United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164 WASHINGTON, SATURDAY, JANUARY 20, 2018 *No. 13*

Senate

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God, You are the God of our salvation. Guide our lawmakers to trust in Your mercy and not in themselves. Fix their hope in Your love and power, not primarily in human resources. Lead them around the detours that bring confusion, chaos, and destruction. Placing their trust in You, help them to do nothing without desiring Your purpose to be accomplished.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. DAINES). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FEDERAL REGISTER PRINTING SAVINGS ACT OF 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 195, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 195, a bill to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell amendment No. 1917 (to the House amendment to the Senate amendment to the bill), of a perfecting nature.

McConnell motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, McConnell amendment No. 1918, to change the enactment date.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. 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. MCCONNELL. Mr. 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 MAJORITY LEADER

The majority leader is recognized.

Mr. MCCONNELL. Mr. President, well, here we are. Here we are, day one of the Senate Democrats' government shutdown. We did everything we could to stop them. We put forward a noncontroversial bill that contains nothing—nothing—they even claim to object to. It would continue funding the Federal Government and secure the future of the State Children's Health Insurance Program for the vulnerable families who rely on it.

The bill passed the House, the President said he would sign it, and a bipartisan majority of Democrats and Republicans voted for it. The votes were there, the President was ready, the solution to this manufactured crisis was inches away, but then the Democratic leader took the extraordinary step of filibustering this legislation, preventing it from passing, and plunging the country into this totally avoidable mess.

The House of Representatives, the President, and a bipartisan majority of Republican and Democratic Senators all agreed on a compromise bill that would have prevented a shutdown. It would enable Congress to do the commonsense thing—keep negotiating other issues while also providing for our troops, our veterans, and literally millions of vulnerable Americans—but the Democratic leader instead chose to filibuster the bipartisan bill.

So here we are, day one, and already funding is in jeopardy for our veterans because the Democratic leader filibustered a bipartisan compromise that a majority of Senators supported and chose instead to shut down the government. Of course, low-income families across America woke up today without the knowledge that their children's healthcare is safe, all because the Democratic leader filibustered a bipartisan compromise that a majority of Senators supported and chose instead a government shutdown.

Yesterday, my friend the senior Senator from New York tried to insist a shutdown was anybody's fault but his own—anybody else but me, he said. He blamed President Trump because the President wouldn't resolve months of ongoing negotiations over massive issues in one brief meeting and give the Senator everything he wanted. He blamed Republicans in Congress, as though everybody didn't know the Senate rules allow the minority party, if they choose, to obstruct the American people's business and filibuster for their own political purposes. It is possible, but in this instance, foolishly done.

These rhetorical gymnastics are simply not persuasive. The American people see right through all this bluster.

They see right through all this bluster. Like the President, like the House, and like a bipartisan majority of Senators, the American people want long-term solutions on immigration policy, on government spending, and on all the major issues we have been discussing literally for months and will continue to discuss.

Like the President, like the House, and like a bipartisan majority of Senators, the American people cannot begin to understand why the Senate Democratic leader thinks the entire government should be shut down until he gets his way on illegal immigration.

The American people cannot comprehend why the senior Senator from New York is advising his party to keep the government shuttered for American troops, American veterans, American military families, and vulnerable American children until he gets exactly what he wants on the issue of illegal immigration, a situation which does not even become urgent until March. All these other matters are indeed urgent. They need to be dealt with right now. This particular issue does not become urgent until March.

I hope Senate Democrats are starting to realize all this. I hope they are starting to realize their constituents, the President, the House, and the majority of the Senate are on one side of this. On the other side—all alone—is the Democratic leader who invented this unfortunate hostage situation and led his party into this untenable position.

The solution is to end the foolishness. It is hurting millions of Americans who have done absolutely nothing to deserve this. I invite all of my colleagues across the aisle to join together and do what is obviously responsible and right for the people we represent. It is pretty clear. Let's reopen the government. Let's resume the bipartisan discussion on funding our troops, DACA, on government spending, and on all the other priorities all of us can work together to resolve.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I address you and this body in the shadow of a government shutdown, something that nobody wanted and almost everybody strived to avoid. Yet we are here.

The CR last night barely received 50 votes, let alone the necessary 60. Several Republicans joined Democrats in rejecting the House continuing resolution, which hurts our military, does nothing for urgent domestic priorities like opioids, veterans, and pensions, nothing on disaster relief, and, of course, nothing on the immigration issues we have a real urgency to solve. We just kicked the can down the road one more shameful time. I believe it was the fourth time we have done that.

My Republican friends speak often of the damage done to our military by lurching from continuing resolution to continuing resolution. We Democrats agree. That is why we offered Secretary Mattis his full budget request, something I offered yesterday in the White House to President Trump as well.

My Republican friends know that we have to stop these CRs, and it is time to actually do a budget and fully fund our military. We can't forget about urgent domestic priorities in the budget, but the military has to be given the certainty it needs. This is one of the main reasons the bipartisan coalition rejected the House CR last night—because of the damage that Secretary Mattis has said it has done to the military.

Another reason they rejected it is that it was constructed with not an ounce of Democratic input, and I suspect very little input from many Republicans in the Senate. In our democracy, you have to compromise if you wish to govern. That is how our Founding Fathers designed our government to operate. Yet, time and again, the Republican leader believes he can drop legislation on the floor, say ''Take it or leave it,'' and then gear up the machines of partisan war if we decide to leave it.

The leader crafts a partisan approach without consulting us and then tries to blame us for not going along. That kind of behavior would not pass in any part of civil society. It would be called bullying. We are happy and eager to compromise, but we will not be bullied.

The most important point is this: The Republicans control the White House, the Senate, the House. That is why America and the world are calling this shutdown the Trump shutdown.

It is the responsibility of the President and congressional Republicans to govern. It is their responsibility to keep the doors open and the lights on around here, but the Republican leadership can't get a tumultuous President on board with anything, and they don't offer us any compromises on their own.

The breakdown of compromise is poisoning this Congress, and it all springs from President Trump. He has turned blowing up bipartisan agreements into an art form.

The President can't take yes for an answer. Twice in this long debate, President Trump walked away from partisan deals to solve all of the issues before us. A week ago last Tuesday, President Trump appealed to Congress on national television to come up with a deal, and he said he would sign it; he would sign whatever Congress sent him. He said he would take the heat for it. But when a bipartisan group of Senators, led by Senator GRAHAM and Senator DURBIN, brought him that compromise, he blew it up in a volcanic meeting at the White House.

The same script played out with the President and me yesterday. The President called me in the morning and asked that I come to the White House. Of course, I accepted. We had an extensive and serious negotiation about every single outstanding issue. We came close to a tentative agreement on the budget after I offered the Pentagon's full budget request.

On the thorniest issue of immigration, the President said many times he would take a deal that included DACA in exchange for the wall. I put that deal on the table in the Oval Office in a sincere effort at compromise. I put the wall on the table in exchange for strong DACA protections in the Graham-Durbin compromise. It was a generous offer, and I believe President Trump was inclined to accept it and was willing to do a very short-term CR, he suggested Tuesday night, in order to get the deal finalized. Hours later, I got a phone call telling me that this was not good enough—first from the President saying: I hear it is 3 weeks.

I said: No one told me about that. That is not what we discussed.

Then a few hours later: Well, we want what you have offered and four or five more things, which they knew were unpalatable to Democrats but appeased the hard right, anti-immigration wing of the Republican Party.

The bottom line is simple. President Trump just can't take yes for an answer. He has rejected not one but two viable bipartisan deals, including one where I put his most prominent campaign pledge on the table.

What is even more frustrating than President Trump's intransigence is the way he seems amenable to these compromises before completely switching positions and backing off. Negotiating with President Trump is like negotiating with Jell-O. That is why this shutdown will be called the Trump shutdown. The President's behavior is inimical to compromise, which is required to getting things done in our government.

It is impossible to negotiate with a constantly moving target. Leader MCCONNELL has found that out, Speaker RYAN has found that out, and I have found that out. Republican leaders refuse to move ahead without President Trump, and President Trump is so mercurial that it has been impossible to get him to agree to anything.

Again, to sum it up: The President can't make a deal, and congressional Republicans will not. As a result, a paralysis has descended on Capitol Hill.

As Donald Trump said in 2011: ''If there is a shutdown, I think it would be a tremendously negative mark on the President of the United States. He's the one that has to get people together.'' That was President Trump's quote then, in 2011. Getting people together—that is just about the opposite of what he has done in these negotiations.

Today, on the 1-year anniversary of President Trump's inauguration, his government has closed its door to the American people, and he hardly seems to care. Early on he said that our country could use ''a good 'shutdown.''' Today he tweeted: ''This is the One Year Anniversary of my Presidency

and the Democrats wanted to give me a nice present.''

He called the shutdown an anniversary present—a present—which shows just how out of touch and how callous he can be. A government shutdown is no present for the country, for his party, or for him, and it is entirely the President's doing. The only way out of this is for the President to take yes for an answer and to accept the bipartisan compromise we bring him.

On our side, we will keep trying. Last night I suggested that the four leaders and President Trump meet immediately to sort all this out. I still hope we can do that. Otherwise, this Trump shutdown will go on longer than anyone wants it to.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Democratic leader and the Democratic assistant leader know my great respect for them. In fact, I spent a great deal of time with the Democratic leader in 2013, reopening the government after the Republicans shut it down. I would like to say three things about where we are today.

First, in my view, shutting down the Government of the United States of America should never, ever be a bargaining chip for any issue, period. Shutting down the Government of the United States of America should never, ever be used as a bargaining chip for any issue, period. It should be to governing as chemical warfare is to real warfare. It should be banned. It should be unthinkable. We should not even allow anybody on either side of the aisle to seriously consider it. Yet we are in the middle of it.

I was sent here from Tennessee not to shut the government down but to make it work for taxpayers. I have worked hard to do that. I continue to do that, and I think my friends on the other side of the aisle know that I know how to work in the Senate. If you want a result, that means 60 votes.

I respect the fact that the minority has prerogatives. I don't think the Senate is a place where a bulldozer runs over the minority. So we work together, and we get important results that are lasting on issues like fixing No Child Left Behind and on 21st Century Cures.

Senator MURRAY of Washington State and I are working on the first modifications to the Affordable Care Act to lower health insurance premiums. We haven't had any of those in 7 years. We can do that, and when we do it, it works. But we should never, ever say: If you don't do what I want, we are going to shut the government down because we can.

We did that on the Republican side in 2013. We shouldn't have done it, but we did it. Barack Obama was the President of the United States then. What he did say? He said: I will not negotiate with the Republicans, who have shut the government down over the Affordable Care Act, while the government is shut down. So we went on day after day after day, and the government shut down.

In my part of East Tennessee, where the Presiding Officer has visited, it happened to be right in the middle of the fall tourist season. So the little businesses that make their living off tourists coming to the Great Smoky Mountains to see the colors—they lost a lot of their livelihood. Military people weren't paid. The taxpayers lost hundreds of millions of dollars because we Republicans shut the government down in 2013.

President Obama said: I will not negotiate with anybody over any issue when they use as a bargaining chip shutting the government down. He stuck to his guns, and we capitulated in 2 weeks. We got the blame for it, and we deserved it. We deserved it.

We were not sent here to shut the government down. We were sent here to make the government work for taxpayers.

Now, who is shutting the government down? It is obvious who is shutting the government down. The Republican House passed a continuing resolution to keep the government open.

Last night, 50 Senators, including almost all Republicans and 5 Democrats, voted to keep the government open. The President has said he would sign the continuing resolution to keep the government open. The Democrats are closing down the government because they want a result on an important issue, and they want it now—their way.

I respect the issue. It is an issue I am trying to solve, too, but we should not be shutting the government down to resolve the issue of these children who were brought here years ago. I am going to talk more about that.

We know who is shutting the government down. The Republicans are voting to keep it open, and the Democrats are voting to shut it. Nobody should be shutting down the government.

Second, there is a lot of talk about what the President does and what the House does. One of the things I have learned about Washington is that we have three branches of government for a reason, and we have two independent Houses for a reason.

The assistant Democratic leader and the Presiding Officer both served in the House of Representatives. I didn't have that privilege. Sometimes we have Senators who want to run over to the House and get them to do things our way. I have found that doesn't work very well. We have a lot to say over here, and usually the best thing for us to do is to do what the Senate can do and say ''Here it is''—say that to the President, and say that to the House. Often, when we do that, then they agree with us or modify it, and we get a result.

So it is a pretty poor excuse to sit here and say: We can't deal with President Trump. We don't have to deal with President Trump. We are the U.S. Senate. We can make our own decisions about DACA. We can make our own decisions about health insurance.

We need his signature to make it a law, but maybe it is a lot easier if we pass what we can pass and say: Here, Mr. President. Here is a solution to an important issue. You can be Nixon to China on the immigration issue. You have said you want to do that; do it. But first, here is the specific solution we have.

As far as the House of Representatives, we can't say to Speaker RYAN: Now, Mr. Speaker, before we do anything in the Senate, we want you to write the bill and approve it and send us this, that, or the other. We can have a discussion with him, but that is not how the system works. We should do what the Senate can do, and we should do it with respect for the House. We should show them what we are doing; we should talk to them about it. There is nothing wrong with that. We should consult with the President of the United States. We want his signature, and we want the House's approval, but the main thing for us to do is to do what we can do.

How does that happen? Under the current circumstances, I think there is one obvious way to do that, and I suggested it earlier to the majority leader, Senator MCCONNELL. He didn't do that a couple of weeks ago, but I suggested: Look, we have a tough issue here, DACA. We have a lot of Republicans who would like to get a result. We want the result by March 5 because that is when time runs out for these people who have been living in the United States who were brought here illegally as children through no fault of their own.

So the best way to do that—why don't we just vote on it? Why don't we take some time on the floor of the Senate, and rather than negotiating in the back rooms and saying we can't get the President, we can't get PAUL RYAN, or we can't do this or that, why don't we just put up the Alexander bill or the Daines bill or the Durbin bill or the Schumer bill or the Graham bill, put it on the floor, let Senators amend it, and see if we can get 60 votes? If we can, then we can say to the President of the United States: Mr. President, we have solved the problem here; we would like your support. We can say to the House of Representatives: We would like you to support it, or if you have a better idea, let's see it, or let's put it in the bill we are going to send you.

In any event, we would be in much better shape than the Senate just talking; we would have actually done something. I think the majority leader could shorten the period of time for the resolution. I think that would be a good gesture of faith to the Democrats.

Second, we should say that if, during that time, a group of leaders, such as the whips on our side—and we could include the whips on the other side—if a group of Senators cannot come to an agreement on a bill, then we will do

what the Senate is supposed to do: We will put the bills on the floor, and we will vote on them. We will vote on them, and we will do it in the light of day. We will let people see who is for it and who is against it and whose amendments work and whose don't. Lots of times, we come to a better result that way.

That is my suggestion. We don't need to shout at each other. We don't need to go on forever. That is bad for the country. It is bad for the military. It is bad for us. It is bad for the government. It is unthinkable that we should be shutting down the Government of the United States of America. Let's open it back up. Let's shorten the period of time. Let's say that if we don't have the DACA decision worked out among the group of Senators who are talking today, then we put it on the floor and we stay here until we get it done.

Finally, we are on the verge of doing some very important things for the American people in the U.S. Senate, and I think almost everybody knows that. I noticed the temperature in here last night. Despite the fact that we were in this absurd situation of shutting down the government, people were very respectful of one another because they know that we are on the verge of passing a number of important issues that will help our country—No. 1, a 2-year budget agreement that will give the military the funding it needs. At the same time, it will give significantly more funding for biomedical research, for national parks, as well as national defense and national laboratories. We are close to that. I am not really involved in that very much, but everyone says we are close to a 2-year agreement on that. We can write our appropriations bills in 3 weeks. We can have that done by the end of February. That is the first thing.

The second thing is children's health insurance. If we don't do that in this bill, we should certainly do it. There is agreement on a 6-year extension of that, and all over the country, people want that to happen.

The third is what is often called Alexander-Murray-Collins-Nelson. We have been in a Hatfield and McCoy mud fight over health insurance for 7 years. We actually have some agreement on a way to bring down health insurance rates for self-employed people, such as farmers, small businessmen and women, and song writers. Senator MURRAY and I have worked on that. Senator NELSON and Senator COLLINS have worked on that. The President supports it. The House is interested in it. We haven't said that they have pledged allegiance to it before we pass it, but they do know what we are doing, we have consulted with them, and we are working it out here. So that is the third thing.

So we have the 2-year budget bill, we have children's health insurance, we have the Alexander-Murray-Collins-Nelson bill, which is aimed at lowering the insurance rates for self-employed people. That is three things.

We have disaster aid. After three big hurricanes that hit us, we can get an agreement on that in a matter of days.

Then we have what we call DACA, the children who were brought here through no fault of our own. That is the toughest issue, but a lot of work has been done. We have to be finished by March 5. My sense is that everybody on the Democratic side wants to get that done, and most of us on the Republican side want to get it done.

So let's get back to work. Let's don't be in a stalemate for a day or two or even an hour or two or a week or two when we could be taking five major, bipartisan steps that are good for the American people. The American people sent us here to make the government work for them, not to shut it down. That should be unthinkable. That should be like chemical warfare. We should never even consider that.

So I urge my friends on the other side, let Senator MCCONNELL and Senator SCHUMER, who are veteran Senators—they respect this institution, they are friends with all of us, and they are able to make a decision—let them sit down and find an agreement to get this government back open. Let's go to work on the 2-year budget agreement, the children's health insurance program, the Alexander-Murray-Collins-Nelson bill to lower health insurance rates for Americans, the DACA bill, and disaster relief. Let's get that done in a very short period of time. That is my hope. That is the way I like to work in the Senate, and my view is, that is the way about 90 of the 100 Senators would like to see this resolved—sooner rather than later.

I thank the Presiding Officer.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Mr. President, let me thank my colleague from Tennessee. He is my friend. We have worked together on a lot of things, and I respect him very much. We have done some good things in areas like medical research and other very important issues.

Let me say at the outset that he and I are of the same mind when it comes to the future of the U.S. Senate. We have seen better days in this Chamber. In the past year, I don't believe we have had one honest, open debate with amendments on the floor—not one. We maybe got close on a couple, but not like we remember it, when it was an open process and Members brought their best ideas to the floor and the Senate decided things, debated and decided things. We have lost that. I tell new Democratic colleagues: God, you would have loved the old Senate. It was a great place. What you see today is a shell of what it used to be.

The second thing I would like to say is that I maybe have an old-fashioned view of these things, but it is one I feel very strongly about. I do not have the right to pass anything on the floor of the Senate. I have the right to offer a measure on the floor of the Senate, to make my best argument, to convince my colleagues that it is the right way to go, and to ask for a fair vote on the outcome. That is what I have a right to do as a Senator.

I have seen colleagues—and I would bet the Senator from Tennessee has too—in the past who say: I want to offer my amendment, and I want it to pass. Well, good. Good luck to you. Bring it to the floor, and do your best.

As intensely as I feel about this issue when it comes to Dreamers and DACA, I am not entitled to anything. All I am entitled to do is to offer to the Senate what I consider to be the best, most reasonable approach to solve the problem, and that is what I am looking for.

I thank the Senator from Tennessee for the litany he produced of things that we are close to solving. That is a significant list when we consider the paucity of our performance over the last—I won't go into specifics—over a period of time. If we could do those five things that my friend mentioned, it would be significant in restoring the confidence of the American people in what this institution can be.

I think there is one element here that is critical. If the Republican leader would come to the floor within the next hour and say: All right, I am going to allow those who have an opinion or a view or an amendment on the issue of Dreamers and immigration an opportunity to offer that on the floor starting tomorrow—we will start the debate on Monday or Tuesday, whenever it might be—and we will put that work product that comes from that—which would require 60 votes—put that work product into the package of five that you mentioned—caps, health insurance, clinics, the great work the Senator from Tennessee has done with Senator MURRAY on healthcare—then we would know we have done our job as a Senate. We send that measure to the House, understanding that we have to get these things done, and here is the Senate offering.

What troubles me is that we seem to be waiting for a permission slip from others—in the Senate. When did this start? When I was over in the House, spending most of my time loathing the Senate and what it did to the great House ideas, they didn't wait on us, they led. They did what they thought was right.

Now we are in a situation where we are facing this shutdown—something that I didn't come to Congress to deal with and never hoped I would be part of. We ought to cure this and solve it as quickly as possible, and we can.

There are several problems we have. Let's face it. This President, at this point, is impossible to negotiate with. It is impossible. On January 9, I sat next to this President, at his suggestion, in the Cabinet Room of the White House. He referred to me by my first name, and I was flattered, I guess, because it was only the fourth time we

had ever spoken to one another. We talked about this issue involving immigration. It was a good meeting. It was a surprising meeting because it was televised. The American people got to see it. For 55 minutes, we were there, with the President leading us in a discussion.

He was very clear in what he said. I recall what he said. You send me a bill, and I will sign it, he said. I will take the heat. You send me a bill, and I will sign it.

He went on to say: Why is this taking so much time? We ought to do this quickly. You want a room here in the White House, he said to leaders, to sit down and write this thing? Let's get it done.

So he was looking for bipartisanship, he was looking for a sense of urgency, and he was willing to accept the verdict of Congress on this.

Within 48 hours, Senator LINDSEY GRAHAM and I produced exactly what he asked for—at least we thought we did—and he totally rejected it. So on January 11, Thursday, President Trump was a heck of a lot different from the January 9, Tuesday, President Trump. I just threw up my hands. After 4 months of working on a bipartisan measure, he rejects it out of hand.

We can't wait for an approval stamp from the White House to do our work here. We shouldn't anymore. I heard the Republican leader, Senator MCCONNELL, say: We need to know what President Trump wants to do on this. Please. We can't wait long enough for that to happen, and we shouldn't continue this situation—waiting on something that is not likely to ever occur.

I would just appeal to my friend from Tennessee: Let's keep this conversation alive. Let's not get back to it on Monday or Tuesday; let's do something today. Let's push this forward, as we tried to last night. That, to me, is the only way to move forward.

The Senator from Tennessee is in a strong position. The Republicans are in control of the House, the Senate, and the Presidency. We are in a position that is much weaker politically. But I think if we go at this in good faith, and if we use commonsense, and if we look for common ground, we can get something done. I really believe it.

I am not entitled to pass an amendment; I am entitled to offer an amendment. That is the way I see it. I am prepared to do that and ask my Republican friends—and you have been kind enough to express your support for some parts of what we have offered—to come forward. If you have a better idea, bring it to the floor. Let's do this. But let's not languish in this situation with a government shutdown and no conversation and no dialogue taking place.

At this point, the President could solve this problem. He could have solved it yesterday with Senator SCHUMER when he invited him to the White House. Senator SCHUMER came back and briefed me on the conversation, and I will tell you, I was amazed. I thought, this is it. We finally found the solution with the President. Within 2 hours, President Trump walked away completely from what he had said to Senator SCHUMER over lunch. In 2 hours, he completely reversed his position. That is why this shutdown really has his fingerprints on it. As the sign says, this President said, and I can't imagine why, but what he said was that our country needs a good shutdown. It doesn't. There are no good shutdowns. There are those that are necessary, I guess, for a moment, but for goodness' sake, we ought to be solving problems and making this government work and moving forward. I am prepared to do that.

There are so many elements that the Senator from Tennessee just described that I think are so important. I can't tell you what the CHIP program means to all of us. I hope it means the same to the other side. I will just add that most of the services in my State that are provided by CHIP are provided in community healthcare clinics, so we have to make sure we authorize those and fund them properly if we truly want to serve the children of this country.

And, please, you and I are both on the Appropriations Committee; wouldn't it be great if that were the committee we remember? Wouldn't it be great? I know the Senator from Vermont behind me here is our ranking Democrat on that committee. I was always proud to be on the Appropriations Committee, but now it is just a faint glimmer in the eye of someone of what it might have been. We don't produce appropriations bills. We don't have the kinds of votes on the floor that we used to have, exciting moments with open appropriations bills where we honestly debated the goodness or the shortcomings of different programs of our government and whether to fund them. We don't do that anymore. We do it in the quiet with staff in our committee rooms instead.

There is a lot that needs to be done in the Senate. Can we use this moment, this challenging moment of this shutdown, to not only put this behind us but to really move forward in restoring this institution to something we can be proud of and the American people can be proud of as well? I think we can, and I know the Senator from Tennessee could be a constructive part of it because he always has been.

I stand ready to work with the Senator from Tennessee on a bipartisan basis to address this issue, and the sooner the better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate what the Senator from Illinois, my dear friend, just said. It is interesting when we deal with substance and not sound bites.

I used to worry when I was first here and I would hear some of my very senior colleagues—they were all senior to me; I was the most junior Member of the Senate—talk about when this, that, and the other thing happened. I came here with President Ford was the President. I served with President Carter, President Reagan, President George H.W. Bush, President Clinton, President George W. Bush, President Obama, and now, of course, President Trump.

Every one of these Presidents were different, but when we got in times like this, they believed in substance and not sound bites. Every one of them would reach a point where Republicans and Democrats could sit down and reach an agreement knowing, whether it was a Republican President or Democratic President, they would keep their word and the Members would keep theirs.

I was honored to be asked to speak at the Gold Medal presentation to Senator Bob Dole the other day. Senator Dole was a Republican leader and the Republican majority leader, one of the finest Senators I ever served with—this, from a liberal Democrat from New England—because he always kept his word, because he always brought both Republicans and Democrats together, because he knew we would keep our word.

Frankly, as I spoke those words at his Gold Medal presentation, I thought: Can't we go back to those days? Can't we have a time when our leaders come together and the Members across the aisle come together and then vote? The Senator from Illinois, Mr. DURBIN, said: Let's have votes.

Yes, we passed most of the appropriations bills out of committee in the past year, but we want time to bring them up on the floor. There will be amendments I will not like, there will be amendments I will like, but we will get to vote on them. Vote yes or vote no. That is what we should do.

Months ago, when President Donald Trump called for a government shutdown, I thought, when I first heard that, it couldn't be. Then I saw what he said: ''Our country needs a good shutdown.'' Well, through his leadership and chaos and inability to govern or keep his word, he got exactly what he wanted.

I would tell him, after 43 years' experience in this body, there is no such thing as a good shutdown. It hurts our Nation, it hurts our reputation around the world, it hurts our military, it hurts our civilian population, it hurts our businesspeople, it hurts our educators, and it hurts those who are seeking cures for every kind of disease there is.

Now, I know it is the majority—and the majority is, of course, the Republicans who control the White House, the House, and the Senate. It is their responsibility to produce a bill to send to the President. If they can't get 60 votes because they refuse to negotiate with Democrats, well, that is their responsibility. All they needed was nine

Democrats. They couldn't get it done. In fact, they lost four of their own Members. They could not get it done because Republicans shut Democrats out of their closed-door meetings. They disenfranchised more than half the American people. They only appealed for our support after they had written a bill without our input. Let me tell you, after my years of experience under Democratic and Republican leadership and Democratic and Republican Presidents, that is not the way to do it.

On the first day of this Trump shutdown, the anniversary of his inauguration, we are 112 days into the fiscal year. For 112 days, the leadership has told us they just need more time to negotiate a bipartisan deal. I have yet to see the negotiations. I have yet to see the deal.

They spent that time pursuing a hyper-partisan agenda over the last year. They stripped healthcare from millions of Americans. They rolled back commonsense regulations. They passed a tax bill for big corporations and the superwealthy on the backs of middle-class working people. This was not time spent negotiating in good faith on the budget, or the Children's Health Insurance Program, or for veterans, or for community health centers, or for Dreamers or for a comprehensive disaster relief package to address the disasters that have gone across our country in the past year.

Now, last night they said let's have another month to negotiate. Come on, we are 112 days into the fiscal year, and now they want another month into the fiscal year—another month of not addressing the consequences of sequestration by reaching a bipartisan deal to increase the spending on our military and invest in our communities. Another month where we fail to adequately take care of our veterans.

Our military leaders agree, we cannot govern by a continuing resolution. The military cannot function under sequestration, and I agree with them because we need a budget deal.

I admire Defense Secretary General Mattis. He said, ''for all the heartache caused by the loss of our troops during these wars, no enemy in the field has done more to harm the readiness of our military than sequestration.''

Last night, I could not, in good conscience, support another continuing resolution without even the promise of a bipartisan deal.

Democrats have been ready and willing and asking to negotiate since June, just as we did in April, to get the budget passed. In July, I offered a path forward that would have raised the budget cap set in place by the Budget Control Act. My plan would have increased spending for our military by $54 billion and increased investments in our domestic priorities by $54 billion. Parity has always been the path forward. It allows us to both strengthen our military but also invest in our infrastructure, improve our education, combat the opioid epidemic, and address the needs of our veterans. These are bipartisan priorities.

I know from my friends in both the Republican Party and the Democratic Party, we share—we share—these goals. But now, for 112 days, the Republican leadership has kicked the can down the road and cast aside the basic responsibility of Congress to fund the government.

They gave us this government shutdown. They followed what Donald Trump said in asking for a good shutdown, even though anybody who has had any experience in government knows there is no such thing, as the President has said, as ''a good government shutdown.'' This was done under the careening leadership and chaos of the President.

He said he was for extending CHIP in the House bill, and then he was against it. He said he would sign any bipartisan deal we brought to his desk to protect the Dreamers and increase border security. Then, through a bipartisan deal, Republicans and Democrats came and did exactly what he asked for, and he scoffed at it. Now, that is not steady-as-he-goes leadership.

If we can't take the word of the President, when we know he is only one tweet away from changing his mind, why should we trust him when he says he will take care of our veterans or get serious about the opioid epidemic? Why would we take his word when he says he wants to protect the Dreamers?

After promising to treat DACA recipients with great heart, President Trump and the Republicans instead held our Nation's Dreamers hostage. They caved to the xenophobic voices within their party. President Trump rejected a bipartisan deal—the only bipartisan DACA deal—which Senators GRAHAM, DURBIN, and others specifically crafted to meet his demand.

As we speak, 122 Dreamers lose their status every day; that is, yesterday on Friday; that is, today on Saturday; and that is tomorrow on Sunday. We know, on March 5, hundreds of thousands of DACA recipients will begin to lose their status due to President Trump's actions.

Republicans now argue there is no urgency to provide protection for Dreamers. I wish you would sit with one of these families and listen to them. They are people who are pursuing great educations. They are pillars of our communities and taxpayers. Ask them if there is any urgency, when you have a medical student about to graduate from medical school and he worries that he will hear [knocking] at the door.

Well, in light of the decision to end DACA, 122 Dreamers lose their status every day, and the administration has acknowledged to Congress that implementing any Dream legislation would take up to 6 months, during which tens of thousands more could lose their status. No urgency? If that were my family, I would feel the urgency every minute of the day and night.

Since President Trump decided to revoke the protected status, hundreds of thousands of Dreamers have had to live with fear and anxiety every day their status has not been resolved. Imagine how they feel when they see the President's views seem to change constantly, almost daily. Talk about causing whiplash.

Dreamers have no reason to believe President Trump would not prioritize them for deportation. The fact is, the administration has asked the Supreme Court to immediately nullify a district court decision—immediately nullify it—to protect DACA recipients, and they seem to have no sense of enforcement priorities. They detained a 10-year-old Texas girl with cerebral palsy. They deported a Michigan father, with no criminal record, who came to this country as a child 30 years ago, paid his taxes and obeyed the law.

Even the majority leader, to his credit, is uncertain of what the President wants for Dreamers, or for any path forward for that matter. The majority leader, the Republican leader, said earlier this week, ''As soon as we figure out what he is for, then I would be convinced that we were not just spinning our wheels.'' I have never heard a comment like that in 43 years in the Senate.

We are spinning our wheels with a Trump shutdown. We are spinning our wheels because the leadership waited for guidance from the President, unfortunately, instead of doing their jobs working with us, sending a bipartisan deal to his desk.

We are spinning our wheels because President Trump—I will give him at least credit for this—is very straightforward. He repeatedly called for a government shutdown. He is probably the only person in the government ever who has been foolish enough to do that, but he got exactly what he wanted, a government shutdown.

So, today, medical research has ground to a halt. Today, in Vermont and across the Nation, hundreds of thousands of Federal workers are furloughed through no fault of their own. In Vermont and across the Nation, every additional hour of a Trump shutdown deals another blow to the men and women trying to recover from opioid addiction. Every hour, the burden of the Trump shutdown should weigh heavier on the President's shoulders because there is only one person in this country who wanted this shutdown; that is, President Trump.

The Trump shutdown is not and was not necessary. We have always had the pieces. Everybody—Republicans and Democrats—want to raise the budget caps set in place by the Budget Control Act. We want to stop the devastating consequence of sequestration. We want to take care of the bipartisan Children's Health Insurance Program. We have a bipartisan agreement to protect the Dreamers.

We have all the pieces. Let's put them together. Let's show the honesty and the courage to do our jobs.

I see other Senators on the floor wishing to speak.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that after my remarks, the Senator from Rhode Island, Mr. WHITEHOUSE, be recognized, and after that, the Senator from Arizona be recognized.

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

Mr. INHOFE. Mr. President, we like to do this because on mornings like this, when we are supposed to be going back and forth between Democrats and Republicans, that is the proper way to do it, and this locks it in.

It is really interesting because I have been through every shutdown in the last 30 years. I was in the House for 8 years and in the Senate for 22 years. Every other time there has been some question—there could be a little bit of blame on the Democrats and a little bit of blame on the Republicans, and the finger pointing goes on. That has always happened, until this time. This is the first time there can be no question, if you want to say whose fault it is.

I suggest that the aids that were being used with the picture of the ''Trump Shutdown'' were printed up long before last night even took place. This is the first time there can be no question. If you want to play the blame game, it is the Democrats in this case. I think it was planned that way. I am not in their heads, but there has to be some reason that all this came along on the first anniversary of this Presidency.

I can't find anyone in the Nation right now who is saying that there is some question as to whose fault this is, even the New York Times. You have to keep in mind—just use logic—there was one vote that caused this, one vote. Ninety percent of the Democrats voted in that one vote last night to shut down the government. Ninety percent of the Republicans voted to keep the government open. It was done in a premeditated way, I have to say, because all of this was planned out. They thought that maybe this would have a good ring to people; they can say the ''Trump Shutdown.'' People have to remember, this happened because of one vote, and that one vote was almost unanimous—Republicans versus Democrats.

That is not why I wanted to talk. In listening to all the things that just happened—I think we are sympathetic to all these things. I think most of the reasons stated for shutting down the government by the Schumer group last night had to do with DACA.

Let me tell you, I don't know of one Republican serving in the U.S. Senate who isn't very sympathetic to the kids, particularly those who had no voice in it. They were here not by their own choice. They didn't personally violate any laws. We want to take care of them, and we are going to take care of them, and our President wants to take care of them. But that seems to be an issue—if they can convince people that this is all put together by Trump to hurt little kids, then that is the only thing they have to hang their hats on.

I suggest my very good friend—I do have a very good friend from Rhode Island who already has his picture of Trump up, so we are going to hear more and more of that all day long, until we finally get the government opened up, probably on Monday. We are sorry it happened that way, but it was one vote that caused it. That is behind us now.

I agree with the things that were said by each of the Republican Members on the problems that come with this shutdown. Even if it gets opened early—and I think it will be over, maybe by Monday; I am not really sure. I suspect that. But I have had the privilege in the past of being the ranking member of the Armed Services Committee, and that is the area that really concerns me the most.

I have been critical of the last administration, the Obama administration, and what has happened to the military. They had a policy, and it is a stated policy, and all the Democrats agreed with it. It said that you can't put any money into sequestration for the military unless you put an equal amount of money in for social programs or for nondefense programs. That is saying that defending America is not the No. 1 concern, not the No. 1 priority of what we are supposed to be doing here.

As bad as it has become over the last 8 years in terms of our ability—the fact that we are overworking our kids, the fact that our maintenance is down—all of those things are bad. But for this to happen right now, at this time, when we are in the middle of arguably two, maybe even three wars, and our defense has gone through a starvation diet—yesterday Secretary Mattis was very clear. At the time he said this, he was begging for it not to happen; he was hoping it wouldn't happen, but he said that a shutdown would have a ''terrible impact'' on the 2 million men and women and their families who serve in our military—a ''terrible impact.''

There are approximately 200,000 troops currently deployed who are now doing their jobs without pay as a result of this. Secretary Mattis said that all maintenance operations for the military will cease as long as there is a shutdown.

When you go through starvation, as we did over the 8 years of the previous administration, the first thing that is hit is always maintenance because that is not obvious. Maintenance and modernization are the two things you can starve without the public being aware of it, and that is what happened. Just look at our F-18s that the Marines are using; 62 percent of them can't be flown now because they have not been properly maintained. We are going through this problem already, and it is going to be exacerbated by the fact that we are closing things down, shutting things down.

I have gotten over the part in terms of whose fault it is. I know they are going to desperately try to sound as though the President doesn't like kids and all of that. But the bottom line is, there was a vote; it was a partisan shutdown.

Secretary Mattis talked about the maintenance operations for the military that were just starting back up and are going to have to cease for as long as the shutdown exists. That is all maintenance.

In Oklahoma, we especially know what is important to our civilian workforce. By the way, in a shutdown, the civilian workforce is going to be out of business. They are going to be gone for that period of time.

Tinker Air Force Base is the depot that performs maintenance and overhauls our planes. They are going to be shut down. We have another one in McAlester, OK. It is not known as much as some of the others, but it is the largest Army depot in the country. It has all civilian employees. We have one uniformed officer in the depot in McAlester, OK, and that is the commander. All the rest are civilian employees. They are gone. They are the ones who are off work. Half of the civilian workforce will be sent home, and those projects will be halted. The impact will ripple for weeks and potentially months beyond the shutdown. Once we open back up, there will be a high cost of catching back up and getting things back on schedule.

Secretary Mattis said that the shutdown will also shutter critical overseas intelligence activities until funding is restored. That is something I was not that familiar with until he came out with this statement.

Of course, we looked at the threats we are faced with in America. I don't think anyone can keep a straight face and not admit that we are in the most threatened position we have ever been as a nation. There is a country, North Korea, that is run by someone who is totally unpredictable. That is what all of our military people say. On November 28, he sent a missile that had the range of reaching Washington, DC, and anyplace in the continental United States. That is a different kind of threat.

If you think about the old Cold War, that was a threat. It is nothing like what we are facing today. We had two superpowers. We knew what they had; they knew what we had. It was all predictable because mutually assured destruction actually meant nothing at that time—means nothing today.

So this is what we are facing now. We have to recognize that we are in a threatened position. Many Democrats have long claimed support for the military, but when the rubber meets the road, they have the problem that was established when President Obama was

President; that is, we are not going to do anything to rebuild the military unless we put an equal amount of money into the nondefense programs. Every single Democrat went along with the President. That is how we got into this mess.

Now we are faced with the fact that we are not giving the right resources. Sometimes I tell people: Up until 1964, we were spending half of all the revenues that came into the Federal Government on defending America. That is what we were supposed to be doing. It was always over 50 percent of the revenues.

Do you know what it is now? It is 15 percent. We are devoting only 15 percent of our total revenues to defending America. We have gotten into this position over a period of time, and it is now at the point where we have really serious problems that need to be addressed. Our Army brigade teams right now are very lethal—still very effective—but only 30 percent of them are able to get out and do battle, as it is right now. In our Air Force squadron, we have a shortage of pilots. We are 1,500 pilots short; 1,300 of them are fighting pilots. While they are willing to do it—we will always have enough who will go on overtime, do whatever is necessary to get out there; nonetheless, the equipment is not properly maintained. The Navy is the most stressed it has been in the history of the Navy and the Marine Corps. That is where we are right now, and that is why, if there is one thing that shouldn't happen during this time in our history, it is a shutdown.

I think about my State of Oklahoma. We have 663 Oklahoma Army and National Guard soldiers who will be sent home from a planned training. I was there when they planned the training. I was there to send them off. And, of course, that will be put on hold.

It is not just Oklahoma. Over 100,000 National Guardsmen are being sent home around the country right now because of this shutdown. Our Reserve forces—National Guard, all of them—are going through this problem. As we face the threats from North Korea, Iran, Islamic extremists, and Russia aggression, not to mention our severe readiness crisis, we can't afford the negative effects of a shutdown.

I believe this is going to be over with. I am not sure how. I am not in the leadership. Others are going to make the decision. But I can say that the Senate Democrats know all of this is true, and they know now that America knows. If you look at the editorials around the country, they know that it is being used because—legitimately, it is called the Democratic shutdown.

We are going to try to get it corrected. I have talked with several of my Democratic friends, and hopefully that will happen in a very short period of time.

My concern, of course, is for the military. I think that we will be able to get this thing done. I want to say it one more time. On the DACA issue, I don't know of one Republican in the U.S. Senate who isn't just as sympathetic as any Democrat in the U.S. Senate in terms of these individuals. The kids had nothing to do with the problem they find themselves in right now.

In the meantime, let's get this over with, rebuild our military, and become what I see is happening now that wasn't happening before—that we will once again assert America as the leader of the free world.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, let me first thank my friend from Oklahoma. We often disagree; indeed, we often violently disagree on matters of environmental issues. But we have been teammates—indeed, close teammates on the chemical safety legislation, which has been passed into law; on water resources bills, which have been passed into law; and on the last highway bill, which was passed into law. The lesson I take from that is, in the Senate, we can disagree, and we can disagree violently, but where we agree, push the throttles forward and get it done.

Mr. INHOFE. Will the Senator yield?

Mr. WHITEHOUSE. I will.

Mr. INHOFE. There is an old document nobody reads anymore, and it is called the Constitution. If you look at that, it talks about what we are supposed to be doing here. The priorities are defending America and then they called it—transportation infrastructure. I would say this: We are a great team when we do that. We couldn't have had the successes—I could not have had the successes as the chairman of that committee without you on my side, making sure we are doing what we are supposed to be doing here in taking care of our infrastructure. Right now, we are looking at an opportunity in this administration to do the same thing.

I will say right now—and predict—it is going to end up with you and a closely knit group of liberal Democrats and conservative Republicans working together to make America great in terms of our infrastructure.

Mr. WHITEHOUSE. I appreciate very much the Senator's words of goodwill, and it aligns very well with the note of optimism that I want to open on after last night's vote.

Last night's vote provoked the first real conversations—the first real, bipartisan conversations about this continuing resolution that I have seen. People all around the country watching C–SPAN saw right there on the Senate floor the Senators pooling about each other, the conversations, the back-and-forth, the intermediaries going in between the leaders. They saw live what the Senate should have been doing for weeks, which is to work in a bipartisan fashion toward a compromise. When starting at 20 minutes to midnight, it is hard to work it all the way through.

My strong hope is that the energy and the spirit of bipartisanship that was evident right down here in the well last night persists through this weekend and as long as necessary to get a bipartisan deal accomplished. We have the weekend to do it, we probably even have Monday to do it, and we should get about our business.

We can also be optimistic that the measures that the Democrats want to include are bipartisan. We are not trying to jam one-side-only poison pills through; we are trying to get attention to long overdue matters where there is a bipartisan solution.

There is something of a backstory to where we are right now, so I want to mention it. I have obviously considerable sympathy for Majority Leader MCCONNELL's predicament with a President who takes opposite positions within hours. How does one negotiate with that?

''Give me a bipartisan deal and I will take the heat,'' the President said. He has since blown up anything bipartisan that came anywhere near him. Majority Leader MCCONNELL is reduced to saying: I don't know what the President will sign, and I can't act until I know. Well, I think last night shows that we actually can begin to act here in the Senate even if the President can't get his signals straight about where he wants us to come.

I can't help but remember Senator GRAHAM's description in our Judiciary Committee of President Trump's reversal on the Durbin-Graham proposal. He described it in 2 hours—he described the 10 o'clock Trump and the 12 o'clock Trump, and within 2 hours, he completely reversed his position. Senator GRAHAM said ''I want that guy back'' about the 10 o'clock Trump.

It is very hard to negotiate with someone who doesn't know what his position is, so I do have sympathy, and I hope the White House sits down and has a negotiation with itself so that it can decide what it wants.

The other problem over at the White House is that the President has surrounded himself with extremists, and that means that nobody knows how to negotiate. And the advice he is getting doesn't serve him. You really don't do deals—I think virtually anybody in politics knows this—by bringing in the most extreme elements to shout at each other; you do deals by bringing in people who have good faith and a common interest in solving the problem together. If all you have around you are extremists, you have dramatically crippled and shrunk your own capabilities—unless, of course, what you wanted all along is what the extremists want: ''a good shutdown.''

There is another backstory going on that I want to discuss. This is a fight over maybe a dozen legislative issues, but it is also a fight over the institution of the Senate and how far we will let the Senate degrade into a partisan dead zone. In the oceans, we see more and more dead zones where there isn't

enough oxygen to support life, so there aren't fish and there isn't the mixing and the turbulence that are necessary for the mixing of life and oxygen. The Senate seems to be slowly turning into that dead zone.

We know what works around here because the majority leader has a long history of fighting to get it, to make sure that the minority has amendments and to try to block things that are exclusively partisan. Indeed, at various times, he has encouraged his caucus to avoid joining Democrats on any bills, so that they are partisan, so that he can block them. So we have lived the experience of the majority leader's interest in amendments and in opposition to purely partisan legislation. We have also heard it, and in the majority leader's own words, he has called for a Senate ''which honors and respects all the members and allows everybody to participate and offer their ideas, regardless of party.'' He went on to say: ''That's something that the majority leader can do and I intend to do it.''

How do you do that? Well, he went on to say in another interview that the way to do that is ''to ensure that everyone has an opportunity to participate in some way in the passage'' of the legislation. To be specific, he said, ''bills should come to the floor, be thoroughly debated, and include a robust amendment process''—a robust amendment process. He went on: ''The answer is to let [the Senate] debate; to let the Senate work its will. And that means bringing bills to the floor. It means having a free and open amendment process.'' He also said: ''We want to engage members from both parties in the legislative process, to get our democracy working again the way it was designed.''

With that background, let's look at Trump year 1. The opener legislatively in the year was the partisan budget reconciliation bill, a purely partisan measure whose only purpose was to open the door to further purely partisan measures under the budget reconciliation process. So we opened with that partisan process. Having opened that door, sure enough, we went on to partisan ObamaCare repeal, which failed, and they tried again, over and over, but always partisan, whatever the effort. Then we went back to partisan budget reconciliation 2 to tee up a partisan opening for a partisan tax bill. Then, of course, we had the partisan tax bill.

There was one briefly shining light on the national defense authorization. Chairman MCCAIN and Ranking Member REED in the Armed Services Committee led a robust, bipartisan amendment process that brought the committee together and brought forward a bill that I think everybody in the Senate could be proud of, but when it got to the floor, here on the Senate floor, not one Democrat was allowed a floor vote on any amendment.

So the grand total for the year for the U.S. Senate, setting aside the budget and vote-arama amendments, which, in my view, don't count—that whole process is a joke. That simply tees up a reconciliation measure that allows further partisanship. So set those aside because they don't count. In real legislation, how many amendments has the minority been able to get on the floor? The grand total all year long, ever since Trump was elected last year, to this year, is a grand total of zero. Zero Democratic amendments considered on the Senate floor since Trump—not one.

Compare that to all the things I just read that the Senate majority leader promised on amendments—that bills should come to the floor, be thoroughly debated, and include a robust amendment process; that the answer is to let folks debate, to let the Senate work its will, and that means bringing bills to the floor, and it means having a free and open amendment process. To paraphrase Senator GRAHAM, I want that guy back.

When the leader shuts down the amendment process, it is not just the minority party that suffers. Republicans also, under Trump, have gotten virtually zero floor amendments voted on all year long.

That leaves the Senate exclusively with partisan ram jobs, which is what we have seen a lot of, and UCs—unanimous consent agreements—things so noncontroversial that they can avoid the dead zone of the McConnell Senate floor and be agreed to by everyone and passed into law. That is a worthy process, but it is not a process that is going to yield a solution to the big controversies we need to resolve here in this world's greatest deliberative body.

This problem of no open process and no amendments is a problem for all of us. When we get all tangled up in leadership chess games, all Senators lose their ability to represent their States. Power gets concentrated in the leader.

I remember Senator Sessions, on the floor over there—I was actually in the Presiding Officer's chair on some of the occasions when Senator Sessions was animatedly discussing his concern and irritation with what the masters of the universe were doing in secret rooms that he did not have access to. This is a bipartisan frustration. We all become cogs in the majority leader's leadership chess match, and we all have common cause in going back to a place where the leader helps the Senate work its will, not where leaders impose their will on the Senate.

The Senate is broken. Over and over again that has been said on the Senate floor, and by no one more articulately than by Senator DURBIN. The longer you have been around—Senators DURBIN and ALEXANDER particularly—when you remember what it was like, it is much more apparent how broken it is. And for whose benefit? For big donors, so they can call the shots through the leadership? For the leadership thrill of being a bigger player in DC's ''Game of Thrones''?

This ought not just be a Democratic revolt against the mess we are in. Republican Senators are often just as neutered as their minority colleagues when all power moves to the majority leader. Zero amendments—not a single minority amendment in the entire year on real legislation—ought to be a symptom that concerns everyone. And I don't know what Republicans got—two, maybe three amendments in an entire year? How many Republican Senators are there who have never had an amendment of theirs called up and voted on on the Senate floor?

Let me add one additional point against this looming specter of a shutdown. Speaker RYAN sent over a bill last night that we voted on last night that he knew was going to fail. I am a junior Senator here, and I had last night's vote predicted exactly. With all the powers of the Speaker of the House, with his direct line to his fellow Republican, the majority leader, is it plausible to think that what happened last night in the Senate was any kind of a surprise to the Speaker of the House? Of course not.

We know from Senator SCHUMER and Leader PELOSI that there was not even consultation with Democrats about the contents of the CR last night—no negotiations, nothing, a partisan ram job that the Speaker had to know would fail when he sent it over. Imagine the cynicism. Imagine the cynicism, with the shutdown of the government looming, of sending to the Senate a partisan bill you know will fail, teeing up a shutdown just so you can tee up a blame war about the shutdown you knowingly provoked. That is ''House of Cards'' cynical stuff.

Let me wrap up by saying that the Senate balance is about as close as it could be. Moreover, Democrats in the Senate represent 40 million more Americans than our Republican colleagues do. When the Senate majority is microscopic and you represent a minority of the American people, dictating terms to the Senate minority as if this were the Soviet Duma is not justifiable, and it is destroying the Senate. We on our side have been rolled and we have been rolled and we have been rolled, and there is no end in sight. The Senate of the United States has been turned into a dead zone—the McConnell-partisan dead zone. Those strategies amass power into the leader's hands, away from Republican and Democratic Senators alike, but that breaks all the promises the majority leader made about amendments and regular order, and that is destroying this institution—this institution that we love. You simply cannot have both bipartisanship and utter dominion by the majority leader at the same time. That just can't coexist; it is impossible. You cannot have an open amendment process and utter dominion by the majority leader at the same time.

If the majority leader insists on being, to use Senator Sessions' phrase, the ''master of the universe,'' what does that leave for everyone else? Well, we have seen what it leaves on our

side: zero amendments, zero consultation, no input, no bipartisanship ever.

Why should the great affairs of government be worked out in private meetings of two or five or eight? Those rooms may not be smoke-filled any longer, but the atmosphere is just as unhealthy without the smoke. The atmosphere is just as unhealthy when so much gets done in the dark, and so many Senators, who are not the master of the universe, are reduced to begging and pleading to their leader to have favors slipped into the backroom deal. That is not the way the Senate should work. Smoke or no smoke, that is not healthy, but too many Senators, too many Members have never even breathed the fresh air of a healthy Senate. Like the pit ponies of the old coal mines, they trudge and they haul in darkness, trudging and hauling in the darkness so long they don't know what daylight looks like, but Senators like DICK DURBIN and LAMAR ALEXANDER, who remember what daylight looks like, are here to remind us how healthy a process that should be.

Remember, in a Senate in which the minority party—the barely minority party, I should add—is not for an entire year able to get even one amendment voted on, on one piece of meaningful legislation, in a Senate like that, everybody loses or maybe I should say virtually everybody loses. Unanimous consent, partisan ram job, or nothing is no way to govern and no way to run a Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, 1 day into a government shutdown, we are in a hole as a body. I was just talking to one of my colleagues who said we ought to spend less time worrying about who threw us in this hole or how we ended up in this hole and more concern about getting out of it. I hope we can dispense with the signs—''The Trump Shutdown'' or ''The Schumer Shutdown''—and realize we are in a shutdown situation, now let's climb out of it. There are ways to do that.

I believe we will be coming with a proposal today, and I hope we can vote on it today—we can with consent—to move the date from the 16th to the 8th. That would be significant. We don't need to go 4 weeks more in this CR. We can find an agreement to get out of it, to find some permanent solutions, some permanent funding solutions for the government.

We can also find solutions on the DACA situation. I just want to encourage my colleagues to not use loaded phrases as well here. I have heard the term that we can't deal or we shouldn't deal with the illegal alien situation right now. Who could honestly look at a child who was brought across the border—the average age when these DACA kids were brought across the border was the age of 6. Some of them were toddlers, some of them were carried by their parents. Who in the world can look at them and refer to them as illegal aliens? You can have a different description for their parents or others who brought them across, but to put that kind of a label on a child is just wrong, and with that kind of loaded language, it makes it more difficult to come to a solution.

There is enough blame to go around for this shutdown on all of us. It is a pox on all of our houses. The question should be: How do we get out of it? I would suggest—and I think we are coming to this—that the best way out of this is for the Senate to be the Senate again. I know the majority leader—and I am glad he does—very jealously guards his prerogative as the majority leader to decide what comes to the floor. That is his right as the elected leader of the majority. I hope he will just as jealously guard the Senate's prerogative, the congressional prerogative. We are an equal branch of government, and to say we will not move on a particular topic until we have agreement from the President, when we have waited for weeks and weeks and weeks for that kind of agreement, for that kind of nod or signal, we can't wait anymore. Let's more jealously guard our prerogative here as legislators, and let's bring an immigration bill to the floor.

My understanding now is, that is the agreement; that if we haven't reached an agreement with the White House and with the other negotiators by the 8th, by the time this next CR runs out—if we can agree to a CR that runs to the 8th—we will bring an immigration bill to the floor and/or we will bring a vehicle to the floor that will allow other immigration bills to come. I happen to have been working on a bipartisan bill. There are now seven Republicans and seven Democrats who have signed on. That is my preference. I believe some on the Democratic side may want to bring another one up first; that is great. Some on the Republican side may want to bring another version up as well—great. Sixty votes will be required, and I think we will probably settle on one we can all agree on. We will have to. We have to get 60 votes in the Senate. I think that can be done, and that is a way forward.

I hope at that time—there is no guarantee—but I hope the President will, as he has said in the past, agree with what the Senate passes. I believe we can pass a responsible measure that takes care of these DACA kids as well as reinforces the border where we need to and takes care of some other issues as well that the President and our leaders have outlined. I think that can be done. It can be done today. I hope we can have consent to move that, and I hope the President can accept that as the will of the House or the will of the Senate and then promote that solution.

We have until March 5 before these kids are subject to deportation. None of these kids should be under that cloud, not knowing what they are going to do with regard to school or work or their legal status here. There is an urgency. For those who say there is no urgency, we have had 6 months to deal with this, and now we are just outside of a month before kids will start being deported. We shouldn't go further than February 8 to actually settle this in the Senate. We can do it. We have people who are working in good faith on both sides of the aisle. Let's just exercise our congressional prerogative to actually legislate. If we will do so, I am confident we can come to a solution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I want to thank the Senator from Arizona who spent an awful lot of time and energy on this topic. I am committed to working with him and all of our colleagues to come up with a solution well in advance of the March 5 deadline. One thing I hope he will work with me to confirm is, my understanding is the March 5 deadline means the current DACA recipients can no longer register again for an additional 2 years and qualify for an additional work permit. I think—but I could be mistaken—it doesn't mean they are subject to deportation. What it means is, they can't sign up again for another 2 years, and they will potentially lose their work permit.

Having said that, I am not diminishing the urgency of the timeline, and I am committed to working with him and others to try to beat that well in advance during the month of February. I think it does create enormous anxiety for these young people whom I have met, as the Senator from Arizona has. They don't know what their future looks like, and they need to get the certainty that comes along with us giving them a permanent solution which, again, I am committed to do. So I want to make sure I understand exactly what happens March 5, and I described what I think happens.

I also know the administration, the Department of Homeland Security, does not prioritize people unless they have committed crimes or otherwise abused the privilege of staying in the United States. Peaceful, law-abiding individuals who have violated the immigration laws—and, of course, these young adults are not culpable in any manner because they came here with their parents so they are pretty blameless, in my book. The point is, I don't think they would be prioritized for deportation. I am confident they would not be, even if I am wrong about what happens on March 5.

Mr. President, I yield momentarily to the Senator from Arizona so we could have maybe a little discussion about that. Certainly, I am committed to finding out what exactly does happens on March 5, but I have described, to the best of my knowledge, what I believe will happen.

Mr. FLAKE. Mr. President, I thank the Senator for yielding.

On the 5th, as I understand it, the DACA Program will no longer apply.

Those who have already registered, that registration will continue until it runs out. There are some now—I think the figure is some 150 a day—who are losing status, and there is a question about whether they can renew. Courts have been trying to weigh in on that, and the administration has asked the courts to finalize—asked the High Court to.

The problem is, even if it is not deportation on March 5, there are real questions. They can't get work permits. They will not be able to register for school, in certain circumstances, so they are left in limbo, and that is not fair to them.

I thank the Senator for working on a solution, and I thank him for yielding time.

Mr. CORNYN. Mr. President, I appreciate the comments of my friend from Arizona. He is right about the work permits. Everything else aside, if these young people, some 690,000, can no longer work, that is going to have a dramatic negative impact, not only on them but also on our economy and on the people who hire them, all of which is to say, we shouldn't play with fire here. We need to get this addressed, we need to get it addressed on a timely basis, and that is something I am committed to doing.

What confounds me the most, though, is why we find ourselves here with the Senate in session and the Federal Government otherwise shut down. It strikes me as completely unnecessary, especially when a number of us—me included—are having two and three meetings a day to try and come up with a solution to this problem. I know people are anxious for the status and what happens to the future of these young adults. I am, too, and I am eager to come up with a solution as soon as we can, but I think some have had what I would view as an unrealistic view of the end game.

In other words, I know our friends have been—the Senator from Arizona, the Senator from South Carolina, and others have a group, along with the Senator from Illinois, which they think will be the seed of a solution here, but as they found out last week, the President didn't support their work product. As Senator MCCONNELL, our majority leader, likes to point out, there is one indispensable person when it comes to legislation, and that is the person who signs it. All of us write the legislation, but the President ultimately is the one who decides whether it is going to become law. That is a serious problem in terms of their plan to move forward with the so-called Graham-Durbin proposal.

It was just I guess last week—I lose track of the days now—when we met at the White House, where Majority Leader MCCARTHY suggested that he and I, as the majority whip in the Senate, and the minority whip in the Senate, Senator DURBIN, for whom this has been a long, passionate cause, and also the minority leader in the House, Mr. HOYER, get together and schedule a group of meetings to try to work out our differences and to build consensus. As we all know, nothing happens unless consensus is achieved.

Actually, I think the belief—in my view, the unrealistic belief—that somehow the Graham-Durbin bill was going to be the path forward without the President's signature and with a doubtful future in the House of Representatives—hopefully, that has been set aside. I say that with great respect because I don't want to indicate or send any signal that I don't appreciate their concern or their passion or their effort to try to come up with a solution. It is just that I think it should be clear to everyone that that is not going to be the path forward because of the circumstances I mentioned. The President doesn't support it, and it won't pass in the House of Representatives and even get to the President's desk.

So we find ourselves here in a completely unnecessary situation. Our Democratic colleagues were pretty unanimous—with four or five exceptions—in voting down a 4-week continuing resolution and causing the government to shut down. The majority leader, Senator MCCONNELL, has offered them another proposal, which was a 3-week continuing resolution while we continue to do our other work. They objected to voting on that last night, but the majority leader has now filed for cloture, which means that will ripen here tomorrow.

They have a choice. They can keep the government shut down for another day before we vote on that, or we could agree to vote on it today and reopen the government while we continue our good-faith negotiations and discussions about these other matters.

But when the Democratic leader came to the floor and said that he doesn't want to hurt the military, he doesn't want to hurt people who are suffering from opioid addiction, he doesn't want to hurt the veterans, he doesn't want to hurt people who are relying on the government for a pension or people who are relying on the Federal Government for disaster relief, and so he objected to the continuing resolution and caused a government shutdown—I have to say, that is a strange way of showing your devotion and your support for the military or veterans or opioid addicts or people who are depending on the Federal Government to come up with disaster relief. Shutting down the government helps none of them at all. When he talks about continuing resolutions hurting the military, I agree with that, but the very thing that is hurting the military the most is the shutdown and the uncertainty. Our National Guard can't train, for example.

The solution to this short term is an agreement on spending caps so the Appropriations Committee can come up with an appropriations bill that will fund the government through the end of September, through the end of the fiscal year. But what has really happened here, unfortunately, is that our colleagues across the aisle have listened to the most extreme elements in their political party and shut down the government over an unrelated immigration issue that doesn't even ripen until March 5. I say that just to say that it doesn't have to be decided today, nor can it be decided today, but that is what they are trying to hold—all the rest of this—hostage in order to do.

All across the country, the headlines reflect the reality. From the Associated Press: ''Senate Democrats derail bill to avert shutdown.'' Even the New York Times headline reads ''Senate Democrats Block a Bill to Keep Government Open Past Midnight.''

I can't help but share in the frustration of those who, in disgust, find us in a situation that we don't want to be in and that makes absolutely no sense to anybody because all the things in the continuing resolution that our colleagues across the aisle voted against last night are things they support. It is support for the military, support for opioid treatment, and support for veterans. But they voted against it in order to hold all of that hostage to this unrelated issue of immigration.

The minority leader, my friend from New York, Senator SCHUMER, has done the best he can to try to spin the story and to try to explain his strategy and to cast blame. I have to admire his talent. Senator SCHUMER is my friend. We have worked together on a number of items in a bipartisan way to come up with solutions to complicated issues. He is a very talented and smart person, but not even he can come up with a credible story here for why he chose to lead this shutdown effort for the Federal Government because it makes no sense whatsoever. He does have my sympathy. He is the leader of a tough group of Senators—including some radical Members who are running for President—who have held the rest of their conference hostage and done them no good service in leading them down this box canyon, only to find the government shut down.

How do we know that this was their plan all along? Well, the Democratic whip, the senior Senator from Illinois, laid out the strategy in the Washington Post last November. It said: ''Senator Richard J. Durbin [of Illinois] . . . said he is encouraging his colleagues to join him in blocking spending legislation if the legal status of 'dreamers' isn't resolved.'' That was last November, and he was already plotting the shutdown we find ourselves in today for this unrelated issue that we are committed to working on, on a bipartisan basis. So the minority leader can't convince us or anybody who knows the facts that this is somehow President Trump's fault. This was their plan—something they have been plotting for a long time now.

Now they find themselves in a position where not even they can explain

how this helps the country or how this helps these young DACA recipients. It is not going to change anything for them to shut down the government. As a matter of fact, I think it just polarizes people and makes things worse.

We are not going to let them hold health insurance for 9 million children hostage over an unrelated immigration issue. That is the Children's Health Insurance Program. The bill they filibustered last night would reauthorize this program for the most vulnerable 9 million children in the country. For what? They support that bill. It was voted out of the Senate Finance Committee on a bipartisan basis, and they come to the Senate floor and they kill it. Nine million vulnerable children. And they support it. It is a strange way of showing it. Clearly, the American people deserve better.

Soon, our colleagues across the aisle will have a chance to reopen the Federal Government, a chance to abandon this brinkmanship which threatens the safety and security of the country. It threatens the very people we depend upon to defend us and their families. It threatens access to healthcare for 9 million vulnerable children. They need to fix this. They need to do the right thing for the American people. They can do that today by agreeing to vote on this 3-week continuing resolution that will take us to February 8 while we continue to work on this issue relating to DACA—deferred action for childhood arrivals—that we talked about earlier, or they can do it tomorrow and keep the government shut down for another 24 hours.

My message to them is, think about the men and women who put on the uniform of our country and deploy in dangerous locations around the globe to fight our Nation's wars and protect our homeland. Think about those who wake up in the morning and put on a badge and go out—possibly into harm's way—to protect our communities. Think about those 9 million children who depend on us for that health coverage.

I hope that after having had a few hours of sleep last night and a chance to think through this fundamentally flawed strategy, our colleagues will reconsider. The country deserves better.

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.

Mr. HELLER. 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. HELLER. Mr. President, once again, I think Washington, DC, has lost its mind. It is shameful that the minority party has engineered a government shutdown at the expense of our troops and their families, at the expense of our veterans, and at the expense of our children's healthcare. To me, this is politics at its very worst.

Just like every American—the public that is out there—I am frustrated. I am frustrated that I have to come to the floor to talk about Congress once again failing the American public by not doing our jobs.

At the risk of sounding like a broken record, time after time, Congress has blown past our deadline to complete all the current fiscal year appropriations and has punted on our responsibilities. Now, today, the government has been shut down.

For years, I have been talking about how it is Congress's most basic responsibility to create a budget and pass all the appropriations bills on time. While some things in the Senate change, others just stay the same. While the majority has been working to restore normal budgeting practices, I am disappointed that my colleagues across the aisle have spent their time doing everything they can to avoid deadlines and choose routes of not working on appropriations bills and now have shut down this government. Not only is this disappointing, it is also not a surprise, given recent history.

I have personally never seen Congress pass all 12 appropriations bills on time and on its own without an omnibus.

I have said this before, and I want to inform my colleagues that in recent history, Congress has been able to accomplish its regular budget and appropriations processes. For example, it happened under President Clinton with a Republican Congress. It happened under President Reagan with a Democratic Congress.

I have always said Washington is a pain-free zone that faces no consequences if Members fail to do their jobs. Maybe it is time to start facing some pain around here. That is why I have reintroduced—and have introduced for years—my No Budget, No Pay Act. Regardless of who is in the majority or who is in the minority, my No Budget, No Pay legislation says that if Members of Congress do not pass an annual concurrent budget resolution and all 12 spending bills on time each year, then they should not get paid. I want to repeat that last part: If Congress fails to pass all 12 spending bills on time each year, then they should not get paid.

Both Chambers of Congress should pass all 12 appropriations bills on time every year. That is doing our job, and if you don't do your job, you don't get paid. So it is that simple. Most Americans sit around the kitchen table each night paying their bills. Why should Congress be different? It is time for some real responsibility and some real accountability in our Nation's capital.

Since I have introduced No Budget, No Pay, I have been getting a lot of positive support for this idea outside of Washington, DC. Rob from Reno, NV, said: ''I'm fully in support of your stand on No Budget, No Pay . . . because our spending is outrageous, it is ridiculous, and it is out of control.''

James from Henderson, NV, said: No Budget, No Pay ''is the sort of accountability that I expect from the nation's leaders.''

Until No Budget, No Pay is passed into law, I don't see any other way to motivate Members of Congress to do their job and avoid the government shutdowns and the continuing resolutions in the future. We must pass the principles outlined in No Budget, No Pay. It will stop these ridiculous government shutdowns in the future, and it will stop Members of Congress from being right back here, year after year, making the same speeches and taking the exact same votes.

I would say to any of my colleagues who are tired of this whole process that has unfolded, regardless of what specific issues you are fighting for, support my No Budget, No Pay Act. I believe Congress can work together again, but it will take some accountability like No Budget, No Pay to get us there.

Thank you.

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.

Mr. TESTER. 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. TESTER. Mr. President, we rise today after a long night last night—a night that I think could produce some fruits today or tomorrow or soon, I hope, because, on behalf of the just over 1 million Montanans and families across this country, and I believe a vast majority of the people in this body, we need to put this shutdown to an end.

Folks, whether it be a welder in Butte or a teacher in Billings or a sugar beet farmer in Sidney or a mill worker in Columbia Falls, they have all told me, and they will continue to tell me, that this body is incredibly dysfunctional and that Congress is incredibly dysfunctional. We ought to break that. We ought to start working together. We ought to start listening to one another. We shouldn't be taking off the right side of the Earth nor the left side of the Earth. We should work in the middle for policies that work for America.

The budget may be the most important of those policies that work for America. It has been 112 days now since our budget ran out—the end of September of this year. We have responded to that budget running out by passing four short-term continuing resolutions, we call them—stop-gap measures, bandaids, if you will, kicking the can down the road; it is described by a lot of different methods—to fund the budget. That has resulted in costing the taxpayers additional dollars and incredible inefficiencies, and it is caused by the Members of this body not doing their job and leadership not doing their job.

Enough is enough. We need to roll up our sleeves. We need to work together. We need to talk. We need to listen to one another. We need to come to a resolution of this problem.

We can talk about the Children's Health Insurance Program. It is an incredibly important program, there is no doubt about it, but it has been held hostage for the last 4 months. I can tell my colleagues that if it was put on the floor—and it could have been put on the floor at any time in the last 4 months—it would have passed, I believe, overwhelmingly by this body. Why? Because kids need it. Families need it. We are putting, in Montana's case alone, 24,000 kids at risk who do not have credible care.

The same can be said for our healthcare centers. The same can be said for the opioid crisis. The same can be said for security on our northern and southern borders. The same can be said for our military. The uncertainty we have without a longer budget that goes to the end of the fiscal year is unacceptable. We all know it. We have been talking about it for months, but nothing ever comes to the floor to solve it, except for a continuing resolution, which is not a solution at all, it is a bandaid.

Last night, I proposed a 72-hour—3-day—extension so the shutdown wouldn't happen until Monday night so we could work together to negotiate this deal, to put some pressure on the body to work together to come up with a deal by Monday night. It seemed reasonable enough to me. We have been talking about these issues for months, but the majority leader objected to keeping the government open and pushing ourselves—driving ourselves to the negotiating table to get something done.

Look, I have worked in this body with a number of folks on my side of the aisle and on the other side of the aisle, and we have had success. I bring this up often because JOHNNY ISAKSON is an incredibly good chairman of the Veterans' Affairs Committee. I happen to be the ranking member. JOHNNY ISAKSON and I work well together. We don't always agree, but from the very beginning, we have agreed to put what we disagree on off to the side and work on what we agree on. What has transpired is a record number of votes on tough issues coming out of the Veterans Affairs' Committee. Why? Because we are working for the veterans, and that is what we need to be doing here. We should not be working for a political party. We should not be posturing ourselves for the next election. We should not be putting working families and businesses at risk. We should be working together to make a difference for this country with a long-term funding bill that addresses a number of issues which have all been laid on the table, from healthcare to opioids, to pensions, to our military, to border security—the list goes on, but it is a list we can work with. We know what needs to be done. We need to quit playing games.

One of the people I have incredible respect for in this body who has what I believe uncommon common sense is the Senator from Maine. Senator KING and I visit, oftentimes off the floor, and we talk about our frustrations with this body because it doesn't have to be this way. We can get things done if we work together. I am hoping Senator KING can explain to me why we continue to have a budget that doesn't work for the American people, that continues to be a patchwork of month-by-month or week-by-week continuing resolutions and what we need to do to fix it.

Mr. KING. Mr. President, I appreciate the question of the Senator, and it is one I have given a great deal of thought. I think there have been a lot of discussions around here about fancy changes to the budget process and new bills and new budget processes and new rules and everything. I always stop and say: Wait a minute. We could have a budget process written by Aristotle and Thomas Jefferson, but if we don't do our job, it is not going to work. That is essentially where we are now. That is one of the reasons I voted no last night.

I have had it with CRs—continuing resolutions—which really means ''can't resolve.'' We can't make decisions. I want to talk, with the indulgence of the Senator from Montana, a bit about this part of why we are where we are.

I think this is a deeper issue because where we are today is going to simply be repeated 6 months from now, a year from now, 3 months from now, and 5 years from now. It just keeps going on. It is one of the reasons we can't get where we are going.

I was a Governor of Maine in the 1990s. I remember vividly, and I can almost tell you where I was standing in my office when a group of legislators—we had a budget deadline of July 1. A group of legislators came to me because budgets are hard. We all know that. It is hard to resolve some of these issues. They came to me a week or so before the expiration date and said: Governor, we have never done it before here in Maine, but will you go along with a continuing resolution like they do in Washington, and we can solve this in an extra week? I said: Not on your life. Why did I say that? Because that is what we do here, and it doesn't work. That is what has gotten us into trouble. Governments all over the country don't do continuing resolutions. They struggle, they argue, they debate, and they get their budgets done. Yet here we have this constant escape hatch that is in the background.

I have done a lot of reading and thinking about the Framers, who were geniuses—the people who wrote the Constitution. If you read the Federalist Papers, read Madison, read Hamilton, they understood human nature. That is why the Constitution has withstood the test of time for 200 years, because it is based upon a deep understanding and perception of why and how people do this.

This is a human nature question. If you are confronted with a difficult decision, and you have an easy way out, you will always take it. That is what a continuing resolution is. It is basically a statement that says: We can't solve this. We are just going to kick it down the road a few months or 6 months or a week or a couple of months, and maybe something will happen then. My problem is, we will not know anything in a month that we don't know now, and there is no reason to delay it.

The problem is, this government by continuing resolution—and I will give you the figures in a minute; they are breathtaking—but government by continuing resolution is, in fact, like a slow-motion shutdown because the agencies—particularly the military—can't plan. They can't commit. They can't commit to long-term contracts. The military—I am on the Armed Services Committee. I don't think we have had half a dozen hearings in the last 5 years where we haven't talked about sequestration and continuing resolutions. In fact, the Secretary of Defense came to us just a couple of weeks ago and said: Please don't do another continuing resolution. It is crippling to our military.

Yes, DACA is important. All the other issues wrapped up in this are important. But I think there is an underlying issue about the functionality of this organization we really need to address. I went back and looked at the last 20 years. Here is some of the data I find amazing: In the last 20 years, we have averaged 5.6 continuing resolutions a year—every year for 20 years. The average number of days before we got to a budget after the deadline was 137 days, approaching half a year.

If we can do it 6 months late, why can't we do it on time? What did we know 6 months later that we didn't know when we should have done it in the first place? I believe this is really one of the reasons this place doesn't work very well. If we continue to provide this exit, this easy way out, we will always find ourselves in positions like this, and that is where the problem is.

If you could go to your chemistry teacher and say ''The Tuesday exam is looking a little tough for me; I would like a continuing resolution until Friday,'' who is not going to do it? That is what we are doing, and we are going to do it as long as we keep allowing it to happen.

Frankly, I have talked to a lot of my colleagues off the floor in the last few days. We need to have a peasants' revolt here where we say we are not going to vote for these things anymore. Then the leadership and the committee chairs and the President are going to have to make the deals and the arrangements they have to make when they have to make them.

Last fall, we blew through all kinds of deadlines. We blew through the CHIP

deadline. We blew through the FQHC deadline. We blew through, of course, the biggest deadline of all—the budget, September 30. Oh, let's do a continuing resolution. And I voted for them. I voted for a bunch of them. But I am tired of it. This is at the core of one of the reasons this place doesn't work.

All we have to do is do our job and do it now. It is not going to be easier 1 month or 2 months from now.

Assuming we can find some resolution here in the next couple of days—and I deeply hope we can. Nobody wants to shut down the government. It is not good for anybody. But the deeper issue is that we have to get out of the continuing resolution business because as long as that escape hatch is there, it is going to be used. Madison would say that is human nature. I think we as a collective body have to weld that escape hatch shut so that people can't take it and we would have to get our job done at the time that is required. That would go a long way. We don't need fancy changes in the budget process; we just need to do the job we are assigned to do under the current system.

As I said, I deeply hope our leadership can negotiate a solution to this problem. It seems to me they were very close last night. Hopefully, we can do it. I frankly don't understand—at the end of the evening last night, when the Senator made the motion for a 3-day continuing resolution so that we didn't have to shut down the government last night—we could have kept talking and found a solution—it was objected to. I found that very puzzling.

I don't really understand those who are saying this side of the aisle shut down the government. Well, as of midnight or 10 minutes after, when you made your motion, it was the other side who shut down the government because they had before them an option that would have kept it open for 3 or 4 days to try to get this done.

I appreciate the Senator raising these issues. I would like to ask him what is on the minds of the people of Montana. If they are like the people of Maine, they are just puzzled why we can't get these things taken care of.

Mr. TESTER. I thank Senator KING for the question.

Last night, as we approached midnight, I got an email from one of my good friends in Montana who is in the business of agriculture. He is a rancher in North Central Montana, actually on the Rocky Mount front. He said: Why does this have to happen?

My comment to him was that continuing resolutions don't work well for this country. They cost taxpayers a bunch of money, and they don't give folks the kind of predictability in their government that they elected us to give them.

I am with the Senator. I voted for the continuing resolutions—the one that extended it to December 1 and then the next one, which went to I believe December 19. At that moment in time, I thought, well, Christmas is looming, and we will come to an agreement, and if not, we will just stay here throughout the Christmas break and do it because it is that important.

I believe strongly in my family, and I love to be there, and I was there for Christmas, but the truth is, this job here is critically important for the whole country, and we need to do our job.

The motion for yet another CR from December 19—to move it to January 19 came up, and I held my nose and I voted for it. At that time, I said: I am not going to do this again. In that month between December 19 through January 19, we were supposed to have worked out a deal. Guess what happened. There was no deal worked out. Now we are back in exactly the same place.

What Senator KING said is exactly correct. What are we going to know in February that we don't know now? The point is, nothing additional is going to be added to the equation. We all know what it is—deals with border security, the military, healthcare issues, pensions, opioids, and a budget that goes until the end of September, which is the end of the fiscal year for this country—but it is simply not going to happen unless we get folks working together again.

Look, the Republicans have majorities in the House and the Senate. They control the Presidency and the White House. I am telling you, if the floor leader doesn't provide the kind of leadership that we need to get to a point where we address the issues that are important to this country, we will never address the issues, and we will continue to have continuing resolution after continuing resolution.

So what I would ask is that folks from both sides lock themselves in a room. The two leaders, lock themselves in the room. Ultimately, that is what it is going to come down to, to come to an agreement that works for this country and gives predictability over the long haul.

I happen to be on the Appropriations Committee. We are going to be starting to work on the fiscal year 2019 budget, and we are not even done with the 2018 budget because of these continuing resolutions.

So I would tell Senator KING that the people of Montana are frustrated. They want to see their government work better. What are the folks in Maine telling you?

Mr. KING. The same thing. I wish we could banish the phrase ''continuing resolution.'' I know of no business that does business that way. I know of no school district or very few States—I think some States allow 1 or 2 days if they are in really close negotiations, and I understand that. It would be one thing if we were right on it, and just give us a couple more days, and we can iron this out, or, on the other hand, if we had an agreement and it would take several days or perhaps even several weeks to actually do the writing of the bill. I understand that.

I think people just scratch their heads because this is so alien to most people's common, everyday experience. This is one of the few places I know of where we have this kind of operation.

I have a modest suggestion: no budget, no recess. If we don't get these things done, which is the most basic job we have, let's stay here until it gets done. Maybe that is another reflection of using human nature as an incentive, because everyone wants to have a break every now and then.

I am glad we are here on this Saturday. At least we didn't shut down the government last night and then go home. We are going to be here tomorrow, as far as I am concerned and as far as I know. I am certainly going to be here. We have to have some discussion.

The Senator mentioned the four leaders. I think this has to involve the President as well. One of the powers of the President is as a convener. I think the President has to be involved in this, he has to make some decisions, and he has to help guide the decisions—here is what I will take, here is what I won't take—and work with this party so we can get a comprehensive agreement on some of these important issues. I understand they have nice meeting rooms in the White House. They probably have sandwiches. I think they can bring the group down there and say: Nobody leaves this place until we get this done. As I say, I think the people of Maine are just scratching their heads and saying: Why can't we do this?

I think another important point is that if this were a body and an institution that was one party, if everybody was of the same party, there wouldn't be any dispute—somebody would lay down the law, and that is what would happen. But this is an institution intended to represent the entire country and different views. That means that if you are in the majority—particularly in the Senate—you have a responsibility to get input from the minority, for people. In my case, I am in a minority of two.

Everybody here has valid input. To just say: This is it. Here is the deal. Take it or leave it. And if you leave it, we are going to hammer you for not going along—that is no way to make good policy in the long run.

There is a lot of good thinking in this Hall. There are a lot of smart people. In fact, I told somebody at home that I have never been in an outfit that has more good people and gets less done. There is something about this structure. I don't think there is anything in the water down here, but there is something about how this structure works that just keeps us from getting there.

I respect that the majority has the majority, but there also has to be some role to work together, and that is what the 60-vote margin is all about. I think this is a place where there needs to be some compromise.

One of my favorite philosophers, Mick Jagger, said: ''You don't always get what you want, but if you try sometime, you might just find you get what you need.'' I think that is where we are right now. Everybody can't get what they want, but if we work together, if we listen to each other, if we respect each other, and if we quit taking the easy way out, we will get what we need. That is what the people of Maine want us to do.

Mr. TESTER. I think that is what the whole country wants us to do.

The Senator brought up the point that if this body were all one party and they all thought the same, it might be easier. But it would be a lot worse. The truth is, diversity of thought is important. Talking with people, getting compromise, and finding the middle ground is what built this country. That is what built America. We need to look at those principles when we move forward on a bill like this.

Ten days ago, I was at the White House. Senator DURBIN was there. There were about two dozen folks, between the House and the Senate, from both parties. We saw the President more focused than I have ever seen him before. He said: You bring us a bill on the issue of immigration, and I will sign it. I will be the bad guy, he said. I will sign it. There is a bipartisan group here who got together and did that, and then he said no.

So the Senator is exactly right. The White House—the President—has to provide the kind of leadership and assurance to know that he is not just going to say no, that he will take yes for an answer. I think it is very, very important moving forward.

Look, we are at a moment in time where everybody looks at us, and I think we have single-digit approval ratings—probably lower than that now after last night. America is saying: Come on, guys. It doesn't have to be like this. You need to work together.

Everybody needs to work together and come together and come up with something that works for America, that solves the problems that are there. That is what I ask of this body today. We all say basically the same thing, so let's just do it. Let's put the bill together, let's bring it to the floor, and let's vote and get it done.

Mr. KING. I thank the Senator from Montana for his clear thinking, as always, and his contribution to this discussion. I hope our colleagues will pay heed, as they always should, to the Senator from Montana.

Mr. TESTER. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

UNANIMOUS CONSENT REQUEST—H.R. 1301

Ms. STABENOW. Mr. President, we are here on a Saturday on the 1-year anniversary of President Trump's inauguration. After a year of our colleagues on the other side of the aisle being in the majority in the House and the Senate and the White House, we are finding that rather than working together across the aisle to get things done, we have seen either nothing getting done, dysfunction, or partisanship at its worst. That really is not good enough.

People in Michigan want us to work together to get things done. They don't want to see a situation where there is a cynical ploy of pitting children against each other—one group of children against another group of children—for some political purpose, some divisive purpose.

There are a number of us who are here this afternoon to offer an amendment, which will be coming up, to address needs of children and families around healthcare. It is something which I care deeply about and which my colleagues care deeply about. It is something I have been coming to the floor to speak about since September 30, when we saw two very, very important programs for children and families in Michigan have their Federal funding expire—the Children's Health Insurance Program and community health centers. We have hospitals and ambulances and communities around the country that also need us to take action to make sure healthcare is available in their communities. That is what our amendment addresses as a whole.

It is deeply concerning to me that when we look at the Children's Health Insurance Program—it covers 9 million children across the country and 100,000 children in Michigan, where many of them get their healthcare at health centers.

If we really care about these children and their families and about the families of many people in Michigan—680,000-plus families who go to quality health centers in their community to see a doctor or a nurse to get the care they need—it is deeply concerning that those two pieces of healthcare for families would somehow be divided and pitted against each other.

We have strong bipartisan support. It came out of committee. I see our distinguished ranking member from Oregon on the floor. He and the chairman, myself, others—all of us, working together, brought a bill out of committee months ago—I assumed it was going to happen immediately—that would extend children's health insurance.

Senator BLUNT, the senior Senator from Missouri, and I have bipartisan legislation, which 70 Members of the Senate have signed a letter supporting, extending community health center funding. We assumed that we would bring children's health insurance to the floor right away, that we would combine it with community health centers, which are the way children and families get their healthcare—you have to have both—and we assumed that we would be on our way, that we would pass this and that it would pass the House and go to the President for his signature, and we would ease the minds of millions of families, of parents who are concerned about taking their children to the doctor, dealing with their juvenile diabetes, their asthma attacks, addressing very serious chronic illnesses and the regular things that happen to kids all the time, such as broken bones, bruises, the flu, and so on.

We are here today to stand up for those families and for an approach that is bipartisan. All of the items in our amendment have bipartisan support and can get done together, rather than the divisive underlying issue in front of us—the question of dividing groups of children, using children as pawns in some political game. We have the opportunity to come together and extend children's health insurance. We want to permanently extend it. That is what this amendment does.

We know that, according to the budget office, because of a number of different things that have happened on healthcare, we can extend it for not 6 years, as has been proposed, but for 10 years, and it can actually save billions of dollars. The families across the country—certainly the families in Michigan—deserve to know that this particular program will be extended permanently so it is not used as a political pawn in the future or some game, so that parents and children aren't used in some game because of other agendas.

We can address that today as we look at the broader issues of how we give certainty to our military, certainty to our veterans for their healthcare, border security—we are a top border security State—and medical research and the other things that need long-term certainty that have not been able to get done in a very dysfunctional place now, as we look at what is happening here with one party in control. We need to be looking and working together.

Let me say again, before turning to my other colleagues, that the Children's Health Insurance Program covers 9 million children at risk. We want to make sure this is a permanent healthcare program for the children of this country and for working families. We are talking about families whose moms and dads work but may not have health insurance at their work but still want to make sure the kids can go to the doctor and get covered. We provide a way for them to do that with children's health insurance.

Secondly, they go to health centers. Thousands and thousands of parents use their children's health insurance to go to health centers in Michigan, 260 across the State. Nationally, we have 25 million patients, and 300,000 veterans are included in that. Some 7½ million children are served by health centers, which is the other piece of this that needs to happen.

In addition to that, we have a number of other serious healthcare issues that need to be addressed in what has been dubbed in the past the health extenders package.

Funding the Maternal, Infant, and Early Childhood Home Visiting Program, which is critical to families and children, is part of the commitment. On the floor, we have heard a lot about caring about children. I am happy to hear that. I appreciate, for some, a newfound commitment to children's healthcare. Others have been committed for a long time. Let's come together and fund the Maternal, Infant, and Early Childhood Home Visiting Program for new babies and moms.

This would permanently repeal the therapy caps. That would help make sure that seniors and people with disabilities on Medicare receive the services they need to get healthy.

This would provide adequate funding for ambulance providers in rural communities. This is a big issue in Michigan. I am proud to be leading this effort to make sure that the small town where I grew up, Clare, and other small towns all across Michigan have ambulance services so that in an emergency, somebody will show up and show up quickly to take care of people and get them to the hospital.

Funding for small rural hospitals, like the one where my mom was the director of nursing when I was growing up in Clare—they need to keep their doors open. This would make sure that happens.

All of these things are incredibly important—funding our safety net hospitals, continuing the Special Diabetes Program, leading to new research and therapies and ultimately leading to a cure.

In conclusion, let me just say what I have said so many times. Healthcare is not political. Whether it is for children, whether it is for seniors, whether it is for veterans, whether it is for families, healthcare is not political, it is personal. That is what the fight for a long-term budget commitment to our veterans' healthcare is about, a long-term commitment to tackle opioids is about, a long-term commitment for children and families is about, and, frankly, mental health and all of the issues that deal with healthcare above the neck, which needs to be treated the same as healthcare below the neck.

It is time to get this done. While other issues are being sorted out, we should not be pitting children against children. Families are counting on us to do the right thing. I hope colleagues will join us in supporting this effort.

I now yield. I believe this is Senator CASEY, Senator BROWN, and I who are offering this amendment. Senator CASEY—a passionate, long-term, devoted, committed supporter and champion for children—is right where he ought to be right now: on the floor of the U.S. Senate fighting for our children and families.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I thank the senior Senator from Michigan for her words today but also, more importantly, for her advocacy for so many years, and maybe especially in the last year, on the Children's Health Insurance Program and all of the great work she has done.

This is a program which has been bipartisan for a generation. I speak from the vantage point of Pennsylvania. It has been bipartisan in my home State for even longer than the Federal program. In Pennsylvania, the program was passed in 1992 and became law in 1993, and so for longer than the Federal program, which many people know started in 1997.

It has personal connections to me. My father was the Governor who signed the legislation into law in 1993. Since that time, every Republican and Democratic Governor and, for the most part, the legislatures of both parties have supported it, which has been the case here. It is only lately that CHIP has become contentious.

The tragic irony here—or if you wanted to use stronger language, I would use the word ''insult''—in this case, you had legislation to reauthorize—which is a fancy Washington word for ''do it again'' with maybe some changes—the legislation was reauthorized in the fall and was ready for passage on the Senate floor. The majority leader indicated that it had to get through committee, and it did. We had a unanimous vote in the Finance Committee to have children's health—to have that program be part of our law going forward. What happened? The deadline was September 30. The Republican majority had the opportunity to bring that bill, the KIDS Act—that was the bill—to the floor. If that bill were brought to the floor, it would have passed in a matter of hours, if not less.

The majority decided not to bring the Children's Health Insurance Program reauthorization bill, the KIDS Act, to the floor before September 30, so the program expired September 30. Here we are, more than 100 days—I guess it is 112 days or something like that—since it expired. Republicans had the power to get children's health insurance done by September 30. They failed despite the fact that there was a bill to do that. It could have passed on the floor very quickly. They have all the power to do it, to get it on the floor, and they chose not to.

That is bad enough, but it gets worse. They had all of the month of October, and they did nothing on children's health insurance. They had all of the month of November, and they did nothing on children's health insurance. They had all of the month of December, and they did nothing on children's health insurance.

Now there is this newfound urgency to make sure they criticize Democrats for not passing this defective piece of legislation that has major holes in it from the House, which was developed only by the Freedom Caucus in the House, and we are supposed to accept, I guess, whatever the Freedom Caucus in the House wants. That is the way we are supposed to run the U.S. Senate.

Why would Republicans—despite their assertions that they want to move the children's health insurance bill forward—let all of October, all of November, and all of December pass after they already let it expire? Why would they let all that time go by? It is not a mystery. We don't have to hire a private investigator to find out why they let it go that long. One reason is, because for most of November or all of November but certainly all of December, until, I guess, about the 22nd of December, they were focused on one priority, their tax bill, a tax bill which is a giveaway to the superrich. The top 1 percent gets about $51,000 in year one. I hope everyone else is going to do that well—sorry, they are not. What do they do in that bill in addition to helping the wealthy? They gave big corporations not just the kind of tax cuts we have never seen before—more than almost $1.5 trillion for corporations—but they made it permanent. So they got permanent corporate tax relief when they should have been figuring out a way to get children's health insurance done. So that is the story of how we got from there to here.

We hear now that because there are changes in the cost of children's health that this would be a 6-year bill. Well, that is a good amount of time, but guess what. Guess what. Because of all that change in the intervening period, we could do a 10-year Children's Health Insurance Program and save billions of dollars in doing it, compared to what Republicans want to do now. So if there is this urgency to do something about children's health on the Republican side, I say let's join together and not only get children's health insurance done—today we could do it. We have all day today. We have all day tomorrow. We have a big weekend of work here. Let's get children's health insurance done and knock something off the list. We don't have to worry about it, but while we are at it, let's make it 10 years. I would argue that children's health insurance should be a permanent program, just like the tax cuts for corporations. They found a way to give corporations permanent tax relief. Why wouldn't you support permanent children's health insurance? But if they can't do that, we could at least do it for 10 years. That is easy to do right here today, a 10-year Children's Health Insurance Program so that 9 million kids and their families and 180,000 in Pennsylvania can have the certainty to know that despite the fact that it is over 100 days late because of Republican failure to get the job done, we could get it done right now, today. So let's see what they do.

Here is another issue we have to talk about because this bill that came over from the House didn't address this issue: community health centers. Eight hundred thousand people in Pennsylvania depend upon those community health centers. There is nothing in that bill that we voted on last night to address those 800,000 people in Pennsylvania and tens of millions across the

country. The House bill didn't even touch that. I guess those people shouldn't have to worry.

Community health centers, we know after that expired, just like the Children's Health Insurance Program—and the Republicans have the majority. They could have made sure the health centers continued, but they didn't. So after expiring, we know these health centers face a funding reduction of 60 percent to 70 percent. We also know, at least in my State, of the 180,000 children covered on CHIP, something on the order of 9,000 children enrolled in the CHIP program go to community health centers. So having CHIP in place is essential, but having community health centers in place alongside it is also essential. What do those 9,000 kids in Pennsylvania do if they have CHIP coverage but can't go to the community health center down the street because it is closed because it wasn't addressed by House Republicans or Senate Republicans?

So while we are at it this weekend, why don't we get community health centers done. In my State, 4,915 people work there in full-time jobs—4,915 people.

The third issue of four—and I will be done in a minute—tax extenders. That is kind of another Washington phrase, right? Well, in this case, not getting these extenders done by the end of the year, which we almost always do no matter who is in charge—but guess what. They couldn't do it. They didn't get to tax extenders for rural hospitals by the end of the year because guess what. They were working on their tax bill for big corporations and rich people. So rural hospitals got pushed aside, just like children's health got pushed aside, just like community health centers got pushed aside because they had to get their tax bill done for those big corporations and rich people. So tax extenders for rural hospitals didn't get done. Rural health providers face hundreds of billions of dollars of cuts across the Nation.

I represent a State that has 67 counties, but we have 48 counties of those 67 that are rural. In those 48 rural counties, about 279,000 people got healthcare either through the Medicaid expansion or through the exchanges. In those communities where there is a rural hospital—sometimes there is only one hospital for a long distance—those communities rely upon that hospital not just for healthcare but for jobs. Sometimes—in most places, it is the biggest employer in the county or the second biggest employer. In my State, there are between 20 and 30 rural counties where the hospital is either the biggest employer or the second biggest. They need those tax provisions in place, but the majority did not get that done.

Finally, I will end with this. The senior Senator from Michigan highlighted this, and I think it is important. Another thing that didn't get done that wasn't in this bill coming over from the House was an important program we don't talk about enough. It has been in place a couple of years. That is the Maternal Infant and Early Child Home Visiting Program, an evidence-based home visiting program that supports at-risk pregnant women and young families. That didn't get done in this bill. It was not in the bill. In fiscal year 2017, funding for that program was $400 million. It is the right thing to do to have that in place.

We know that just in Pennsylvania, for example, 3,282 families benefit from this program. That is another part of this bill that wasn't included. So if the majority is so concerned, as they professed last night—I wish they did this months ago, but just last night, breaking news, they are concerned about the Children's Health Insurance Program—let's pass it today. Let's get it done today and make it a 10-year program. No one would have to worry for an entire decade about children's health insurance if the Republican majority wants to join us in that effort.

I yield the floor, and note that the next speaker is the senior Senator from Ohio, a great fighter for our kids and for our families.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank Senator CASEY and Senator STABENOW for their leadership. They are exactly right about this. They are right about maternal health, CHIP, rural hospitals, and community health centers that so many people depend upon, and I thank them very much for their work. I thank the ranking member of the Finance Committee, Mr. WYDEN, for joining us. Mr. CARPER, I believe, will be joining us too.

It has now been 112 days since funding expired for the Children's Health Insurance Program. It has been 112 days of uncertainty for families, 112 days of mothers worrying about being able to afford their child's checkups, 112 days of fathers who will have to choose between the heating bill and medicine for their kids, and for every one of those 112 days, the Republican leaders in Congress have made a choice about extending CHIP, and we know it is something that has been bipartisan for two decades.

The chairman of the Finance Committee loves to brag about the fact that he was there at its inception. He invented it with Senator KENNEDY or he invented it and Senator KENNEDY came along afterward or whatever actually happened 20 years ago, he loves to brag about it. In the Finance Committee, with Senators CASEY, CARPER, WYDEN, STABENOW and others, we asked him about it repeatedly during the tax bill.

Again, they were willing to pass a tax cut in December, where 81 percent of the benefits in that tax bill went to the richest 1 percent. That bill will encourage more companies to shut down in Erie, PA, and Ashtabula, OH, or in Pittsburgh or in Cleveland and move overseas. They were willing to do that. We asked them over and over—Senator HATCH and others in the Finance Committee—let's pass CHIP. They just couldn't get around to it. They made a choice. They made a choice to do tax cuts for the rich. They made a choice to let CHIP expire. They made a choice not to bring a bipartisan bill passed out of the Finance Committee to the floor. They made a choice to spend their time and energy on other things.

They have a choice today. I am calling on my colleagues on both sides of the aisle—and I think Senator STABENOW will make a motion to do this—to pass a permanent extension of CHIP, with no strings attached, the policy we agree on, protecting health insurance for 9 million children, with an added bonus of saving $6 million in savings for the Federal Government because CHIP frankly doesn't cost very much.

Children don't get sick very often and don't require a lot of medical care. Some children do, and that is the whole point of CHIP, so healthy children can stay healthy and get regular checkups and, with an occasional ear infection, go to the family doctor with an ear infection on the first day, rather than the emergency room after the child might experience intense pain or even, later in life, hearing loss, in some cases. It is there for those like Crystal's child in Columbus, OH, whom we talked about.

It is a policy that doesn't just make moral sense, it makes financial sense. It is time for Republican leaders to stop holding CHIP hostage and families hostage to their failed budget process. I know they broke out a plan the other day, as their political talking point, to try to use it to pass a bill that really wasn't all that good a bill. These are not bargaining chips, these are kids.

In my State—the State where the Presiding Officer grew up—209,000 Ohio kids, and 9 million kids nationwide, roughly a number not much higher than that in Pennsylvania and lower than that in Michigan, in the 3 of our States, there are 600,000 kids who right now are getting insurance from CHIP. Remember, these are kids whose parents generally work making $8 to $10 to $12 an hour. They are not kids whose parents have jobs that pay insurance. They are not Congressmen and Congresswomen and Senators who have really good health insurance but for some reason think it is OK to deny it from others, from working families. These are working families. These are children whose parents have jobs but don't have insurance.

Think about the families and the stress they are facing. Think about the letters I get and Senator CASEY gets about the stories we get from Ohio and Pennsylvania families.

Josh from Cleveland said CHIP ''helped me arrange for my family to get the health coverage they needed while I looked for a new job. As a parent . . . that peace of mind, knowing that my family is secure getting the

medical help they need should something God forbid arise, is priceless.''

The letter he sent to us underscores the fact that all kinds of parents over the Christmas season, over the holiday season—low-income, hard-working parents, in most cases, $8 to $12 an hour—they are not buying a lot of stuff for their kids at Christmas anyway. They are trying to figure out how this is going to work over the Christmas season, but they are anxious. They have to worry about whether they are going to have insurance in the new year while Congress passes the tax cuts.

Tiffany from Cleveland wrote:

My son relied on CHIP. . . . Without CHIP, we would not have been able to afford to get him intensive speech therapy for his severe . . . diagnosis. Without this speech therapy, he would not be able to speak today. CHIP gave him a voice. Now I want to use my own voice to give other kids like him a chance.

Linda from Johnstown wrote to me about her daughter and grandchild.

The CHIP Program is vital to my daughter and grandchild. My daughter is a hard-working, tax-paying, 26-year-old, single mother with a 4-year-old son. She works over 40 hours each week as a chef. They do qualify for CHIP and it is a tremendous help. . . . Without the CHIP program, she would be forced to find other ways to make ends meet, or perhaps even to quit working, so that she would qualify for full public assistance.

So I remind my colleagues, all of whom have insurance paid for by taxpayers, if we don't pass CHIP, people like this young woman—people like Linda's daughter, who has a child—she might have to quit her job as a chef, her more than 40-hour-a-week job, so she can then go on Medicaid and get insurance for her child. Does that make any sense to anybody?

Another grandmother—it is always the grandmothers; never underestimate them—Suzanne from Columbus wrote to me:

As a pediatric nurse for 40 years, I have seen firsthand how . . . CHIP . . . has provided essential healthcare and saved lives.

As a grandmother, my grandchildren . . . benefited. Their father is deceased and my daughter can't afford the high cost of her company insurance but makes too much to qualify for Medicaid. Without this program, my grandchildren would not have had adequate healthcare.

So many of these families—think about them. As Pope Francis admonished his priests: Go out and smell like the flock. Go out and listen to your constituents around the country, I beg my colleagues. I think, if you had, that we would have seen CHIP reauthorized months ago, but that is the past.

So many of these families are just like Linda's and Suzanne's daughters. They work full time. They just aren't lucky enough to work for employers that offer health insurance. All of us are that lucky. Again, I don't know how we can stand here with insurance paid by taxpayers and not do anything about it. Make no mistake, that is what Republican leaders did for 112 days.

I know that most of my colleagues wanted to pass CHIP in September before it expired, then in October, then in November when we begged the Finance chair to do it, then in December during the tax reform. I know my colleagues wanted to that, but for whatever reason, Senator MCCONNELL, whose office, as we know, is down the hall and has lobbyists running in and out—CHIP families didn't really have very good lobbyists. I don't know why it works that way, but insurance companies did, and I guess that is how this town works.

I asked Leader MCCONNELL and Senator HATCH time and again to bring this bill to the floor and allow a vote. Senator CASEY asked them; Senator STABENOW and all of us did. It was September, October, November, and December, but they chose to do other things. They have a chance to make a different choice today, a chance to stop using children and families as bargaining chips, a chance to choose making policy over playing politics. If this is really about children's healthcare, I challenge Leader MCCONNELL to bring a clean, permanent CHIP bill to the floor right away. There is no reason to hold this up while we continue to fight over the budget process. Pretending that the two must pass together, of course, is a fallacy.

A permanent CHIP extension that provides certainty to families and $6 billion in savings to the Federal Government will pass overwhelmingly. We will be the first enthusiastic votes cast.

Thank you.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, I know the distinguished Senator from Ohio is going off to champion yet another cause for workers—the whole question of justice with pensions. I want to thank him for his eloquent remarks, as well as our colleague from Pennsylvania, Senator CASEY, and my seatmate on the Finance Committee, Senator STABENOW.

I will be making some remarks, and we may have another colleague or two come, and then Senator STABENOW on behalf of all of us will be making a motion with respect to these health programs. For my three colleagues on the Finance Committee, thank you for your commitment—months and months of commitment around the proposition. As Senator BROWN just said, this program should have become law a long, long time ago.

It is heartbreaking to see these CHIP families put through the political ringer; there is no other way to describe it. They come up to us—the moms, the families—and they talk about how they are being told: Well, maybe this program isn't going to be around pretty soon. And they heard that at the end of the year there was going to be big slabs of tax relief for those at the top and some multinational corporations. What did these kids get? They got something called a patch. In effect, that says it all. They were given second-class treatment, and the powerful and the well-connected got first-class treatment. As my colleagues have said, you didn't hear much of a mention about the Children's Health Insurance Program back then.

Our friend, the distinguished majority leader, MITCH MCCONNELL, was over here last night—I think my friend from Michigan knows her well, but the majority leader, talking last night about the Children's Health Insurance Program, sounded as if he were Marian Wright Edelman, the founder of the Children's Defense Fund. Last night he was saying that this was the biggest priority to him. We had to make sure the kids got a fair shake.

I looked over and I said that I thought I was listening to Senator Ted Kennedy, who had devoted his whole life to healthcare.

Before we go to my colleague's important unanimous consent request, I just want to go through a little bit of the history on this. Back in the fall, on the Finance Committee, we were committed to a multiyear Children's Health Insurance Program, generously funded, and we wanted it done in early October. We had virtual unanimity in the Finance Committee. I think there was only one Senator who had reservation, and we worked with him as well. So we were ready to go in the fall. Had we moved then, all of those families wouldn't have had the months and months of heartache, and the wonderful people who run the Children's Health Insurance Program, who were trying to figure out if they had to send out a notice and tell people ''Well, maybe it is not going to be there,'' and how to tell them and when to tell them—we could have spared everybody all of that.

People find it hard to follow what goes on here in the U.S. Senate. Following government is tricky under the best of circumstances, but this is not a complicated proposition, as my colleague from Michigan has stated. The Republicans in Washington, DC, with respect to the Children's Health Insurance Program, run all of the critical branches of our government that relate to these kids. The Presidency is occupied by a Republican, the Senate is run by Republicans, the House is run by Republicans. All of those institutions could have made it possible for us to take our bipartisan CHIP bill and enact it in October. It could have all happened then.

People are trying to watch this now and are wondering why the kids didn't get healthcare, and it didn't have to be this way. I know because Chairman HATCH, whom we all admire—40 years in the proverbial ring; he was a boxer—is retiring. Because this storied program was so important to him, I spent an enormous amount of my time working both inside and outside the Congress to line up support for this bill, and one of the reasons we moved first in the Senate is that we knew we might have some challenges with this

program in the other body. So I spent a lot of my time trying to line up support for a bill that Chairman HATCH felt particularly strongly about because of his history on it, and we could have moved then.

Somehow, shortly after the Finance Committee acted in a manner that is really a textbook for how the Senate ought to work, things went off the rails, not because of Democrats but because immediately after we acted, the other body—the House—went forward with a bill that was ensnarled in partisan fighting to the point that many on our side who believe deeply in the Children's Health Insurance Program couldn't support it because it meant, for example, doing great harm to Medicare and other kinds of programs. That began this kind of odyssey where, for months, there was always something more important for the leadership of the three branches of government—the White House, the Senate, and the House—than these kids. That is the bottom line. For 3 months, there was always something more important.

My eloquent colleague, Senator STABENOW, came to the floor during that period day after day after day, saying: Why can't we do this now? All the stars are aligned.

Again, there was always a reason not to do it. I will tell you, because we serve on the Finance Committee, it was particularly sad to see in December how those who had power and clout and were well-connected and had lots of lobbyists—their priority went lickety-split through the U.S. Senate. A whole tax reform bill—unlike what was done when Ronald Reagan got together with my friend, Bill Bradley, and they spent months working in a bipartisan way, the powerful and the well-connected got what they needed in a matter of weeks. They set a land-speed record for moving a tax reform bill. They had to borrow $1.5 trillion, and hundreds of billions of dollars went to the most influential, the most well-connected, and the kids at the end of the year got their patch.

That brings us to last night. I have worked with the majority leader on a host of issues over the years, but I will tell you that having him come to the floor and talk about how committed he was to the Children's Health Insurance Program after turning his back on it for months and months—that is a little much. That is a little much.

Today, months after it ought to have been done, we are going to try to advance this long-delayed priority. It is a long-delayed priority, which has had a storied, bipartisan history which, if we had our way, would have been built upon back in October—a bipartisan bill with the lead sponsor being our distinguished retiring colleague, Chairman HATCH, on its way to the President's desk early in October. But for all of the reasons I have described, it was derailed.

Now the hour is late, and I guess it is convenient for them to say ''Well, it was really our priority all along,'' but I think the record shows something else. That is why I look forward to my colleague's motion to make the Children's Health Insurance Program and the other programs that we have fought for so hard—particularly the community health center program, which has been a lifeline to so many families who walk an economic tightrope balancing the food bill against the fuel bill and the fuel bill against the rent bill.

I look forward to my colleague from Michigan closing this part of the debate. I want to thank her and note that the eloquent speakers on this topic have years and years' worth of expertise. Our colleague, Senator CARPER, got held up. He was going to be here—another good member of the Finance Committee who was with Bill Clinton when they really were part of launching this whole effort.

I am very grateful to my Finance Committee colleagues. I look forward to the motion to be made by the distinguished Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, before offering a motion, I first want to thank our ranking member from Oregon, who is so dedicated, so passionate, so smart. He works tirelessly every day. It is such a pleasure to serve with him. He is someone who has a distinguished career of fighting for middle-class families, for working people, for the right kinds of things. He came from working with the Gray Panthers and senior citizens, and he brings that to work every single day, and I thank him for that.

I want to stress before offering a motion that he and other colleagues—Senator CASEY, Senator BROWN, Senator CARPER, whom we had hoped would be joining us, and I know is trying to as well—have all stressed the fact, first of all, that we are at the 1-year anniversary of this President. For the first time in a number of years, we have the House, the Senate, and the White House all controlled by Republicans, and over and over again, what has gotten the priority? What has gotten done? Things for the wealthiest Americans and people with really big lobbyists, special interest lobbyists. That is what gets done over and over again.

So when, in fact, the funding ran out, not only for children's healthcare but also for community health centers and other important priorities that needed to get done for rural hospitals, ambulances, special diabetes programs, and other things, those have been shoved aside over and over and over again with people waiting and waiting and waiting. Why? Because the needs of the wealthiest Americans, the needs of the special interests, the folks with the big lobbyists have been the ones who have taken priority this last year over and over again.

So now we get to a point where we are talking about children's health insurance. I am glad we are doing that, but it is in the context of pitting one group of children against another group of children and not recognizing that the majority of families who have children's health insurance need to use community health centers. That is where their doctor is, that is where they get their care, and that is cynically not included in this.

We have an opportunity now. I am offering a unanimous consent request on a set of policies that have bipartisan support that we could get done today, not in a divisive way, not pitting children and families against each other but actually doing something together that would be in the best interests of the majority of Americans—middle-class families and folks trying really hard to stay in the middle class or get into the middle class.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration—I am being asked to hold off. I will be happy to do that while we have a moment where details are being worked out.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. FLAKE). Is there objection?

Without objection, it is so ordered.

Ms. STABENOW. Mr. President, before I make a unanimous consent request—and we will do that as soon as it is appropriate—I just want to stress again why we have been on the floor this afternoon. It is because we know we have bipartisan support not only for the Children's Health Insurance Program but for the health centers where they get their healthcare, and we can address this without pitting children against children through the unanimous consent request I have and the amendment I am offering along with Senator BROWN and Senator CASEY.

In addition to that, there are critical issues that normally get done before the end of the year but did not. Those issues relate to rural hospitals, ambulances, pregnant moms, children, and so on that normally have bipartisan support. So we put these together in a bipartisan effort that really addresses not just one piece of the Children's Health Insurance Program but the places where they go to get their healthcare.

They are going to small hospitals like in the town where I grew up or where my mom was director of nursing, and they are going to community health centers. We need to address these together. These are things we have done together.

Therefore, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, H.R. 1301; that the Stabenow-Brown-

Casey amendment, providing for a permanent extension of the Children's Health Insurance Program, a 5-year extension of the Community Health Center Program, and extensions of other expired Medicaid, Medicare, and health extenders, which is at the desk, be considered and 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 with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Thanks to the Democratic leader's decision, along with my good friend from Michigan, to filibuster an extension of the State Children's Health Insurance Program, low-income families are going to slip closer to losing health coverage for their kids. In many States, it is already an emergency.

There was a carefully crafted compromise that she and every Democrat on the committee supported. The Senate has not reviewed this new proposal currently being offered today, but Members are serious about funding CHIP.

There is a bill before us that reauthorizes the program for a full 6 years and can be signed into law today. The only thing preventing CHIP's reauthorization from being signed into law today is the Democratic filibuster of the House-passed bill. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, the House of Representatives, the President, and a bipartisan majority of Republican and Democratic Senators all agreed on a compromise bill that would have prevented a shutdown. We can pass this bill today and have it signed into law so we can end this nonsense. There is one way to do all of this, and it is right in front of us—the pending measure.

It would enable Congress to do the commonsense thing: keep negotiating other issues while providing for our troops, our veterans, and millions of vulnerable Americans, but the Democratic leader chose to filibuster that bipartisan bill.

So here we are. Day one, and already funding is in jeopardy for our veterans and our troops. Funding for a 6-year children's health insurance bill is sitting here because the Democratic leader filibustered a bipartisan compromise that a majority of Senators supported and chose instead to shut down the government.

Thanks to the Democratic leader's decision to filibuster an extension of the State Children's Health Insurance Program, low-income families will slip closer to losing healthcare coverage for their kids. In many States, this is already an emergency.

Again, we can do all of this today. We have a way forward. It is right in front of us and ready to go.

Mr. President, I ask unanimous consent that notwithstanding rule XXII, the Senate immediately vote on the motion to invoke cloture on the motion to concur with amendment, which funds CHIP and reopens the government; further, that if cloture is invoked, all postcloture time be considered expired and the Senate immediately vote on the motion to concur with further amendment.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

Mr. WYDEN. Mr. President, reserving the right to object, and I will object here in a moment. I just would like to say that on our side, we feel so strongly about getting this resolved. We now are seeing a whole host of discussions between Members on both sides of the aisle in the Senate. We are hearing about discussions between this body and the other Chamber.

It would be my hope that with the good faith we have seen since last night—and I know the distinguished Presiding Officer is involved in some of these discussions—that with those kinds of good-faith discussions, we would have a chance to get this resolved and address the concerns the American people have in a matter of days rather than several weeks.

So, for that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

UNANIMOUS CONSENT REQUEST—S. 2274

Mr. CARDIN. Mr. President, I take this time to propound a unanimous consent request concerning our Federal workforce. The reason for doing this is we have gone through shutdowns before. It has been our view that our Federal workforce should receive their pay. That has been a bipartisan effort after each of the shutdowns.

I can tell my colleagues our Federal workforce is concerned. They are concerned as to those who are on furlough, whether they will receive their paychecks when the government opens up again. I was pleased to see a comment come out of the White House, where the White House said they support the pay for our Federal workforce. I think it is important we give them that assurance.

I understand there is disagreement as to what has happened to date and how we are going to reopen government, but let's not make our Federal workforce have anxiety where they should not have it. Our Federal workforce has suffered long enough under furloughs and CRs and pay raises that have been less than cost of living and shutdowns, et cetera.

So I would hope, on a bipartisan basis, that we could do what we have done every shutdown; that is, to tell our Federal workforce that when we resolve these issues, we will make sure they are paid if they are furloughed today.

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 290, S. 2274; I further ask unanimous consent that the bill be 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?

Mr. MCCONNELL. Mr. President, reserving the right to object, the men and women of our armed services should not be left to suffer at the hands of political obstruction. These troops are deployed in harm's way, and left behind are their families and colleagues training to replace them. It is irresponsible that their pay, to include imminent danger pay, would be delayed because the Democrats are insisting that we deal with illegal immigration exclusively on their terms.

Let me remind the Senate that we have an All-Volunteer Force that doesn't ask much of us, but we are obliged to pay and support them. We owe them the certainty of a full-year funding bill. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—H.R. 1301

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, H.R. 1301; that the McConnell amendment at the desk, which provides for full funding for authorized activities in the National Defense Authorization Act, be considered and agreed to, the bill, as amended, 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?

Mr. CARDIN. Mr. President, reserving the right to object, if I might, what Democrats and, I hope, Republicans have been trying to do is to get a budget for this country. That is what we have been saying. Let's stay here and negotiate the budget. Let's pass a very short-term CR. Let's get these budget numbers done so that not only on defense but on nondefense we can provide the support they need.

I came to the floor to make sure our Federal workforce knows we are behind them and to make sure they understand that whether they are furloughed or not, they are going to be paid for their services. That is what we have always done together.

I take this time because I want to get a budget for the entire country. We are not going to be able to divide the issue and say we are going to take care of some but not all. That was not the purpose of my unanimous consent request.

Therefore, for those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Montana.

Mr. DAINES. Mr. President, I am here to make one point crystal clear

for those Montanans who are wondering what is going on with their government. There have been a lot of speeches given today and last night, and there have been a lot of interviews going on. Let me try to sum it up as succinctly as possible.

The reason the government has shut down is because of a controversial illegal immigration policy that was not included in a bill that funds the government. If you don't know that, you are missing the facts.

We should not hold the country hostage for a controversial immigration policy that impacts only .0007 percent of Montanans, but a minority of the U.S. Senators want to shut down the government, and now their leader is filibustering the U.S. Senate.

This is a huge mistake. We need to get the government back up and running so the least amount of pain is felt by Montanans and the American people.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, as we all know, right now the government is in a shutdown. It is unfortunate. I certainly don't think it should have happened last night.

But I think there is some good news. Watching some of the speeches today, we see a lot of ideas coming to the floor, a lot of bipartisan ideas on a lot of key issues that hopefully our country is going to make some progress on. Let me give a few examples for those who have been watching and those who haven't.

The Presiding Officer, my friend from Arizona—I am not trying to embarrass him or anything. I watched his speech a couple hours ago on the way forward and what we can do to break through this unfortunate circumstance we have right now, and he certainly has a lot of good ideas. I commend him and appreciate his leadership on those issues.

My good friend, the Senator from Maine, Senator KING, was down here talking about continuing resolutions and these huge omnibuses, and I would agree with him completely. As a matter of fact, Senator KING and I had a long discussion on the floor last night about how the system is broken. There are a number of Senators—I think some of the newer Senators—who see it that way. This is no way to move forward, to fund our government with these continuing resolutions and huge omnibuses at the end of the year. So a number of us—and I think it is bipartisan—want to look at reforms to fix this. Senator PERDUE of Georgia has been leading efforts. I think it is very important—and I certainly am part of that group—to look at longer term fixes.

The Senator from Michigan came down and talked about community health centers. Community health centers are incredibly important for my State of Alaska. Ten percent of all community health centers in the country—160—are in my State. So I couldn't agree more about the necessity to move forward on more stable funding.

A number of Senators were just down on the floor giving very passionate remarks about the Children's Health Insurance Program, CHIP. Again, it is very important in my State. A lot of people in this country are concerned about the reauthorization of CHIP, and there were some passionate statements on the floor. I would say to my colleagues respectfully, and I respect all of them and welcome the opportunity to work with all of them, they didn't actually address one issue. When they said that a lot of Americans have been worried about this happening for the last 3 months, they didn't actually say why they didn't vote to reauthorize it last night for a 6-year reauthorization.

The Senator from Ohio talked about how people were worried and concerned. Well, guess what—last night he had the opportunity to get rid of their worries and concerns. And when they woke up this morning, they were still worried and concerned, and so are my Alaskan constituents, which is why I voted for the bill last night. Had they voted for the bill on CHIP, the worries and concerns would have gone away.

So there were a lot of passionate speeches on this issue, but not one of them actually said: But here is why I didn't vote for it last night. It would be good to know what the answer to that is.

But I really wanted to come to the floor again to emphasize something I have made a few remarks on in the last couple of days on the floor because it is something that I am concerned about, and it is something I want the American people to recognize, and it is a big issue for me.

I think the American people need to be skeptical when they hear on the floor the minority leader and part of his leadership team with their new talking points about their focus on the military and military spending and rebuilding our military.

In the run-up to the shutdown, we had started to see the minority leader and some of the leadership team trotting out new talking points. They went like this: With the shutdown approaching, we are really, really concerned about the military and readiness and funding for our troops and their families and rebuilding the military.

In fact, in the last 3 days, I think I have heard more from the leadership of the other side on this issue than I have in my 3 years in the Senate. I think the minority leader in the last 3 days is starting to sound like my good friend from Arizona, Senator MCCAIN, this body's true champion of the military and military funding.

I actually welcome this change of heart by the minority leader. There is a group of us in the Senate—many who serve on the Armed Services Committee, led by Senator MCCAIN—who have been focused on increasing funding for our troops. A lot of it is Republicans, but it is also some Democrats. I see my good friend from West Virginia is on the floor. He is certainly one of them. He is on that committee. We talk about this issue a lot. Senator KING was on the floor again. He is focused on this issue. It is an issue that a lot of us in this body have been focused on daily, whether on the Armed Services or in other committees. The Senator from West Virginia and I also serve on the Committee on Veterans' Affairs together. For me, it is one of the most important issues that we can focus on in this body—the national defense of our country.

I have had the honor of serving in the Marine Corps for almost a quarter of a century. For my State—the great State of Alaska—these issues are enormously important to my constituents. We have more veterans per capita than any other State in the country, thousands of Active Duty and Reserve troops, thousands of civilians who support them, and numerous bases in Alaska because of our strategic location. A number of us really care about these issues regarding the military and funding and supporting our troops.

As I mentioned, I welcome the Democratic leader's new focus in the last 72 hours on military readiness and full funding as we put forward a national defense authorization bill that really started to rebuild our military and support our troops and their families. But I must admit that I am a little bit skeptical. As a matter of fact, I am very skeptical. I think the American people who are watching these debates and listening—whether on TV or in the Gallery—when you see these new talking points of concern from the Democratic leader about our troops and funding, you should be skeptical too. Why? What is really going on here? Why all this new talk?

Again, there has been more in 72 hours than I have seen as a Presiding Officer and watching C–SPAN in 3 years from the Democratic leader on how important it is to fund our troops. I think he might be overcompensating. I think they might be a bit worried. I think they may be feeling a bit defensive. I think they might be trying to preempt arguments that their policies of late are actually really harmful to the military, our troops, and their families.

If you look at the record, their policies of late have been really harmful to our military, our troops, and our families. And this is the most important point. Actions on this issue speak louder than words. Policies that are being promoted are a lot more important to look at than newly crafted, slick talking points.

Let me provide a few examples. The most recent was last night. We had a government shutdown. We didn't need to have a government shutdown, but we had a government shutdown. It was driven by the Democratic leader. The people who are hurt the most on this, by far, are our troops and the civilians who support them. We all know this.

As of today, guess what. The lance corporal in the Marine Corps, who is deployed overseas in Iraq, is not getting paid. A lance corporal doesn't make a lot of money. Well, he is not getting paid. He is risking his life for his country. He is in combat, protecting our national interests, and he doesn't get paid. That happened last night.

We talk about how bad a continuing resolution is. Again, the Democratic leader was saying: Hey, a continuing resolution is really bad for our troops. That is why I am so skeptical of it. I want to protect the troops.

Wrong. A continuing resolution is really bad for our troops; there is no doubt about it. But what is worse is a government shutdown. Ask any military leader. Ask any military leader what the disruption that happened on the Senate floor last night does to our readiness and our ability to protect this country.

I have served in the Reserves and on Active Duty for almost 25 years. I remember, in 2013, getting ready for Reserve duty training. We didn't even know if we were going to train or not—no emails. We had no idea what was going to happen when the government was shut down. It was chaos, just as the Democratic leader predicted it would be.

Here is another one—survivor benefits. A survivor benefit goes to a spouse or child of someone who is related to one of our heroes who was killed in the line of duty. It is really important that we, as a government, take care of those families. Guess what happened last night when we shut down the government. Survivor benefits were stopped; they are not being paid.

Again, stay skeptical on this idea that ''Hey, we really are—new points, we really are supporting our troops.'' Last night was a case in point where actions speak louder than words—not supporting the troops at all.

The civilians—in my State we have hundreds, if not thousands, of patriotic civilian members of the military or civilians who support the military—many of whom are retired military—who are now not going to go to work on Monday, if we are still shut down, at the military bases to support our troops. That is not helping our troops.

Let me give another example of where actions speak louder than words. We have been having very difficult discussions, and they are tough. It is one of the reasons we need to fix our budget process as to what level we should be increasing funding for the military. Those on the Armed Services Committee have authorized a significant increase. Again, it was bipartisan on the NDAA bill, but the Democratic leader has been demanding in these negotiations what he calls parity.

It sounds simple. What does that mean? Let me give you a little background on that. From 2010 to 2016, we cut our defense spending by 25 percent as national security threats to our country increase. There is nobody who disputes that. ISIS, Iran, Russia, China, North Korea—these are all challenges facing us right now, and we have been cutting our spending and cutting troops, dramatically cutting troops.

I think pretty much everybody in this body is saying: Whoa, bad idea. We shouldn't do that.

In the NDAA, we dramatically increased our authorization for the military. That was a good step—very bipartisan. But in these negotiations we have been having over the last several months, the demand from the Democratic leaders was, any increase in the Department of Defense budget has to be met with an equivalent increase in domestic agencies. In other words, if you want to increase the budget for the Marine Corps, increase the budget for the EPA.

I think most Americans don't agree with that. It certainly doesn't show some kind of newfound respect for supporting our troops. But that is what is happening right now. Again, actions speak louder than words.

Let me provide one final example of actions that certainly don't seem to be supporting our military, speaking louder than words. Unfortunately, the other side is starting to have a practice, a regular practice, of filibustering spending for our troops. Let me explain this. In 2015, a number of us were newly elected, and we said: We need a better budget process. Obviously, we are seeing that it is not working well. Let's go through regular order. Let's get the Appropriations Committee to work really hard and put out 12 appropriations bills, which they debate in the appropriations committee. Then, let's bring them to the floor and vote on them. That is a way to avoid this crazy omnibus, continuing resolution debacle that we find ourselves in today and most of the time. We were really focused on doing that. We tried.

As a matter of fact, the Appropriations Committee did a great job. It was a lot of hard work—very bipartisan. They reported out 12 appropriations bills by the spring of 2015. Most of those bills were very bipartisan.

What we thought was, all right, that is a good start. Everyone seems to want to do that. Let's bring up the bill that is actually important. In 2015, with the rise of ISIS, our troops are in combat. Let's bring up the Defense appropriations bill, which came out of committee unanimously. Every Senator on the appropriations committee—Democrat and Republican—voted for that.

Let's bring that to the floor. We did.

Let's have a debate. We are going to fund our military—these new talking points about our supporting our troops.

What happened that summer? The Democratic leadership filibustered the spending for our troops. They wouldn't let us vote on the bill. They wouldn't let it come to the floor. They stopped funding for our troops.

A number of us were upset. I know some of the Democrats were upset by this because they didn't all support it. You need only 41 to filibuster, as we saw last night.

A number of us said: Well, let's keep bringing it up. They can't be serious. Our troops are in combat. Everyone knows we have national security threats.

The bill came out of committee unanimously. Let's bring it up again. I guarantee you, if their constituents back home, whatever State they are from, whatever party they are—Democrat, Republican—knew that their Senator was filibustering the spending for their national security, the troops, and their families, they probably wouldn't be very happy.

We brought it to the floor again and again and again—five times. Guess what. Every time, the Democratic leadership filibustered spending for our troops.

I guarantee you, there was probably 80 percent support in this country, or more: Hey, let's vote on that. It came out of committee unanimously. The troops are protecting us all over the world. Let's vote on that.

We never got to vote on it.

In conclusion, the next time the minority leader comes to the floor during this debate, emphasizing his concerns about our troops and their funding and the need to rebuild them and their well-being, Shakespeare's insights about protesting a bit too much should come to mind. Be skeptical. Be skeptical. Actions speak louder than words. This has not been a focus of the Democratic leadership.

Here is what I believe is happening. Given their actions—including what happened last night, which really harms our military, and everybody knows it—the specter of the Democratic party once again becoming equated with America's anti-military, which occurred in the 1970s, is haunting them.

Again, I serve on the Armed Services Committee. I serve with wonderful Senators—Democrats and Republicans—who support the military, who support our veterans being on the Committee on Veterans' Affairs, and I know the vast majority in this body support our troops. But the actions of the leadership on the other side don't show that. Yet they are trotting out new talking points about their newfound focus of rebuilding the military and taking care of our troops and their families.

Let me make this final suggestion. The best way to actually show that to the American people, all of whom support it, is not through newly crafted, slick talking points but through actions and policies that truly and sincerely focus on what we all agree we need to do, which is rebuild our military, rebuild readiness, take care of the troops and their families. We can start by ending this ill-conceived government shutdown as soon as possible as one concrete action to actually do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, late last night this body voted on the fourth short-term continuing resolution for fiscal year 2018. That means we are already into this by 3 or 4 months. I voted for the continuing resolution last night because I refuse to support a government shutdown in any way, shape, or form, but it doesn't mean I believe this should be the way this Congress works.

To my good friend from Alaska and all of the good people here, I consider everyone in this body my friend. To the blame game, I got here in November 2010. The Democrats were the majority at that time, and I wondered why we weren't voting. I didn't understand the process. As I started learning the process, I kept wondering, why aren't we voting? There were filibusters and cloture and we couldn't get things done.

I am not here to say who is at fault. I know when you are in the majority, you are in a leadership position, and you are supposed to lead. We expect leadership to lead. Leadership has to make sacrifices sometime to find a pathway forward. Both sides are guilty of not doing that as well as it should be done.

We are in a government shutdown. It should never happen. Three hundred million people shouldn't be penalized for the dysfunction of this body. As Democrats and Republicans, I would hope we would be Americans first.

I don't think of my Democratic Party before I think of what is good for the country or what is good for the State of West Virginia. I have my Democratic principles I believe in. As a West Virginia Democrat, perhaps they are a little different than maybe a Washington Democrat, and I have my Republican friends in West Virginia who believe a little differently than Washington Republicans. At the end of the day, we always try to do what is right for the State of West Virginia and, most importantly, what is right for the country.

We are not going to let our troops down. There is no way, shape, or form. You have to be accountable and responsible. In all the things we are doing, I can't fathom how we have allowed so much power in two people's hands—both leaders of our respective caucuses—where it seems any negotiations are only done between two people. The only negotiations are with the staff of those two people, and we are supposed to, as a body, blindly go along. As you know, I don't do that all the time. My votes are pretty independent, and they will be. I always said if I can go home to West Virginia and I can explain what I am voting for and why I did it, whether they would agree or not, if I can explain it, I can vote for it. If I can't look a West Virginian in the eye and explain my vote, I made it for political reasons for myself or for somebody else but not for my State. I am not going to do that.

For us to go beyond tomorrow would absolutely be a travesty. If we can't open this government back up and work through our differences, it would be a travesty. If we allow this country to suffer starting Monday morning—when everybody should be at work, everybody should be paid for the work they are doing for our great country to keep it safe, our military, and everybody down that line—then shame on all of us.

I believe we can. I believe the majority leader is going to find a pathway forward, and he will be able to lead and accept what the minority, the Democratic Party, is saying. We can adjust and make some adjustments here. We need some votes on this. We would like to be able to proceed further, and we want to make sure we can come to an agreement that gives us a long-term solution, not every month it is coming back to us. That means getting a pathway forward. I truly believe in my heart that can be done, and it will be done.

I have, in my State of West Virginia, 20,000-plus children depending on the CHIP program for their healthcare, and I know the Presiding Officer does too. We all do. We want to take care of that.

We have our military, and we want our military to be funded properly so they can defend us. We need to make sure they have all the necessary equipment and armaments and all the technology they are going to need to be safe themselves. For us to divide ourselves between Democrats and Republicans about who supports the military more or less is wrong. It is the one thing that keeps us bipartisan. It is the one cohesive thing we have in this Senate is our military and our love of our veterans and the work of our military, what they are doing and what they have done for us. I have never found a Democrat or Republican who wouldn't rally behind a veteran or help the military to be as safe as they can. So that should be taken off the table. No one is against the military.

Every time we pass another short-term funding bill, we put our national security at risk. We talked about that. We stall critical projects for our economy and our citizens. The CR means we are stagnant. We can't plan, we have no long projection that we can take care of. It basically gets us from one day to the next. If the CR is for 30 days, it gives you 30 days. If it is 3 days, it gets us 3 days. Somebody has to move the needle forward to make sure we can run in a consistent way. We need a 12-month budget. We need the 12 appropriations bills the Senator from Alaska spoke about. We need those to be taken up and leadership must lead and make that happen. During the shutdown, government agencies and services will close. The people we are supposed to serve are going to suffer, and that is just wrong.

The Department of Defense—we have talked about that on both sides of the aisle—will not be able to pay death gratuities to families. Think about that. We will not be able to pay the death gratuities to families of servicemembers killed in combat without additional legislation from Congress. With this dysfunctional shutdown, where we can't operate, that is not going to happen. Everyone wants to use something as a wedge and something they can hold against each other, and then they figure out what they can do with it: Well, I am for this or I want to take care of the death benefits. That is the least we can do, but so-and-so doesn't want to do it. That is not right. I can't fix it that way. That doesn't repair it.

Yesterday, during negotiations, while government agencies were preparing for a shutdown, I spoke to my good friend Ken Fisher. I don't know if you know about the Fisher House. You may have heard of them. They are all over the country taking care of our military families. When there is someone wounded anywhere in the world, if someone needs—if a family needs a place to stay, it is similar to the Ronald McDonald House that helps families in need when they want to go visit, and they can't afford these types of trips. They take care of that. Ken Fisher and his family and his foundation have always been there for them. Ken Fisher is making sure there is no funding gap during the time of unfathomable loss.

Can you imagine, here is an individual, a private individual, a philanthropist, the Fisher House, they are agreeing to offer the families an advanced grant until the government can make reimbursements at the appropriate time. They will also cover the flights and hotels and incidentals for the family for this period of time. Here is an individual, an American, willing to say: Listen, we are going to put our family money up in support of our military families who have lost a loved one defending our country, making sure they are able to travel to be with that body of the deceased, being able to give them comfort. Knowing we are so dysfunctional right now that we can't make that happen, to have a private individual step up and do that for us is unbelievable.

You talk about the love and pride of an American putting their country first. Ken Fisher and his family have put their money where their mouth is. They put their money where they believe what is good about this country, what makes us better than anyplace in the world. Ken and his family and the Fisher House stepped up to help our soldiers and their families during a time of need and especially during this senseless shutdown.

As I said before, this shutdown shouldn't go anymore than tomorrow. Tomorrow it should come to an end. This truly unacceptable silliness that we go through should stop.

We have important work to do, including ensuring the military is

equipped to protect our country, fighting the opioid epidemic, keeping our promise to our coal miners and their pensions. We have pension plans they are going to lose by 2022. The average pension a miner gets, you would think is, what, an exorbitant amount? It is $586, the average pension. That is all we are asking for. Most of them are widows collecting these pensions to keep their homes opened up, to be able to take care of themselves. We need to help there. The Children's Health Insurance Program, the CHIP program—there are 20,000 West Virginians and 9 million Americans who must be taken care of.

Funding the government is one of our most basic constitutional obligations, and now because of partisan politics—and everybody in this room is guilty—100, guilty as charged who are not able to sit down and do their job, not able to work through our differences, not able to put your country before yourself and your politics, only thinking of what might benefit you or the party to which you belong, as if that is the only oath and alliance and allegiance you owe.

That is not who I am and not whom I am going to be. I am going to do whatever I can to keep this government open and get it back open. This is dangerous to our national security, and it is truly embarrassing. I want to apologize to every citizen in West Virginia and every citizen across this country. We are better than this, and I am ashamed we haven't been able to show the true spirit of who we are and whom we should be and why you sent us here to do our job. I will continue to fight to make America what it should be and what it is, the promise of the world, the hope of the world. There are people all over the world thinking we can be better than what we are. Let's show them. Let's do our job.

I yield the floor.

The PRESIDING OFFICER (Mr. YOUNG). The Senator from Delaware.

Mr. CARPER. Mr. President, as a native West Virginian, I want to say how proud I am of our colleague, Mr. MANCHIN.

Perhaps you have heard the old saying: I am TOM CARPER or I am so-and-so, and I approve this message. We do a lot of that on political campaigns. Well, I approve of much of what JOE says, and today is no exception.

My wife and I like to go to movies. We don't get to see much of them, but over the holidays we had a chance to see a couple of them. One of the best movies of this past year was a movie about World War II Britain, ''Churchill.'' I am reminded, as we wander through this impasse, of two things Churchill said. About democracy, he said, ''Democracy is the worst form of government [devised by man] except for all the [rest].''

Think about that. This is a hard way to govern, and we have proved it again. A lot of democracies around the world prove it again year after year after year.

Churchill knew we saved their behinds over in Britain in World War II. We came to the rescue and helped turn the tide. He was always grateful for that, but he used to like to poke fun at our country. Another great Churchill quote was about America. He said this about America: ''You can always count on America to do the right thing in the end, after trying everything else.''

Think about that. This situation we are in right now with the shutdown—a lot of people are calling it the Trump shutdown—whatever you call it, I think it cries out for leadership.

I just want to quote comments of one person at the time, someone who was not in elective office, but he said these words talking about leadership during an earlier shutdown. This individual said:

> Well, if you say who gets fired it always has to be the top. I mean, problems start from the top and they have to get solved from the top and the president's the leader. And he's got to get everybody in a room and he's got to lead.

This person went on to say:

> When they talk about the government shutdown, they're going to be talking about the president of the United States, who the president was at that time.

This individual goes on:

> They're not going to be talking about who was head of the House, the head of the Senate, who's running things in Washington. So, I really think the pressure is on the president.

The President will do what it takes to lead. Those comments were given in 2013 during an earlier shutdown. Those are the words of Donald Trump, criticizing then-President Barack Obama.

Think about those words then and think about those words today. The President has ''got to get everybody in a room and he's got to lead''—has got to get everybody in a room, and he has to lead. This was true 5 years ago, 4 years ago, and it is true today. With this President, we find a willingness on the part of Senator SCHUMER, Senator MCCONNELL, Speaker RYAN, and Leader PELOSI responding to an invitation to go to the President even tonight, go to the White House even tonight, and sit down and try to hammer things out. It ain't going to be easy, but, frankly, there is a lot of consensus here on what we ought to do, in terms of the budget priorities, defense spending, and nondefense. There is a lot more agreement than disagreement. We heard discussion about that between Senator MANCHIN and our colleague from Alaska.

I think there is a fair amount of agreement, in terms of extending coverage—maybe not permanent but extending the Children's Health Insurance Program 6 to 10 years. The State and Federal partnership covers about 9 million kids. There is a lot of agreement on that.

There is a lot of agreement on the Federal community health centers. They provide a cost-effective, affordable approach to healthcare coverage for primary care for people who don't have coverage, maybe don't have any money, and they can get coverage and have access to primary care, in many cases, in their own community. They are important in Alaska, they are important in West Virginia, they are important in Delaware, and they are important to the speaker from Missouri who is going to succeed me. There is a lot of agreement there.

Frankly, you have a lot of agreement on what should happen to the Dreamers, these young people who were brought here by their parents, in many cases years ago. They grew up here and were educated here. In many cases, they are working here. In a lot of cases, they are serving in the military. They are teachers and police officers, and they are doing all kinds of things.

It is a time in this country where we have roughly 3 million jobs that are going unfilled because the folks who would like to do those jobs in many cases don't have the education, the experience, the interest in doing those jobs, the willingness. They don't have the work ethics. In many cases, they can't pass a drug test.

It is a time where we are in the eighth year of the longest running economic expansion in the history of the country. Barack Obama and Joe Biden took office in 2009, at the bottom of the worst recession since the Great Depression. They handed off to this administration a year ago today the longest running economic expansion in the history of the country, and for the past year, that expansion has continued.

One of the keys to making sure our economy expands is to make sure the workforce our employers need is being provided by our schools—high schools, public schools, colleges, universities, community colleges. And at the very time when employers are saying, ''Look, when we open our doors for business on Monday, there are going to be 3 million jobs that we don't have anybody to come to work to fill,'' are we serious about saying that, rather than enabling 800,000 or so Dreamers who have the skills, who have the education, who have the work ethic, who want to do the job—rather than letting you do those jobs, fill those jobs, we are going to send you back to the country where you were born? And by the way, we will send about 200,000 Salvadorans who came here at a time of crisis in their country 10 or 20 years ago—we are going to send them with you. Does that make sense?

As a former Governor who for 8 years led the State of Delaware to actually cut taxes 7 out of 8 years, balance our budget 8 years in a row, pay down debt, earn AAA credit ratings, and saw more jobs created in 8 years than any 8-year period in the history of the State of Delaware—I didn't create one of those jobs, but we sure know something in Delaware about creating a nurturing environment for job creation. That is what we do in our jobs. We don't create

jobs; we help create that nurturing environment.

Basically sending close to 1 million people who are able to do jobs that aren't getting done and wouldn't get done, sending them back to the country where they were born—that makes no sense, no sense at all.

The last thing I will say is this about my little State. Delaware was the first State to ratify the Constitution. I am very proud of that. We were the first State to ratify the Constitution—on December 7, 1787. For 1 whole week, Delaware was the entire United States of America. We opened up. We let in Maryland, Pennsylvania, New Jersey, and the rest, and I think for the most part it has turned out pretty well. We are struggling a little bit with it right now, but we will get through this.

One of the keys in Delaware more often than not is working pretty well—Democrats and Republicans working together, which is what is needed here. We have had a whole bunch of Governors who did lead; who were humble, not haughty; who had the heart of a servant; who believed that Governors unite, not divide; who build bridges, not walls; who don't try to tear other people down to build themselves up; who are aspirational and appeal to our better angels. We had a couple of good Republicans who did that—Michael Castle, Pete du Pont, and others. So it will be done on a bipartisan basis.

Here are four reasons why Delaware continues to enjoy success, has enjoyed success. There has been able leadership—and not just Governors but legislators, Democrats and Republicans.

We have something we call the Delaware Way. To the amazement of a lot of people, 2 days after the election every other year, winners and losers get together in Georgetown, DE. In Sussex County, DE, the southernmost county, the county seat, Georgetown—we have a big brunch hosted by our community college in Georgetown. Democrats and Republicans are there—the folks who ran against each other—and their families and supporters are there.

When the brunch is over, we go outside and we get in these horse-drawn carriages, and winners and losers ride together, side by side, with their families. There is a big parade, and thousands of people come. Schools are closed. When the parade is over, we all gather in the circle in the middle of Georgetown, and we have some speeches, some inspiring patriotic music, and some prayers. Then the political leaders of the Democratic Party, the Republican Party, and maybe the Libertarian Party stand in front of the masses of people. They have what looks like a big glass aquarium, and it is half full of sand. They take an ax, and the party leaders lower this ax into the aquarium. They fill it up with sand from Rehoboth Beach or Bethany or one of our five-star beaches. And then we go off, and people open up their houses, and Democrats and Republicans spend time together. We lick our wounds and sort of get to like each other again, and we go on to govern our State.

We use the four c's in Delaware.

This is my last point, and I will yield to Senator MCCASKILL, who is ready to roll behind me.

There are four c's. We communicate. We talk to one another in my State.

Last night when we were on the floor, there was a lot of communication going on. That is important. We need to continue that communication. But for God's sake, the President needs to invite our four leaders—two from the House, two from the Senate; two Democrats, two Republicans—and have real communication. He needs to provide air cover for the Republicans in the House who are willing to take up a reasonable compromise that I think we are willing to pass here in the Senate. The President has to provide that air cover.

First of all, the first ''c'' is communication. Next is compromise.

In a compromise, nobody wins everything they want. Senator SCHUMER was willing to put on the table what Donald Trump has been talking about for years; that is, a wall, actually authorizing the construction of a wall—not on every single inch or mile of the border with Mexico but a good deal of it. That is what Donald Trump is talking about more in terms of border security than anything else. Do I think that is a great idea? No, I don't. In some places, a wall makes some sense, and in a lot of places, it doesn't. There are a lot of other more cost-effective options. There are other things that could be more cost-effective that would enable our 20,000 Border Patrol folks to do their jobs. But CHUCK SCHUMER put on the table the authorization for building the wall. That is a pretty good compromise, and that shows we are willing to compromise.

So the second ''c'' is compromise. The third ''c'' is collaboration, to actually work together on this stuff. The last ''c'' is civility, to treat one another the way we would want to be treated. Communicate, compromise, collaborate, civility—it doesn't work just in Delaware; it works in States all over this country. It used to work in this place, in this body, and we could use it again.

The quote that I used from Donald Trump from 4 or 5 years ago talking about the leadership that Barack Obama needed to show—I think he did. Sometimes we need to listen to our own words, look at ourselves in the mirror and remember our own words. Mr. President, we would do well to do just that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, I would like to once again state for the record of this august body that the very first effort that was made after the vote was declared to not pass the CR was my standing at this podium and asking unanimous consent for us to pass my amendment that would pay the military and the death benefits. That was objected to by the majority leader. I am hopeful that this will get worked out quickly. The last time we had this kind of dysfunction in the government, we did this by unanimous consent very quickly, so there wasn't even a hint that anybody in this body was not 100 percent behind making sure our military got the pay they deserve. I am hopeful that this will be done yet today. I think it would be good if we could do it today, but certainly no later than tomorrow we need to take care of that because I am guessing every single Senator will support it without anyone objecting.

REMEMBERING FRANKIE MUSE FREEMAN

Mr. President, the reason I rise today is because I had to miss a very, very important event in St. Louis this morning. There was a going home celebration for a warrior in St. Louis this morning.

I have been blessed to have the opportunity to meet so many amazing people in my journey serving the public. I don't think anybody I have met could in many ways stand up to Frankie Freeman. Frankie Freeman was a woman who had a very simple goal in life. Her goal was to do everything she could to eliminate discrimination.

Frankie was born in November of 1916. She was one of eight children. She was raised in a segregated neighborhood in Virginia, and she said that from the time she was a very young girl, she wanted to change the world.

She met her husband of over 50 years in New York, where he was attending graduate school. Why was he in New York attending graduate school when he was from Missouri? He was in New York attending graduate school because after graduating from Lincoln, a historically Black college in Missouri, the University of Missouri refused to admit him and said: Rather than allow you on our campus, we will pay to send you to New York for graduate school.

Frankie was in New York, and her husband was in New York. They met, they fell in love, and they got married. Then they moved to the Washington, DC, area, and Frankie then decided she was going to law school. She went to Howard Law School. She was 9 months pregnant when it was time to sign up for her third year of law school.

She went to the dean of the Howard Law School and said: Could you allow me to join a few weeks late in the term?

He took one look at her, 9 months pregnant, and said: You are going to have to sit out a year.

She said: I don't want to sit out a year. I have to get this done. I have work to do. I have justice to seek. I will not sit it out.

So she went out and stood in line to sign up for her third-year classes literally within days of giving birth. Four

days later, after she finished registering for her third year of law school, she gave birth. Did that slow her down? No. She went on to graduate from Howard Law School that year and was No. 2 in her class.

Keep in mind, she graduated from law school. An African-American woman in America graduated from law school in 1944. That is almost 10 years before I was born. Imagine what life was like for a young Black woman lawyer in America in 1944.

She had two children—her daughter Shelby and her son, who was also named Shelby but called Butch. She moved to St. Louis with her husband and two children.

Butch, by the way, died when he was 11. Shelby remained at her mother's side and helped her remain active until the last days of her life.

She moved to St. Louis as a young African-American woman lawyer, and you can imagine there were no law firms that wanted to hire Frankie, so Frankie opened her own law office. Her mission was to go after the institution of discrimination through the courts, and she was fearless, strong, kind, and polite.

One of the most famous cases Frankie had occurred in 1952—Davis v. the St. Louis Housing Authority. Keep in mind that in 1952, there was written policy of the St. Louis Public Housing Authority that said that the races should not mix; it was unnatural for the races to mix. Frankie decided she would take that on. She won that case in 1952, and she went on. It was appealed, appealed, and she went on and won the appeal in front of the Supreme Court in 1954. I was 1 the year she won that appeal.

One of the stories about Frankie's life that I think is important to put in context happened in 1961. You see, she was a Delta. In fact, she went on to be the president of the Deltas in 1967—a very important sorority for many accomplished African-American women in this country. In 1961, the Delta chapter down in Hayti in the Bootheel—right on the heel—asked her to come down and give a speech. She was famous for having won this case, and she was honored to be asked to give the speech.

She didn't have anyone to drive with her, and she was worried about driving by herself into the Bootheel in 1961. This was a year after President Kennedy was elected President.

She got on a Greyhound bus. The Greyhound bus stopped at a restaurant along the way so that people on the bus could use the restroom and get a bite to eat. Frankie walked into that restaurant in a small town between St. Louis and the Bootheel, and she was told by the waitress that she couldn't come in the front door. Keep in mind, she had been all the way to the U.S. Supreme Court, arguing ugly discrimination in public housing, and this waitress in this restaurant in this small town told her she could not come in the front door.

Even worse, when Frankie ignored her and walked toward the restroom, a customer got up and blocked the door so she could not use the restroom. Frankie wrote about this in her book ''A Song of Faith and Hope.''

I think about the strength that this woman had by herself in that situation, and I am filled with awe and admiration. In 1964, Frankie was the first woman on the U.S. Commission on Civil Rights, and she did so much more than all of the famous cases and trials.

In the midst of her landmark trials and court cases, she became the president of the Deltas. She later went on to travel and visit many African nations, serving as a U.S. representative of the United Nations Conference on Housing.

In 1978, President Carter appointed her inspector general of the Community Services Administration. She continued to show her commitment to service as an active member on several boards, including the Howard University Board of Trustees, the Urban League of Metropolitan St. Louis as the board chair, and also as the board chair of the National Council on Aging.

In 2007, Freeman was inducted into the International Civil Rights Walk of Fame at the Martin Luther King, Jr. National Historic Park in Atlanta, GA, for her leadership in the civil rights movement. Frankie had a nickname among people who were touched by her passion and commitment to that elusive quality known as justice. She was known as ''Frankie Freedom.''

I had an opportunity to get to know Frankie in the last decade of her life. I treasured the time I had with her, the encouragement she gave me, the stories she told me, and the legend that she was. She would always say to me when I would express frustration—and Frankie said this throughout her life; she would quote Luke 9:62: ''No one who puts a hand to the plow and looks back is fit for service in the kingdom of God.''

Frankie would always say: Keep your hand on the plow. Keep your hand on the plow. Keep your hand on the plow.

Frankie lived 101 glorious years. She had personal tragedy and countless setbacks, but she never lost her attitude of love and commitment to justice. I was so sad to miss her coming home celebration this morning. She has gone home. There is no question she is reviewing legal briefs for the Good Lord Himself in Heaven above.

Thank you, Frankie Freedom, for a life well lived.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I thank my colleague from Missouri for sharing Frankie's story with us today, the fight for progress, and the life she lived.

I was thinking last night as we were debating here on the floor about one of the ways that Martin Luther King summarized how we move forward toward justice. He said that it takes ''the tireless exertions and passionate concern of dedicated individuals.'' That is what it takes to move us forward, and it sounds as though she was every bit the tireless individual, the passionate individual, who worked to advance justice.

I thank my colleague for sharing that story.

Speaking of fighting and justice, we have a lot to talk about. We are here in the middle of the Trump shutdown. Last night was quite interesting. Democrats came to the floor and said that we need to keep the government open. We want to have a debate and a vote on a provision to extend the government by 24 hours so that we could really force leadership to get in the room and work out a resolution on multiple issues that are already bipartisan issues.

It shouldn't be that hard, but the majority leader, who is in control of this body, proceeded to say that he objected. It takes unanimous consent to get to a bill, so he sealed the deal on the Trump shutdown. He made sure this body couldn't debate or vote on keeping the government open for another day.

Senator NELSON put that forward, and then Senator TESTER tried to say: OK, let's take a little more time. If you don't think you can do it in a day, how about 3 days? Senator TESTER moved to proceed to consideration of an amendment that would provide a continuing resolution for 3 days—to keep the government open 3 days to force our leadership on both sides to sit down and work out the details on these bipartisan proposals.

Again, the majority leader objected. He sealed the deal on the Trump shutdown. Then he had the gall to come to this floor and blame others when he is in charge. This blame game by those who are in charge is fascinating. Republicans are in control of the Presidency. Republicans are in control of the House. Republicans are in control of the Senate.

The Republican leader objected to debating an extension for our government to stay open. Not once, but twice last night, he blocked it.

Well, it is very clear where the responsibility lies for this situation, which never occurs here in the United States—no. President Trump, back in 2013, said that the responsibility for a shutdown—this was when President Obama was in office. He said that it always comes back to the President. Well, how true those words are today.

In 2013, there wasn't unified control. You didn't have the same party in charge of the Presidency and the House and the Senate, so it was a little bit of a more mixed-up story. But then Citizen Trump said: It is all the President's fault. Now we have a different situation where the same party controls all three settings.

Let me tell you that the mechanism by which the Senate operates has

changed dramatically. You can think of the possibility of offering amendments on the floor of the Senate. Here is an amendment box. You can take and put your proposal in that box so that you can get it in line to be debated. But the majority leader has the ability to close that box and put a padlock on it. That is what MITCH MCCONNELL did.

The technical term here is ''filling the tree,'' but that is a little hard to picture, so let's talk about the amendment box. He put a padlock on it and said that there would be no Democratic amendments considered. He has that power under the rules of the Senate.

Then he did something else, which is interesting, which really is a new level of obstruction of dialogue here in the Senate. He took that box, and he put a tarp over the top of it. That tarp is another type of motion that has to be resolved before you can even get to the amendments to propose that one be taken out of the box so another can be put in. In fact, if you were following the Senate last night, you saw this very crazy motion in which the majority leader himself took the tarp off the box—a resolution related to a motion to move the bill to committee and back—so that he could change the amendments that he put in the box. But that box remained completely forbidden ground for Democrats to be able to participate in, to be able to put a bill on this floor.

So it takes particular—I don't know what the right word for it is—I guess ''determination'' to spin the politics for that individual who has locked up the amendment box, preventing Democrats from putting a proposal on the floor—even a bipartisan proposal supported by Republicans—and then to blame Democrats, whom he has locked out of the process.

Our responsibility is absolutely clear here. This Trump shutdown sits with the President, who made an offer a week ago Tuesday and took it back a week ago Thursday. He made another offer a couple of days ago. A few hours later, he withdrew it. Yes, I want to take on these issues. No, I don't. Yes, I do. No, I don't. The Democratic leader said it is like negotiating with Jell-O. There is just no ''there'' there to be able to have rational policy consideration.

This Trump shutdown is doing a lot of damage across this country. It will do more damage with every succeeding day. And I say this directly to the President of the United States: Get engaged. Your job is to govern, to be part of the dialogue, not to be going off to Pennsylvania to campaign, not to be ignoring issues until it is only 24 hours out before we hit a deadline, not to be spending every weekend golfing and making your personal schedule off limits so that the public won't see that you are virtually never paying attention to governing. Mr. President—and I am speaking to President Trump—get engaged. You have a job to do. This is your shutdown, just as you said it was the President's responsibility in 2013.

These issues that we are wrestling with go back to the middle of last year because it was in the middle of last year when we were approaching the deadline for the fiscal year, which ends at the end of September. So it was time to get a bill for children's healthcare to this floor and debate it and reauthorize it, renew it before we hit September 30. It was the time to get the bill for our community health clinics to the floor to be debated and reauthorized so that our community health clinics would stay open. It was the time to get to the floor a bill to take on the opioid epidemic.

But what was the Republican Party engaged in? They weren't engaged in facilitating addressing healthcare problems. Oh, no. They were engaged in a bill to try to wipe out healthcare for 30 million Americans. We had five different versions of this bill here on the floor that wiped out healthcare for 22 million to 30 million Americans, and by a bare margin of a vote, we were able to block those bills. I thank my Republican colleagues who joined in that effort.

They weren't interested in talking about children's healthcare, community healthcare clinics, or the opioid crisis. Finally, when the healthcare debate was sealed, what did they turn to? Not the governing issue of spending bills that should have been done by October 1. Oh, no, they had a different plan—a tax bill to deliver $1 trillion-plus to the richest Americans. That was more important than children's healthcare. Increasing wealth inequality was more important than our children. Increasing income inequality was more important than our children.

We, the Democrats, are saying stop—stop taking up the time of this body on making the situation worse in America on healthcare, making the deficit worse here in America, robbing the common fund to enrich the richest Americans. Stop all of that. Instead, let's address all these issues right before us.

The members of our communities who have gone to grade school, high school, community colleges, colleges, who are working in our businesses, doing so much for our community, their immigration status isn't nailed down. There is bipartisan support to nail that down. That is just and fair and right.

All of us have members in our communities who are contributing so much, and they are being left in just an incredibly stressful limbo. They deserve better.

I think the Democrats and the Republicans who have sent us—here it is, a bipartisan deal waiting to happen, but President Trump says yes today and no tomorrow. He says yes in the morning and no in the afternoon. Quite frankly, the Republican leadership does the same thing.

So quit saying yes and no and just say yes. Let's get this bipartisan deal done. Let's get the opioid funding done. It is an epidemic. It is killing more people in America than traffic accidents. Let's get help in the right place.

Yes, let's get the children's healthcare bill done. Senator STABENOW asked unanimous consent for immediate consideration of the bill for permanent CHIP funding. Who said no? The Republican leader came to the floor and blocked it because he is in charge. He has the amendment box all locked up, so Democrats can't even put a bipartisan proposal before this body.

I thank Senator NELSON for fiercely fighting to keep us open for another day for negotiations. I thank Senator TESTER for fighting and putting forward the proposal to stay open for 3 more days while we force negotiations to get these important issues addressed. I thank Senator MCCASKILL, who just spoke, for working hard to get a bill before this body that would ensure that the pay and death benefits for members of the armed services are taken care of.

Who said no in every situation? Who said: I am keeping a lock on the amendment lockbox? MITCH MCCONNELL, the Republican leader of the Senate—complete control.

This is no longer a deliberative body. A deliberative body debates issues. A deliberative body invites proposals from all Members. This is completely unlike the Senate I saw as a young man when I first came here as an intern for Senator Hatfield in 1976. Then, each side offered amendments, and they argued their hearts out. They voted, and a simple majority sent an issue forward or killed it.

Now we can't even start a conversation, and when we do get an amendment, it is by a supermajority. That is a rare event. Outside of the reconciliation bills, which were a special provision for the budget, we virtually have not had a single Democratic amendment all through 2017. That is what has happened to the Senate, and that is why we are here.

The responsibility is clear. This Trump shutdown should never have happened. President Trump needs to get his act together and get engaged. The majority needs to quit locking the amendment box so we can have actual dialogue and debate on the floor. Republicans have to quit blocking things both Democrats and Republicans have agreed to on children's health, on community health clinics, on opioids, and on legal status for our Dreamers.

This should not be a hard deal to close. Let's open up this government, and let's get these issues dealt with and done for the benefit of the citizens of the United States of America.

Thank you.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, here is what is happening. Last night, Senate Democrats asked to do a 1-day continuing resolution. They also asked to do a 3-day continuing resolution. What

does that mean? That means we were at an impasse because the House-passed continuing resolution was 4 weeks, and that was not acceptable to enough U.S. Senators to pass. If you subject it to a vote, and it doesn't get cloture, it fails.

Under normal circumstances, then you try to find out what might be able to get cloture, but we were so close to the deadline that we needed something called a unanimous consent request. In other words, we needed every single U.S. Senator to accede to the idea that we should vote on something.

It is not unusual for a unanimous consent request to be granted. A lot of times it is just perfunctory stuff, everyday stuff to kind of move something in a schedule, allow someone to have 10 more minutes to speak, or whatever it may be, but on big things, you don't always grant consent. I get that.

Think about where we were. We were on the precipice of the government shutdown, and Senator NELSON from Florida asked for unanimous consent—in other words, all 100 U.S. Senators agreeing—to bring up a measure that would have kept the government open; the idea being that is better than a shutdown; the idea being that everybody on the Senate floor was actually behaving like a Senator last night who did not want to shut down the government.

There were lots of very interesting, constructive, and productive bipartisan conversations. We were close. We weren't that close—we weren't 10 minutes away—but we weren't so far apart that it wasn't worth trying. That is why Senator NELSON said: Why don't we buy ourselves another 24 hours and not shut down the government.

The majority leader objected. It was the majority leader's prerogative to allow it to be voted on. Had that been subjected to a vote, I doubt there would have been more than a handful of people voting against it. Nobody wants a government shutdown. Senator NELSON provided the opportunity for us to avoid this.

Then Senator TESTER said: OK. Maybe 1 day is too short. Maybe we can't get this done in 20. My view was we should have 12-hour CRs. We should have absolute, burning pressure on ourselves. It should be physically miserable. We should be here. We should be working. We should be negotiating. That is my view. I think we should be on 12-hour CRs.

Listen, I can't go home, right? I live pretty far away, but even for those who live on the Eastern Seaboard, I don't think anybody should be comfortable this weekend—politically, physically, mentally. To understand what is happening to the country, you should not be comfortable. You should be embarrassed. I think we should be on 12-hour CRs. OK. A 24-hour CR, I was fine with that. That got rejected. How about a 3-day CR? That is what President Trump wanted to do to try to close the deal, but those were rejected.

No one can explain to the public why we can't keep the government open for a few days to negotiate without punishing the whole country. Nobody wins during a shutdown. We were so close to an agreement.

The overarching reason we didn't reach an agreement is, we have an erratic White House. I have been trying to dial down my rhetoric in this context. I am looking at the Presiding Officer, who is a Republican, with whom I have a constructive working relationship. If we are going to get out of this, we have to get out of this together. So I am trying to watch my tone because we are going to have to vote on something together at some point. The simple fact is, the White House has been erratic and inconsistent in this process.

There was at least a framework for a deal on January 11, and it got blown up in that very famous meeting with the expletives. Then there was at least a framework for a deal yesterday, and it got—now very famously—blown up by a subsequent meeting and a subsequent phone call. Here we are with four continuing resolutions in 4 months.

We haven't actually been able to work on the appropriations process. We haven't done great with appropriations in the past 5 years since I have been here, but, occasionally we will get an omnibus done. Occasionally, we will have proper markups. Occasionally, we will look at each executive agency and do our job properly.

It is not the regular order like it used to be with my predecessor and many of the people of the Senate of old. It was not as bad as this. A CR month by month, week by week—enough is enough.

Instead of trying to deal with this, the White House is failing to address these baseline issues and then creates new crises. This was a manufactured crisis on DACA. They didn't need to create this crisis, but now we have one.

Instead of using the Executive's authority to solve problems, they are focusing on the wrong things. They are punishing children who were brought to this country through no fault of their own and now are as American as anyone in Congress, except in the eyes of the law, but there is a level of inconsistency, as a euphemism, that we have had to deal with in these negotiations. The White House told the Republicans to fund CHIP as part of a 30-day spending bill, and then the President tweeted we should only fund CHIP if it is part of a long-term solution.

We had a deal on the table to help Dreamers in exchange for border funding only to have the White House change its mind. That happened once when the deal was blown up a couple weeks ago and then yesterday.

Senate Republicans may feel comfortable; they may feel uncomfortable. I don't know. I think it probably depends on the Member, but they are in a holding pattern waiting for Presidential leadership, and they don't know what the White House wants. They don't want to move on legislation without the White House's approval, but trying to get clarity from the administration on this or any other issue is a fool's errand because it changes by the hour and certainly by the day. That is why we are in this position.

It is not unusual for Congress to have disagreements between the parties, within the political parties, between the House and the Senate. That is the way the legislative process works. It is a messy process, but the way an executive is supposed to play that role, they are supposed to wield that authority, that power. Whether it is a Governor or a mayor or a President, when it gets close—and we are close—the executive is supposed to close the deal. This Executive does the opposite.

This Executive has blown up every deal every time. Sometimes we are far apart, and it gets worse. Sometimes we are vanishingly close, and it gets blown up, but what an executive is supposed to do is play that role, play that adult in the room. Right now, we are a ship without a captain.

That is why we are marking the 1-year anniversary of this administration with a government shutdown. That is why hundreds of thousands of people across the country are marching to say they are dissatisfied with the direction of this country.

The year 2017 in this U.S. Senate, it was a unique year. That is because we had basically no bipartisanship on the Senate floor. There were a few things that went by unanimous consent. The process of the U.S. Senate is supposed to be that you submit a bill on the floor, and it takes a week or two. Everybody offers amendments. There is lots of haggling. It is kind of messy. People talk too long, people argue, but in the end, you move a piece of legislation. It is a bipartisan process by construct.

We are supposed to be different than the House. We are not a majoritarian institution. We are supposed to be a moderating force on the country. We are supposed to be the adults in the room. The way you do that is through an open amendment process.

I want everybody to know we had a couple of situations where Democrats were allowed to offer amendments, but that was in something called vote-arama. I know the Presiding Officer hates vote-arama. I know most people in the U.S. Senate hate vote-arama. Why? Because it is a farce. It is worse than student council. Everyone is just doing stuff to position themselves back home. None of the things we vote on in the vote-arama process has any force of law or is going to be enacted. There is nothing meaningful that happens in vote-arama.

Other than that, not one single, solitary Democratic amendment was considered on the U.S. Senate floor. No Democratic Senator had their amendment considered on the Senate floor except inside of the process called vote-

arama, which we all know is a farce. So we haven't had bipartisanship.

I was so encouraged when the majority leader, early this year—I think the first week of the year right before convening—said he wants to do things on the basis of 60 votes, which is the way the Senate has always worked. I know he considers himself an institutionalist.

I understand they felt it imperative to try to repeal the Affordable Care Act and do their tax cuts via the reconciliation process, which is a 51-vote threshold, but he basically announced: We are going to do bipartisan stuff this year. But what we have is an erratic administration that changes its position every hour, and so it is very difficult to get to 60. They lack the clarity, they lack the capacity, and it appears they lack the desire to govern in a bipartisan fashion.

So I just want to be very clear. Democrats are ready and eager to talk. We are here to find a way forward, but that does require Presidential leadership.

I don't understand why we couldn't have a 1-day CR, a 2-day CR, or a 5-day CR. I don't understand why we can't negotiate with the government open. When BILL NELSON comes to the floor and says: Why don't we buy ourselves another 24 hours so that civilian DOD employees can get paid, so people at the Pearl Harbor Shipyard can get paid, so people who work for the Federal Government can get paid, so some of the people who work in the U.S. Congress, in security and elsewhere, parking—all of these wonderful civil servants are not going to get paid. All of these services are going to get shut down tomorrow—not tomorrow but Monday morning—because nobody is even going to allow BILL NELSON's proposal to even get a vote.

If you guys don't want to do a 24-hour CR, vote against it, but at least allow us to keep the government open and keep these negotiations open.

Now is the time for Congress to conduct itself as the article I branch—as a separate, coequal branch of government. And we are not—I understand the politics. We just had 8 years of President Obama, and obviously Democrats were very eager to understand the administration's position so we could calibrate and coordinate. We didn't always do the same thing, but you have to keep an open ear to what a President of your party desires to do. But when a President of your party is either totally unclear or changes his mind every 12 hours, then you have to make a judgment that you are going to exercise your constitutional obligation and get the job done with his participation or over his objections. That is what we need to do on a bipartisan basis.

I yield the floor.

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

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. DUCKWORTH. Mr. President, this morning Donald Trump tweeted that ''Democrats are holding our military hostage'' in this shutdown—just the latest in a string of recent comments wherein he accuses Democrats like me of not caring about our military, and it is the latest example of his failing to show leadership, to take responsibility for leading this Nation.

Does he even know that there are servicemembers who are in harm's way right now watching him, looking for the Commander in Chief to show leadership rather than to try to deflect blame, or that his own Pentagon says that the short-term funding plans he seems intent on pushing are actually harmful to not just the military but to our national security?

I spent my entire adult life looking out for the well-being, the training, and the equipping of the troops for whom I was responsible—sadly, this is something the current occupant of the Oval Office does not seem to care to do—and I will not be lectured about what our military needs by a five-deferment draft dodger.

I have a message for Cadet Bones Spurs: If you cared about our military, you would stop baiting Kim Jong Un into a war that could put 85,000 American troops and millions of innocent civilians in danger.

Last night, after the lights had been turned out in the White House and the President had gone to his private quarters, I voted to better train and equip our troops, to stop wasting taxpayers' dollars with yet another CR. I voted to make sure that our military men and women—who are standing on the line in the DMZ, who are in Iraq and Afghanistan, across Africa, in Asia—get the help, the support, and the equipment they need.

If the President truly cared about them, then he would stop hiding behind his Twitter account and stop blaming everyone else. And he can tell his party—a party that controls the House, the White House, and the Senate—to do their job, to govern, to stop allowing the most extreme wing of your party to prevent us from passing a long-term funding solution that the military itself—your own leaders whom you nominated and appointed—is asking for.

At the very least, you could ask your party to guarantee military pay and death benefits for our servicemembers and their families so that the troops downrange aren't putting their lives at risk overseas while also worrying about whether they are going to be able to feed their families or if our government will take care of those families if, God forbid, they must make that last full measure of devotion for our Nation.

I am so disappointed that my Republican colleagues refused to allow us a vote for our troops last night, and I encourage them to please reconsider that vote. Let's get to a full budget. Let's move on. We can compromise. We can do this together. So many of the options on the table are bipartisan. In fact, a majority of them are Republican-authored. Our troops know how to work together. They stand shoulder-to-shoulder when they protect and defend this country. We surely in these Chambers can do the same. So let's stop blaming each other, and let's get to work.

I will be here, as I was today, tomorrow and the day after until we get this done. Our men and women in uniform deserve nothing less.

Thank you.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, the United States is 1 day into a government shutdown that Senate Democrats have forced on our country. Let's take a look at where we are.

Last night, a bipartisan majority of Senators—Republicans and Democrats—voted to avoid this. A bipartisan majority voted to advance a noncontroversial bill that has already passed the House and which the President has already said he will sign.

Of course, like any compromise, this funding bill cannot be all things to all people. But this bipartisan bill does what we need to do right now. It ends this pointless—pointless—irresponsible shutdown, funds the government for our troops, our veterans, and millions of vulnerable Americans, and extends health coverage for millions of children in low-income families.

None of my colleagues on the other side of the aisle can point to a single thing in the bill that they oppose. Not one thing. That is why a bipartisan majority voted for it last night. It would have passed smoothly and been sent for the President's signature, except that the Democratic leader took the extraordinary step of filibustering this bipartisan bill and initiating his own government shutdown.

Why? Because, he explains, the President would not give him everything he wants on the issue of illegal immigration in one afternoon in the Oval Office. That is it. That is it.

The leaders from both parties have spent months negotiating long-term fixes for immigration policy, government spending, and other important priorities. Senators on both sides want a bipartisan solution to DACA and other immigration issues. Senators on both sides want long-term funding for our troops. Bipartisan, bicameral negotiations on these matters have been under way for months.

Here is the difference between the Democratic leader and the rest of us tonight—the difference. He wants to keep the government shut down for hundreds of millions of Americans until we finish negotiating on the subject of illegal immigration. He wants

to keep the government shut down until we finish a negotiation on the subject of illegal immigration—shutting down the government over illegal immigration.

Look, those discussions on the immigration issue continue. We don't have to shut down funding for our veterans, military families, opioid centers, or anyone else who relies on the Federal Government over the issue of illegal immigration. The occupant of the Chair is one of the people involved on that very subject. There is a lot of interest here on both sides of the aisle in dealing with it. But it is not an emergency. All of these other issues, which are affected by the government's shutdown, are emergencies, particularly the children's healthcare issue.

Look, the American people know what is going on here. They have this figured out. The survey this week shows that a majority of Americans say that funding the government is more important than passing legislation on DACA—legislation, by the way, that doesn't really exist, which the Democratic leader cannot present to us. We hear a lot of talk about it, but we haven't seen it.

Fewer than half of Democrats—in this poll I am talking about—say that dealing with DACA is more urgent than keeping the government open. These numbers came in before Americans picked up their newspapers this morning. When they did, they read from the Associated Press exactly who is responsible for this chaos. From the AP: ''Democrats blocked a four-week stopgap extension in a late-night vote, causing the fourth government shutdown in a quarter of a century.'' You might say that they pinned the tail on the donkey.

The New York Times, not exactly a bastion of rightwing sentiment, put the blame exactly where it belongs. ''Senate Democrats blocked passage of a stopgap spending bill to keep the government open.''

Senate Republicans remain ready and eager to end this totally manufactured crisis. This is not a crisis. This is a manufactured crisis. We voted to avoid it entirely in our bipartisan vote last night. We are ready to vote again. All the country needs is the Democratic leader to withdraw his filibuster and let a bipartisan majority pass this bill and reopen the U.S. Government.

Earlier today, I asked for consent to move up a vote on this bipartisan solution and to end the craziness today. The Democrats objected. That will not work forever. If they continue to object, we cannot proceed to a cloture vote until 1 a.m. on Monday. But I assure you, we will have the vote at 1 a.m. on Monday unless there is a desire to have it sooner.

In the meantime, shutdowns have consequences. The Democratic leader may be playing for political points. But the rest of us understand the readiness of our Armed Forces, health coverage for poor children, and survivor benefits for families of fallen servicemembers are the furthest thing from a game—playing with all of those lives over the issue of illegal immigration.

Congress has a lot of work to do. We need to provide for our war fighters, secure the border, resolve the DACA issue, continue work on healthcare, and attend to many other key priorities. I want to move forward on all these issues, and we can when the Democratic leader's filibuster comes to an end. These talks are only being delayed—not advanced, but delayed—by the Democrats' filibuster and the Democratic shutdown it has created.

I want to assure the American people that we will be right back at this tomorrow. I say again to the American people, we will be right back at this tomorrow and for as long as it takes. We will keep at this until Democrats end their extraordinary filibuster of government funding and children's healthcare and allow a bipartisan majority of Senators to reopen the Federal Government for all Americans and to get Congress back on track.

The Democratic leader may put his personal political priorities ahead of everything else, no matter the cost, but Republicans stand with the American people.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, it might surprise some people here that while what we are dealing with here is important, we are not the center of the universe. All across this country, as I was reminded this morning when calling home and speaking with friends and family and my wife and my children, life goes on.

Most Americans, I think, are aware that there is an issue going on here in Washington, DC, with regard to funding the government. But I doubt very few of them are sitting in front of the CNN countdown clock, where I guess now we are on the ticker because we are into the shutdown, living it—some sort of reality drama. It doesn't mean it is not important, but it is a reality that life goes on. People aren't following this every single day and aren't checking their phones on a 15-minute basis to find out how this thing is going to be fixed.

I think a lot of people are a little bit confused about what is happening here. If you are just listening to it off the top, in between things or maybe on the radio, maybe some people have the perception that this is all about a disagreement regarding the budget and/or a disagreement solely about an issue that is of critical importance, and we need to deal with it right away. That is just not accurate. I will get to that in a moment. But it is still hard for people to understand how this happens.

When I explain to people where we are and how we got here, it doesn't make sense to a lot of people. I want to begin by saying, the Bible says that there is nothing new under the Sun. It is one of the things that came into my mind early this morning.

I had occasion a few weeks ago, around the New Year, to spend some time with my family at the wonderful national park facilities, which I hope are open today, in Philadelphia and in the halls where our Constitution, the very document that designed our system of government, that each of us appeals to, that each of us has sworn allegiance to, was debated. That debate was a contentious one. It began on the 23rd of May and ended on the 17th of September of the year 1787. It was actually contentious from the start. In fact, the New York delegation stayed only a few days, and the delegation from Rhode Island straight-out boycotted it.

What is ironic, by the way, is one of the most contentious issues in that Constitutional Convention was the creation of the Senate. The creation of this body was a heated discussion. We don't know a lot about the details of that discussion because they had closed the windows, even though it was hot. They didn't go around talking about it. There weren't 24-hour news cycles and Twitter, but we know it was contentious. We know that in the end, this Constitution that we all swear allegiance to and that for over two centuries has helped create an exceptional system of government was approved by 39 of the 55 delegates.

There were people who voted against the Constitution. The one thing that was clear is that none of them got everything they wanted. At that time, by the end of that convention—in fact, Monday, September 17, 1787, was the last day of that convention, and one of the delegates was someone named Benjamin Franklin. We all know who that is. He was internationally well known. He wanted to give a short speech to that convention before signing it. He was actually too weak to do the speech himself, so he had someone else deliver the speech. Based on the notes that Madison took, here is what we know, generally, he said. It begins with a line that says:

> I confess that there are several parts of this constitution which I do not at present approve.

He goes on to say:

> I agree to this Constitution with all of its faults.

He says:

> I doubt too whether any other Convention we can obtain, may be able to make a better Constitution. For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect production be expected?

So right from the very beginning in the history of this Nation, we have acknowledged that in order to make progress, it is virtually impossible for everybody in that process to get everything they want. Our job is to move things forward—and I don't want to read the whole thing—but suffice it to

say, Franklin's point is maybe he was wrong. He is not perfect. Even though many of us tend to believe we are the only people who are right on this issue, at that stage in his life, he had learned enough to understand he was not the holder of all wisdom; that he had changed his mind on issues when he came upon new information. He also understood that when you bring a group of people together and ask them to come to agreement on something, unless they are clones of one another or unless they all come from the same thought process, you are going to have disagreement, but in order to reach a conclusion, everyone is going to have to get something they need even though no one is going to get everything they want. That was from the very beginning from our very Founders, and it was hard then.

Imagine now, in the 21st century, with 50 States and several territories, extraordinary diversity in terms of ideology, opinion, geography, background, and all of it covered by 24-hour news, which basically covers American politics like entertainment, and Twitter feeds on both sides that are constantly driving narratives. Imagine if they had Twitter and 24-hour news during the Constitutional Convention? A, we would know a lot more about what they were saying to and about each other and, B, we may never have had a Constitution, simply because of exacerbating those tensions.

I am not here to say we should not have Twitter and 24-hour news, but I am telling you these were factors that were always difficult. Self-government was always hard. Imagine today, with these additional factors of diversity and the way politics is covered, practiced, and discussed. I say that because there is a growing temptation from American politics that largely comes from the base of both parties but often is fed through media narratives, but the goal is to achieve total victory.

Total victory is what you want to achieve in a sporting event. You want to win and beat your opponent by as many points as possible, but in a constitutional republic, total victory is nearly impossible, especially in a country like America. It is impossible—impossible—for a President, for any party, or for a faction on any issue to get 100 percent of what they want all the time.

Instinctively, despite the fact that they don't work here every day, despite the fact that they don't sit glued in front of the television all day watching politics, most Americans understand this. They know this because it is a reality of life, and they know it instinctively because that is the way our system was designed. That is the way self-government was supposed to function. It is hard. Self-government has never been easy, and it has only gotten harder.

So when you talk to someone and you explain what has happened, here are the facts. We had a government funding deadline, meaning that if by midnight this morning we had not passed a bill to authorize more spending, we had a sort of mini-shutdown or partial shutdown of the government. There is a provision that was put in law by President Obama that gave status to young people who were brought into this country illegally by their parents, through no fault of their own, and that provision expires on the 5th of March, about 43 days away.

We have a bill before the Senate that funds the government, that keeps it open for 4 weeks—initially. I think now we are down to—with this proposal before the Senate, I think it is going to end on the 9th, so about 3 weeks. There is nothing in that bill that the Democrats are against, but they voted against that bill last night. They are not letting us vote on the other bill today—right now—and intend to vote against it, apparently, when we do vote on it Monday morning, because they want to see their demands met on something that doesn't expire for 43 days.

So this is not about whether you are for or against doing something about DACA. It is not because it is not like the government funding expired last night and DACA expired last night and so you have to do both. This is the government funding expired last night and DACA expires in 43 days. When you explain that to people—why would—how does that work? Why does that make sense? Why would they do this?

In fairness, I listened to the argument of my Democratic colleagues, and one of the arguments they make is they don't trust the Republican Party on the issue of DACA, but more particularly they don't trust the President to deal with it. So they need to force action now. They need to do something, and they need to use government funding as the leverage to force something to happen. Let me say at the outset that it is a legitimate tool in the toolbox of the legislator on a matter of deep principle to not vote on an important bill in order to get leverage for what you want. If there is something you are deeply principled about and you believe we need to do, it is a legitimate tool to say: I know you really need to do this, and I really need to do that, so I am not going to let you do what you need to do unless you let me do what I need to do. I think that is the argument they are making now.

As I pointed out to you earlier, this is not kind of the same because this is a spending bill. In fact, the bill they voted against would expire even before the March 5 deadline. In essence, we would have to have another government funding vote even before we got to March 5, so it is really not a leverage argument.

Even if it were, I would say that in order for self-government to work as I have described already, we have to be judicious and careful about how we use these tools. You can't be using them all the time. You have to reserve them for key moments for a lot of reasons.

The first, frankly, is international implications. We can talk a lot about Russian interference that occurred. The goal of Russian interference above all else is to sow discord and to create conflict and controversy in American politics so Putin can go around the world saying America likes to lecture everyone about democracy, but their democracy is not a real democracy and their leaders are corrupt and their elections are rigged and all kinds of stuff. That is what he wanted to drive.

There are nations like China which under our nose are rapidly working to change the world in our time. While we spend all these days arguing with each other about whatever the outrage of the day is—and every day it is something else—China is working underneath us and all around us to rebuild the world in their image and to their advantage and to our detriment. One of the things they tell other countries is, Americans have a country in decline. These people are in total decline. They are abandoning the world and, more importantly, they can't even govern themselves. So we are doing their job for them when we create these sorts of controversies.

That doesn't mean we shouldn't have heated debates on tough issues, and that shouldn't mean that from time to time people reserve the right—and I reserve the right—to use leverage to achieve our goals. I have done it before, and I imagine I will do it again, but we have to be careful about it because it does impact the way the world views us. People watch us all over the world. They don't understand, as some of us do, that this stuff happens, and it all works out. They think, literally, some places believe we are crumbling, being ripped apart at the seams, and it encourages people to do things and nations to do things sometimes through miscalculation. That is the first reason you want to be careful.

The second reason you want to be judicious about using these sorts of tools is because, quite frankly, it poisons the process. I would state that the abuse and overuse of these prerogatives of Senators over the last decade has done tremendous damage to the Senate, and it really has impacted our ability to tackle and to solve real problems. I say that as someone who acknowledges the Republicans have done this. Republicans did this kind of stuff. I would argue it was different, but it doesn't matter. Republicans used leverage in situations that people thought we shouldn't have used. Democratic activists now insist that Democrats use the same tool. They did it when they were in the minority, and you need to do it now when you are in the minority.

I would also say we have to be careful because, the truth is, we all have matters of deep principle. I have matters of deep principle that haven't been addressed yet.

I have a matter of deep principle, and as much as I believe we need to do something about DACA, I have a matter of deep principle that I believe is

more urgent and requires attention right away. The people of Florida and the people of Puerto Rico and the people of Texas have a desperate need for disaster relief. Forty percent of the island of Puerto Rico has no electricity. This is a U.S. territory. American citizens are living in third-world conditions.

In the State of Florida, our citrus growers are in critical condition. We may not have a U.S. citrus industry based in Florida if this goes on much longer. We still have people living in hotels and motel rooms in Florida because their homes were destroyed. That is a real need that doesn't have any deadline. They needed it yesterday, and we still haven't addressed it. I suppose if I wanted to use this tool—and some maybe encouraged me to do that—I could come and say: I am not voting on any funding for the government, and I will shut down the government until we deal with disaster relief. The problem is, all 99 other Senators have a principled position as well. So basically all we do is take hostages all day on every principled issue we have at every opportunity we get. Well, you get the picture, and this is happening more and more.

By the way, I say all this to you, understanding that if we passed a long-term funding bill—let's say the bill before us funded government through October, and I voted for that and disaster relief hasn't happened yet, there is no guarantee we would get disaster relief. What leverage would I have? So we have to be very judicious about how we use it. I ultimately decided not to do it because I believe the government shutdown ends up hurting the people I am trying to help with disaster relief. There are Federal employees in Puerto Rico who got hit by a hurricane a few months ago and now can't go to work on Monday. If they go to work, they are not getting paid, and it is already difficult over there.

There are Federal services in Florida. People are going to call our offices around the country and in Florida on Monday, and even if I have essential staff there to answer the call, there may not be an employee at the Federal agency, where we can pick up the phone and intervene on their behalf. It happens all the time. One of the very common things we face in calls we get is someone has a loved one or relative who was visiting somewhere around the world, maybe in the Western Hemisphere, they were killed in an accident, and they want to bring their body home to be buried. We have to deal with all the paperwork with the Embassy or the consulate and the host country to bring them home. We are not going to be there on Monday to do it because the people we have to call might not even be there to answer the call. In the end, my view of it is, you don't cut off your nose to spite your face, and at this point, you don't shut down the government only to hurt them somewhere else.

At the end of the day, this really is not about leverage. It is not. I say this with the highest respect. We disagree on a lot of issues, but the Democratic leader is someone I know understands legislation and understands politics. I personally do not believe this is about leverage. He has to know this because this is really no different than in December. We passed a short-term spending bill in December. Democratic Members voted for that, and the DACA issue was unresolved at the time.

By the way, we had a chance to deal with disaster relief in December too. They sent a disaster relief bill over from the House to the Senate, and the Republican leader chose not to take it up—I believe because he wanted to hold it over for this debate. The more things that are pending, the more leverage you have to pose to them. I mean we were going to put additional things on the House bill and send it back. We knew what those things were, but suffice it to say, everything is unresolved, but I don't think this is purely about leverage.

Here is what I actually think this is about, and I am here to cite some examples why. In December, as I said, before we got ready to leave for the end of the year, there were a lot of activists involved in the DACA issue that were really pounding on the Democrats to shut down the government unless DACA was handled. To their credit, a number of Democratic Senators didn't do so. They voted not to shut down the government, and the end result was they unleashed a fury of assaults, in terms of pressure and protests and sleep-ins and all kinds of things. This really started in October.

I have a number of articles I want to cite. Let's go to October 2, 2017. This is an article that talks about—I will quote from it. I underlined the key provisions. ''Democrats seeking an immigration deal . . . are facing resistance from immigrant activists who are rejecting any compromise that would tighten border security and demanding more extensive legislation to protect . . . immigrants from deportation.''

It goes on to say: ''Despite Democratic leaders' declared commitment to help so-called Dreamers . . . they are catching sustained flak from immigration activists.''

It goes on to say the minority leader in the House, Congresswoman PELOSI, ''faced a vociferous protest from Dreamers a few weeks ago, when activists shouted down her speech and called her a 'liar' who helped create a 'deportation machine.' ''

If you haven't seen the video, she did a press conference in, I believe, San Francisco. As she was there doing this press conference for Dreamers, these other Dream activist people showed up and started screaming at her.

For those of us on my side of the aisle, we view her as one of the more liberal Members in Congress and certainly someone I have identified as a supporter of the Dream Act. Then you have people saying the Dream Act isn't enough, you have to cover other people. So they are under a lot of pressure.

Here is a quote from an immigrant rights activist and a DACA recipient. He said: ''I think Senator Schumer crumbles under pressure just so he can deliver on something.''

These are harsh words from these activists, and this started in October of last year.

Now, let's go to this article of December 19. This article begins by saying:

> Dozens of immigration advocates rallied outside Sen. Chuck Schumer's Manhattan office Tuesday.
>
> In both Spanish and English, speakers at the rally demanded that the Senate minority leader ask his fellow Democrats to refrain from supporting any legislation until a clean Dream Act is passed.

A clean Dream Act means just vote for the Dream Act, nothing else—no border security or, by the way, any legislation; don't vote for anything until that happens. That is the pressure they were under.

The article goes on to say:

> As Congress negotiates the budget, protesters called for Schumer to help shut down the government if a Dream Act isn't passed by the end of the year, chanting, ''If we don't get it, shut it down.''

Those are the quotes. This was in December. So this article was December 19; this must have been December 18, and the chant outside his office in Manhattan was ''If we don't get it, shut it down.'' So the calls for a shutdown began as far back as December, not 43 days before the deadline but 60 or 70 days before the deadline.

Finally, the spokeswoman for the minority leader put out a statement for, I believe, the protesters, and, I guess, the press was assembled. She said:

> We want to make sure nothing passes until we have the Dream Act in there.

They were already telegraphing this in December, so this is not something that has happened in the last 2 days or 3 days. This was ongoing and sustained pressure.

There is more. On December 21, there was an article in the Washington Post. The headline is ''In private meeting, Schumer angrily confronted by Hispanic Caucus members as prospects for DACA deal slip again.'' It begins:

> Disagreements among Democrats over how to keep fighting to enact legal protections for immigrant ''dreamers'' boiled over in the office of Senate Minority Leader Charles E. Schumer on Thursday as he met with members of the Congressional Hispanic Caucus in what several participants described as a tense and heated exchange.
>
> With just a few minutes' notice, they showed up in the lobby of Schumer's suite across from the Senate floor in hopes of pressing him to persuade more Senators to vote against the GOP spending plan that was set to be approved in the coming hours.
>
> The latest short-term spending plan was set for approval as Democrats this week backed off a pledge to force a vote this month over the fate of thousands of undocumented immigrants brought to this country as children. The decision angered immigration activists.

Later in the article:

Several people who attended the meeting, granted anonymity to describe what was expected to be a private exchange, said the meeting with Schumer began with cordial remarks.

Rep. Luis Gutiérrez . . . unloaded on Schumer, accusing him and Democratic senators of not caring about the fate of dreamers and ''throwing them under the bus.''

In response, Schumer raised his voice, telling Gutiérrez not to insult fellow Democrats.

Gutiérrez shot back, telling Schumer, ''Don't raise your voice.''

[A] few other caucus members made pointed comments toward Schumer.

Later in the day, GUTIÉRREZ tweeted after all that: ''The fight continues in January . . . I think [we] are [all] on the same page.''

Incredible pressure is being mounted the whole time.

There is one more thing I will cite here, and this is from the New Yorker on January 18.

[M]any Democratic activists are demanding that Schumer and other elected Democrats vote against the G.O.P. spending bill even at the risk of a government shutdown. . . . On Wednesday, three protesters from the Dream Action Coalition . . . were arrested while demonstrating outside Schumer's office in New York City.

Some Democratic activists and strategists are arguing that the Party should take its stand now while the stench of Trump's [alleged you-know-what] comment is still hanging in the air.

So this is all about political pressure. That is the leverage point, and that is why this is happening. It is untenable. The position they have established is untenable.

Most people in America just wouldn't agree with this. If you are being honest with yourself—I challenge anyone to go into any diner in your State or call 10 people who just kind of follow politics a little bit but are not activists or whatever and ask them: Do you think it is right to shut down the government over an issue that we have until March 5 to fix? Ask them that. Call people and ask them: Do you think it is a smart thing to do to close the Federal Government over an issue that we have another 43 days to address? You know what the answer is going to be; you do. That is why the position they have adopted is untenable, but that tells you the amount of political pressure they are under to do this. This is all motivated by that. This is all motivated by an incredible amount of pressure brought to bear on my Democratic colleagues—in particular, on the Democratic leader—by activists, and it brings us to this point.

By the way, I would also argue that the strategy, in addition to being driven by that, is counterproductive. Yesterday, there was supposed to be a meeting with the White House and congressional leaders from both parties to keep working on this issue of DACA. The Democrats didn't show up, probably because they were too busy dealing with the shutdown. So this isn't making arriving at a deal for DACA easier; it is making it harder.

On this argument that they don't trust—if we don't do this, we can't trust the President is going to do this, I don't think that is true. I think there is a balance of leverage here that exists that almost guarantees something can happen if we want something to happen. So let's begin with facts.

The President of the United States campaigned on a very specific promise, and we know what that promise was. He was going to build a wall and secure the border. The President knows that he needs 60 votes in the Senate. The President knows that he is not going to get a border wall and get increased security unless we do something about DACA. They are well aware of that at the White House, and I think they have said that openly.

What is important to remember, as well, is that there isn't going to be a deal on DACA unless we have a deal on the wall. That is the way our system works. I say that to you as someone who supports a wall and supports dealing with DACA. But as I have already talked about earlier, in this system of government, it is not a zero-sum game. It cannot be ''I get the wall and you get nothing,'' and it cannot be ''We get DACA and even more, and you don't get the wall.'' It is not going to work.

Right now, we have a lot of wasting of time going on, entertaining ridiculous fantasies about what could be achieved here. A bill that creates permanent status under DACA but would allow some future Congress to stop funding the wall isn't going to pass. The President is not going to sign that. Think about it. If you have a wall that takes 10 years to build and you have DACA that is permanent, the next year they don't fund it, DACA stays, and the wall is not there. They are not going to sign that.

A bill that creates a path to citizenship under DACA but then also allows the recipients of that citizenship to use it to bring in their parents who brought them into the country illegally—the President is not going to sign that. That is just reality, and I say this to you as someone who has tremendous sympathy for the young people who were brought here as minors, yes, in violation of the law but through no fault of their own. They didn't commit a crime, and now they find themselves with no legal immigration status.

It would be a mistake, in my opinion, to allow their status to expire without a replacement. There are practical reasons why it would be a mistake. We have spent years and taxpayer money educating them. We would be hurting their employers. These people are working somewhere now, and overnight they can't work there anymore. They might own a business, and you would be hurting the people who work for them. Maybe they are married to a U.S. citizen; you would be hurting a U.S. citizen who is their spouse. Maybe they have children who are U.S. citizens, and these children need those parents. You would be hurting them. These are the practical reasons we shouldn't let it expire.

There are more reasons we shouldn't let it expire. It is immoral to have laws that punish anyone for the mistakes their parents made. It is immoral to deport someone to a country they have never really lived in. You were 2 years old when you came from Honduras, you don't even speak Spanish, you don't know anybody there, and they are going to send you there—it just doesn't feel right.

It is my deepest belief that if DACA expires and 700,000 young adults who have spent the majority of their lives among us are forced to leave this country, I think it would be a dark stain on our history. I think future generations would look back at that and say that was a terrible thing those people did back then. I think we have more support for what I just said in the Republican Party than we have ever had in the 7 years that I have been here.

But I have to be fair and I want to be frank. It is also a mistake to overreach on the other side of this argument. It is fair to argue that we should deal with DACA because it is the moral and compassionate thing to do. It is fair to argue that dealing with DACA is in our national interest, but it is a big mistake to demand a right that does not exist. There is no right to illegally immigrate to any country on the planet. No one has a right to DACA, but dealing with DACA is the right thing to do.

I think it is also overreaching to insist that not only must DACA recipients be accommodated, but we also have to accommodate their parents. Maybe because I personally know so many people under these circumstances, I am personally open to figuring out something that allows their parents to stay, especially if the children are minors. I understand that is not a majority position in my party, and I have to be honest with you that I believe that if we take the position around here that we are not accepting any deal unless it takes care of both the DACA recipient and the parent—if that is the hard position we adopt and people aren't willing to move off of it, I think there may be no deal at all, and that means that neither the recipients of DACA nor the parents will have anything.

By the way, I also think it is overreach to oppose a border wall because you find it symbolically offensive. First, America has a right and, more importantly, a responsibility to protect its borders and enforce its laws. Second, there is not going to be a DACA deal of any kind without a wall, period. Donald Trump is not going to sign, cannot sign, and will not sign a bill that doesn't have real enforcement. That is a fact. That has to happen.

So what is the way forward? Right now, the government is shut down. You won't really notice until Monday, but on Monday people will start to notice. DACA expires 6 weeks from Monday.

So on Monday, if we haven't done anything, the government will be shut down, and we have 43 days to go until DACA. I think we need to fund the government on a short-term basis—maybe it is February 9—and then we spend the next 3 weeks working on an agreement on defense, an agreement on disaster relief, and an agreement on border security and DACA.

For Democrats who are worried they don't have leverage, you have plenty of leverage without shutting down the government. For example, there are two Republicans who oppose short-term spending in general. Then you have several Republican Members who oppose any longer term spending without defense spending increases. In essence, this worry that you have that they are going to fund the government for just 6 months and walk away from DACA—there are at least five Republicans who are going to vote no on that, several because of defense and two because of short-term spending. Then add to that, there are at least three other Republican Members—myself being one of them—who will have a lot of trouble voting for a long-term spending plan that doesn't include disaster relief. That alone gives you leverage to ensure that not only do those issues need to be dealt with, but all three of them would have to be dealt with in order for there to be any long-term deal that forecloses the leverage you want.

You have another piece of leverage: The President needs to fulfill his campaign promise, which Americans supported at the ballot box: Build a wall. He knows he can't do that without a DACA deal. So, really, both sides here have leverage. But as long as the government is shut down, we are wasting valuable time.

Monday could have been a day that people met and hashed out key details of DACA. Instead, Monday will probably be all about the shutdown—and maybe Tuesday and maybe Wednesday. We are wasting time we do not have.

Finally, as for DACA, what is the way forward on that? There are a lot of ideas going around. Here is what I would say to you: The baseline in the core of any agreement is one that basically codifies DACA, in essence, deals with the President's decision to suspend the Executive order on it and funds in a way that can guarantee continued funding the President's immigration enforcement plan. That is the core. You codify DACA, and you do something to ensure that the wall is going to be built and that they can't come back and cancel the funding. Then the Senate can go into an open amendment process and debate any additional matters you want put in there. For example, maybe there is a deal that, instead of codifying DACA alone, it actually creates a pathway to citizenship under DACA, but it eliminates not just DACA applicants but future applicants from being able to sponsor parents. I am not saying that it will pass, but that might be a debate that happens.

Even if you can't reach 60 votes on any of these amendments people are offering, even if all those amendments fail, in the end, you are at least left with a bill that secures our border and gives permanent certainty to close to 700,000 people who currently are registered under DACA.

As Benjamin Franklin said after he agreed to the Constitution in 1787: We may all be left with a law in which none of us got everything we wanted, but everyone got something that they needed.

The DACA recipients would have the certainty of knowing that they can stay in America legally for the rest of their lives, and perhaps future Congresses and future Presidents may build upon that, and the President will have achieved a signature campaign promise and achieved something Republicans—and many Democrats—have been promising to do but have failed to deliver for over 15 years; that is, to secure the border and build a wall.

There is a way forward on all of these things. If we remember how our system works, we can start making it happen, but I think it will require us to accept what it takes to make progress in a constitutional Republic. We can't even begin to do it until we end the shutdown. And that is what I hope we will do sooner, rather than later.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, we are in the midst of the Trump shutdown, aptly named for him because he is the one—perhaps the only one in America—who thinks it is a good shutdown. In fact, his head of Office of Management and Budget, Mick Mulvaney, gloated that it was ''kind of cool'' that he was the one who got to shut down the government. ''Kind of cool,'' he said on Friday in a radio interview.

As I speak tonight, all Americans know there is no such thing as a good shutdown. All of us in this body strongly believe that we must end this shutdown.

We mark the first-year anniversary of the Trump Presidency with the Trump shutdown and his now infamously saying on May 2 that our country needs a ''good shutdown.'' But this shutdown has damaging, even potentially devastating effects on millions of Americans—our troops whose pay will be delayed, our families who rely on the Children's Health Insurance Program and who will soon be without funding, community health center patients whose source of healthcare will be closed, government workers who keep our Nation running every day, the disaster relief victims in Puerto Rico who will be denied relief, along with their fellow Americans in Texas and Florida. This shutdown is not a ''good shutdown,'' and it is not ''kind of cool.''

I beg to differ with the majority leader, who has just come to the floor saying that Democrats agree with everything that is in the measure that came to us from the House, because, as damaging as a shutdown is, so is a continuing resolution. It is corrosive and destructive to good government.

We have been through three continuing resolutions—each a month—in as many months, and now a fourth in the fourth month is proposed. That is no way to run a government. Whether it is 3 weeks or 4 weeks, at the end of that so-called continuing resolution—a short-term temporary patch—we will be in the same place as we are today.

The good news is that we have bipartisan consensus not only that we must end the shutdown but also on each of those issues that are necessary to reach consensus on a longer term, full fiscal year package. That is also why a continuing resolution and the measure that came to us from the House are completely inadequate—because they continue to fund those programs at the same level as the previous year, 2017. The Pentagon, the Secretary of Defense, and our military leaders have told us unequivocally and clearly that those levels are inadequate to our national defense.

I hope there is bipartisan consensus among us on the Armed Services Committee and in the Chamber as a whole that we need a strong national defense—both military and nonmilitary funding—and there needs to be an increase in that funding, which the bill presented last night did not provide.

So far from agreeing with every provision in that 4-week extension, it is inadequate. It would be irresponsible and reprehensible for this body to go along with it, and that is why four of our Republican colleagues joined us in opposing it.

We are all here tonight ready to vote but waiting on one man—President Trump—to finally be the leader that we expect and demand the President to be; the leader that Donald Trump himself in 2013 said that President Obama should be in ending or stopping the shutdown then. He said, in effect, that the buck would stop with President Obama—just as now it does with President Trump.

In President Obama's case, his party did not control the two branches and Houses of the Congress. The Republicans control the House, they control the Senate, and they control the White House. They are in charge. They are responsible, and they are dysfunctional, in disarray and division.

There have been weeks—indeed, months—of difficult negotiations. I am not here to blame my Republican colleagues. I think they have worked—many of them—in good faith. And that is the reason we have arrived at bipartisan agreements on the need for increases in defense spending, both military and nonmilitary; on the need for the Children's Health Insurance Program to be reauthorized, along with

community health centers; the needs of veterans and pensioners and disaster relief to aid the victims of the recent hurricanes, Irma and Maria. That is why we need also to prevent the mass, draconian deportation of 800,000 young people brought here as infants and children through no choice of their own.

Those bipartisan agreements on each of those issues can be turned into a package that can unite both sides of the aisle—maybe not everyone but a majority here and a majority in the House of Representatives—if they are simply put to a vote. We are here to vote on the substance. Give us that opportunity to vote on a package that embodies those bipartisan agreements.

The President must either lead or get out of the way. These difficult negotiations have to be contrasted with the talks that took place just yesterday between the President and the minority leader, Senator SCHUMER. In a kind of microcosm, that day epitomizes the kind of leadership that got us to this point.

The President and minority leader emerged from that conversation at midday with a conceptual framework and agreement—virtually—on a constructive set of principles, including a path to citizenship for the Dreamers.

To the consternation of some on our side, the minority leader put on the table, in effect, full funding for the wall—the wall that my colleague Senator RUBIO just discussed as a condition for such an agreement. This wall was supposed to be funded by the Mexicans. It is, in my view, excessively costly and a waste of money. Border security is absolutely necessary, but it can be done more effectively and less expensively with surveillance, drones, sensors, more patrol officers, and better training. There is a set of fencing system improvements that we can agree on. But if Donald Trump wants that wall and it is a condition for literally the survival of 800,000 young people, the minority leader was willing to put it on the table. That flexibility and willingness to compromise epitomizes the approach that we have offered to take—and must be taken—to reach an agreement.

Within hours, literally, the President backed away from that virtual agreement—maybe ''backed away,'' in fact, is inaccurate. He was pulled away by his far-right extremist staff and supporters. We may never know all of the names that spoke to him, but the fact is, the agreement fell apart.

The shutdown is almost entirely the making of one man, who happens to be President of the United States and who today marks his 1-year anniversary—a year characterized by chaos and conflict, disarray and dysfunction, personal invective and partisan controversy. He has reversed himself so many times that the majority leader himself expressed frustration just a day or so ago because we have no idea what he wants to emerge from these bodies on any of these issues. The minority leader characterized negotiating with him as trying to deal with Jell-O. I think it is equally like a ping pong ball that ricochets back and forth, depending on who has last talked to him and what his mood is and what his last tweet may have been.

So, just as many times before, the President is likely to put the extreme rightwing members of his party before all else—before children and their health, before Dreamers and their potential deportation, and before funding for our troops.

One party is in charge of the Senate and the House and the White House. It owns this shutdown. But more important than pointing fingers and assigning blame is reaching an end and reaching agreement on what is necessary to end this shutdown. And more important than who is hurt politically in this body or the House or in the White House is who is hurt in the country by the failure of this government to function.

We have work to do. We are here tonight. I will be here tonight and tomorrow. We have engaged in some very constructive conversation and discussion across the aisle. I think there is good will on both sides because ultimately we have in our hearts and minds this great Nation. If the President is not able to take yes for an answer, he needs to accept what we provide and resolve that the great dealmaker has to be a deal acceptor. He has repeatedly shown himself to be an erratic, unreliable, unpredictable, and capricious negotiator. There are a number of ways to resolve this shutdown that are within reach with the right kind of leadership on both sides.

I went today to the Women's March here in Washington. I was impressed with the excitement and energy and the dedication of many of the young people who were there. Far from the cynicism and the partisanship that maybe we find all too rampant in this body, their idealism seems balanced. It is inspiring and exciting, their dedication to equal rights and equality, to women's healthcare, and engaging in the political process, believing that one person—one of them, one of us—can make a difference.

If we are impressed by the resolve and determination of those young people, as I was, we should fulfill those high expectations which they and all America have for us.

Restoring trust in our institutions is a service we can help perform by ending this shutdown, coming to an agreement, and making sure we do what is truly in the public interest.

Looking into their eyes, I was reminded also of the Dreamers. They are known as Dreamers because they believe in that same American dream.

Many of the individuals at the Women's March on the Mall in Washington, DC, this morning were, in fact, Dreamers. They were not a majority but many. They were there because they believe in America, the only country they have ever known. Their communities, their schools, their families are intricately part of this Nation. They are Americans except for the papers, the documents they lack.

I know that my Republican colleagues want to give them a path to citizenship. It is not so much give but afford them the opportunity for a path to citizenship because they have so much to give back to this country. They have lived here all their lives. They played by the rules. They are our future doctors, engineers, nurses, business owners, and entrepreneurs. We can fulfill the American dream for them and for us if we give them that path to citizenship.

A great nation fulfills its promises. America is the greatest Nation in the history of the world. We need to keep our promise. We need to keep our promise in this body to the American people—the oath we have taken to uphold the law and the Constitution—and to do what is right.

We should do what is right for the Dreamers and their American dream, for our military who need support, children who need health insurance, families who need health facilities, veterans who need programs that they have earned and deserve, and fellow Americans who need disaster relief. Every one of them should be done now, not 3 weeks from now, not 4 weeks from now. We are already 112 days into this fiscal year. Now is the time to do the right thing.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

MESSAGE FROM THE HOUSE

At 12:04 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4712. An act to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

ADDITIONAL COSPONSORS

S. 2274

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2274, a bill to provide for the compensation of Federal employees affected by lapses in appropriations.