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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

Eternal God, rescue us. Come quickly and bring the stability and unity we need.

May our lawmakers who seek You find You, receiving from Your divine presence wisdom, mercy, and power. Cleanse the inner fountains of our hearts from anything that will hinder Your will from being done.

Lord, You are our helper and redeemer. Do not delay.

We pray in Your powerful 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—H.R. 266

Mr. MCCONNELL. Madam President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 266) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year

ending September 30, 2019, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—Motion to Proceed

Mr. MCCONNELL. Madam President, I move to proceed to S. 1.

The PRESIDING OFFICER. The clerk will report the motion to proceed.

The senior assistant legislative clerk read as follows:

Motion to proceed to the consideration of S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

GOVERNMENT FUNDING

Mr. MCCONNELL. Madam President, over the course of this partial government shutdown, we have seen our Democratic colleagues engage in increasingly acrobatic contortions in order to dodge a serious conversation about the urgent humanitarian and security crisis down at our southern border. Their refusal to come to the negotiating table has serious implications for the hundreds of thousands of Federal workers going without pay and for all Americans who deserve a nation that can secure its own border.

Along the way, we have heard that new funding of any sort—any sort—of border barrier, even the kinds that Democrats have supported so recently and so often, would now be an immorality. An immorality?

We have heard serious proposals brushed aside with joking offers of \$1 to address the critical issue. We have

even heard frank admissions that, 30 days from now, there would be no progress toward an agreement on border security, even if the government were reopened.

Under normal circumstances, we could expect lines like these from the furthest left organizers and most vocal liberal protesters. But these are not normal circumstances. These are the words, believe it or not, of the Speaker of the House, the gentlelady from California, NANCY PELOSI.

It is unclear exactly when the Speaker made the determination that the explicit requests of the men and women who secure our borders and the safety of our communities would take a backseat to the political whims of the far left, that the border efforts toward which Democrats have agreed to direct billions of dollars in the past have transformed overnight into something evil. But here we are, day 25. We know the new and unreasonable position of the Speaker of the House.

So here, in the Senate, my Democratic colleagues have an important choice to make. They could stand with common sense, with border experts, with Federal workers—and with their own past voting records, by the way—or they could continue to remain passive spectators, complaining from the sidelines as the Speaker refuses to negotiate with the White House and ensures that our Nation keeps going round and round and round this political carousel. It is up to our colleagues on the other side of the aisle.

BORDER SECURITY

Madam President, on another matter, the substance of the border security issue is not the only subject that is occasioning a spectacular display of inconsistency from my colleagues across the aisle.

If you recall, since last week, the apparent position of Senate Democrats has been that the Senate itself cannot engage in any of the people's business until government funding is resolved.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Democrats have held this position so dogmatically that three times now they have voted against advancing a bipartisan and urgently needed package of legislation that concerns Israel, Jordan, and the civil war in Syria.

It has been the Democrats' very own "Senate shutdown" on top of the partial government shutdown they are prolonging. What about our ally Israel? What about the innocent people of Syria? I guess they are just out of luck—just out of luck. The Democratic leader has made clear that they will just have to wait. They will just have to wait until he decides to end his filibuster of these bipartisan bills, which, until last week, by the way, he supported. It is a bizarre position—a truly bizarre position.

It has directly contradicted the stated foreign policy views of many of our Democratic colleagues, but this has been the Democratic leader's position: Filibuster the expanded assistance for Israel. Filibuster the new consequences for giving aid and comfort to the Assad regime as it butchers its own people. That is what the Democratic caucus has overwhelmingly voted to do on three occasions.

But now, we are informed that it was all just a farce. The Democratic leader actually doesn't mind doing other business because he now intends to bring a privileged and political stunt of a motion relating to the administration's use of sanctions against Russia.

So now at least we know the score. Our Democratic colleagues don't really object to Senate action as such; they just object to debating a bipartisan package of bills to reinforce our support for Israel, help Jordan stand firm amidst regional chaos, and take action to hold accountable those who have tortured and murdered countless—countless—Syrian civilians.

There is no reason this bill shouldn't sail through Congress and be signed by the President. A bipartisan bill to support Israel, defend Jordan, and provide justice for innocent Syria—that is what the Democratic leader is filibustering. But a partisan motion on an unrelated foreign policy issue? Oh, he is perfectly happy to see it come right here to the floor for a vote. As I said, at least we know the score.

So here is my commitment to Israel and to Jordan and to the Syrian people: I will continue to force these cynical tactics into the light of day. Democrats may vote a fourth time—or a fifth time—to filibuster these bipartisan bills, even as they turn the Senate toward other business. But Republicans will not abandon the need for American leadership in the world.

NOMINATION OF WILLIAM BARR

Madam President, on one final matter, today our colleagues on the Judiciary Committee will begin nomination hearings for Mr. William Barr, the distinguished public servant President Trump has asked to serve as the Nation's next Attorney General.

Certainly, no one needs me to explain all of the reasons this is a vital posi-

tion. The Department of Justice is charged with duties such as protecting Americans' civil rights, defending the public order to which citizens are entitled, and upholding the time-honored tradition that the United States of America is a nation governed by law. So it is the Nation's good fortune—our good fortune—that the President has selected such a completely qualified and thoroughly prepared leader to fill this vacancy.

First and foremost, of course, is the fact that Bill Barr has served in this position before. As Attorney General under President Bush 41 in the early 1990s, he fulfilled his oath and led the Department of Justice with honor and with skill. He was widely regarded as a capable administrator and as a strong, independent, and principled advocate for fairness and for following the law.

His tenure confirmed the great confidence that Republican and Democratic Senators had all placed in him when they confirmed him to that position unanimously. Democrats controlled the Senate in 1991—Democrats controlled the Senate in 1991. That is when he was confirmed—confirmed on a voice vote. Boy, those were the good old days.

Amid the proceedings, our distinguished colleague Senator LEAHY expressed confidence that Mr. Barr would be "an independent voice for all Americans."

Then-Senator Joe Biden, who was then the chairman of the Judiciary Committee, put it this way at the time: He is "a heck of an honorable guy."

So 28 years ago, leading Democrats were practically heading up the Bill Barr fan club, and his subsequent service proved they had made the right call. In fact, this nominee has been unanimously confirmed by the Senate three times—three times.

Before serving as Attorney General, he worked as an Assistant Attorney General and a Deputy Attorney General. In no case did even a single Senator identify a good reason to oppose his confirmation—three times unanimously.

So it is beyond safe to say that Mr. Barr is eminently qualified and widely respected. I look forward to his testimony today and to the testimony of those who know him and his work. I hope every Senator will afford Mr. Barr the fair consideration he so obviously deserves.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

GOVERNMENT FUNDING

Mr. SCHUMER. Madam President, as the Trump shutdown drags on, more and more Americans are getting hurt. Public servants have been working without pay, critical Agencies are unable to perform the functions they are supposed to perform for the American people—whether that is inspecting food supply, protecting our airports and prisons, or helping farmers and small businesses get loans. We are now approaching tax season with the IRS under severe limitations.

When will the President's ridiculous manufactured crisis come to an end?

I have three words for President Trump, Leader MCCONNELL, and our Republican Senators: Open the government.

We can debate border security. We have debated it for a month and a half. We haven't come to a conclusion. Open the government, and we can debate border security while the government is open.

Now, for weeks, as I said, we have been at a standstill. We have offered the President several ways to uncouple his demand for a border wall from a government shutdown. The President has been obstinate, insisting on a \$5.7 billion wall he promised that Mexico would pay for.

The few times that his deputies—the Vice President and the Chief of Staff—have made proposals to Democrats, the President contradicted them soon thereafter. Just yesterday, the President flatly refused to consider a proposal from his close ally in the Senate, Senator GRAHAM, to open the government temporarily while we debate border security.

Sadly, neither Republicans in Congress nor the President's own staff seem willing to tell him what everyone else already knows: The President does not have the votes in either House of Congress for his expensive, ineffective wall.

The reason we have been unable to make any progress is that President Trump is not yet interested in making progress.

So there is only one person who can help America break through this gridlock: Leader MITCH MCCONNELL. For the past month, Leader MCCONNELL has been content to hide behind the President, essentially giving him a veto over what comes to the floor of the Senate. It has put him in the ridiculous position of refusing to consider legislation to reopen the government that nearly every Senate Republican has voted for—legislation that leader MCCONNELL has proudly voted for; legislation that the American people favor by a 2-to-1 margin, including nearly 40 percent of Republicans.

The American people suffering the dire consequences of this shutdown can no longer afford to wait for the President to come around. The President must be shown the will of the Congress, and I believe that if Leader MCCONNELL were to put the House-passed bills on

the floor, they would receive a significant majority in the Senate, a veto-proof majority.

So I would appeal to Leader McCONNELL: Do what is right for the country. Do what is right for hundreds of thousands of Federal employees laboring without pay. Do what is right for our farmers and small businesses, homeowners, and taxpayers. Do what is right for America.

President Trump may not care about the harm he is doing to all of these people, but our Republican Senators, including Leader McCONNELL, should.

A few years ago, Leader McCONNELL remarked: Remember me? I am the guy that gets us out of shutdowns.

Well, Leader McCONNELL, now is the time. Leader McCONNELL, allow a vote on legislation and reopen the government.

In a short time, a few of my Democratic colleagues will ask the Senate for that chance. Will Leader McCONNELL help us reopen the government? Will some of our Republican Senators actually join us, not in nice words but in actually voting to reopen the government? Or will Leader McCONNELL block it yet again, aiding and abetting President Trump's desire to extend his government shutdown?

One final point here, President Trump thinks if he holds out long enough, he will win the fight with the American people. Every day he is losing. The Gallup poll today had him at a near-record low of 37 percent popularity. Even some of his base is losing face.

President Trump, you are not going to win this fight with the American people. Every day it drags on, you are less popular. Every day it drags on, people blame you and the Republicans, not the Democrats. You are not winning the fight. You may be in your own untruth bubble, but you are not winning the fight. Everyone knows that. We certainly do.

NOMINATION OF WILLIAM BARR

Madam President, on another matter, as we speak, the Senate Judiciary Committee is conducting its hearing on the nomination of William Barr to be the next Attorney General of the United States. It is an august position that demands the highest degree of credibility, transparency, and fidelity to rule of law, even during a normal Presidency.

But given President Trump's actions, his disdain for rule of law, his derision of the rulings of an independent judiciary, his public contempt for law enforcement procedures of the Justice Department, the burden of proof for William Barr is higher than it would be for other Presidents.

This is not a normal Presidency. We don't need an Attorney General who will just comply with this President. That is a danger to the Republic.

The Senate should expect unequivocal and explicit commitments from Mr. Barr to resist President Trump. Mr. Barr cannot merely give perfunctory,

boilerplate assurances. Saying "I am for transparency" is not good enough.

Will he release Mueller's report—yes or no? If he can't answer "yes," he doesn't deserve the position. Will he not interfere in any way with Mueller's investigation as opposed to saying he likes Mueller and thinks he is doing a good job? If Mr. Barr can't say "yes," that he will not interfere in any way with the Mueller investigation, he doesn't deserve the job, particularly in light of his writings.

We should expect unequivocal commitments from Barr to defend the integrity of the FBI and our Federal law enforcement officers, not vague statements that give him plenty of wiggle room to do President Trump's dirty work if he gets to be Attorney General, and we should expect an unequivocal commitment from Mr. Barr to allow the special investigation to proceed and conclude without any—underline "any"—interference.

One last point, the expectations for Mr. Barr are even more demanding given the recent revelation that he wrote a detailed, unsolicited memo to the Justice Department criticizing the Mueller investigation, despite having no knowledge of its workings. The memo revealed that Barr holds an astonishingly broad—almost imperial—view of executive power. That should also be a serious line of inquiry for our colleagues on the Judiciary Committee.

The next Attorney General will take charge of a Justice Department that has been embroiled in near-constant chaos for 2 years at a critical moment for our democracy. The Senate should only approve an Attorney General of unimpeachable integrity and unimpeachable fidelity to the rule of law, with the strength and conviction to resist the worst impulses of this President, who, probably, when it comes to the Justice Department, has the worst impulses of any President we have ever had.

RUSSIAN SANCTIONS

Madam President, finally, on Russia sanctions, later this afternoon the Senate will move to consider a motion to proceed to a resolution of disapproval on the Treasury Department's proposal to relax sanctions on three companies owned and controlled by sanctioned Russian oligarch Oleg Deripaska. The case against the Treasury Department's proposal is strong. It fails to sufficiently limit Deripaska's stake in the three companies. It merely reduces his ownership to 45 percent. Many U.S. companies are heavily influenced by an owner who controls much less than a 45-percent share. Why didn't they reduce it to 10 or 15? But they didn't.

Treasury's plan also allows for Russian shareholders with family and business ties to Deripaska to retain shareholder interest. Considering that Deripaska's ex-wife and father-in-law control 7 percent of the company, add that to the 45, and he has total control. So Treasury does not come close to going far enough.

Beyond the weak terms of the deal, the Senate must consider that Deripaska has deep ties to President Putin and his intelligence apparatus, organized crime, and Mr. Paul Manafort, a subject of the special counsel's investigation.

It is deeply suspect that the Trump administration would propose sanctions relief for Deripaska's companies before the special counsel finished his work. We should not allow any sanction relief for President Putin's trusted agents or the companies they control before the conclusion of the investigation.

Finally—and maybe most seriously of all—there is a foreign policy issue here at stake. President Putin's government, one of Russia's largest banks, and the Russian economy have a direct interest in sanction relief for Deripaska's companies. Why is the Trump administration proposing sanctions relief when President Putin has not yet made any move to curtail or constrain his maligned activities around the globe?

Now, this morning, my friend from Kentucky called this a political stunt and a farce. That is appalling. After all Putin has done, this is a stunt and a farce? And why are we doing it now?

He said: Why are Democrats doing it?

Because the underlying law that allows for this resolution has a 30-day alarm clock on it. The alarm clock goes off Thursday. Democrats are not forcing this vote; the law is.

I would say to the leader, Democrats were not the ones who decided to relax sanctions on Putin's cronies just before the Christmas holiday, hoping no one would notice. That was the Trump administration. If Leader McCONNELL wants to know why we are voting on Russian sanctions this afternoon, he should go talk to the White House.

So allow me to appeal directly to my Republican colleagues. Whatever your view on this issue, there are enough questions—enough questions—that we should vote for the motion to proceed so that you can hear the debate. It is an important debate. Putin is laughing with the damage he is doing to America. We cannot go along.

In the past, one of the finer moments of this Senate, which Leader McCONNELL talks about all the time, was when we joined in a bipartisan way to impose sanctions on Russia. Well, we should not relax that view. We should not relax that vigilance. The details here are complex. The Senate and the American people ought to have a real understanding of the facts before voting. If that debate is allowed to proceed, I believe my Senate colleagues will see the wisdom of keeping the current sanctions in place.

I yield the floor.

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

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

GOVERNMENT FUNDING

Mr. THUNE. Madam President, Democrats continue to talk about the need to fully reopen the government, and I cannot agree with them more. It is time to end this partial shutdown and get the government fully operating again. But there is a problem. Democrats may talk a lot about the need to reopen the government, but they are not willing to do the work that would be required to actually get the government open.

In a divided government, negotiation and compromise are essential. If you want to get something done in a divided government, you have to compromise. But that doesn't seem to be something the Democrats understand. For Democrats, it is "my way or the highway." They won't give an inch. They want their way, and they want their way only. All of us would like to get our proposals passed exactly as we want them, with no changes, but we all know that is unrealistic. If you want to get something done, you usually have to compromise.

The White House has a strongly held position but has also made it very clear that it is willing to be flexible and negotiate with Democrats, but the Democrats refuse to play ball, and they continue to hold parts of the Federal Government hostage.

We just heard our colleague from New York, the Democratic leader, suggest that it should be Republican leader Senator McConnell's job to solve this problem, but the fact is—and we all know this—the negotiation in this circumstance has to be between the President of the United States and the Democrats in the Senate and the House who have refused to budge on that position.

The Republican leader has made it very clear that as soon as the President is willing to sign something and the Democrats here are willing to produce enough votes to give us the 60 votes that are necessary to pass it in the Senate and the House, he will move a bill through the Senate that we can get to the President and end this shutdown, get the government open again, and fund border security, which is an important priority for our country and for our national security interests.

That is a position which, until recently, was also held by the Democrats. As recently as December, the Democratic leader indicated that to solve this budget stalemate, this impasse we seem to be having, we needed to have the support of the leaders in both the House and the Senate and the President before either Chamber should vote on legislation. He suggested that the President needed to come out publicly in support of it—in other words, to indicate he would sign any legislation that might move.

So that is where we are. It is not a function of the Republican leader's. The Republican leader is prepared to

produce the votes that are necessary to pass legislation to reopen the government. It is entirely dependent upon the President of the United States, who must sign that bill into law, and the Democrats here in the Senate, who have to produce the requisite number of Democrats to get the 60 votes that are required to pass it in the Senate. That is where we are.

Frankly, right now, there isn't a negotiation going on. The Democrats' refusal to negotiate is victimizing the very workers they want to protect. The Federal workers who are struggling right now are struggling precisely because Democrats are refusing to work with this President, and that has a lot more to do with politics than it has to do with the issue itself.

Democrats need to negotiate with the White House to reopen the government, but they should also want to work with the White House on border security solutions. Border security is a national security imperative. No country can be secure if dangerous individuals can creep across its borders unchecked and unobserved, and Democrats used to understand this.

In 2006, the Democratic leader and the ranking member of the Senate Judiciary Committee voted for legislation to authorize a border fence. They were joined in their vote by then-Senator Biden, then-Senator Clinton, and then-Senator Obama.

In 2013, every Senate Democrat—every Senate Democrat—supported legislation requiring the completion of a 700-mile fence along our southern border. This legislation would have provided \$46 billion for border security and \$8 billion specifically for a physical barrier.

As recently as last year, nearly every Senate Democrat supported \$25 billion in border security.

My point is that the Democrats in the Senate have in the past recognized the importance, No. 1, of securing the border and, No. 2, how important a physical barrier is as a part of the solution to securing our border—not entirely dependent upon a border wall but certainly a part of that solution, to include technological solutions, manpower, additional personnel, cameras, sensors, all the modern technology that we have, but in certain places recognizing that the fence works. The fence has worked. There is already 700 miles of fence on the southern border.

I would point out that in 2009, the Senate Democratic leader said in a speech that "any immigration solution must recognize that we must do as much as we can to gain control of our borders as soon as possible." That was in 2009 from the Senate Democratic leader. He went on to discuss, interestingly enough, progress that had been made on border security between 2005 and 2009, including "construction of 630 miles of border fence that create a significant barrier to illegal immigration on our southern land border." That from the Democratic leader in 2009,

again crediting the construction of 630 miles of border fence that creates a significant barrier to illegal immigration on our southern land border. In other words, in 2009, the Democratic leader not only didn't oppose border fences, he praised them.

The fact is, our border is not secure. Tens of thousands of individuals try to cross our southern border illegally each month. Illegal drugs flow into this country through ports of entry and other unsecured areas of the border. Federal agents have seen a 115-percent increase in the amount of fentanyl seized between ports of entry, and 90 percent of the heroin supply in this country flows across our southern border. There is human trafficking, weapons trafficking, and more.

We need better border security, including more barriers, technology, and personnel along our southern border. We don't know who is coming into our country and why. We need to ensure that we keep criminals, traffickers, terrorists, and dangerous goods out of this country.

House majority leader STENY HOYER was asked about the Democrats' flip-flop on border security and whether there is any real difference between what they supported in the past and what they are opposing now. He said: "I don't have an answer that I think is a really good answer."

"I don't have an answer that I think is a really good answer." Well, Madam President, at least that is honest. Democrats don't have a good answer because there is no real difference between what they have supported in the past and what they are opposing right now.

Before Christmas, I came to the floor to talk about the divided government we would be dealing with in 2019 and 2020. I noted that divided government doesn't have to spell the doom of productivity. In fact, over the past 30-plus years, some of our greatest legislative achievements have been the product of divided government. But I also noted that in order for us to be productive in the 116th Congress, Democrats would have to decide to work with us. So far, they have decided not to.

In addition to refusing to negotiate on border security, Senate Democrats have also blocked the Senate from considering legislation to support Israel's security, strengthen our relationship with our Jordanian allies, and hold accountable individuals who participate in the atrocities of the Assad regime in Syria.

Despite our divided government, we can still accomplish important things for the American people, but it is going to require an about-face from Democrats, who have so far made the 116th Congress about partisanship and their hostility to this President.

It is time for Democrats to stop talking about reopening the government and to take steps that would actually do so by committing to real negotiations with the White House. Then and

only then can we get past this impasse, get the government open and functioning, and address what is a critical and important national security imperative for our country, and that is ensuring that our southern border is secure.

It is not about Republicans in the Senate. It is about the President of the United States, for whom this is a huge priority, something he is passionate about doing and a commitment he made to the American people. And it is about the Democrats here in the Senate—and in the House but here in the Senate, where it takes 60 votes to pass anything—sitting down across the table from the President in good faith and dealing with what usually happens in circumstances like this, and that is to negotiate an agreement for both sides, give a little bit, have a little give-and-take.

As I mentioned, the President has been very flexible and very open to sitting down with Democrats. In the discussions I have been a part of, he has demonstrated his willingness to compromise. But I have yet to see a single step by the Democrats here in the Senate or in the House, in their leadership, a single move, a single inch of movement in the direction of trying to solve this problem. Instead, they seem bent on turning it into a political issue. That is not good for the American people. It is certainly not good for those employees who are struggling out there because they are not being paid and certainly not good for the crisis we face at our southern border and the security threat that poses for the American people.

I hope we will do better. We can do better, but it is going to require negotiation. It is going to require a willingness to sit down at the table in good faith and to get discussions going about how we solve this important problem.

I yield the floor.

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

The PRESIDING OFFICER (Mr. SCOTT of Florida). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H.R. 21

Mr. CARDIN. Mr. President, I am here with my colleague Senator VAN HOLLEN. The two of us are going to make a unanimous consent request to reopen the government.

I know the distinguished majority leader is here. We are on day 25 of this tragic, outrageous, needless, and dangerous partial shutdown. Senator VAN HOLLEN and I have met with government workers, and we heard their account. They can't pay their bills. Mortgages are going without payment. I heard yesterday from a Federal worker who can't pay their children's extra ac-

tivities at school for dance lessons. They can't help their relatives deal with their problems. They are postponing needed health treatment issues.

I read last week on the floor of this body a letter from Kristen Jones and Brad Starkey, air traffic controllers who explained how they can't take care of their family needs. So 800,000 people are furloughed without pay or working without pay—30 percent are veterans. Small businesses are shuttering their operations because they depend upon government workers for their business. From cleaners to restaurants, they are finding they don't have the business they used to have.

Kevin Hassett, Chairman of the White House Council of Economic Advisers, indicates the economic impact is \$1.2 billion a week on our economy.

We heard that small businesses have to lay off employees because they are not getting their Federal partnerships. I used the example of the Senior Services of America. They laid off 176 employees because the USDA and Forest Service can't honor their contracts. People can't close on their home mortgages because they don't have pay stubs to show their income. The FHA can't certify loans with HUD being shuttered. Core missions are being compromised.

I talked to air traffic controllers yesterday—people in air safety. They don't have their full complement. They are professionals. We have the most professional government workforce in the world, and they are dedicated professionals who do their job, but we are asking them to do it with half the number of employees and without getting a paycheck. That is outrageous.

This shutdown has to end. The President wants it. We are an independent body. We are a coequal branch of government. We could open up the government. Yes, we can negotiate border security, but we have to have the government open. You can't negotiate under circumstances where the President is holding the country hostage, and he undermines his own negotiators. It cries out for Congress to take the lead.

I agree with Senator GRAHAM when he says we should open the government and then let us negotiate using the regular process of Congress to debate the issues of border security, including immigration issues. We are a coequal branch of government. Two bills are on our desk. Both have passed the House of Representatives.

I am going to make a unanimous consent request with regard to H.R. 21, and my colleague Senator VAN HOLLEN will deal with the rest of the government. H.R. 21 has six appropriations bills that are not related to the issue of border security. They have already been acted upon by this body. They are not part of this dispute. It is Financial Services and General Government. It is Agriculture. It is Interior and Environment. It is Transportation and HUD. It is State and Foreign Operations. It is Commerce, Justice, and Science. They

passed this body either by a 92-to-6 vote for the Appropriations Committee or unanimous or near unanimous by our Appropriations Committee under Republican leadership in a bipartisan manner. We need to reopen the government.

Therefore, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 5, H.R. 21, making appropriations for the fiscal year ending September 30, 2019; I further ask that the bill 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. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CARDIN. Mr. President, I say in response to the distinguished majority leader, I just don't understand why the Senate is missing in action. We are a coequal branch of government. Let us speak about opening the government. There are Members on both sides who understand that we can debate border security, and we can reach agreements, but you can't do that with a partial government shutdown.

This is President Trump's shutdown, and now with the majority leader's objections, the Republicans in the Senate are assisting this shutdown.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Let me repeat again what I have said now for some 3 weeks. The solution to this is a negotiation between the one person in the country who can sign something into law, the President of the United States, and our Democratic colleagues. For the Senate Republicans to participate in something that doesn't lead to an outcome strikes me as not what the Senate ought to be involved in.

We have an important package of bills that have been held up during the Senate shutdown—never mind the government shutdown—related to our colleagues, our friends in the Middle East, the Israelis, related to the Syrian civil war and all the atrocities that have occurred. There is business to be done in the Senate.

The way to solve the government shutdown is for the administration and our good friends in the House in the majority and Senate Democrats to reach a legislative solution. When that happens, I will be more than happy to call it up because we know it will actually solve the problem.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Briefly, in response to the majority leader, the first priority should be reopen government. That needs to be our very first priority of business.

In regard to the legislation the leader is referring to, let me point out that those bills could have been passed in

the last Congress where Republicans controlled both the House and the Senate. The majority leader made a decision on floor time that it was not a priority to be considered in the 115th Congress.

Let me also say, in regard to Israel, it will benefit from the foreign ops appropriations bill to be passed, which is part of my unanimous consent request of an additional \$200 million, but that is being held up because of this shutdown that has been caused by the President and has now been assisted by the Republicans in the Senate.

The PRESIDING OFFICER. The Senator from Maryland.

UNANIMOUS CONSENT REQUEST—H.J. RES. 1

Mr. VAN HOLLEN. Mr. President, the issue here is that, under the U.S. Constitution, the Senate really does need to do its job as a separate and co-equal branch of government.

Last week, Senator CARDIN and I were right where we are today—here on the floor of the Senate, asking consent that the Senate immediately take up and vote on the two House bills that are on the Senate calendar as we speak and pass them and send them to the President to reopen the government. Last week, the majority leader blocked a vote on that. He blocked consent to take up those bills to reopen the government. Since last week, much has changed, and much has stayed the same. Here is what has changed.

The impact and harm of the shutdown is growing by the day. It is metastasizing around the country. Here are some headlines: "The cascade of shutdown problems grows each week." Another headline: "This is ridiculous: Small-business owners can't get loans as shutdown enters Day 20." That was day 20. We are now on day 25. "FBI operations damaged as shutdown continues." "FBI Agents Group Says Shutdown Affects Law Enforcement." They point out it is putting those on the job at greater risk because those are who are furloughed who support them can't give them the backup they need.

The FDA continues to not do its routine food inspections, and American veterans—and veterans make up 30 percent of the Federal workforce—are being disproportionately hurt by the shutdown.

We just heard it reported that the White House economists are doubling their estimate of the harm being done to our economy each week. It is already in the billions of dollars, and they are saying it looks as though it will be twice that much as this thing grows exponentially.

Services have been shut down for the American people. There were 800,000 Federal employees, as of last Friday, who received pay stubs like the one I am holding in my hand. This is one that was for an air traffic controller. Starting last Friday, 800,000 Federal employees did not get paychecks. Hundreds of thousands of them are on the job, working, and hundreds of thousands of them have been locked out of

work. What they tell us is they just want to get back to work and do their jobs for the American people. If you look at this pay stub, at the net pay, it reads "zero"—a big, fat goose egg. I can tell you these Federal employees are getting bills. They are getting their mortgage and rent bills. They don't say zero. They stay the same. So here you have 800,000 Federal employees who are unable to make do—missing mortgage payments, missing rent payments, missing their monthly installments on community college payments. On top of that, you have all of these small businesses that do work for the Federal Government that are beginning to go belly-up, and their employees are being told not to go in to work.

Since Senator CARDIN and I were here on the floor just last week, things have gotten much worse around the country, but here is what has stayed the same—that we have it in our power today to take up two House bills to open the government.

I was listening to the majority leader say: Well, you know, the President says he is not going to sign them.

Yet we are a separate branch of government. We are the article I branch of government. I am holding in my hand, right here, the bill that Senator CARDIN asked us to vote on today. I think the public needs to know what is in it because what is in it has already been supported on a bipartisan basis by this U.S. Senate.

It has provisions to open about five Departments of the U.S. Government that have nothing to do with Homeland Security. We passed that by a vote of 92 to 6. The President says that he doesn't want to sign it. He can veto it. With 92 to 6, it is a veto override—big time. Also contained in here are bills that passed the Senate Appropriations Committee by a vote of 30 to nothing and 30 to 1. That is what is in here—bipartisan bills.

So the question for this body, as a separate branch of government, is this: Why in the world are we not going to allow a vote to reopen the government on provisions that we have already agreed to on an overwhelming bipartisan basis—in fact, with a veto-proof margin?

The President can say that he is not going to sign it. That is his business. That is the executive branch. For goodness' sake, let's do our job here in the U.S. Senate, because every day that goes by with this growing harm, the Senate is more and more complicit, and we are an accomplice to the shutdown.

I know President Trump likes to talk about the fact that he has done things that no other President has done before in the history of the United States. This time, he is right. He has the longest shutdown of any President in the United States. He said he would be proud to shut down the government if he didn't get his way. I know that no Senator here—Republican or Democratic—is proud to shut down the gov-

ernment, certainly, for the longest period in history.

So let's do the right thing. Let's do our job. Let's not just say the President is the only one who can handle this. We can handle it.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 6, H.J. Res. 1, making further continuing appropriations for the Department of Homeland Security. I further ask that the joint resolution 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 an objection?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CARDIN. 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.

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

The PRESIDING OFFICER (Mr. CRUZ). Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—Motion to Proceed—Continued

The PRESIDING OFFICER. The Senator from Virginia.

RUSSIA SANCTIONS

Mr. WARNER. Madam President, I rise today to express my support for S.J. Res. 2, a resolution of disapproval on lifting sanctions against the energy and aluminum companies En+, RUSAL, and EuroSibEnergo.

To start from the beginning, the United States of America has had very good reasons for sanctioning Oleg Deripaska. There are a number of significant national security risks at play. That is why repeatedly—not just in the current administration but in prior administrations—this individual has been denied a visa and why he has been personally sanctioned by the Treasury Department. As a matter of fact, the Treasury press release announcing the sanctions noted that Deripaska "has been investigated for money laundering, has been accused of threatening the lives of business rivals, illegally wiretapping a government official, and taking part in extortion and racketeering."