We could also be reauthorizing the Violence Against Women's Act. It is a bill that used to pass so easily. Democrats and Republicans agree that we are against violence involving women. We are not reauthorizing it. We are not even considering it on the floor of the Senate.

The Senate would be a great place to legislate. It would almost sound like the movie or look like the movie, ''Mr. Smith Goes to Washington,'' where people come to the floor of the Senate, elect Senators, debate issues, vote on amendments, have rollcalls, make speeches, appeal to the American people, and try to put the majority votes together. Wouldn't it be a wonderful return to those thrilling days of yesteryear when the Senate legislated?

But Senator MCCONNELL doesn't have time, no time this year for legislation. Maybe next year. If he is in charge, maybe never. I urge Leader MCCONNELL and my Republican colleagues, let's get back to work. Let's earn our paychecks. Let's use this Chamber for the purpose for which it was built. Let's actually debate a measure. Don't be afraid to vote, my colleagues in the Senate. I have done it several thousand times. It is not that painful. I have constituents who expect nothing less of us, to see the Senate at work actually legislating on matters that are meaningful. They realize the Senate has become an empty Chamber, a legislative graveyard. I am ready to go to work. Perhaps a few Republican Senators will join the Democrats in actually doing that.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PRESIDENTIAL POWERS

Mr. VAN HOLLEN. Mr. President, I rise to address a matter that I believe should alarm every Member of this Senate, regardless of party, and that is the President's and the executive branch's increasing use of declared emergency powers to seize powers that are not lawfully theirs to take.

Just in the last week, we have seen two examples of this. We saw an administration claim emergency authority to move forward with an arms sale to Saudi Arabia and others. Last week, we also saw the President claim emergency powers in order to threaten an escalating set of tariffs on the country of Mexico.

Earlier this year, the President claimed emergency powers to divert funds away from important military and national security priorities to fund part of a wall along the U.S.-Mexico border. There was a headline, May 10, 2019, ''Pentagon Shifts $1.5 Billion to Border Wall From Afghan War Budget and Other Military Projects.''

I, personally, oppose the outcomes the President is seeking in each of these emergency declarations. I oppose selling weapons to Saudi Arabia under the current circumstances. I oppose putting huge tariffs on Mexico that will harm American consumers and American businesses. I oppose diverting moneys from the Defense Department to spend on a wasteful, ineffective wall along the entire U.S. border.

Those are my views with respect to these outcomes. I suggest that all of us, Republicans and Democrats alike, should focus not only on the outcomes of each of these emergency declarations but the means the President is using to achieve them because, in each case, the President is claiming emergency powers to justify these actions. If this Senate stands by and allows that to happen, we will be surrendering our coequal powers as a separate branch of government and, in the process, undermining the integrity of our democracy itself. We should not leave this to the courts. We should not say, well, we don't think the President should be able to declare these emergency powers, but we are not going to deal with it here in the Senate; we are going to leave that to the third branch of government. That will undermine our democracy and this institution. Whether you like the outcomes or dislike the outcomes, the claim of emergency power to achieve these goals establishes a terrible precedent for our democracy, and we cannot sit idly by and allow that claim to continue unchecked.

I want to start by reviewing the Trump administration's invocation of so-called emergency powers to sell weapons to Saudi Arabia and others. The President's desire to please the Saudi regime and promote the Crown Prince's reckless conduct apparently knows no limits. It is a bottomless pit. We all recall President Trump vetoed a resolution that passed both Chambers of Congress with bipartisan support to end U.S. military support for the disastrous war in Yemen. When his own CIA Director concluded that the Crown Prince of Saudi Arabia was complicit in the murder of U.S. resident and journalist Jamal Khashoggi, the President refused to hold the Crown Prince accountable. Instead, he ran to his defense saying that ''it could very well be that the Crown Prince had knowledge of this tragic event—maybe he did and maybe he didn't!''

That was the President's attitude, go ahead and murder a resident of the United States, go ahead and murder a columnist for a major U.S. paper. It doesn't really matter.

The administration went on to flout the law by refusing to provide a determination to Congress on whether the Saudi Crown Prince was responsible for the murder of Khashoggi. Despite the fact that Saudi leaders have openly talked about acquiring a nuclear weapon, the President is singularly determined to conclude a nuclear cooperation agreement with the Saudis, attempting to dodge oversight and accountability at every turn.

That was just the prelude to what the President did last week when Congress was in its work period. The President invoked a so-called emergency authority to sell precision-guided munitions and other arms to Saudi Arabia, the UAE, and others. Why? It is pretty obvious. He knew that arms sale would be challenged by Congress, and it would be very likely that Congress would not approve that sale.

What happened? Here are the facts. Under the law, the administration must submit a formal notification to Congress of a proposed arms sale, if it is large enough. After the sale is notified, Congress has a short window in which we can act to block the sale. We would do that by introducing and passing a joint resolution of disapproval through the House and the Senate. The President knew the Congress was not going to support that sale and that we would likely vote to block it. What did he do? Instead of trying persuasion, instead of going through the constitutional process, the legal process, he decided to fake an emergency because under the law, the President can bypass congressional review if he states that ''an emergency exists,'' which requires the sale to be made immediately ''in the national security interests of the United States.''

By making that declaration, the President was able to commit an end-run against Congress, and we should not allow it to happen because it is abuse of power and, I believe, an abuse of the law.

That emergency authority has only been used a handful of times in the last few decades. In fact, the last President to invoke it was President George H. W. Bush following the Iraqi invasion of Kuwait. Let's be clear. There is no emergency here, and the President is invoking it under false pretenses simply to hand another favor to the Saudi Crown Prince.

Where are these bombs and munitions going to end up? The war in Yemen and the Saudi-led coalition's war against the Houthis in Yemen has raged for 5 years now, costing the lives of more than 100,000 civilians. Millions are on the brink of starvation. The United Nations has declared Yemen the world's largest humanitarian catastrophe. Where are we 5 years into this war? The Houthis are more entrenched and militarily sophisticated. Iranian influence in the region has expanded.

In short, the Trump administration's strategy has been totally counterproductive. Instead of prioritizing a diplomatic solution of the conflict, the President is fueling the fire and perpetuating a humanitarian crisis.

What was the claimed emergency here, the emergency the President invoked to try to bypass the Congress

and sell these weapons to Saudi Arabia? The administration cites in its documents, in its notice, Iranian malign activity in the region. The administration claims that the ''rapidly-evolving security situation in the region requires an accelerated delivery of certain capabilities to U.S. partners in the region.''

We all know that Iran is a malign actor in the region. This is nothing new. It has kept the Assad regime in Syria alive. It supports the Hezbollah in Lebanon, the Houthi rebels in Yemen, and a constellation of Shia militia groups in Iraq—all of which have contributed to instability in the region for a very long time.

The administration has not explained why all of a sudden this ongoing malign activity justifies an emergency declaration to circumvent this body in the House of Representatives, nor has it shown how the delivery of these weapons is going to provide some kind of an immediate benefit to either the United States or our allies.

What we really have is, this administration has, under the direction of National Security Advisor John Bolton, in a calculated effort, dramatically increased tensions with Iran to a point where we could easily have a miscalculation that leads to war.

This administration has ripped up the nuclear agreement, choked off Iran's oil exports, and, against the advice of America's military leadership, designated the Islamic Revolutionary Guard a terrorist organization while accelerating the movement of American ships and bombers into the Persian Gulf.

Maybe most troubling is that even when given multiple opportunities, Secretary of State Pompeo, has refused to acknowledge that the 2001 authorization to use military force, AUMF, would not justify the administration taking military action against Iran. The administration's failure to make that very clear shows the need and urgency for us to act in these areas. In fact, what we know from our intelligence communities, cited in public reports, there is zero evidence that Iran and al-Qaida have carried out any joint operations against the United States. In fact, to the contrary, ISIS, which we know is an al-Qaida descendant in Syria and Iraq, took credit for a 2017 attack on Iran's Parliament building and tomb of the Islamic Republic's founder, the Ayatollah Khomeini, which according to Iran's state media killed at least 12 people.

Anyone who knows anything about the history in this region knows that while Iran is a malign actor, they have been an enemy of al-Qaida and an enemy of ISIS—Iran, of course, being a majority Shia country and ISIS and al-Qaida being extreme elements of a Sunni ideology.

As we sit here and watch the President invoking these emergency powers to undermine the separation of powers, we are not doing our job so we need to begin to take action. Yet what the President is learning from our inaction is the ability to continue down this road of claiming emergency powers to take further measures.

As I said just last week, we also saw the President invoke emergency powers to put in place a mechanism to dramatically increase tariffs on Mexico over a period of time. That, of course, would be incredibly costly to American consumers, costly to American businesses, but it is also incredibly costly to our system of government and separation of powers, where article I clearly gives this Congress power in the area of setting trade policy. Yet where are we? We are AWOL, totally AWOL when it comes to standing up for the Constitution. We are allowing this President to, time after time, claim emergency powers to accomplish certain goals. Some may justify it by saying: OK. I agree with the outcome in that particular use of emergency powers.

This pattern of conduct is going to set a very dangerous precedent. While some of my colleagues may like some of these outcomes today, you have another President in the White House who starts claiming emergency powers left and right, and all of a sudden, I can assure you, my colleagues will take a different view. This is the moment when people need to come together and stand up for the Constitution and do our jobs as a separate branch of government. We can't contract this all out to the courts to make these determinations. Of course, earlier in the year, the President claimed emergency powers to divert moneys from important national security efforts, including the effort in Afghanistan and to build the wall along the U.S.-Mexico border.

Again, I suggest, don't be lured into going along with this process simply because you like the outcome. We can disagree about whether it is smart and cost-effective to build a wall along the U.S.-Mexico border, but we should not disagree that it is an abuse of power to continue to manufacture or claim emergency authorities to override the will of Congress.

This is an important moment, especially as we consider the fact that Secretary Pompeo has not clearly indicated that the 2001 AUMF does not give this administration or any administration the power to use military action against Iran.

If we don't start standing up and doing our job, we will be undermining important constitutional principles that the Founders put in place to prevent an Executive from running wild over the legislative process. So I hope, as the Republicans and the Democrats see the President invoke these emergency powers of whether to sell arms to Saudi Arabia, to increase tariffs on Mexico, or to build a wall, we recognize that we are going down a very, very slippery slope and that we have a constitutional obligation to protect our democracy and the principles outlined in the Constitution.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Texas.

DIRECTING THE CLERK OF THE HOUSE TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 2157

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 45, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 45) directing the Clerk of the House to make a correction in the enrollment of H.R. 2157.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CORNYN. Mr. President, I further ask unanimous consent that the concurrent resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 45) was agreed to.

(The concurrent resolution is printed in the RECORD of June 3, 2019.)

EXECUTIVE CALENDAR—Continued

NOMINATIONS

Mr. CORNYN. Mr. President, this week, the Senate will consider another batch of well-qualified nominees. These are men and women who have chosen to serve the American people in a variety of ways throughout the Federal Government, and we owe it to them to get them off the Senate calendar and on the job.

Among the nominees we are considering this week is Susan Combs, who, as the Presiding Officer knows, is a fellow Texan who has been nominated to serve as the Assistant Secretary for Policy, Management and Budget at the Department of the Interior. Susan has led an impressive career in both the public and private sectors and has served our State as a member of the Texas House of Representatives, then as the first female agriculture commissioner, and, later, as the Texas comptroller of public accounts.

In each job, she gained the respect of virtually everyone she worked with. So, for those who know Susan, her nomination has come as no surprise. What is surprising, though, is how long it has taken her to reach this point and be confirmed. She was nominated in July of 2017. Within 1 month, she testified before the Committee on Energy and Natural Resources, and she received unanimous support. Suffice it to say, her nomination was not controversial. So why has it taken 2 years for her to get a vote on the Senate floor?