talked to the Border Patrol. The Border Patrol told me they are instructed to—and they did—send the kids as they came to the various facilities, these 18 facilities. So I went to the one that I believe is the largest. It is called Los Fresnos. It is on the southern border on the eastern side of Texas. They weren't

very happy about this. I went in and took a bunch of pictures to see what was going on there. I found out that they had a facility that had 200 beds. They had 200 beds. That is a very small number of people.

I asked the question: How many kids are coming through here?

They said: Thousands.

I said: How many in the last 6 months?

They said: Well, several thousand.

Let's keep in mind they can only bed down 200 people. Thousands have come through.

We came back to trace where these thousands actually ended up. We were not able to find out. You can find that they have a Web site saying how many States received how many kids. We have no way of verifying if that is true. For all we know, there are hundreds of thousands of kids out there, and we don't know where they are.

Those people who are concerned about 5 to 6 million people tonight, keep in mind that it is really much more than that. On that number, the issue we have is we don't know where the children eventually end up, and the administration does not have to notify the local governments of their presence. There are counties that are published as to how many are in a county. We don't know their names.

Interestingly, when I was at Los Fresnos on the border, I talked to a lot of the kids who were being brought into this country. Those kids—each one had a story, and you could tell it was a rehearsed story: I have parents who live in California. I have a dad who lives in New York. They all had a story down as if they are coming back.

Keep in mind—these are kids who came not from Mexico but through Mexico. We heard only yesterday some of the atrocities, the things that had happened to some of these kids—the raping, the killing, all of that—as they were making the transition through Mexico.

They publish online what States they end up in, but we don't know the numbers, whether these are verified numbers or if we are taking their word for it.

Something is going on, and even I, as a Member of the Senate, have gone down there two separate times to Los Fresnos and still don't know the answer to the questions that I get from people in Oklahoma who are very much concerned about this. Who monitors to ensure that they remain and show up for court? If they evade the law long enough,—and they know now they can evade the law; if the President can do it, they can do it—then amnesty will eventually be received by them.

We have immigration laws that are going to be ignored. What does this say to the immigrants who are coming into America and applying for citizenship in accordance with the law?

I have been honored several times to go and be the speaker at naturalization ceremonies in my State of Oklahoma. I

will tell you, you cry when you look out there. You see a couple hundred people who have come to this country, gone through the system, studied the history—and I would suggest those people up for naturalization probably know the history much better than people who are born here in this country. They learn the language. They go through all these things, and finally they become citizens of the United States. That is the legal way to do it. What are their thoughts right now after all they have gone through and the doors are open for anyone to come through? Is that compassion for those people? I don't think so. Compassion is acknowledging and respecting the millions who adhere to our laws and achieve citizenship.

But here is the thing. When you stop being a nation based on the rule of law, you are at the mercy of one man and his whims. It sounds exactly like something our Founding Fathers were looking to avoid and escape. I think that is the problem we have. I have people asking me: Why is the President breaking the law with regularity? Does he not have to obey the law the same as we do?

Well, as you know, there is a lawsuit that is being processed over on the House side. But we also know this: Anyone who comes who has 2 years left in his term knows if something is starting the process to determine whether action is legal, it would be probably 5 or 6 years before that case would be decided. By that time he is long gone.

I want to mention one thing that is specific. People say: Well, how can you say the President is breaking the law? He does break the law. He breaks it all the time. One of the things I have been concerned about for a long period of time is keeping the installation named Guantanamo Bay—called Gitmo—keeping it open. It is the only place that we can keep the type of terrorists we have down there. It is one, I think, that has worked out well. But somehow there is the obsession that this President has—he wants to close Gitmo, Guantanamo Bay.

Knowing that, I put an amendment on the Defense authorization bill in 2014. If anyone wants to look it up, it is section 1035(d) of the 2014 National Defense Authorization Act, the NDAA. It specifically states—anticipating that the President would start releasing these people from Guantanamo Bay without authority, we put into law that the President shall notify Congress not later than 30 days before the transfer or release of any Guantanamo Bay detainee.

What did we find out? The President, without notifying anyone, released probably the five—in fact, not probably, certainly the five very worst of the terrorists who were being kept down there. In fact, one of their names was Mohammad Fazl. One of the Taliban commanders, whose name is Mullah Salem Khan, made this state-

ment—this is right after the President released the five terrorists. We do not know where they are, whether they are killing Americans, where they are right now.

He said, “Mohammad Fazl, his returning is like pouring 10,000 Taliban fighters into the battle on the side of Jihad. Now the Taliban has the right lion to lead them in the final moment before victory in Afghanistan.”

So that is another issue altogether. These people are released to come back and kill Americans. But the point is, that law was aimed specifically at the President that he cannot do that. He did it. So when I see these things happen, I think I have never seen this before.

I am not a real student of history, but certainly I have read an abundant amount of the history of this institution as well as the President and what is going and what should go on in Washington and what our Founding Fathers envisioned. Our Founding Fathers never envisioned they would have a President who would blatantly break the law, specifically break the law.

That is what is happening now. That example is just one of many I could give. So enjoy the speech tonight. I think you are going to see that another one of our laws looks as though it is going to be broken. That would be our immigration laws that are on the books now.

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

The PRESIDING OFFICER (Mr. MARKEY). 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.

The Republican leader is recognized.

TRIBUTE TO DENZEL MCGUIRE

Mr. MCCONNELL. Mr. President, I would like to say a few words about a staffer I will be very sad to lose tomorrow. Denzel McGuire is one of the most genuine people you will ever meet. She always has a smile on her face and a ready joke, and she is the only Senate staffer I know of who can plan on—listen to this—a personal birthday song from Speaker BOEHNER every year. She also has a determination that is as strong as steel. She is a master at negotiating. And all Members—even the Speaker—have learned it is wise to stay in her good graces.

Denzel has worked for some of the most respected Members of this body, including Jon Kyl and Judd Gregg. She has taken on some of the thorniest issues over her more than 20 years here in Congress.

In this job you get accustomed to hearing bad news, but what I tell people is that if I have to hear bad news

from someone, I would rather have it come from Denzel. She always has a plan moving forward, and there is usually a joke slipped in there as well.

Denzel is too modest to say so herself, but she has been in the middle of a lot of big legislative battles around here. She has been in the mix on pretty much everything you could imagine that has to do with budgets and government funding issues—in other words, pretty much everything. She has also worked a lot of late nights. She has plenty of war stories, but she has never lost her optimism or her good humor. Now, that is no mean feat.

I am really going to miss Denzel, but she has more than earned a break, and I wish her nothing but the best as she moves on to the next chapter in her life. I am sure she will be a great success.

TRIBUTE TO CHRIS DOBY

Mr. MCCONNELL. Mr. President, I would also like to say a quick word about Chris Doby, the Senate financial clerk, who will be leaving us soon after more than three decades of service.

Chris came to the Senate in 1983 after graduating from Radford University. He was a junior auditor back in those days. Today he has a broad range of duties. He has weathered a lot of storms. He is also one of the most popular guys in the Senate because he is responsible for making sure everybody gets paid. But Senators' staffs are not the only ones who have nice things to say about Chris. His colleagues praise his sincerity, his steady hand, his confidence, and his friendliness.

Chris is the consummate family man. He has three daughters: Colleen, Caroline, and Courtney; a grandson he adores; and a wife of 31 years, Cathy. I know he is looking forward to spending more time with all of them. He is probably looking forward to the end of his daily commute too. It is a 2-hour trek from the District to his home in Virginia. That is 2 hours each way, every day. I understand that Cathy has a to-do list for Chris that is a mile long, so we know he will have a lot on his plate when he leaves here. But we thank him for his long and dedicated service in the Senate.

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

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

TRIBUTE TO MICHAEL KENNEDY

Mr. HATCH. Madam President, I wish to take a moment to pay tribute to my former chief of staff, Michael Kennedy. In my 38 years as a Senator, I have