

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

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

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

The resolution (S. Res. 246) was agreed to.

The preamble was agreed to.

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

Mr. SCOTT of Florida. 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Pamela A. Barker, of Ohio, to be United States District Judge for the Northern District of Ohio.

The PRESIDING OFFICER. The assistant Democratic leader.

#### BORDER SECURITY

Mr. DURBIN. Mr. President, I listened carefully this morning to Senator McCONNELL of Kentucky, the Republican leader, who came to the floor to speak to the issue of the border crisis which we now face. I acknowledge, as everyone should, that we are facing an unprecedented number of people who are presenting themselves at our southern border from primarily three countries—El Salvador, Honduras, and Guatemala.

These people who are presenting themselves, for the most part, are not trying to sneak across our borders; they are literally coming up and presenting themselves—identifying themselves—to the first person they find in a uniform. The reason is they want to apply for asylum in the United States. They want to make the argument that they have credible fears that might entitle them to be considered as asylees in this country, which is a legal classification.

After they state that they seek that status, they are taken into our system. They then, ultimately, go through a hearing process, but that hearing process is not done quickly. In fact, it can take months and sometimes years before the actual hearings take place. Because we are seeing so many people coming—especially young children who are accompanied by their parents or who are even on their own—it has created a special challenge for our border authorities.

I was down in El Paso just a few weeks ago. I met with the Border Patrol agents and the Customs and Border Protection agents, and we talked about the challenges they face. In my mind, there is no question that the numbers have overwhelmed the system to the point at which there are things happening down there that are absolutely unacceptable by American standards. I will give you an example.

Those who present themselves at the border are processed and put into detention cells, but these detention cells are not large enough to accommodate the number of people who come to our border. In El Paso, there was a cell that had a plate glass window on the outside so one could see everyone inside. Above the door of that cell was a sign that read "Capacity: 35." I counted the number of people in that cell on the day I visited. There were 150 who were jammed shoulder to shoulder inside the cell. About 20 of them, maybe 30, had an opportunity to sit on benches along the perimeter, but for the most part, they stood. They stood all day. They were fed their meals while they stood up, and I have no idea how they possibly worked out their sleeping arrangements. There was just no room for all of them to lie down on the floor at any given time, and there was one toilet in that room for 150 people. I learned afterward that the number in that cell increased shortly thereafter to 200. Next to it was a cell for women—capacity 16. Inside that cell, I counted 75 women, including women with nursing babies.

We now have press reports that state, because of the desperate situation these detainees face, there have been attempted suicides. This is in the United States of America. This is a situation we need to address. I couldn't agree more with the Republican leader from Kentucky that we need humanitarian assistance quickly to provide temporary housing or whatever is necessary so that there will be humane treatment of those who have been detained at our borders until they are processed through our legal system.

I might say, although the Republican leader came to the floor to blame the Democrats for not coming up with more money in a timely fashion, it was just this February when we joined, on a bipartisan basis, in voting for \$400 million more for humanitarian assistance at the border. There has been no resistance from this Senator or from this side of the aisle when it has come to

humanitarian assistance in addressing the issues that have been before us.

We remember—and it was not that long ago—the Trump administration's policy that was called zero tolerance. Do you remember? Certainly, I do. Attorney General Jeff Sessions announced that we were then going to have a policy of treating as criminals those who came across the border.

Now, understand what I mentioned earlier. You present yourself at our border for the purpose of seeking asylee status so that you will not be considered a criminal when you present yourself, which is perfectly within our legal system. Rather, Jeff Sessions said, if you come to our border and do not have legal status in the United States, you shall be treated as a criminal. In his having said that, there was a problem. It meant that they separated the children from their parents because, under Sessions' zero-tolerance policy, the parents were presumed to have been engaged in criminal conduct.

The result was awful. There were 2,880 infants, toddlers, and children who were separated from their parents at the border under the zero-tolerance policy. Yet there was a swift public reaction against it, and court cases were filed to stop this policy. In one of the few times since he was elected President, this President came forward and said he was wrong—that this policy was not good and that he was going to end it.

The problem was, in his having separated those children, our government has not kept track of where their parents have gone and how we might possibly reunite them in the future. It took a Federal judge in Southern California to come forward and mandate that our agencies of government find those children and reunite them with their parents.

We didn't accomplish it completely. Overwhelmingly, it took weeks and months for us to put them together because no one thought to keep track of where the parents were headed and where their children were headed. Eventually, we put it together for all but, say, 100, I think—the final number of children for whom we just couldn't find their families and parents.

That was a horrible situation, but it is a reminder to us today as we reflect on what is going on at the border. For goodness' sake, we should all demand the humane treatment of people at our border, particularly of the children. Six children who came to our border died while they sought this asylum status. That is unacceptable.

In fairness to the Department of Homeland Security and to all of those involved in it, I don't believe for a second that they consciously allowed this to happen, but we did not provide the kind of medical assistance that might have ordinarily been provided in these circumstances. We are told that this is changing for the better, and I salute and applaud the efforts to reach that.

When it comes to the humanitarian assistance that Senator McCONNELL

spoke about on the floor this morning, I could not agree with him more. We need to put the resources in place. There are serious differences of opinion about the policy at the border—of the so-called Flores consent decree and the TVPRA legislation. There is also no common agreement between the parties in the House and Senate on that policy's language. I am not sure we will reach an agreement when it comes to some fundamental questions about how long you can hold a child in detention, for example. In the Flores decision—and this was a consent decree entered into by our government—we say that you can't detain a child for more than 20 days. The proposal now is 100 days.

Let me ask an obvious question. As a father and as a grandfather, what impact does it have in one's holding a child in detention for 100 days? Imagine, if you will, all of the possible circumstances of these kids in their having come to the border, what they have been through to reach this point, and what we then do in response. I think we need to be very sensitive to the reality that children are often harmed in ways we can't even imagine by things that happen so early in their lives. The notion of a longer detention needs to be carefully scrutinized to make sure we are never doing anything at the expense of these children and their long-term development.

I wanted to raise another issue too. While I agree with Senator McCONNELL when it comes to the humanitarian treatment of children and young people and others, too, at the same time, we are in a circumstance now where the President of the United States, in September of 2017, eliminated a program called the DACA Program.

I know a little bit about this because 18 years ago I introduced a bill called the DREAM Act, and the DREAM Act said that if you were brought to the United States as a child, where you didn't have any conscious part of the decision to come to this country, and you grew up in this country, went to school, did not have a criminal record, and went through a basic background test, then, you ought to be able to be allowed to stay in the United States and ultimately achieve legal status. That is the DREAM Act. We haven't passed it or enacted it into law, though I have tried many, many times. But we did prevail on President Obama to create the DACA Program so that these young people can step forward, pay a fee, go through a background check, be finger-printed, make certain that they were no threat to the United States, and be allowed to stay in this country for 2 years at a time without fear of deportation and be allowed to work.

Ultimately, 790,000 of these young people came forward. I have told their stories on the floor of the Senate many, many times. They are incredible young people who simply want a chance to be a part of the country—the only country they have ever known.

President Trump decided to abolish the DACA Program, leaving these

190,000 people in a precarious situation in terms of their legal rights and their future.

Fortunately for them, the Federal Court stepped in and said that the President needed to justify eliminating this program. While we are going through the argument in court, they will be protected—790,000 will be protected. No new ones have been allowed to sign up.

I see that my friend from New York is here, and I just wish, if I can, to make a statement about one of these Dreamers and then yield the floor to him. I am certain that he has some important things to say.

But I would like to, if I can—he helps me with my signs when he comes to the floor. I thank Senator SCHUMER.

I produced on the floor more than 100 of these colored photographs of these Dreamers to tell their story. This is Pratishttha Khanna, the 117th Dreamer I have spoken about on the floor of the Senate. She was brought to the United States from India at the age of 10, and she grew up in Laurel, MD. Her parents were university graduates with professional degrees. They both worked long hours in blue collar jobs for less than minimum wage with no time off.

Pratishttha said:

My parents believed in the hallmarks of American values: Work hard and you can achieve anything. They encouraged me to study hard and be the best I can be.

This is exactly what this young lady did. She was an excellent student who was placed in the gifted and talented program, and she was a peer mentor who tutored fellow students in math. In high school, Pratishttha earned college credits in an advanced placement class, was a member of the color guard, and served as treasurer and vice president of the student government association.

In 2009 she graduated from high school with honors. She attended her local community college. Because of her undocumented immigration status, she was not eligible for financial aid and had to pay international student tuition. She cleaned homes and tutored high school students to help pay the tuition. She volunteered at a local infectious disease laboratory. She graduated with an associate's degree in biology.

Then, on June 15, 2012, President Obama announced DACA, the program I mentioned earlier, which was abolished by President Trump.

Pratishttha says:

[It was] a monumental day for my family. For the first time in many years, my family sat together to eat dinner. I saw tears stream down my father's face. He talked about everything my brother and I could achieve with the basic scraps of dignity given us by DACA. The stress and despair in his eyes was replaced with energy and hope.

In May 2014 Pratishttha graduated with honors with a bachelor's degree in biological sciences from the University of Maryland, Baltimore County. Following graduation, she worked as a

scribe in the emergency department at Baltimore Washington Hospital Center. She kept studying, obtaining a nursing assistant and patient care technician certification. She then obtained a position at the medical intensive care unit at Johns Hopkins, while she continued working in the emergency department at Baltimore Washington Medical Center.

Her father passed away in November of 2015, just a few years after she was given DACA status. Through long night shifts in the ICU and the 5 a.m. shifts in the emergency department, Pratishttha had become the family's breadwinner.

She is now studying for a master of science in biomedical science at Western University of Health Sciences, in Pomona, CA. Her dream is to become a doctor.

She wrote me a letter, and she said:

America is my home. My father's ashes will lay to rest here. I don't have another home. As assaults on immigrants and democracy run rampant, the world looks to Congress for leadership and justice.

The eyes of Pratishttha and hundreds of thousands of Dreamers are on Washington and on the U.S. Senate. Last week the House of Representatives passed the American Dream and Promise Act in an effort to save Pratishttha and the hundreds of thousands of others like her. We want you to be a part of America's future. You are an extraordinary person. Her life and what she has already given are an indication of why we need her in America's future. The fact that the Republican leader would come to the floor and speak about the humanitarian treatment of young children and overlook the fact that we have a bill that has been sent to us by the House of Representatives, which would help 790,000 and more with the American Dream and Promise Act, tells me that he is not closing in the loop on humanitarianism.

I call on the Republican leader in the Senate: Do not make this a legislative graveyard. Let's use the power of this Senate to pass the legislation that passed the House of Representatives and give this young woman and thousands more just like her an opportunity to be a part of America's future.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, let me thank my dear friend, the senior Senator from Illinois, for the passion, persistence, and intelligence he shows on behalf of the Dreamers, who simply want to be Americans, who have shown their part of the American dream, and whom we are truly blocking from achieving their dream—which is the American dream.

Thank you.

SEPTEMBER 11TH VICTIM COMPENSATION FUND ACT

Now, on another matter, Mr. President, just now Members of the House