

the total State population, but blacks and Latinos make up 81 percent of our prison population.

An often overlooked group in this discussion on the disproportionate impact on minorities is Native Americans. For instance, in North Dakota, Native Americans make up 5 percent of the total State population but 29 percent of the prison population. These numbers, again, go against the truth of who we are as a country.

So at this moment, when we are celebrating our history, when blacks and whites and Christians, Jews, and Muslims come together to advance our Nation—indeed, I stand here today because of the collective conviction of this country to live up to its values and ideals that all of us are created equal under God and that all of us should have an equal opportunity to succeed and be seen equally by our government.

It is at this moment that I say we can and must do better. In fact, many States, including red States, led by Republicans, are showing that there is a different way. For example, States such as Texas, Georgia, and North Carolina are leading on this issue. Texas is known for its law and order, but it has made tremendous strides in adopting policies that have decreased its prison population and positively affected minorities in the State. In fact, the Governor of Georgia continually talks about the fact that he has been able to lower his black male incarceration rate by about 20 percent over the past 5 years.

So as I prepare to join with the great Senator from Mississippi, I just want to say from the bottom of my heart that it is time to reform our legal system to make it truly a justice system. We want it so that everyone under the law faces equal treatment and so that we empower our entire community in America to be successful, not tie them up unnecessarily when even though they have paid the price for their crime. Punishment should not haunt someone for the rest of their existence.

I remember these words spoken by the great Langston Hughes, one of our great American poets, an African-American man who once said: There is a dream in this land with its back against the wall; to save this dream for one, we must save it for all.

This is the dream of America. We can do better. Indeed, many communities are committing themselves to creating a justice system which we can be proud of. We know in the Senate—Members on both sides of the political aisle; whether it is Senator LEE or Senator DURBIN or whether it is Senator CORNYN or Senator WHITEHOUSE—that together we can evidence these values.

With that, I recognize and yield for a moment to a friend and an ally, the Senator from Mississippi, THAD COCHRAN.

Mr. COCHRAN. Mr. President, I am very pleased to join my friend in introducing legislation celebrating Black

History Month. This opportunity provides us with an excuse, if we need one, to remember the challenges and the failures of the past, and the embarrassments and the criminalities, and so many challenging and horrible things that have characterized the treatment of citizens in the United States with injustice, with discrimination, with segregation, and all of the horrors we can remember as we contemplate this subject.

Today, the Senator from Mississippi is joining the Senator from New Jersey and others in giving us another opportunity to not only remember past injustice and celebrate victories over it but also to commemorate contributions being made today throughout our country to ensure equality and justice and opportunity for all Americans.

The rich history we have as a nation should include a promise for the future carved by African Americans as central contributors. They were here during the darkest times. They are still here, and they are continuing to make huge and important contributions to our Nation.

So I am pleased to join my friend, the distinguished Senator from New Jersey, to support the adoption of our resolution.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from New Jersey.

Mr. BOOKER. Mr. President, I cannot tell you how grateful I am for those good words from my colleague. Truly, they resonate with my heart and my spirit. The gravity of this historic moment is not lost on me. It is a tribute to his character that he cosponsored this with me, as he understands, as he said so clearly, that American history is a beautiful mosaic, with contributions from every corner of the globe being made in this great country that we call the United States of America.

It is with that spirit and that recollection of our past, with a commitment to forge an even brighter future, that I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 88, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 88) Celebrating Black History Month.

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

Mr. BOOKER. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions 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 resolution (S. Res. 88) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. BOOKER. Mr. President, I am grateful for that. Again, I thank my colleague for his partnership.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED—Continued

ORDER OF PROCEDURE

Mr. BOOKER. Mr. President, I ask unanimous consent that the Republicans control the next hour and that the Democrats control the following hour.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Under the previous order, the majority will control the next hour, and the Democrats will control the following hour.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Mr. President, on July 14 of last year, I wrote a letter to lawmakers on both sides of the aisle warning that the President was planning to issue an Executive amnesty for 5 million illegal aliens—people unlawfully in America. Congress was at the time considering a supplemental funding measure for the Department of Homeland Security.

I wrote:

Congress must not acquiesce to spending more taxpayer dollars until the President unequivocally rescinds his threat of more illegal executive action... If Congress simply passes a supplemental spending bill without these preconditions, it is not a question of if the President will suspend more immigration laws, but only how many he will suspend.

Executive amnesty became a major issue in the election last November. Many Members of the Senate and House who had supported these immigration policies of the President didn't come back. They were sent home, and many returning on both sides of the aisle said during their campaigns that they opposed these policies.

Still, on November 20, after a historic midterm election defeat, President Obama defied the will of the American people and Congress and issued his Executive amnesty for 5 million persons. This amnesty included not just the right to stay in America but an explicit photo ID, work authorization, work permits, Social Security numbers and Social Security benefits, Medicare benefits, cash tax credits, and the right to basically take any job in America—at a time of high unemployment and falling wages, as economists have told us is happening.

Each of these measures had been considered and explicitly rejected by Congress. It wasn't as if this was something the President just conceived. It had been considered and rejected. Congress acted decisively to oppose the President's legislation and to maintain in effect the current laws of the United States as codified in the Immigration and Nationality Act. President Obama's Executive action nullified the immigration laws we do have and replaced them with the very measures Congress and the American people have time and time again rejected.

Not even King George III had the power to act without Parliament. President Obama himself described such an action as being something only an emperor could do. Those were his words. Twenty-two times the President declared such an action would be illegal. President Obama ignored his own warnings and issued an edict that defies the Congress, the Constitution, and centuries of legal heritage that gave birth to our present Republic.

The Founders, in their wisdom, gave the Congress the tools it would need to stop a President who overreaches. First, it gave the power to pass laws to the Congress, as every child in school knows. Congress passes the laws, not the President. This is a matter of great fundamental importance. Then it gave the Congress the tools it would need to stop a President because they anticipated Presidents may overreach in the future. Chief among those powers is the power of the purse, and that is what we are talking about today: Should Congress fund the President's actions that are contrary to law, contrary to congressional wishes, and contrary to the American people's wishes? That is the question.

Let me now read from the Federalist Papers, Federalist 58, authored by the great Father of the Constitution, James Madison. He is talking about the House of Representatives, and the House of Representatives now has funded Homeland Security fully. Everything that needs to be passed to fund the Homeland Security operations they passed. They simply said: You cannot spend money to provide amnesty and these benefits and these Social Security and ID cards. You can't spend money on that. We don't approve spending money on that.

So what has happened in the Senate? Our Democratic colleagues have filibustered the bill. They will not even let it come up on the floor, not even to vote on amendments. Senator MCCONNELL told them they would have amendments. It has put the Congress and the country in a very difficult position.

This is what Madison said:

The House of Representatives cannot only refuse, but they alone can propose, the supplies requisite for the support of government. They, in a word, hold the purse, that powerful instrument, by which we behold, in the history of the British Constitution, an infant and humble representation of the people gradually enlarging the sphere of its ac-

tivity and importance, and finally reducing, as far as it seems to have wished, all the overgrown prerogatives of the other branches of government. This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure.

It is a complete power of the elected representatives by the people of America. First of all, the American people through their elected representatives rejected the President's policies on immigration. They chose to keep current law, but this did not satisfy the President. He asked Congress to change it, and Congress refused. They refused in 2006, 2007, 2010, 2013, 2014. It has been rejected by Congress repeatedly. So that is where we are.

Congress has no duty to do this. Congress has no obligation to fund those actions which it believes simply are unwise. It has an absolute duty, it seems to me, not to fund actions which are unlawful and unconstitutional. Congress cannot fund an action which dissolves its own powers.

Congress shouldn't fund Presidential actions that are against the law, and Congress certainly cannot fund an action which dissolves its own powers. Congress cannot become a museum piece, a marble building that tourists visit to hear about great debates from long ago, but which now exists merely to approve that which the President demands. It doesn't have to approve one thing the President asks for if it is not a correct thing.

So consider the precedent being established here: Congress passes a law, just as Congress passed the Immigration and Nationality Act. A President proposes a new law to replace the current one. Hearing vast public opposition, Congress rejects the new law the President has proposed. Frustrated, the President then issues an edict eliminating the current law and replacing it with measures he has proposed but which the people's representatives had rejected. The President then demands Congress provide him with the money to execute his unlawful program. The Congress says no. The President then accuses Congress of shutting down the government for not funding his unlawful program. Congress surrenders, quits, gives up, and the President gets what he wants.

Have the people of the United States been served in that fashion? Has the Constitution of the United States been served? Has the Congress of the United States not acquiesced in its own diminishment, violating its duty to ensure that every dollar spent by the Government of the United States is spent on policies that are appropriate?

Well, is this to be the new normal? Congress must provide the President with the funds he wants for any project he dreams up, no matter how illegal or unconstitutional? Is the power of the purse now a historic concept never to be used again when it is needed most?

There is no more basic application of congressional power than to establish where funds may or may not be spent. Indeed, that is the very definition of an appropriations bill. There could never be a more important time to exercise such a power than when free government, our republican heritage itself, is at stake.

We cannot let this Congress go down in the history books as the Congress that established a new precedent that we will fund any imperial decree that violates established American law.

And this is not a minor constitutional violation; it is an explosive violation. It threatens our very sovereignty, the extent of which exceeds anything I have ever seen in my time in the Senate. I cannot imagine and cannot recall one in the past—so blatant a violation. Essential to any sovereign nation is the enforcement of its borders, the application of uniform rules for exit and entry, and the delivery of consequences for any who violate those rules.

But the President has suspended those borders, erased those rules, and replaced consequences with rewards. People who have entered unlawfully, stayed here unlawfully, are being rewarded with work permits, Social Security benefits and Medicare benefits, ID cards, legal status. He has arrogated for himself the sole and absolute power to decide who comes to the United States. That is, in effect, what it is. He gets to decide unilaterally who can stay and live in the United States and who works in the United States.

At this very moment, he continues—despite a court order—to allow new illegal immigrants by the thousands to stream across the border, to violate their visas, and to wait for their amnesty too, which they expect will occur sometime in the future. Why not? Every officer and expert in the Border Patrol and USCIS has told us if this stands, it will encourage more illegal immigration in the future.

I cannot vote for any legislation that funds this illegal amnesty. There must be a line in the sand and a moment where people say: This is where it stops. That is why I will oppose the legislation if these amnesty restrictions are removed from the House bill. I will support the House bill, but I cannot support the bill if the restrictions are removed. I will urge my colleagues to do the same.

Look, the American people are right and just and good and decent people. They have asked of Congress, begged of Congress, pleaded with Congress for years for our laws to be enforced. They want us to have a lawful system of immigration that serves the national interests, one they can be proud of, one that people can rely on when they apply to come to the United States.

They have demanded—and Congress responded and has passed laws over the years to protect the jobs and the wages of the American people. They have elected lawmaker after lawmaker,

however, who has pledged to do this and make this system work, and to end the lawlessness.

But each time their will has been nullified. Each time their laws that have been passed have been ignored. Each time the special interests, the open-border billionaires, the global elites, get their way.

In the simplest of terms, here is where we stand now, truly: Six of our Democratic colleagues need to switch their votes and end the filibuster of the House bill. Six Senate Democrats are standing in the way of the interests of 300 million Americans. Six Senate Democrats are keeping from protecting American workers and American borders.

They are uniform, in lockstep, blocking the consideration of the House bill that funds Homeland Security but does not fund the unlawful actions of the President. So we will have to take this case to the American people and see whether it is indeed possible these Democrats are able to defy the hopes, dreams, and sacred rights of every law-abiding American citizen.

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AWARDING A CONGRESSIONAL GOLD MEDAL TO THE FOOT SOLDIERS WHO PARTICIPATED IN BLOODY SUNDAY, TURNAROUND TUESDAY, OR THE FINAL SELMA TO MONTGOMERY VOTING RIGHTS MARCH IN MARCH OF 1965

Mr. SESSIONS. Mr. President, I am excited about an event today. I had the honor—Senator BOOKER was on the floor earlier today. He is a cosponsor with me. We celebrate today the passage of a gold medal bill.

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 24, S. 527.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 527) to award a Congressional Gold Medal to the Foot Soldiers who participated in Bloody Sunday, Turnaround Tuesday, or the final Selma to Montgomery Voting Rights March in March of 1965, which served as a catalyst for the Voting Rights Act of 1965.

There being no objection, the Senate proceeded to consider the bill.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 527) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds the following:

(1) March 7, 2015, will mark 50 years since the brave Foot Soldiers of the Voting Rights

Movement first attempted to march from Selma to Montgomery on “Bloody Sunday” in protest against the denial of their right to vote, and were brutally assaulted by Alabama state troopers.

(2) Beginning in 1964, members of the Student Nonviolent Coordinating Committee attempted to register African-Americans to vote throughout the state of Alabama.

(3) These efforts were designed to ensure that every American citizen would be able to exercise their constitutional right to vote and have their voices heard.

(4) By December of 1964, many of these efforts remained unsuccessful. Dr. Martin Luther King, Jr., working with leaders from the Student Nonviolent Coordinating Committee and the Southern Christian Leadership Conference, began to organize protests throughout Alabama.

(5) On March 7, 1965, over 500 voting rights marchers known as “Foot Soldiers” gathered on the Edmund Pettus Bridge in Selma, Alabama in peaceful protest of the denial of their most sacred and constitutionally protected right—the right to vote.

(6) Led by John Lewis of the Student Nonviolent Coordinating Committee and Rev. Hosea Williams of the Southern Christian Leadership Conference, these Foot Soldiers began the march towards the Alabama State Capitol in Montgomery, Alabama.

(7) As the Foot Soldiers crossed the Edmund Pettus Bridge, they were confronted by a wall of Alabama state troopers who brutally attacked and beat them.

(8) Americans across the country witnessed this tragic turn of events as news stations broadcasted the brutality on a day that would be later known as “Bloody Sunday.”

(9) Two days later on Tuesday, March 9, 1965, nearly 2,500 Foot Soldiers led by Dr. Martin Luther King risked their lives once more and attempted a second peaceful march starting at the Edmund Pettus Bridge. This second attempted march was later known as “Turnaround Tuesday.”

(10) Fearing for the safety of these Foot Soldiers who received no protection from federal or state authorities during this second march, Dr. King led the marchers to the base of the Edmund Pettus Bridge and stopped. Dr. King knelt and offered a prayer of solidarity and walked back to the church.

(11) President Lyndon B. Johnson, inspired by the bravery and determination of these Foot Soldiers and the atrocities they endured, announced his plan for a voting rights bill aimed at securing the precious right to vote for all citizens during an address to Congress on March 15, 1965.

(12) On March 17, 1965, one week after “Turnaround Tuesday”, U.S. District Judge Frank M. Johnson ruled the Foot Soldiers had a First Amendment right to petition the government through peaceful protest, and ordered federal agents to provide full protection to the Foot Soldiers during the Selma to Montgomery Voting Rights March.

(13) Judge Johnson’s decision overturned Alabama Governor George Wallace’s prohibition on the protest due to public safety concerns.

(14) On March 21, 1965, under the court order, the U.S. Army, the federalized Alabama National Guard, and countless federal agents and marshals escorted nearly 8,000 Foot Soldiers from the start of their heroic journey in Selma, Alabama to their safe arrival on the steps of the Alabama State Capitol Building on March 25, 1965.

(15) The extraordinary bravery and sacrifice these Foot Soldiers displayed in pursuit of a peaceful march from Selma to Montgomery brought national attention to the struggle for equal voting rights, and served as the catalyst for Congress to pass

the Voting Rights Act of 1965, which President Johnson signed into law on August 6, 1965.

(16) To commemorate the 50th anniversary of the Voting Rights Movement and the passage of the Voting Rights Act of 1965, it is befitting that Congress bestow the highest civilian honor, the Congressional Gold Medal, in 2015, to the Foot Soldiers who participated in Bloody Sunday, Turnaround Tuesday or the final Selma to Montgomery Voting Rights March during March of 1965, which served as a catalyst for the Voting Rights Act of 1965.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of Congress, of a gold medal of appropriate design to the Foot Soldiers who participated in Bloody Sunday, Turnaround Tuesday, or the final Selma to Montgomery Voting Rights March during March of 1965, which served as a catalyst for the Voting Rights Act of 1965.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the “Secretary”) shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

(c) AWARD OF MEDAL.—Following the award of the gold medal described in subsection (a), the medal shall be given to the Selma Interpretative Center in Selma, Alabama, where it shall be available for display or temporary loan to be displayed elsewhere, as appropriate.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 4. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

Mr. SESSIONS. Mr. President, this marks the 50th anniversary of the Voting Rights Act of 1965, and that historic event in Selma, AL, in March of 1965. So this bill, I believe, is a fitting honor that recognizes the courage and determination of the civil rights marches at Selma 50 years ago.

The Selma-to-Montgomery march was a pivotal event in the drive to achieve the right to vote for all Americans, a right which was being systematically denied in that area and other places in the country. This action was historic. It dealt a major blow to deliberate discrimination. It produced a positive and lasting change for Americans.

Those who stood tall for freedom on that fateful day deserve to be honored with the Congressional Gold Medal. It is a rare thing. We do not give it out often. But this is a very special occasion. I think these courageous individuals are greatly worthy of this high recognition from the Congress.