

the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 41, nays 53, as follows:

[Rollcall Vote No. 324 Leg.]

YEAS—41

Baldwin	Gillibrand	Rosen
Bennet	Hassan	Schatz
Blumenthal	Heinrich	Schumer
Brown	Hirono	Shaheen
Cantwell	Kaine	Smith
Cardin	King	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Collins	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murphy	Warren
Duckworth	Murray	Whitehouse
Durbin	Peters	Wyden
Feinstein	Reed	

NAYS—53

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hawley	Roberts
Boozman	Hoehn	Romney
Braun	Hyde-Smith	Rounds
Burr	Inhofe	Rubio
Capito	Johnson	Sasse
Cassidy	Jones	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sinema
Crapo	Manchin	Sullivan
Cruz	McConnell	Thune
Daines	McCally	Tillis
Enzi	Moran	Toomey
Ernst	Murkowski	Wicker
Fischer	Paul	Young
Gardner	Perdue	

NOT VOTING—6

Alexander	Harris	Klobuchar
Booker	Isakson	Sanders

The joint resolution (S.J. Res. 53) was rejected.

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

The PRESIDING OFFICER. The clerk will report the pending business.

The senior assistant legislative clerk read as follows:

Veto message to accompany S.J. Res. 54, a joint resolution relating to a national emergency declared by the President on February 15, 2019.

The PRESIDING OFFICER. The Senate Democratic leader.

UNANIMOUS CONSENT REQUEST—H.J. RES. 77

Mr. SCHUMER. Madam President, I am going to speak for a minute before I make my unanimous consent request.

Now, we have a crisis here in this world and here in America. Because of the President's precipitous action to take a small number of American troops out of northern Syria and green-light Erdogan's invasion, we are in real trouble. We are in trouble in a whole lot of ways.

Most importantly, we, in New York, know that a small group of bad people can cause terrible terrorism with huge loss of life, even when they are 7,000 miles away. There are about 70,000 ISIS

prisoners and their families now being guarded by the Kurds, but because of the President's action, they will no longer be guarded.

When we went to the White House yesterday and asked the President and his military folks what is the plan to prevent many of these ISIS would-be terrorists from escaping, they didn't have one. They didn't have one because the Kurds have left, and the only people who might guard them are the Syrians or the Turks, and neither of them have a great interest in stopping ISIS.

In fact, I asked the Defense Secretary Esper: Is there any intelligence that shows that either the Syrians or the Turks would do a good job at guarding the ISIS prisoners and preventing them from escaping?

No, there was no intelligence to that effect. As a result, ISIS prisoners are escaping, will continue to escape, and America will pay an awful price—an awful price. The Kurds will pay an awful price. They have fought alongside our soldiers. They are our allies.

I talked to my friend from Kentucky who said the Kurds are better off with the Syrians. Well, the Kurds sure don't think so. They would rather be back to the status quo. Talk to their leaders. Certainly, America will not be better off at all with ISIS prisoners escaping.

Who did this? The President. The President's incompetence has put American lives in danger—simply, starkly put but accurate. In New York, as I said, we know well how a small group of fanatics halfway around the world can do incredible damage and kill thousands of Americans here on our soil.

It should shake every Member of this body, regardless of their ideology and regardless of their views on Turkey, that the President made this decision so abruptly without heeding the advice of our commanders on the ground and now has no plan to manage the consequences.

After meeting with the President yesterday, it was clear to both Democrats and Republicans in the room that he does not grasp the gravity of the situation. He doesn't understand it. The most important thing we can do right now is send President Trump a message that Congress, the vast majority of Democrats and Republicans, demand he reverse course.

I am asking this as a unanimous consent to not go through a long regular process because the bottom line is, the longer we wait, the more Kurds will die—our allies—the more ISIS prisoners will escape, and the greater danger, hour by hour, day by day, America falls into. We should move this resolution. We need unanimous consent.

I spoke to my good friend from Kentucky. He said he wanted to put a resolution on the floor about military aid to Turkey, something many on my side would be sympathetic to. I offered him the ability of moving his resolution—we would have to, of course, get permission of all Members, but I would

work through that—in return for us moving our resolution. He still said no. He still said no. I think that is a horrible decision. I think it could well risk the lives of Americans down the road. I think it will certainly risk the lives of many more Kurds, who are our allies.

We will return to this issue. I wish we could pass it now—the same bill that passed the House with the vast majority of Republicans, 2 to 1, with Leaders MCCARTHY and SCALISE and CHENEY voting for it—and go forward. I understand the motivations of my friend from Kentucky are sincere and real. He has had these positions consistently. They are not the positions of the majority on his side nor on our side on many issues. On some, we have worked together and agreed, but I think it is so wrong not to move forward. It is so wrong to let the man, both Democrats and Republicans saw in the White House yesterday, stay in control without pressuring him to do better—without pressuring him to do better.

There is no better, quicker, or more powerful way to pressure the President to undo the damage he has caused than to pass a bipartisan joint resolution that will go directly to his desk. We will come back to this issue. It will not go away. It cannot go away for the safety of America, for the safety of the Kurds, for some degree of stability, not chaos in the Middle East that the President, President Trump, precipitously caused.

I plead with my colleague from Kentucky and anyone else who might object to let us have the vote. Let us make our arguments and prevail. We are willing to do debate time. Let us not say it has to be my way or the highway when so many lives and such danger is at risk.

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 246, H.J. Res. 77; that the joint resolution be read a third time and the Senate vote on passage with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Madam President, reserving the right to object. The Constitution is quite clear on this subject. If the minority leader wishes to engage in the civil war in Syria that has been going on for nearly a decade, we should obey the Constitution. He should come to the floor and say we are ready to declare a war, we are ready to authorize force, and we are going to stick our troops in the middle of this messy, messy five-sided civil war, where we would be ostensibly opposed to the Turkish Government that has made an incursion. We would then be opposed to our NATO ally. It would be the first time in history that we would be inserting ourselves militarily against a NATO ally.

None of this is to excuse Turkey's action. In fact, today I will offer a resolution that would actually do something.

The resolution that is being offered is simply a way to have petty, partisan criticism of the President infect this body. Mine, actually, would have the force of law and would prevent any arms from being sold to Turkey, which would be a serious rebuke to what they are doing in Syria.

The Constitution is quite clear. No authorization has ever been given for the use of force in Syria. There was no authorization of declaration of war and no permission to be there at all. So if they want to insert themselves in this civil war, by all means, let's have a debate. Let's have a constitutional debate, but I, for one, am not willing to send one young man or one young woman, one soldier over there without a clear mission.

There is no clear mission. There is no clear enemy. In fact, the war is largely over. Assad is going to remain, for better or worse. So we have a despot on one side, Erdogan. We have another despot on the other side, Assad. Here is the deal: The Kurds have to live there. It is despairing that they have to live there, but you know what, their best chance for survival is having an ally inside of Syria.

If they become allied, and it appears they are—if they become allied with Assad, you know what, there is a possibility of a Kurdish area within Syria. There may well be an opportunity for a Kurdish area similar to what has happened in Iraq.

So I object to this resolution because this resolution does nothing to fix the problem. My resolution would stop arms sales to Turkey, so I will object to this resolution.

The PRESIDING OFFICER (Mr. YOUNG). Objection is heard.

The minority leader.

Mr. SCHUMER. I believe history will show that the country, the Senate, and even the Senator from Kentucky will regret his blocking of this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

UNANIMOUS CONSENT REQUEST—S. 2624

Mr. PAUL. Mr. President, at this time I want to ask unanimous consent that we introduce S. 2624, Turkey arm sales, which would eliminate any further sale of arms to Turkey and, instead of sending a fake message or a sense of the Senate resolution, would actually be a binding resolution and would tell the Turks: Yes, we are serious. We object to your incursion into Syria. You need to respect the territorial integrity of Syria, and we therefore are no longer going to be selling you arms.

I ask unanimous consent that this be passed.

The PRESIDING OFFICER. Is there objection?

The Senator from Idaho.

Mr. RISCH. Reserving the right to object, colleagues, this is a very fluid situation, as we all know, and, certainly, Americans who are watching this from home are confused about the

parties. Then, when laying politics on top of it, where you have a level of animus toward the Commander in Chief that there is at this point, it becomes very difficult to sort this out. So as chairman of the Foreign Relations Committee, I want to try to lay out some fundamentals that we need to deal with.

As has been pointed out by everyone—and I think everyone agrees—the situation on the ground in Syria is an incredibly complex situation. It is difficult to understand and impossible to manage at some point because of the fact that there are dozens and dozens of tribal entities that share religious or cultural or tribal affiliations either together or in opposition. The result of that is the mess that we have had in Syria for so long.

On top of that, in northern Syria we have a situation where the Kurds and the Turks are at odds with each other. This has happened just recently, and as everybody in this body—House and Senate, Republicans, Democrats—knows, it is a very serious situation, but this is not new. The animosity and fight between the Turks and the Kurds have been going on for centuries. This fight between these two groups has been going on for centuries.

Who are these two groups? First, we have the Turks on one side, on the north of the border, who are members of NATO and are at the very least theoretical allies of the United States, although in recent years that alliance has been strained, and that is an understatement of what the situation is.

Recently, they negotiated a deal with the Russians to buy S-400 missiles, which is a horrendous problem for a member of NATO. NATO was formed, of course, to push back against the Russians, and now you have a member of NATO that is engaging with the Russians in this fashion. This has caused us real grief.

Those of us who deal with it have dealt with it for months. We have been pressing the Turks as hard as we can about the mistake they have made and the consequences it is going to have. They have an order for F-35s. They make a number of parts for the F-35. We have told them clearly, in no uncertain terms, for months that they can have the F-35s or they can have the S-400s, but they cannot have both. They insisted that they can. That is simply not going to happen. I think they are starting to believe that.

Fast forward to where we are now. The Turks have amassed 30,000 troops on the border with Syria and are ready to come in and take on the Kurds, who had moved into the northern part of Syria due to the failed-state status of Syria.

To say that the President of the United States is responsible for this is simply a political statement that isn't true. You can dislike the Commander in Chief, you can dislike the calls that he makes, but this is a war that has been going on between these two

groups for centuries. It was going to happen.

The fact that Erdogan had amassed 30,000 troops on the border was a clear indication that it was going to go forward. We had about 28 troops between the two standing armies and admittedly the President of the United States pulled those 28 troops out of harm's way.

In any event, you can argue about what got us here, what the triggering factor was, whether it was or wasn't going to happen anyway, but what you can't argue about is what the situation is today. There isn't anyone in this body that would disagree that this is a very serious situation.

Turkey is alone on this, by the way. With the possible exception of the Qataris, they are alone on this. The world has been watching this, condemning what Turkey is doing. They have done a cross-border incursion, and they are facing their age-old enemy, the Kurds, inside of Syria.

So what do we do about this? Well, the House has passed a matter that the minority leader has talked about and wanted to pass. Senator PAUL has brought his idea to the floor. But I want to tell you that the Foreign Relations Committee has been working on this since it blew up.

I want to thank my staff, and I want to thank Senator MENENDEZ' staff, the ranking member, who pulled an "all-nighter" last night, putting together a piece of legislation, and an "all-morningner" to get to the point where we are.

This piece of legislation is going to be dropped very quickly. Risch-Menendez is a bipartisan piece of legislation that addresses the issues that all of us are concerned about. It addresses the issues with Turkey. It addresses the issues with the Kurds. It addresses the issues that the minority leader addressed regarding the ISIS prisoners who are being held. It is a good piece of legislation.

It is going to have numerous—and I mean numerous—cosponsors to the bill from both sides of the aisle. So with that in mind, I am going to enter an objection to Senator PAUL's piece of legislation, not because I object to it as it stands by itself but because we have a comprehensive piece of legislation that does address this that is the result of consultation between both the majority and the minority and the administration to get us a bill that could actually become law.

From my own standpoint, I am always at a point where I want to reach an objective and want to get to a result. Senator PAUL's and the other legislation cannot become law. This bipartisan piece of legislation, Risch-Menendez, which addresses this very, very serious issue can become law. As a result of that, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I applaud President Trump for the restraint, the

resolve, and the commitment to constitutional principles that he demonstrated when he decided not to have the United States go into Syria, not to continue to involve our troops in a looming conflict in Syria.

I agree that it is a horrible situation. I agree that we have people running both Syria and Turkey who are not our friends and who have shown significant hostility toward us. It is precisely because of that and not in spite of it that we shouldn't be there, especially when you take into account that we do not have a declaration of war relative to Syria. We do not have an authorization for the use of military force with regard to Syria. Under our system of government, the U.S. Constitution placed the power to declare war or otherwise authorize the use of military force in Congress. This was no accident. It is the branch of the Federal Government most accountable to the people at the most regular intervals.

This was a significant break from our previous system of government—the one that was based in London. In *Federalist* No. 69, Alexander Hamilton explained that this was no accident, that under the British model, the King, as the chief executive, had the power to take the country to war. It was Parliament's job, then, to follow along, to figure out what to do about it and how to fund it.

This would not be the case in the American Republic. This is not the case under our Constitution. Yet, sadly, for decades we have had a Congress consisting of Republicans and Democrats, Senators and Representatives who have allowed the legislative muscle to atrophy, who have refused and declined to exercise the power to declare war.

In that context, I have heard Republicans and Democrats, Senators and Representatives alike, defer again and again and again to Presidents of every conceivable partisan combination, saying: Let the President decide what we do.

Through our own inaction, we have essentially relinquished the power to declare war.

Why does this matter? This is the only connection the American people have to the power to declare war. When we send their brave sons and daughters into harm's way, we owe it to them to have an open, public robust debate and discussion in which we make a deal with them, in which we outline the terms for our engagement.

We don't have that in Syria. There are those who are upset that we don't, and I understand that they are upset that we don't. If they are upset that we don't, it is not as though we are a victim. We are the actor, not the acted upon. We have the power right here and right now to bring up a proposal. If they want to declare war with regard to Syria, let's have that discussion.

I am not a fan of war. I am not a fan of war starting on behalf of the United States anywhere in the world right

now, but if somebody wants to make that discussion, let's have it, and let's debate it.

But what people shouldn't be doing is criticizing President Trump, who has shown restraint and shown deference to the American people, who wants to protect our sons and daughters who would be protecting us. He is saying: Maybe, just maybe, when you have a bad guy in Turkey, wanting to do some things in Syria with regard to the Kurds, maybe, just maybe, when you take into account the fact that Turkey is, in fact, a NATO ally and we have a NATO article 5 obligation to do something about that, that is going to lead to full-blown war. We should therefore respect him. We should be grateful to him for taking that step of restraint.

This President has been unique in modern history in not blindly deferring to the military industrial complex. I thank him for that and salute his willingness to stand behind our brave men and women.

THE PRESIDING OFFICER. The Senator from Indiana.

MR. BRAUN. I rise to speak today because I just finished up visiting all 92 counties in our home State, and every one of them, especially at the tail end, have backed what we have been doing here, especially following the lead of President Trump.

When it comes to the particular issue of Syria, I think it begs the question when people say it green-lighted what occurred there. What would the reaction have been had we not gotten out of harm's way? I am guessing it would have been a bigger fiasco in many different dimensions.

The minority leader indicated that Mr. PAUL's idea was horrible. I want to make the point that, collectively, over the last 40 to 50 years, we have been engaged all the way back to the Vietnam war, where we have been adventure-some and have done it where we have not paid for it, and we are now in a pickle. That is why I was for what the President decided to do. You cannot continue being engaged like this when running trillion-dollar deficits—\$22 trillion in debt. Hoosiers understand that, and most Americans do as well.

So I am going to support RAND PAUL's amendment, and I am glad that the President finally had the guts to do what most Americans have been for, and I am disappointed that the other side in any other situation would have been for that exact action.

I yield the floor.

THE PRESIDING OFFICER. The Senator for Wisconsin.

UNANIMOUS CONSENT REQUEST—S. 2598

MS. BALDWIN. Mr. President, I rise today on behalf of nearly 25,000 workers and retirees in Wisconsin who have paid into the Central States Pension Fund. More than 4 years ago, thousands of Wisconsinites started receiving letters in the mail telling them that their pensions—which they had worked for, planned on, and earned—would not be paid out in full as was promised to them.

Instead, those letters said their pensions would be slashed by 50 percent, 60 percent, or sometimes 70 percent. Since then, those retirees have organized. They have organized at home. They have called on their Members of Congress. They have come to Washington countless times to remind us of the promises that were made when they earned their pensions and to fight for a solution to the pending crisis.

I have been proud to work side-by-side with these Wisconsin workers and retirees, and with my colleague Senator BROWN to introduce the Butch Lewis Act.

This legislation will put failing multiemployer pension plans, including Central States, back on solid ground, and it does so without cutting the pensions that retirees have earned. It does so without cutting the pensions retirees have earned. This is not just good policy for workers and retirees because putting these pensions back on strong footing would also protect the small businesses that employed them from the threat of closing their doors if these plans are allowed to fail.

Compounding this looming crisis is the reality that the Pension Benefit Guaranty Corporation, known as the PBGC—the government's insurance for multiemployer pension plans like Central States—is on its own path to insolvency by 2025. This week, I reintroduced legislation to help address the financial challenges of the PBGC. The Pension Stability Act would add funding to the Pension Benefit Guaranty Corporation's multiemployer program by imposing a fee on financial firms convicted of financial crimes.

This weekend, I was in Endeavor, WI, with retirees who meet once a month at the fire station to update one another on our progress here in Washington. I have been to many, many such meetings like that across the State. In the months since the House passed the Butch Lewis Act, there hasn't been much other progress to speak of. The Senate hasn't taken up the bill, no other proposals have been offered, and all the while, retirees and workers in the Central States Pension Fund continue to doubt their retirement security.

Today, I am asking my colleagues in the Senate to join me and pass my Pension Stability Act and to help generate new revenue to help safeguard the retirement security of millions of Americans. If Washington does not act, workers and retirees will face massive cuts to the pensions they have earned over decades of hard work. I have come to the floor many times to remind this body about the retirees—some of whom stand to lose more than 50 percent of their pensions—and still, nothing has been done. So I am here once again to remind my colleagues that this is about a promise that must be kept.

Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. 2598 and the Senate proceed to its

immediate consideration; further, that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I thank and commend my friend and distinguished colleague, the Senator from Wisconsin, for her work on this effort. I am not familiar with this legislation. I don't serve on the Health, Education, Labor, and Pensions Committee. I have friends who do. I have friends who couldn't be here today but who have asked me to voice objection on their behalf.

On behalf of the senior Senator from Tennessee, Senator ALEXANDER, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, my message to my colleagues on the other side of the aisle today is simple: If you will continue to object to my proposal to help shore up the PBGC and the proposals from me and other Democratic colleagues to put failing multiemployer pensions back on solid ground, then please bring up your own plans. Bring your ideas to the table, and let's work together to solve this pension crisis and protect the retirement security of Americans because just objecting to our plans is not an option for the 25,000 workers and retirees I am representing here today. Doing nothing is not an option. If we don't act, we will be breaking a promise made to 1.5 million workers and retirees nationwide. Pension promises must be kept.

Once again, I will say Washington needs to act, and we need to do it now. I yield back.

The PRESIDING OFFICER. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—H.R. 1044

Mr. LEE. Mr. President, I rise yet again today to speak about an issue near and dear to my heart and an issue that has become the focus of many of my passions here in the Senate, and that is the Fairness for High-Skilled Immigrants Act. This is an important and overwhelmingly bipartisan piece of legislation. It is a piece of legislation that passed the House in July by an overwhelming vote of 365 to 65.

Two of these things should strike the American people as remarkable: No. 1, that something with that much of a bipartisan margin passed in the House of Representatives, and No. 2, that it deals with immigration, and it was still that overwhelmingly bipartisan.

As I explained in this Chamber before, the concept of this legislation is simple. Our current method for allocating green cards caps the total number of green cards that nationals of any one country may receive. In practice, this results in severe de facto discrimination on the basis of country of ori-

gin. Immigrants from countries with large populations are restricted to receiving the same number of visas as immigrants from smaller countries. Their wait times have ballooned, in some cases stretching out literally for decades. The problem compounds over time, and it has become even more unfair than it was many decades ago when it was first enacted into law.

I repeat, this happens for absolutely no reason other than the country in which the immigrant was born. Let's say that two immigrants—one from India and the other from Germany—with the exact same skills, the exact same degrees, and the exact same job experience apply at the same hour of the same day for an employment-based green card. The German might wait maybe 12 months to receive a green card. Well, the Indian applicant will almost certainly wait a decade or far more. This kind of system is antithetical to American values and to the interest our country has in recruiting the very best and the very brightest from around the world irrespective of race, religion, or country of origin.

It is simply unacceptable that in 2019 our immigration system still contains country-of-origin discrimination as a defining feature. The per-country caps simply must go. They are wrong. They were never good policy. Whatever policy they might have had in mind decades ago, it escapes me—except, in fact, that the policy itself was wrong at the outset. It has become more wrong over time as these problems have compounded.

The obviousness of the moral error embedded within this legislation is more profound and easily visible today than it has ever been. If you were to describe this to anyone, they would scratch their head and say: Why would you want to do that unless you are engaging in some type of discrimination that we as a country understandably abandoned a long time ago and should no longer embrace?

The harm inflicted by any kind of invidious discrimination, whether it be on the basis of race or sex or country of origin, does not exist simply in the abstract, in the ether; the human suffering caused by it happens to be real and heartbreaking.

Although, in the time we have here this afternoon to discuss this, I am sure I can't come anywhere close to doing justice to all the people who are being harmed by the per-country cap system, I would like to share at least a few of their stories so that you understand how this law operates. I find that when you tell stories about a law, people understand the law and they understand what needs to change about the law a lot more than they would have otherwise.

Agna Hingu is a registered nurse who lives in South Jordan, UT, currently working at a nonprofit healthcare organization in Utah. She received her bachelor's degree in this country. She has lived in this country for the past 10

years. Languishing in the decade-long backlog, she is now being forced to consider leaving the United States due to the continuous uncertainty of her immigration status and the incessant renewals of temporary visas. If she leaves, she will take her talents and her training with her, depriving Utah's residents of a smart, skilled, kind, and caring nurse.

Ashish Patel first came to Utah legally in 2005 on a temporary high-skilled work visa. Since that time, he has worked hard at his job, paid taxes, followed the law, got married, and had two kids, both of whom were born as American citizens. In February of 2011, Mr. Patel's petition to earn a green card was approved. Despite this and despite the fact that 8, going on 9 years have now elapsed, his green card remains unissued. Why? Well, solely because of the arbitrary, wrong, discriminatory per-country caps. Ashish Patel is still in the backlog even as immigrants of other countries who have applied years and years after he did and years and years after he received his approval have already been granted permanent resident status. If Mr. Patel had emigrated from any country in the world other than India, he would already have his green card today.

Dr. Chaitanya Mamillapalli is an endocrinologist who has been serving in central Illinois for the past 9 years. He came to the United States in 2007. He will likely not receive his green card for at least another decade. His daughter was 1 year old when she came with her parents to this country. In a few years, she will age out of her temporary visa, and Dr. Mamillapalli will face a decision that confronts many people stuck in the backlog community: Does he separate from his daughter as she loses her temporary status, or does he abandon his life in the United States in order to keep his family together?

Dr. Priya Shanmugam lives in Louisiana and is an aerospace engineer who studied at the University of Alabama and at UCLA. She dreams of working for NASA. After 13 years in the backlog, she is still waiting for a green card. As a result of that, she cannot fulfill her dream of joining America's space team and helping put the first person on Mars. Until she finally gets her green card, our country will continue to lose out on her talent.

Dr. Krishnendu Roy is a professor of computer science and head of the Department of Computer Science at Valdosta State University in Georgia. He studied for his degree in Louisiana and has lived in the United States for over 16 years. During that time, he shaped the lives of countless students in Georgia through the classes he teaches by organizing computing camps for K-12 students and by mentoring the robotics team in his community. He has followed the law, and he has done exactly what is required of him under our immigration system in order to earn his green card. Yet he remains stuck in the

backlog, with no end to his wait in sight.

Dr. Sri Obulareddy is an oncologist working just outside Dickinson, ND, who came to the United States in 2006. She moved to North Dakota because the area is experiencing a shortage of specialized physicians. Her impact on the community has been invaluable. Recently, she tried to return from a trip to India, but approval for her visa was delayed for 6 weeks, forcing her patients to travel as far as 100 miles as they scrambled to find a temporary physician. The pain this caused her patients would never have come about if she had not been subjected to an arbitrary, discriminatory cap based on her country of origin and had already received her green card.

Ash Kannan lives in Oklahoma. His story is a heartbreaking example of the devastating effects of the long wait for a green card and the effects that a family can endure under this system. Ash and his wife lost their toddler son to a congenital disease about 3 years ago. The illness that took their son could have been treated had they been able to move to a different home, one closer to the medical facility that provided the necessary treatment. They were unable to do so, and their son was thus unable to receive the care he required, that he needed, because Ash was forced to remain with the same employer while he waited in the green card backlog and, consequently, was unable to move.

These are just some of the names and stories of some of the hard-working, law-abiding immigrants who have come to the United States to build lives and to contribute to our communities but who have been told that because of the countries in which they were born, they have to wait decades in the green card backlog before they can start living the American dream.

These stories stir us to action, and they darned well should. They should remind us that while policymaking is often messy and complicated, it is sometimes simple and straightforward because sometimes you stumble across something that is a good idea. Sometimes you stumble across something that was a bad idea that was put into law decades ago that should be taken out of the law. Sometimes the solution to our problems is clear and beyond question. In those cases, all we need is the will to act.

I have yet to hear someone offer a reasoned defense of the per-country caps as meritorious or sound public policy on their own terms, and that is because there is no such defense, at least not one that anyone would be willing to defend in public. Country-of-origin discrimination, whether it be in our immigration system, in our justice system, in the employment context, or in housing, is wrong and inconsistent with the values upon which our country was founded. It becomes even more repugnant when its human consequences are as obvious and tragic and

focused on people of a particular country of origin as they are here.

With respect to the ancestors of the people now serving in this body, what if there had been something in place that had arbitrarily and unfairly discriminated against people from England, Ireland, Scotland, Wales, Denmark, or other countries from which people have been immigrating to America for centuries?

We should think about that for a moment and think about how we would never have been able to have enjoyed the blessings of America. I think it is equally wrong for us to identify a single country that we punish, that we exclude uniquely against other countries of origin in the context of employment-based immigrant visas.

I understand and recognize that while the per-country caps themselves are completely indefensible—and they are—some people have concerns about how eliminating the caps might impact fraud and abuse within the H-1B system. That is a legitimate concern.

To address those very concerns in this Congress, I have negotiated with Senator GRASSLEY an amendment to the Fairness for High-Skilled Immigrants Act to include some new protections for American workers in how we process applications for H-1B visas.

The amendment does three things. First, the Grassley amendment would strengthen the Department of Labor's ability to investigate and enforce labor application requirements. In addition, it reforms the labor condition application process to ensure the complete and adequate disclosure of information regarding the employers' H-1B hiring practices. Finally, it closes off loopholes by which employers could otherwise circumvent the annual cap on H-1B visa workers.

These are important and worthy reforms that I was happy to add to the bill. Indeed, we saw an example just last month of the positive impact these reforms would have. In September, Immigration and Customs Enforcement announced a \$2.5 million settlement with an Indian consulting firm for H-1B visa fraud. That firm was exploiting the so-called "B-1 in lieu of H-1B" loophole. One of the new provisions we added to the bill this Congress would help close that specific loophole.

Importantly, the Grassley amendment, like the underlying bill, consists of provisions that have long enjoyed support from Members of both sides of the aisle. They are drawn primarily from an H-1B reform bill that has been championed by both Senator GRASSLEY and Senator DURBIN. They are also modeled, in large part, on an amendment to the Fairness for High-Skilled Immigrants Act that Senator SCHUMER negotiated with Senator GRASSLEY in a previous Congress.

I am grateful that Senator GRASSLEY was able to come to the table and work with me and others in good faith on a reasonable compromise to this bill. I believe the deal we struck is a fair and

even-handed way to address longstanding concerns about our H-1B system, while eliminating country-of-origin discrimination in how we allocate skills-based green cards.

As I have said in the past, there is no question that immigration, if not the single most politically fraught issue, is one of the most politically fraught issues in Congress right now. That makes it all the more important for us to at least come together to get something done in those areas in which we can find common ground. It is a little bit like eating an elephant. You can't swallow the whole thing at once, either the elephant or the donkey. You have to do it one bite at a time. Why not start with an area in which there is broad-based, bipartisan agreement? That is what this bill is. The Fairness for High-Skilled Immigrants Act is an important step toward common ground.

Unquestionably, there are broader debates on immigration policy being had in Congress and across the country right now. Some wish to reform our immigration system by increasing the number of green cards we issue while others wish to move to a more merit-based system. That debate is almost certainly not going to be resolved this day, today, or this month or this year or, perhaps, even during this Congress.

Notably, however, many Senators on both sides of that debate—ardent champions of both liberal and conservative immigration reforms, who ordinarily could not be farther apart when it comes to immigration policy—are cosponsors of the Fairness for High-Skilled Immigrants Act. The reason this is the case is that they recognize that regardless of what else we might do to reform our immigration system, country-of-origin discrimination is outdated, outmoded, immoral, morally indefensible, and inconsistent with our values. It is also a problem that we can solve right now.

The other reason the Fairness for High-Skilled Immigrants Act has been so successful in attracting support from both sides of the aisle and from every end along the political continuum is that we have scrupulously avoided the typical poison pill provisions that so often doom attempts at immigration reform. We have also quite carefully avoided this becoming about so many things that it is going to become controversial no matter what.

This bill is not comprehensive immigration reform. It is not anything close to that. That is, in fact, why this bill is something that we can get done right now. It is the reason it was able to pass the House of Representatives with 365 votes.

While it does not fix many of the other flaws that plague other components of our broken, outdated, outmoded, Elvis Presley, Buddy Holly-era immigration law system, it is a great and important step toward reform. If we are ever going to have a chance at

modernizing and repairing our immigration laws, we need to recognize that we cannot necessarily solve all of our problems at once. The fact that this is the case should not stand in our way of starting the work the American people sent us here to do.

Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 1044 and that the Senate proceed to its immediate consideration. I ask unanimous consent that the Lee amendment at the desk be agreed to, that the bill, as amended, be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Illinois.

Mr. DURBIN. Mr. President, in reserving the right to object, as I understand it, we have only 6 minutes until the rollcall vote, and I don't want to inconvenience my colleagues.

I would like to ask permission from the Senator of Utah to make my unanimous consent request the first item of business after the rollcall vote is announced.

The PRESIDING OFFICER. Is there objection to the Senator for Illinois' request?

Mr. LEE. Mr. President, in reserving the right to object, I want to make sure I understand that the Senator wants to make his live UC request after the rollcall vote.

Mr. DURBIN. That is correct.

Mr. LEE. There is no objection.

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

Is there objection to the original request?

Mr. DURBIN. Mr. President, in reserving the right to object, I would say the following: I have been on the floor of the Senate more often than any other Senator to ask for immigration reform. Our system is broken. As we debate this important issue, the Galleries are filled with people who are following this debate personally because it literally affects their lives and their families and their futures. This Senator has been willing to move forward on comprehensive immigration reform. Sadly, the Senator on the other side has not supported that. I hope he will consider doing it.

In the meantime, though, what are we going to do about the current issue of an annual quota of no more than 140,000 EB immigrant visas and more than 500,000 applicants of Indian descent who are asking for permission to move forward with EB-2 green cards and their lives?

What the Senator from Utah has suggested is that we shouldn't increase the 140,000 annual cap. I think that is wrong. If you follow Senator LEE's proposal and do exactly what he says—give these visas only to those who are waiting in line who are of Indian descent and give no visas to the rest of

the world—in 10 years, there will still be over 165,000 people of Indian descent waiting in line, and the rest of the world will have been excluded. This is unfair. It doesn't make sense.

I will offer a unanimous consent request to lift that 140,000 cap, and within 5 years, all who are waiting in line will get their chances for green cards—5 years—but not at the expense of the rest of the world. Let's do this in a fair fashion. While we are at it, it is unfair that your spouses and children are being counted when it comes to the 140,000. My bill exempts that. They are no longer going to be bound by any quota.

Secondly, if your children are aging out, if they are reaching the age of 21—a new legal status and new worries for you and your family—I eliminate that problem completely. My approach is one that will solve the problem by lifting the legal immigration for talented people like many who have gathered here today.

The Senator from Utah says he can't support that. I hope he will reconsider. Lifting that cap is what we need to do—lifting the country quotas, making certain that those in line finally get their chances. This is all within 5 years, which is something the underlying bill does not do. So I hope the Senator from Utah will agree to my bill that I will be offering as an alternative after this rollcall vote.

I object to this bill.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, how much time remains?

The PRESIDING OFFICER. There are 2 minutes remaining.

Mr. LEE. Mr. President, I will be brief.

Just as the per-country cap system is a quintessential example of the poorly designed, broken system and of what a poorly designed broken system looks like, the objection that we have heard today is, I fear, emblematic of the broken state of affairs that we face when it comes to the immigration process.

I mentioned earlier that one of the reasons this bill has been able to achieve as much support and as many cosponsors as it has and why it was able to pass the House of Representatives with 365 votes is that we have avoided poison pill efforts. The adjustment of the overall numbers that my friend and distinguished colleague from Illinois has proposed would doom this bill. He knows that it would doom this bill.

To what avail? To what end? What good would it do to doom this bill?

The fact still remains that regardless of where we put the overall number for employment-based green cards, we still have a problem in that we are treating people from India unfairly, arbitrarily, and discriminatorily. This has impacts everywhere. In Illinois today, there are over 40,000 green card applicants, plus their spouses and children, who are

stuck in an interminable green card backlog that is morally indefensible.

We must change this. I hope and I encourage my colleague to change his mind. We can pass this today. We could make our country a better place as a result.

Thank you.

Mr. DURBIN. Mr. President, is there any time remaining?

The PRESIDING OFFICER. There is no time remaining.

S.J. RES. 54

Ms. COLLINS. Mr. President, in February of this year, Senator UDALL and I joined in introducing a resolution to terminate the national emergency declaration. On March 14, 59 Members of this body joined together in a strong bipartisan majority to pass the companion House Resolution and send it to the President. Unfortunately, the President chose to veto that resolution, and the House vote to override the veto fell short.

Last month, a bipartisan majority again came together in the Senate to pass a resolution introduced by Senator UDALL, Senator SHAHEEN, and myself to reverse the President's national emergency declaration. Unfortunately, but not unexpectedly, the President has chosen to veto this resolution again, and we will be voting shortly on whether to override that veto.

Before we do so, I would like to take a few minutes to speak to the fundamental issue raised by the emergency declaration: It directly conflicts with the "power of the purse" vested in Congress by the Framers of our Constitution.

The question presented by this veto of the resolution is not whether you are for a border wall or against a border wall, nor is the question whether you believe security at our southern border should be strengthened or whether it is sufficient.

In fact, the question is, simply: Do we want the executive branch, now or in the future, to hold the power of the purse, a power the Founders deliberately entrusted to Congress?

Throughout our history, the courts have consistently held that "only Congress is empowered by the Constitution to adopt laws directing monies to be spent from the U.S. treasury." This view is central to several ongoing cases challenging the President's national emergency declaration.

I have consistently supported funding for the construction of physical barriers and strengthening security on our southern border. I will continue to support those efforts and believe that they are important, but I cannot support the President unilaterally deciding to take money that has been appropriated for one purpose and diverting that money for another purpose.

The system of checks and balances established by the Founders gives Congress the power to protect our authority on our own. That is what this resolution does, and I urge my colleagues