

policy. He has simply operated within existing law—the National Emergencies Act of 1976—to invoke a narrow set of authorities to reprogram a narrow set of funds.

If Congress has grown uneasy with this new law, as many have, then we should amend it. If the 116th Congress regrets the degree of flexibility the 94th Congress gave the Executive, the 116th Congress has the ability to do something about it. I have suggested to the chair of the Homeland Security Committee that they examine how the law can be updated to reflect these concerns. I hope they can report bipartisan solutions through the regular order that the full Senate can actually take up.

Let's not lose sight of the particular question that is before us later today, whether the facts tell us there is truly a humanitarian and security crisis on our southern border and whether the Senate, for some reason, feels this particular emergency on our own border does not rise to the level of the 31 other national emergencies which are currently in effect.

In my own view, these narrow questions are not especially difficult ones to answer. The President is operating within existing law, and the crisis on our border is all too real. So I will vote to support the President's decision later today, and I encourage our colleagues to do the same.

#### TRIBUTE TO "STEW"

Mr. MCCONNELL. Madam President, on a completely different matter, few of us can aspire to the fame and fortune that are signified when a celebrity is known by just one name.

There is Cher; there was Prince; there is Madonna; and there is "Stew." Everybody knows Stew—not Don Stewart, certainly not Don, just Stew.

For more than 12 years, Stew has been the larger-than-life personality patrolling the Ohio Clock corridor, camping out in the Press Gallery, and prowling the hallways of the Capitol complex—the guy who knows everything about policy, procedure, and communications with the office just off the Senate floor.

Stew is one of the best known staff members in all of Congress. It has been my great fortune to lean heavily on him every single day for more than a decade as my communications director and deputy chief of staff.

So, you can imagine, it is proving difficult to grasp that today is the very last workday I will have Stew by my side. After serving so well for so long, he is taking a leave—shall we say—for greener pastures.

So, this morning, I am exacting a little revenge. I am doing the one thing I suspect will make my deputy chief of staff's stomach churn more than anything else. I am actually turning the spotlight on him.

Now, the complete "Legend of Stew" is somewhat of a winding tale. This

scrappy son of Riverside, CA, did not stroll a typical path to the corridors of power.

What came after high school was work, including what I understand was a spell as a bouncer. I am certain that position offered no useful preparation at all for wrangling our distinguished friends in the press corps. Then came Army service, then back to school in Georgia, and then politics.

Our late colleague Senator Coverdell hired Stew to represent him with his constituents down in Georgia. Not long after, he asked him to relocate to Washington.

The way I understand it, the ink was barely dry on Stew's lease, and the unpacking had just started when his boss tragically passed away, but Stew landed on his feet. He found his way to a pair of tough Texans, handling press for Senator Phil Gramm and then Senator CORNYN. He became famous as the communications director who could outsmart everybody and outwork everybody in a town where it is very hard to do either.

That is where Stew caught my eye. As I prepared, in 2006, for the possibility of becoming Republican leader, I knew we would need the most sophisticated communications shop a Senate leader had ever constructed, and it was clear Stew was the guy to build it.

Something else quickly became clear too. Stew was not quite like anybody else any of us had ever met before. One former colleague recalls that Stew would end a phone call with a plan already formed in his mind, then push off his desk with both hands, sending his rolling chair rocketing backward and slamming into the wall behind him. That high-octane crash was the official notification that Stew was about to make something happen. "It was really endearing," this colleague explained, "in retrospect."

Restless energy has always been Stew's calling card. Every news story, every request from reporters, every shift in public sentiment, Stew was literally on top of it all. Seven days a week, almost literally 24 hours a day.

I was recently reminded that, in Stew's early days with me, some around the Capitol questioned whether he was an actual person or some kind of automated email system our office had built to blast out memos and bulletins literally around the clock.

The instant mobile devices started to provide email alerts, Stew's bat-like sleeping habits and inexhaustible work ethic probably rendered half the alarm clocks in Washington completely obsolete.

Questions, answers, press clippings, battle plans, they would pour into inboxes until after midnight, pause for a couple of hours, and resume before anyone else had even woken up, but circadian rhythms weren't the only thing Stew's presence reprogrammed. His energy, his careful foresight, his patriotism, all these things were just as infectious.

As our chief spokesman, key strategist, close adviser, team leader, morale-builder, resident dog lover, heavy metal music aficionado, and happy warrior, Stew helped me in my office through the Iraq war, the financial crisis, seismic policy battles, nomination debates, three different Presidents, and two reelection campaigns.

No matter what the day brought, I always knew what my deputy chief of staff would bring—razor-sharp instincts, a level head, a steady hand, and a boatload of integrity. For more than 12 years, I entrusted Stew with my words, my goals, and my reputation, and he has never let me down. He never flagged. He never slowed. Our watchdog never lost a step. He is totally trustworthy, completely reliable, and unbelievably competent—the greatest luxury a leader could have.

With these characteristics, you might think the person I am describing could be a little stiff, a little stern. Maybe that energy would occasionally boil over into harsh words or heated moments. But, remember, Stew is a bit of an unusual guy. That intensity doesn't overflow into frustration or unkindness or sharp words; instead, it overflows into generosity, good-heartedness, and compassion.

Stew is famous around Washington for his encyclopedic memory of birthdays, kids' birthdays, and anniversaries. Like clockwork, notes and greeting cards arrive, and texts and emails roll in. What I am saying is that work challenges aren't the only thing Stew is good at keeping in perspective. I was reminded of that fact a few months back when Stew brought his mother, Nancy, to visit here in the Senate. For all the history Stew has helped make, for every victory when he has allowed himself a brief smile, his colleagues aren't sure they have ever seen him happier than when he was ushering his mom around the corridors and showing her all he has built.

For all Stew's own accomplishments, we aren't sure we have ever seen him prouder than when he brags on his daughter Kylie. Lately, that has meant her career in software engineering and the apps she has created. Stew loves his family. He is loyal to his family. It is just our good luck that he came to see the Senate as part of that family as well.

My former chief of staff reminded me of the day he brought his boys to work. Stew loves kids, so he made a beeline, but one son felt a little shy. Instead of shrugging and walking away, it somehow occurred to Stew to say this: "Did you know I could do a standing jump right onto that table right there?" One more time for good measure—he is kind of a unique individual. The boy was understandably perplexed, but then this friendly stranger crouched down and leapt right up onto the table, with tie, dress shoes, and everything—a total spectacle, just to put that young man at ease and coax a smile. That is not your typical Senate moment, but that is the thing—for me and

for all of Stew's colleagues, that level of good cheer and concern for others really has been typical for a dozen years.

That is why his departure has triggered an avalanche of tributes from people all over Washington and beyond, people—many of them junior people—whom he wrote back with advice, met for coffee, shared some wisdom; this sprawling family tree of men and women who all feel that, one way or another, they owe a significant part of their success and careers to him. On that note, I have to say I know exactly how they feel.

So today I have to say goodbye to an all-star staff leader who took his job about as seriously as anybody you will ever meet but who took himself far less seriously than most people you will ever meet in the process. Professional excellence and personal humility are rare virtues. Having a heavy dose of either is impressive, but only the combination can explain Stew. There are plenty of people in this town who haven't tackled nearly the challenges or rubbed nearly the elbows he has, but you better believe their egos dwarf his. His resume looks like he belongs in fancy cocktail parties in tony neighborhoods, but I am not positive Stew would even be allowed into a fancy cocktail party. Regardless, I doubt he would find much time for the elite guests; he would be too engrossed in conversation with the security guards, valet parking attendants, hospitality staff, talking Nationals baseball and everything else under the Sun with the people who actually made the thing go.

Never before yesterday had I seen a large number of Capitol police officers gather to surprise a departing Senate staffer and send him off as if he were one of their own. That is the admiration and love that Stew has for the men and women who keep us safe—and vice versa. I know nothing I say today will really compete with that tribute. The only kind of man who would earn that sort of salute is the kind of man who would prize it above and beyond any fancy praise offered in a place like this. Don't get me wrong. Stew reveres this institution, but he never once seemed to covet the trappings or the power for its own sake; he just seemed honored to serve.

My colleagues and I are sad to bid farewell to the Senate staffer who made himself thoroughly famous by trying not to make himself famous. We are sorry to part with our tough-talking workaholic who can't bypass a cute puppy without stopping for a good scratch and a photo shoot. We will sorely miss our true-blue patriot who so loves this country where a kid can grow up from working odd jobs to counseling Senators and statesmen and not lose an ounce of his character along the way.

Stew, we can't quite imagine a place without you, but we are so grateful for what you have made it while you were here.

Happy trails, buddy.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### RELATING TO A NATIONAL EMERGENCY DECLARED BY THE PRESIDENT ON FEBRUARY 15, 2019

The PRESIDING OFFICER. Under the previous order, the Committee on Armed Services is discharged from further consideration of H.J. Res. 46, and the Senate will proceed to its immediate consideration.

The clerk will report the joint resolution by title.

The bill clerk read as follows:

A joint resolution (H.J. Res. 46) relating to a national emergency declared by the President on February 15, 2019.

There being no objection, the committee was discharged, and the Senate proceeded to consider the joint resolution.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### TRIBUTE TO "STEW"

Mr. SCHUMER. Madam President, I thank my colleague and friend from Tennessee for deferring.

First, on Donald Stewart, I know Leader MCCONNELL talked about him. Everyone is going to miss him here in the Senate. He was truly somebody whom everyone liked. He always had a great sense of humor and a big smile. He served his boss, MITCH MCCONNELL, extremely well, but he never let that get in the way of being friendly and working with the other side. He is somebody we will all miss. I enjoyed my interactions with him a great deal. I think that is probably true of just about every Member here.

We wish Stew the best and thank him for serving this body so long and so well.

#### H.J. RES. 46

Today, Madam President, the Senate will vote on the resolution to terminate the President's declaration of a national emergency. This is not a normal vote. What we are doing here today—this is not a normal day. It is

not your typical vote on an appropriations or authorization bill. It doesn't concern a nomination or an appointment. This will be a vote about the very nature of our Constitution, the separation of powers, and how this government functions henceforth.

The Framers gave Congress the power of the purse in article I of the Constitution. It is probably our greatest power. Now the President is claiming that power for himself under a guise of an emergency declaration to get around a Congress that repeatedly would not authorize his demand for a border wall.

The President has not justified the emergency declaration. You would think in a moment like this, when there is not a war, when there is not an immediate disease, or when there is not a disaster—that is when we had other declarations. They don't need an elaboration, but this one would. But the President hasn't done that. He simply said he "didn't need to do this." That is amazing, folks, my colleagues. The President said he didn't need to do this, and yet he is declaring an emergency. It is a direct contradiction of his own words.

Everyone here knows the truth. Democrats and Republicans know the sad truth. The President did not declare an emergency because there is one; he declared an emergency because he lost in Congress and wants to get around it. He is obsessed with showing strength. He couldn't just abandon his pursuit of the border wall, so he had to trample on the Constitution to continue his fight. That is not how this democracy is supposed to function. That is not how this democracy has functioned. I have never seen it, where, out of anger and out of a desire to win the fight regardless of the consequences, a President would do this.

The President has not laid out where he plans to divert funds from, though we know it is going to be from our military—from the men and women serving us and from the things they need.

Senators who vote against this resolution this afternoon may be voting to gut funding for a military installation in their State or for a cut to military pay and military pensions. How could they do that?

Most importantly, President Trump has shown zero understanding of what his emergency portends for the separation of powers in our democracy. The President seems to regard the government, not just the Justice Department, as his own personal tool to do whatever he wants, whether it is in the private sector or the public sector. We have never had a President like this.

We have had lots of Presidents with lots of foibles, but none of them seem to equate their own ego with the entire functioning of the government of the United States, except this one.