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## Senate

(Legislative day of Tuesday, January 22, 2019)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the Honorable JOHN HOEVEN, a Senator from the State of North Dakota.

### PRAYER

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

Let us pray.

Eternal God, the center of our joy, on September 11, 2001, our Nation united because of an external threat. Remind our lawmakers that nations are not only destroyed from without but from within.

As each Senator has taken an oath to protect our Constitution from all enemies, foreign and domestic, provide him or her with the guidance to passionately defend this land we love from the most subtle incursions. Lord, as some Members of our Armed Forces seek sustenance at charity food pantries and prepare to miss a second payday, something has to give.

Forgive us, almighty God, for our sins of commission and omission. Remind each Senator of the words of Jesus of Nazareth in Luke 10:7: "Those who work deserve their pay."

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 23, 2019.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN HOEVEN, a Senator from the State of North Dakota, to perform the duties of the Chair.

CHUCK GRASSLEY,  
President pro tempore.

Mr. HOEVEN thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. The clerk will report the pending business.

The legislative clerk read as follows:

Motion to proceed to 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.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, yesterday, the Republican leader, my friend, announced that the Senate would hold two votes on Thursday afternoon. First, the Senate will vote on the President's proposal, and then the Senate will vote on an amendment that is essentially identical to the un-

derlying bill sent to us from the House, meaning a continuing resolution that opens the government for 3 weeks plus disaster assistance.

Let me be very clear. These two votes are not equivalent votes. It is not "on the one hand, on the other hand." The President's proposal demands a wall and radical legal immigration changes in exchange for opening up the government. The second vote demands nothing in exchange for opening up the government.

The first vote—unless you do it my way, I am keeping the government shut down—is the Trump amendment. Our amendment says: Open up the government, and then let's talk.

To say, well, one is a Democratic amendment and one is a Republican amendment doesn't get the magnitude of this. The difference is one is holding 800,000 workers hostage—millions of Americans hostage—unless the amendment authors get their way. The second vote doesn't demand anything. It just says to open up the government and then let's discuss it.

The first vote, on the President's plan, includes radical changes to our asylum system and the full funding the President asked for the border wall in exchange for reopening the government. The first vote is completely partisan. The first vote is the President's hostage-taking position codified into an amendment. It says: You must do it our way and pay \$5.7 billion for a wall before we open the government.

The second vote is the opposite. It does not demand anything before we reopen the government. It simply re-opens the government for 3 weeks and allows us to continue debating border security. There is nothing partisan about the second vote. If President Trump weren't opposed to it, there would be nothing controversial about the second vote and just about every Republican would vote for it, as they did the first time, a month ago.

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



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The second vote is not a Democratic proposal with demands. The first vote is a Republican proposal with Republican demands. One simply reopens the government. The other says: No way. It embodies the President's temper tantrum: If you don't do it my way, I am shutting down the government and hurting lots of people.

The two votes are not equivalent. It is not "on the one hand, on the other." They are diametrically opposed in concept.

I do give Leader McCONNELL credit. He put on the floor, for the first time, an ability for Senators to vote on a clean proposal to reopen the government. That is the second vote. It is completely silent on the issue of border security. A vote for the continuing resolution does not preclude a continued discussion on how we best secure our border. It isn't pro-wall or anti-wall. It just says: Open up the government. It is a way to reopen government while we continue to work out our differences.

I want my Republican friends to understand the stakes here. Reopening the government for 3 weeks may not sound like a long time, but it is massively important to 800,000 public servants who have been languishing without pay. Reopening the government even for 3 weeks would mean that all 800,000 get their backpay, to which they are entitled. That is three full paychecks: one for January 11, one for January 25, and one for February 8. Let me repeat that. Even a 3-week continuing resolution would provide three full paychecks to our Federal employees: TSA, Border Patrol, FBI agents, air traffic controllers, food safety inspectors, Coast Guard. Every one of the ones I mentioned involves our security. The President says—in my opinion, totally incorrectly, misstating all of the facts—that we need the big wall for our security. Even if he succeeds—which he will not, I believe—it would take years to build that wall. There is also eminent domain and so many other issues that it might never be built at all. But this is hurting TSA, hurting Border Patrol, and hurting FBI agents, air traffic controllers, food safety inspectors, and Coast Guard members, who all deal with our security right now—right now.

So if you believe in the security of America, you vote for the second amendment, no matter what you think of the wall.

The American people, more and more—it is amazing—were on our side to start with, and they are turning more on our side now. In a CBS poll this morning, 7 out of 10 Americans say the issue of a border wall is not worth this government shutdown, including 71 percent of Independents, but, astoundingly, 43 percent of all Republicans say a border wall is not worth a government shutdown. Close to half of all Republican voters are saying to President Trump and to Leader McCONNELL and to every Republican Senator

in this Chamber: Don't keep this shutdown going over the wall. Don't hold the government hostage. Open it back up and figure out your policy differences.

Parenthetically, I would remind my colleagues that this poll—and another one this morning showed the same thing with President Trump's ratings lower than ever—occurred after his speech on Saturday. His gambit to try to get the shutdown off his back failed, as it should have, because the shutdown is solely his. He said he was proud of it. He said 25 times before he did it that he wanted to do it. Everyone knows the shutdown is his. Neither the President nor our Republican friends can squiggle out of that one. Because of the President's destructive hostage-taking gambit, as I said, his disapproval rating reached the highest level of his Presidency in the CBS poll.

What more do my Republican colleagues need to hear? The will of the American people is crystal clear: Open the government.

I know that President Trump has some power in these Republican primaries, but sometimes you have to rise to the occasion.

The second bill, without any preconceptions or preconditions says: Open the government. The first bill is hostage-taking: Unless you do it my way, the government is staying shut down.

So these are not equivalent bills. These are not "on the one hand, on the other hand."

For weeks we have been at a stalemate. Leader McCONNELL has not allowed a vote on legislation to reopen the government until now. Tomorrow the Senate will finally have its chance. We can reopen the government until February 8 and continue to discuss border security. If you are worried about hundreds of thousands of Federal employees going without pay, if you are worried about the impacts of the shutdown on our economy or our basic security—as law enforcement, Border Patrol, and food safety are not paid—if you are worried about our national security, and if you are looking for a way to open up the government, this is the way. The second vote is the only way that is on the floor of the Senate and can actually open up the government.

I urge all of my Republican colleagues, as they did once before—before President Trump said what he said—to join Democrats on a bipartisan basis on the second vote tomorrow and, finally, open up the government.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I am here today to talk about the ongoing government shutdown and the need to provide more security on our southern border and to try to put a little perspective around it.

The President just issued his own proposal. It is a reasonable proposal, I think, and a constructive proposal to

try to end this shutdown and reopen the government and strengthen the southern border. I am told we are going to vote on that plan tomorrow here in the Senate. It includes a lot of the ideas that I have been discussing with colleagues on both sides of the aisle, Democrats and Republicans, over the past few weeks. Some of these ideas are ones that Democrats support more, and some the Republicans support more. It is the basis for a compromise.

I am going to vote for the President's plan, and I am going to explain here in a minute why I would hope that colleagues on both sides of the aisle would support that plan tomorrow as a way to take a step forward and to take a step back from the partisanship and the division that is keeping our government shutdown.

My hope is that even if the proposal cannot pass with a 60-vote majority, which, unfortunately, seems likely right now, it will spark good-faith negotiations to enable us to quickly end the government shutdown and move forward.

Unfortunately, some of the partisanship and division I talked about has made that harder. It is interesting that even before the President made his announcement, but on the day he was making it, the Speaker of the House, NANCY PELOSI, said the proposal was a nonstarter before she knew what was in it. That is not serious. That is not the basis for a serious negotiation and certainly not responsible for us in the middle of a partial government shutdown.

I think there is in this body—and, I think, in the House, as well—a general consensus that we need to do more to protect the southern border. The Democratic leadership of the House and the Speaker of the House just presented a billion-dollar plan, for instance, for more border security.

I call it a crisis, but call it what you want. Here are the facts. During October and November of last year, the most recent months for which we have good information, Customs and Border Protection agents apprehended more than 100,000 people trying to enter our country illegally. That is nearly double the number of people who were apprehended a year ago in 2017. That is twice as many people.

The big increase, as you know, is with families and kids, unaccompanied children. According to the Department of Homeland Security, there has been a 50-percent increase in the number of families coming across the border illegally and a 25 percent increase in the number of children during fiscal year 2018. Along with that, there has been a 2,000-percent increase over the past 5 years in asylum claims. That increase has primarily come from three Central American countries: Guatemala, El Salvador and Honduras. While 9 out of 10 of these asylum claims are ultimately rejected by the immigration courts, the applicants have long since been released into the interior of the

United States. People don't stay in detention waiting for their hearing. They are released into our communities. I am told by Customs and Border Protection that they think about 90 percent of those families and children are never removed.

Is that a problem? I think everyone should agree that this is a problem. The system is breaking down.

In fiscal year 2018, Customs and Border Protection referred nearly 50,000 unaccompanied minors—all of whom came across our southern border to seek asylum—to the Department of Health and Human Services for care. I have done a lot of work on this issue in the Homeland Security subcommittee called the Permanent Subcommittee on Investigations.

It is a tough situation. It is a tough situation to have these kids in any kind of detention for any kind of time. It is a tough situation for these children, many of whom have experienced trauma and violence on their journey north and need significant help.

Human trafficking remains a significant problem along the border. Law enforcement officials on both sides continue to arrest people for facilitating labor and sex trafficking of adults and children, women and children. Local law enforcement along the border have repeatedly voiced their concerns.

In addition to the individuals trafficked into the United States involuntarily, criminal smuggling networks mislead prospective migrants by assuring them a safe route into the United States. This happens all the time. According to a survey by Doctors Without Borders, over two-thirds of migrants report facing violence on the journey north, including theft, extortion, torture, and sexual assault. Almost one-third of women report being sexually abused while being taken on that journey north to enter the United States. This is something none of us should find acceptable.

Furthermore, as we know, the Drug Enforcement Agency has said: "The southwest border remains the primary entry point for heroin into the United States." There is no disagreement about that. I am told that about 90 percent of the heroin that is flowing into our communities comes across the southern border and that fentanyl, which is this incredibly powerful synthetic opioid that is 50 times more powerful than heroin and comes primarily from China and primarily through the Postal Service, is actually increasingly going through Mexico too. Law enforcement tells me that it is being shipped from China to Mexico and is then being taken across the southern border. Seizures of fentanyl—which, by the way, is the No. 1 cause of death in my home State of Ohio and in, probably, your States—increased by 135 percent in its coming across the southern border last year as compared to 2017. Again, most of it is coming from China, and most of it is coming through the mail system, but increas-

ingly it is also coming across the border.

It gets worse. Over the past few weeks, I have been at three meetings with drug abuse task forces in Ohio and have talked about the crisis back home and how we should address it, and we are making some progress. That is the good news. Progress is also being made with regard to opioids. We are seeing fewer deaths by overdose, and we are seeing fewer addictions.

What we have done here in Congress is to put more money into prevention and treatment and longer term recovery, and our providing Narcan to our first responders and others is beginning to work.

Guess what I heard from all three of these task forces. It is that now, coming up—raising its ugly head—is pure crystal meth. Methamphetamines are taking the place of opioids in some of these communities. That is the new scourge. Guess where this crystal meth is coming from—Mexico. This is pure, powerful crystal meth. We have seen a 38-percent increase in methamphetamine trafficking across the border, again, just from 2017 to 2018.

I don't think there is any disagreement on either side of the aisle that we need a more secure southern border, not just because of people coming in illegally but because of the fact that there is trafficking, that there are drugs being transported across that border, and we all want to address it.

Senator SCHUMER, who just spoke, has talked a lot about the need for more screening at our ports of entry because most of these drugs come in by way of cars and trucks. He is right. By the way, that is in the President's proposal.

Because of all of those problems, the experts tell us we need to do some things. One thing they say they need are more physical barriers. This is from the experts. They also want more Border Patrol agents. They want more technology. They want more surveillance, more cameras. They want drones to be in some places that are out in the desert so they can see what is going on. They want more screening at the ports of entry. Again, the Democrats have supported it, and I have supported it. They are looking for anything they can do to try to stop the flow of drugs and to do it with technology, and that takes more money.

I believe the proposal the President outlined over the weekend hits all of those points. That is why I think it is responsible. He made clear that he is prepared to have these new barriers that he is proposing not be cement walls, which is what so many Democrats have opposed, but, rather, to be fences. In some places, they should be wire—pedestrian fences. In other places, they should be low vehicle barriers. In other places, they should be what the President has called steel barriers, the ones you see through. That is the kind of construction we are talking about here, not the cement wall that a

lot of people think he is proposing. Frankly, that is what they have taken from what he has said and from what the Democrats have said. It is almost like we are talking past each other.

Second, specifically, his proposal stipulates that these barriers would be constructed in a way that would be consistent with the "Border Security Improvement Plan." It is a plan that experts at the Customs and Border Protection Agency have proposed. These are the experts.

It is not 2,000 miles of the border that would have these fences and structures and barriers that we are talking about. In the President's proposal—and this is going to surprise you—it would be 234 miles of the border.

So, No. 1, they would not be the cement walls in the way that people are talking about. No. 2, it is going to be done in the way in which the experts recommend in terms of where they are going to be placed and what kinds of structures they will be. It will also be a total of 234 miles out of the 2,000-mile border.

The 234 miles are going to support the top 10 priorities of this plan that the Customs and Border Protection people have submitted, which is this "Border Security Improvement Plan." It is going to be specifically what the experts say the top 10 priorities are. What are their top 10 priorities? I am told, for instance, it is a new fence in parts of Texas where there is no fencing in the urban areas. That is in the plan. The White House is not making these decisions, but the experts are through this border security plan.

The legislation that the President has proposed has some specific language in it saying that these barriers must be built in an operational, effective design that prioritizes agents' safety. That language, folks, was taken right out of the bipartisan fiscal 2018 appropriations bill that this Senate passed last year. This is consistent with votes we have taken in the past as to what kind of wall it will be and where it will be. That means the definition is one we have long voted for. As we speak, approximately 115 miles of border barrier is being built using this same definition because it was proposed and voted on by this Chamber last year, just a year ago, on a bipartisan basis.

The \$5.7 billion proposal in funding for the construction of additional physical barriers along the southern border is consistent with what the experts say ought to be done.

Based on the Secure Fence Act back in 2006, which, again, was bipartisan, more than 500 miles of fencing have already been built in California, in Arizona, and in New Mexico by previous administrations, Republican and Democratic alike. Based on the data, on the actual facts, it is making a difference. The data from Customs and Border Protection show that in areas where this fencing has been built, apprehensions have decreased substantially. That probably doesn't surprise

you if you think about it. At a minimum, having these barriers slows people down and keeps vehicles from coming across that desert terrain, which gives the Border Patrol a chance to respond, along with there being the technology—the cameras, the sensors.

Again, another one of the misconceptions about this whole debate is that it is over the entire 2,000-mile border. It is not. It is over 234 miles. These barriers will be strategically deployed. They will be built where they are the most needed—in populated areas, where there are not already natural barriers to keep people from crossing. What his proposal does, as I look at it, is it fills a demonstrated infrastructure gap along the border but only where it is necessary.

As we talked about, our Border Patrol experts say Texas is their top priority. Why? It is because Texas is 1,200 miles of the 2,000-mile border and because there are only 100 miles of barrier in Texas currently. So there are over 500 miles of border that have barriers, and only 100 miles of that is in Texas, which has 1,200 miles of the border. It has most of the border.

The new fencing is particularly necessary in the most populated parts of the Rio Grande Valley. McAllen, TX, is one example of that. To me, that makes sense because that is where about 40 percent of the crossings occur and because they are asking for this fencing there. These are the experts.

In addition to there being more funding for more barriers, the President has requested more money with which to hire another 750 Border Patrol agents and 2,000 additional law enforcement professionals. Again, more people to be able to respond is something that on a bipartisan basis, I think we support here.

He is proposing \$800 million for humanitarian needs, to fund and enhance medical support and transportation facilities for those who are detained at the border. This is consistent with what the Democrats have supported in order to deal with the humanitarian challenge. The Homeland Security appropriations bill already includes funding for these purposes, but the President requested additional funds to help with the influx we have talked about. So it is like a supplemental spending request. We have had more families and more unaccompanied children in particular, so it makes sense to have more humanitarian funds available to deal with that.

The President has also requested \$563 million for 75 additional immigration judges and support staff so we can reduce the nearly 800,000 pending immigration cases that are backlogged. This backlog is part of our problem because people are typically in the communities, and many of them don't show up for their court cases. Reduce the backlog—that is the obvious answer here. By the way, this part of the President's proposal is identical to the proposal Speaker PELOSI made just a few days

ago. It is identical—75 new judges and support staff.

Finally, the President has requested a total of \$805 million for counter-narcotics and weapons technology screening at the ports of entry. There is \$675 million within that for reinvestment in drug and weapons detection and \$130 million for K-9 units, training, personnel, and portable scanners. Again, this is one some of us feel very strongly about, including Senator SCHUMER and including a lot of us on this side of the aisle. It is one that was also proposed by Speaker PELOSI a few days ago—more money for screening at the ports of entry. Her proposal is almost identical to the President's, except, frankly, the President proposes a little more money for the same purposes.

It is like we are talking past each other. We know there is a need. We generally agree. There is a general consensus on the need for what has to be done along the border; yet we can't seem to find common ground. To try to get there, in addition to these funding requests—and I applaud him for this—the President outlined his support for dealing with other immigration reforms that both parties support, such as DACA.

I remember DACA as being these young people who came here as children through no fault of their own and that the question was, Do you continue the program that President Obama set in place or not? My view is to resolve this political football once and for all and provide certainty to these young people who came here through no fault of their own. Some of them are working, some of them are in school, and some are in the military. They are looking for some certainty.

In the way the legislation is drafted, it is for these young people who have taken the responsible course and have gone to school or who are working or who are in our military. This is a process whereby we can provide that certainty, and the President has proposed it. He has proposed for all of those children who have applied for and been accepted into this DACA Program 3 years of additional authorization to be here, which will be past this administration.

The President has also embraced an effort to look at this issue of temporary protected status, or TPS, which allows us to provide protection to individuals who come from particularly trouble-stricken countries, and there are now 10 countries on that list. The Secretary of Homeland Security has the authority to provide harbor to those individuals where there has been a natural disaster, where there is a war, or where there has been a lot of violence in those countries.

Some of those TPS visas are expiring. I believe the President has laid out something that many Democrats have called for that makes sense, in my view, which is to provide some more certainty for some of those individuals. Again, it is a 3-year authorization, which will go beyond the next election.

The President has also talked about changing the asylum process. He has picked up some ideas from that side of the aisle and this side of the aisle, including having people apply for asylum in their own countries.

This is an attempt to find that common ground. Yes, let's be sure we have a protected southern border, but let's also deal with what have been some political and, unfortunately, intractable problems. For all of these reasons, I think we need to come together and negotiate a solution. I think the President's proposal is a reasonable one. That is why I plan to support it.

I know my Democratic colleagues have other ideas as well. What I said to them this morning and last night and will say again this afternoon when we meet—Republicans and Democrats alike—is, let's talk. We are not that far apart. Let's close this gap. That is what I find to be the most frustrating part of this. Yes, we have had shutdowns in the past, but I don't think we have ever had a shutdown that is so easy to resolve. We are not that far apart. If we would stop talking past each other, including as to what kind of structures we are going to put along the border, as I talked about, I think we could get there.

In my view, shutdowns don't make sense. We are now in day 33 of this government shutdown. I am not a big fan. I have legislation I have now introduced five times in Congress to say let's end government shutdowns. The legislation would simply continue the spending from the previous year and reduce it by 1 percent after 120 days and another 1 percent after the next 90 days in order to incentivize Congress to get its act together and actually pass the appropriations bills.

At day 33, 800,000 workers have missed one paycheck, and another paycheck is coming up tomorrow.

I have heard from a lot of folks in my State of Ohio—TSA employees, of course, at the airports, many of whom I spoke to when I came to Washington yesterday morning. It is a tough situation for them. Some of them don't have the savings. They live paycheck to paycheck. They are getting by through a combination of things—family members helping them, talking to the banks about their car payments or their mortgage payments. It is putting a lot of stress on them. I applaud them for showing up to work, by the way.

Workers at NASA—NASA Glenn in Cleveland, OH—can't go to work, so our space program is being slowed down. That is a problem.

Across the board, I am hearing from people who are in law enforcement, our prosecutors, saying they can't pay informants to be able to go after drug dealers. I am hearing from our Coast Guard personnel on Lake Erie. Again, these are patriots. They are showing up for work. I applaud them for that. I thank them. We owe them an end to this shutdown and a resolution to this issue.

I also don't like shutdowns because, frankly, as bad as they are for families, they are also bad for taxpayers. As taxpayers, we always end up paying more in the end. In the end, we are paying people not to work because people who are furloughed are going to get their paychecks when this is over. That doesn't seem very good for taxpayers. The people who are actually showing up for work—we are not paying them now, but we will pay them later. It is inefficient. Services are being cut off. Yet, in the end, taxpayers are going to be paying for it. So it doesn't help taxpayers.

I also don't like it because it hurts our economy. People say: Well, not much. We are doing fine.

We are doing fine. Thanks to the tax cuts and tax reform and regulatory relief, the economy is doing better, but this is running the other way. This is providing negative momentum.

The Council of Economic Advisers at the White House told us this week that the shutdown is going to reduce quarterly economic growth by 0.13 percent for every week it lasts. In other words, every week the shutdown continues, it hurts our economy more. If this shutdown lasts another 4 weeks, that will be a full point off GDP. So in just another 23 days, it will be a full point off our GDP. That is a big deal. That hurts paychecks, it hurts jobs, and it hurts the economic growth that all of us are so happy to finally have—to see the fact that unemployment is low, to see the fact that there are more jobs out there than there are workers looking, and to see the fact that wages are finally starting to increase. Let's not go the other way.

We have the opportunity before us to solve this. It is not that hard. Let's stop talking past each other. Let's find that common ground.

The President is going to have to continue to negotiate, and he says that he will. The Speaker of the House is going to have to move. It is not responsible for her to say not a penny more for barriers along the border, which she traditionally supported, as have other Democrats.

Let's act in good faith. Let's move forward to a responsible resolution that will reopen the government but will also ensure that we have a secure southern border. That is what the American people want. That is what we should be providing in the Senate and in the House, working with the President. Let's come together, and let's get it done.

I yield back my time.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Wyoming.

Mr. BARRASSO. Madam President, I have up here a quote from the Washington Post from January 20, 2019. The words say: "to refuse even to talk until the government reopens does no favors to sidelined Federal workers and contractors"—to refuse even to talk. This is a Washington Post editorial message to the Democrats.

The Post says that the Democrats should welcome the President's week-end offer and return to the negotiating table to end this partial government shutdown, which is now in its fifth week. I agree. It is time to end this stalemate. It is time to talk, and it is time to vote.

The title of the editorial was "Make a deal. Save the dreamers"—make a deal.

Divided government is often messy business. It is also serious business. It is what the American people have voted for and what we have seen more often than not in this country. Politically, there really are no winners and losers in this arena. What I worry about is the American people. Nobody wins in terms of a shutdown.

The Senate will vote tomorrow on commonsense, compromise legislation to secure the border, reopen the government, as well as to address what I believe are key immigration issues for the country.

We do have a national security and a humanitarian crisis at our southern border. President Trump has, again, requested \$5.7 billion. That is one one-thousandth of the Federal spending. He has requested the money for a steel barrier system.

The southern border is almost 2,000 miles. The physical barrier already protects about 650 miles. The President wants to build more security barriers because we know they are a proven solution.

In addition, the President is proposing to grant provisional status—a 3-year reprieve—for the 700,000 Deferred Action for Childhood Arrivals illegal immigrants, known as DACA. This 3-year reprieve will also help 300,000 temporary protected status immigrants. When people say TPS, that is what it stands for—immigrants with temporary protected status. Right now, they have protected status, but that is expiring. These are individuals who have suffered devastation in their lives due to the challenges previously faced in Haiti, as well as individuals from Central America. So we are talking about over 1 million people for whom the President is proposing changes that would impact them and their lives.

These DACA and TPS measures are an immigration policy bandaid. They are not the solution to everything. They deal with an immediate problem for a limited period of time. Once the government reopens, the President then plans, as he said, to hold weekly, bipartisan meetings aimed at broader immigration reform.

Border security policy has always been bipartisan. For decades, Presidents and congressional leaders from both parties have supported security barriers to protect the American people.

In 2006, Senate Democrats, including Senator Barack Obama at the time and Senator Hillary Clinton and Senator Joe Biden and Senator CHUCK SCHUMER—all of them—voted to construct a

physical barrier on the southern barrier.

In 2005, then-Senator Obama said this: "We simply cannot allow people to pour into the United States undetected, undocumented, and unchecked." Then, when Senator Obama became President Obama, he actually described the border situation as a crisis, but he failed to fix it.

President Trump resolved to fix the decades-old problem. That is when Democratic leaders suddenly changed their tune. They withdrew support for securing the border and dug in their heels, prolonging the partial government shutdown.

Even President Obama's last Border Patrol Chief, Mark Morgan, supports President Trump's efforts. President Trump did not keep him in the job, but Mark Morgan has said—and he was on television the other day—that building the wall is key to solving the security crisis and that Trump—President Trump—should "stay the course."

Still, Democrats refuse to negotiate with this President, so we can't reopen the affected Federal Agencies and pay the 800,000 furloughed Federal workers.

President Trump has the truth on his side. Here is the Homeland Security Department's assessment of the border situation: Each month, 60,000 illegal immigrants reach the border. Drug smuggling spiked in 2018, with a 38-percent increase in methamphetamine, a 22-percent increase in heroin, and a 73-percent increase in fentanyl. We also saw a surge in arrests of dangerous criminals, including 17,000 adults with criminal records and 6,000 MS-13 and other gang members.

In 2018, 60,000 unaccompanied children and 161,000 families reached the border—a dramatic increase from 2017. Many were victimized along their journey.

The Border Patrol areas that do have enhanced or expanded physical barriers have seen a dramatic decrease in illegal traffic. That is why the President has requested additional funds to construct more barriers. The areas he has pointed to are the 10 locations where the Border Patrol has said: These are the spots where we really need the help.

All Americans want a healthy immigration system that enforces the law and keeps families together. The President has put a reasonable, bipartisan compromise on the table to end this partial shutdown and to pay furloughed Federal workers. President Trump is ready to sign this legislation. The Senate will vote on it tomorrow.

The House Democrats hold the keys to reopening the government. I believe Democrats should stop playing politics and meet President Trump in the middle. That is what President has done with his good-faith effort.

I say: Let's vote to secure the border and vote to reopen the government.

TRIBUTE TO ALFRED REDMAN, SR.

Madam President, now I would like to turn to a different topic that would

be at an appropriate location in the RECORD. It is something that I think the Presiding Officer, as the former chairman of the Indian Affairs Committee, would find interesting. That is because I rise today to pay tribute to an incredible individual, a great man, the legendary Indian High School boys' basketball coach, Alfred Redman.

Saturday night, in Ethete, WY, the long-time coach was surrounded by school officials, by players, and by fans, who gathered for a ceremony renaming the school's gymnasium in his honor. Redman's incredible coaching record as he coached the Chiefs was 426 wins and 118 losses in 26 seasons.

Under his leadership, the Chiefs consistently made State tournament appearances, winning six State championship titles, and finishing second six additional times.

Coach Redman was tough. He conditioned his players through grueling practices. This was his formula for success: Work the players hard and make the games easier to win. His toughness paid off. He put Wyoming Indian basketball on the map, both at the State and the national levels.

Over the seasons, from 1983 to 1986, Redman's Chiefs set the State bar with a recordbreaking 50 straight victories. That record still stands today. It is no surprise that Redman is both a Wyoming and a national coaches Hall of Fame inductee.

Wyoming owes a great debt of gratitude to Coach Redman—a giant in State basketball history.

Thank you.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Rhode Island.

#### GOVERNMENT FUNDING

**MR. REED.** Madam President, I come to the floor again to urge an end to the Trump shutdown, which is over a month old—the longest in history.

Let's be clear. This is the Trump shutdown. The President called for a shutdown two dozen times, and he said he would be proud to own it.

Regrettably, it is clear that he does not care about the impact his shutdown is having on families across the United States. He barely acknowledges their pain.

If you needed any reminder of the low regard the President has for the Federal workforce, remember that on December 28, in the midst of the shutdown he instigated, he signed an Executive order that will freeze pay for the civilian workforce in 2019—assuming he ever reopens the government.

With his announcement on Saturday, the President is now playing games with the lives of hundreds of thousands of refugees and Dreamers, who, because of his earlier actions, could face the real threat of deportation.

Meanwhile, his administration is playing favorites, rewarding those with deep pockets and good connections, forcing IRS employees back to work without pay to process tax returns, reopening the Department of the Interior

to help pave the way for oil and gas leaks.

For those without resources, it is often a different story. Recipients of Federal housing assistance, for example, are wondering what their status might be in the next month.

FBI agents are worried about the effect the shutdown will have on active investigations. Air traffic controllers, FAA inspectors, and TSA workers are working long hours to keep flights on time and safe, but the cost to them and their Agencies will stretch years into the future.

Transit agencies, unable to draw down needed Federal capital and operating funding, are also feeling the pinch, which could affect service and safety down the line. We have seen this coming. That is why Democrats have been pleading with the majority leader for weeks to allow a vote on the funding bills that Senate Republicans wrote last year so we can reopen the government. These measures have broad bipartisan support. In fact, the leader voted for each of them, but for weeks, the majority leader refused to allow a vote on these and other bills, saying the Senate will not waste floor time on show votes, on bills he believes the President will not sign. By his definition, he can only bring up bills that can pass the House, earn 60 votes in the Senate, and get the President's signature.

As the leader knows, when there is a veto-proof majority—as there has been in the Senate on these very bills to fund the government—the President is, quite frankly, irrelevant.

Here is what the record shows: Last year, the Senate passed the Agriculture appropriations bill 92 to 6. We passed the Interior appropriations bill 92 to 6. We passed the Financial Services-General Government appropriations bill 92 to 6. We passed the Transportation-HUD appropriations bill 92 to 6. Although they didn't come to the floor, the Appropriations Committee passed the Commerce-Justice-Science bill and the State-Foreign Operations bill unanimously.

As for the Department of Homeland Security, we passed a continuing resolution in the Senate unanimously last year to keep the Department funded at least temporarily. There is no reason we can't pass that measure again and start paying our coastguardsmen and other DHS personnel. What cannot pass is President Trump's demand for billions and billions to build hundreds of miles of ineffective wall through places where it is unwarranted.

Don't take my word for it. Listen to Congressman WILL HURD, a Texas Republican, who represents a district he says includes 820 miles of the roughly 1,900-mile border with Mexico. Congressman HURD has called the wall “the most expensive and least effective way to secure the border.” He is correct, and MIT engineers and other experts have estimated this wall will cost well north of \$30-plus billion.

Democrats want to focus on border security infrastructure but the improvements of greatest need, including ports of entry and more effective technology to detect illegal border crossings and drug smuggling. Once the government is open, there is room for debate on how best to improve border security and even on longstanding immigration matters.

It will not be easy. First, the President's call for a wall is as political as the day is long. He is focused on motivating the roughly 30 percent of Americans who think keeping the government shut down is a good thing.

Second, negotiating with this President has proved a difficult job, even for members of his own party because he has a hard time keeping his end of the bargain. In December, when Republicans controlled both the House and Senate, the Senate unanimously passed a bipartisan deal, sponsored by the majority leader, to keep the government funded until the beginning of February. The clear understanding was that the President, as communicated by Vice President PENCE, would sign the legislation, but, within hours, the President scuttled the agreement.

Going back to March 2018, the President nearly vetoed the Republican Omnibus appropriations bill that was based on funding levels he had already agreed to.

As far as funding for border security, the President changes his demands constantly. First, Mexico was going to pay for the President's border wall. Last February, he asked taxpayers for \$1.6 billion. Then it became \$5 billion. Now it is \$5.7 billion. How is it possible to make a deal with, frankly, such an unreliable party?

Here is one other point, and it goes beyond President Trump. If Congress capitulates to his demands because he has shut down the government, he will be emboldened to use the same tactic again and again and again. If he succeeds, then every President who follows will feel justified in using the same ploy. Rather than ending one shutdown, we will be inviting more in the future.

The only choice we have in Congress is to pass the bills we know have overwhelming bipartisan support and reopen the government with or without the President's signature.

Tomorrow the majority leader will be asking the Senate to surrender to the President's cynical demands for wall funding. That proposal is a dead letter purposely filled with poison pills: It will not get 60 votes in the Senate and will not pass the House. It fails the very test the majority leader has been saying must be met. It is, by his own definition, a show vote.

As an alternative, the Senate will have the opportunity to vote again on the majority leader's proposal from last December, which would reopen the government through February 8. Added to that measure will be much needed disaster assistance. It will be interesting to see if the Senate Republicans

will support or oppose this measure, which is essentially one they wrote. I hope they will take yes for an answer and vote with all of us to reopen the government and to begin serious, thoughtful, and principled discussions on ways we can improve borders and many other topics.

I yield the floor.

**The PRESIDING OFFICER.** The majority leader is recognized.

**Mr. MCCONNELL.** Madam President, tomorrow the Senate will vote on the plan put forward by President Trump to reopen the closed portions of the Federal Government right away, increase security on our southern border, deliver disaster recovery funding, and address some outstanding immigration issues.

By way of reminder, this is a compromise measure that was carefully designed to include the kinds of ideas Democrats have been eager to support, including very recently. First and foremost, the legislation would end this partial shutdown and bring all parts of the Federal Government back online for the American people. Normal operations would resume. Federal workers would receive backpay and continue to be paid. This could happen quickly.

The bill also takes a compromise approach to the underlying disagreement that brought us to this point. It would fully fund the border security priorities identified by the men and women actually working on the ground: investments in surveillance and security technologies, in recruiting and training new Border Patrol agents, and, yes, additional funding for physical barriers like the walls and fences which Democratic Senators used to boast about voting for and which President Obama's administration bragged about building.

Of course, the reality of a divided government is that negotiations do not leave either side with their perfect plan. So the President went out of his way to include additional items that have been priority areas for Democrats. For example, the proposal would grant 3-year lawful status for certain currently enrolled DACA recipients and individuals under TPS. Finally, the White House proposal also includes all seven of our regular order appropriations bills, the product of bipartisan work in this body and in the House throughout last year.

So the President's compromise offer should command serious consideration in both Houses of Congress. On day 33 of this partial government shutdown, we have before us a bill to immediately reopen the Federal Government, deliver all remaining full-year appropriations measures, support disaster recovery efforts, fully fund comprehensive border security priorities, and address some outstanding immigration issues. It is hard to think of a good reason to oppose this, but my Democratic friends are trying to come up with something—anything—to justify prolonging the stalemate. I have a great deal of re-

spect for my friends across the aisle, but honestly this is getting downright silly—downright silly.

Yesterday the Democratic leader announced that he was denouncing President Trump's proposal because "there were no serious negotiations with any Democrat." It would appear my friend is offended that he wasn't consulted while this compromise was under construction. So let's stop and think about that for a minute.

For days—weeks now—the American people have seen the Democratic leader and the Speaker of the House make a public strategy out of refusing to negotiate. That has been their position; that we will not negotiate.

They have said it publicly. They have announced they are not interested in a negotiated solution to this impasse, not interested in meeting the President halfway on immigration policy or anything else, happy to keep the government closed unless and until everyone agrees to move forward in their preferred manner with no concessions and nothing for border security.

Now, that has been the Democrats' public stance. Our friends across the aisle have said repeatedly that they have no intention to negotiate out of the stalemate. The Speaker of the House joked that she would allow \$1—\$1—for physical barriers like wall fencing. That is why they have turned away from multiple opportunities to negotiate at the White House in recent weeks.

So my friend across the aisle is attempting quite the two-step here. First, the Democratic leader repeatedly said he wasn't interested in any talks at this point, but then when President Trump puts forward a proposal to move us forward, my colleague complains he wasn't consulted.

Well, the President and the American people are picking up on the strangeness of the Democratic leader's strategy of refusing to even negotiate. Here is one headline from a newspaper editorial that echoes this growing national sentiment. Here is what he said: "Trump made an offer—it's time for Democrats to start negotiating."

This is from the Washington Post—the Washington Post:

[T]o refuse even to talk until the government reopens does no favors to sidelined federal workers.

[A] measure of statesmanship for a member of Congress now is the ability to accept some disappointments, and shrug off the inevitable attacks from the purists.

There are signs that Democratic Members in both Chambers are starting to come to the same conclusion, starting to reject their leaders' refusal to even negotiate.

Here is what a few of our Democratic colleagues in the Senate have said in the last few days:

I personally don't think a border wall is in and of itself immoral.

Here is another:

Everybody is for border security. . . . There are places a wall makes sense.

Here are a few of our Democratic colleagues over in the House:

If we don't compromise, the American people are the ones who get hurt.

Another said:

If I had the opportunity to vote for some sort of deal, I would.

Another said:

There is common ground. . . . We do have to figure out how to secure our borders.

Even Speaker PELOSI's own House majority leader broke completely with her extreme position in a television interview just yesterday. When asked if he would personally be open to wall funding, Congressman HOYER replied:

Look, I think physical barriers are part of the solution.

That is the majority leader of the House of Representatives.

When the news anchor pressed him on Speaker PELOSI's statement that a wall is immoral, Majority Leader Hoyer replied:

It depends on what a wall is used for, whether it's moral or immoral. If it is protecting people, it is moral. That is not the issue.

He went on:

We want to make sure that people who come into the United States are authorized to do so. . . . We are for border security and I think we can get there.

So more and more Democrats seem to be coming to the same collusion as the rest of us. It is time to make a deal—time to make a deal.

Fortunately, a deal is on the table. It is a deal for everyone who would rather reopen the government, invest in border security, and secure more certainty for DACA recipients than sacrifice all that for the sake of this radical new position that physical barriers, like walls or fencing, are inherently immoral. So the President has produced a fair compromise that pairs full-year government funding with immigration policy priorities from both sides.

Enough political spite—enough. Enough showboating for "the Resistance." Enough refusing to join in talks and then complaining you weren't consulted. Our Federal workforce and the American people deserve a whole lot better than this.

I can't believe the bulk of our Democratic colleagues really see opposing the President as more important—more important—to their constituents than restoring full government function, paying our Federal employees, securing the border, and more certainty for the DACA population.

When we vote on the President's plan tomorrow, we will see what each Senator decides to prioritize.

COVINGTON CATHOLIC HIGH SCHOOL

Madam President, on one final and totally different matter, I need to say a few words about something that took place this past weekend.

Last week, Kentuckians of all ages traveled to our Nation's Capital to exercise our fundamental American rights to peacefully assemble and petition the government.

Unfortunately for the students of Covington Catholic High School, their participation has resulted in threats on their lives.

Far-left activists and members of the national and State media isolated a very few seconds of video footage from any shred of context, and many decided it was time to attack and denigrate these young people.

Because of what some highly partisan observers thought—thought—they saw in a few seconds of confusing video, these kids, their school, and their families were met with a deluge—a virtual deluge—of partisan vitriol and hatred from people who never met them and had no idea what had taken place. Some prominent figures even used this pile-on to propose curtailing the First Amendment for groups with whom they disagree, even targeting the students' hats.

How quickly some seem to forget why the Framers insisted on these protections in the first place.

In a matter of hours, these students were tried, convicted, and sentenced by the media, where accuracy is irrelevant and the presumption of innocence does not exist. To their credit, some apologized for their commentary upon learning more, but by that point too much damage had already been done.

Because of the startling death threats against these students and their families, Covington Catholic—which, by the way, is in Kentucky—was closed yesterday. The school's administration is working closely with law enforcement, but it is unclear when any sense of normalcy might return.

This time, it is families in my home State who are paying the price for exercising their freedoms. Sadly, this kind of fact-free rush to judgment is becoming an all-too-often occurrence.

If we can learn anything from this weekend, here is what I hope it is: When the rush for headlines takes precedence over the facts, mistakes are made, and our rights as Americans are put at risk. This trend is particularly troubling when young people are involved.

#### SIGNING AUTHORITY

Madam President, I ask unanimous consent that the Senior Senator from Alaska be authorized to sign duly enrolled bills or joint resolutions today.

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

#### UNANIMOUS CONSENT REQUEST—H.R. 21

Mr. KAYNE. Madam 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, and for other purposes. I further ask that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from Virginia.

#### GOVERNMENT FUNDING

Mr. KAYNE. Madam President, I rise to discuss the effects of the Federal Government shutdown. I have given a number of floor speeches about the effects of the shutdown on Federal employees and their families. I heard the Presiding Officer give a similar speech about the effects on the Coast Guard in Kodiak, AK, the other day. I have also talked about the effect of the shutdown on American citizens who depend upon the services of Agencies that have been shuttered or dramatically reduced in capacity.

Today I want to talk about something different. I want to talk about the effect of the shutdown on American businesses, especially small businesses.

Over the past month, I have had numerous conversations with business owners who tell me how this shutdown has hurt them, and, no surprise, economic analysts have indicated that the shutdown is having a massive effect on the U.S. economy.

S&P, for example, has concluded that the shutdown will cost the United States more than \$6 billion by week's end, a little bit over 1 month in.

President Trump's chief economic adviser, Kevin Hassett, said that a zero-percent growth rate is possible because of the shutdown.

His quote in an article dated January 23:

If [the shutdown] extended for a whole quarter and given the fact that the first quarter tends to be low because of residual seasonality, then you could end up with a number close to zero in the first quarter.

We are now more than 1 month into the shutdown, and this economic effect is very real.

I just returned this morning from a discussion with businesses in Loudoun County, VA, which is sort of in the western outer suburbs of Washington, and here is what these businesses told me:

A conference hotel in Loudoun whose bookings in the first quarter are down 50 percent from the same quarter last year, and because they had such a strong year last year, they said they were projecting for increases this year, so their bookings are down 70 percent from what they had projected for the first quarter of 2019.

When they lose revenue because of lost bookings, that affects their ability to hire people. It also affects their purchase of supplies from area suppliers. They say they have a HIVA practice—Hire Virginia—and what did they call the other one—a SUVA practice, Supplies from Virginia. They try to buy all of their supplies and hire all of their people from Virginia, and so the reduced bookings are having a direct effect on other businesses and individuals as well.

A local chamber of commerce, with 1,200 members who are suffering in a

variety of ways, but the chamber president pointed out to me that 300 members are nonprofits—nonprofits which are seeing reduced contributions because of the shutdown and people having less income but also increased demands for services.

Local restaurants whose revenues are down 20 to 30 percent—that reduction in revenue, which is fewer people coming in or people coming in and spending less, affects hiring and it affects their payments to local suppliers, thus having a second-order effect on other businesses.

Restaurants are reporting that they are seeing a big uptick in Federal employees applying for part-time work at their restaurants, which they have a hard time providing because their revenues are down and fewer customers are coming in.

Many government contracting firms in Northern Virginia—often started and operated by veterans—whose employees are furloughed or working fewer hours, thereby affecting the profitability of their businesses, most said they are trying to continue to pay their employees even though they are not working, even though they are not bringing in revenue, which is affecting profitability and eventually the viability of the very businesses themselves.

The contractors are talking about how they are starting to lose employees in a tight labor market to other businesses that are not dependent upon government contracts.

Loudoun is the third most popular tourism destination in Virginia out of 134 cities and counties. I did not know that until I was informed of it by a proud operator of the Loudoun Tourism Department today, but they are seeing dramatically reduced attendance at any tourism site, from restaurants to hotels and bars, to museums and all kinds of other historic sites in Loudoun.

Here is one that was interesting, and it dovetails with a discourse, a speech given by the Presiding Officer on the floor a few days ago—a local microbrewery. A local microbrewery said, first, sales are down due to people losing salaries, and sales being down affects their employment, but they are also unable to launch new product lines. New product lines require an approval by a Department of the Federal Government to approve that a new product line is offered. There are 7,000 microbreweries in the United States, and they all need approval from this Federal Agency, the TTB, when they want to offer a new product line.

The owner of Old Ox Brewery told me: We set it up months in advance. This was going to be the March release. Normally, it would take about 2 weeks from an application. This Agency is really pretty prompt. They get back with you quickly, and they tend to approve quickly, but he said: I have two problems with the Agency right now. They are shuttered so they can't approve the product lines I have developed and I wanted to brew for March. I

can't brew them now if I can't sell them. That means products I promised not only in-house at our brewery but to grocery stores and restaurants that I promised, I can't brew. He said: I know this Agency, when they finally come back with a reopening, with 7,000 breweries just like mine having filed with them, the backlog is going to mean they are not going to be able to respond in 2 weeks. It is going to take them significantly longer.

If I might read a letter—this is not from the Old Ox Brewery, where I was this morning, but another brewery in Alexandria, VA:

Dear Senator Kaine,

Here is a summary of the negative effects the government shutdown is having on our small business in Alexandria, VA.

The Alcohol & Tobacco Tax & Trade Bureau (TTB) has stopped reviewing recipes and labels. . . . It affects our entire operation, and damages our revenue stream, which relies on new beers in the market.

It also hurts our employees, some of whom are paid on commission from the sale of our beer.

Upstream in our supply chain, it negatively affects our farmers who provide our grain, as well as our hop growers and malt suppliers. It also hurts our other suppliers, such as our label printers and box manufacturers.

Downstream, it hurts our distributors and retailers because they don't have our new beers to sell [and ultimately affects customers].

We have a pending Small Business Administration loan for our new bottling equipment. The SBA has closed and we cannot close on this loan until the shutdown is over.

The brewery I was at this morning—the Old Ox Brewery—was a little bit ahead of Port City in the process. They got a loan to renovate a new facility in Middleburg, VA, which they have purchased and renovated, but they can't get it open until the TTB comes out and does the inspection of the brewery equipment.

He said: I invested, and I am paying, but I am not able to bring in any revenue, and I have no idea when I am going to be able to bring in revenue.

Traditionally opening a new facility requires a TTB approval first, and you then go to the State to get permission to open the facility.

He said: Am I looking at 90 days? Am I looking at 4 months of paying for this facility without being able to bring in any revenue for it?

This same challenge as was indicated in the letter from Port City affects not only breweries but wineries. Loudoun County has a lot of farm wineries.

One owner of a local winery came. This is a small operation. They started the winery so they could preserve the family farm and not have to sell it to developers.

A lot of our small family farms get turned into subdivisions unless the family who operates the farm can find a productive way to make a small acreage profitable.

In 2002, this family, who had been in farming for generations, decided: We don't want to sell for a subdivision.

The way we will try to be profitable is to operate a farm winery.

The same Agency, the TTB, is charged with approving their product and also labels. They have done their grape harvest, and they booked time at the local bottling plant in March to take all of the wine and put it in bottles with labels affixed, but they can't get the labels approved. They have all their product, and they have booked time at a facility that starts in a very few weeks, but there would be no reason to use the bottling facility to put wine in bottles with no labels on them. They couldn't sell it. The Agency that is required to approve labels is shuttered. They don't know what they are going to do.

A 10-person, small family business—maybe this spoke to me because I grew up in a house with a small business where, in a good year, there would be eight employees, and in a bad year, there would be five, plus three teenage boys and my mother. So this business was a lot like my own family's experience in size. They distribute janitorial supplies to customers, such as the Smithsonian. The Smithsonian operations are closed. They also distribute janitorial supplies to WMATA, their largest customer.

WMATA is open. WMATA's Federal revenues are still coming in, but WMATA also relies on the farebox revenue. WMATA is down \$400,000 a day because, with Federal employees furloughed, huge numbers of people who normally ride the Metro Monday to Friday aren't.

That \$400,000-a-day hit on WMATA has not yet affected this business—he was careful to point that out—but with the Smithsonian shut and WMATA affected, he is worried about when he will see his 10-person business affected.

There is deep concern by area businesses in this part of Loudoun, which is very close to Dulles, about the effect of the shutdown on TSA workers and air traffic controllers, as would be the case in Alaska, where air travel is critical. It would probably be air or snowmobile for many people living in Alaska. In Virginia, air travel is critical. Anything that affects commercial air poses huge jeopardy on people's access and on the local economy.

This one was interesting—a local consignment shop. I was like, well, how are you affected by the shutdown? It is a consignment shop that is fairly notable and has won awards for being one of the best small businesses in the country. They talk about how their business is dramatically affected by the shutdown. They see it every day. More Federal employees are bringing in personal items to try to submit to consignment because to make do, they need to sell personal items they might not otherwise want to. Also, there are fewer people coming in to buy the items that are available in the consignment shop because there is less discretionary income. This shop has reduced its own employees' hours by 20 percent.

A local small business development center—this is kind of a community center, like an incubator for small business. It is funded through SBA. It serves 300 startup businesses a year. They are unable to operate. They have some local funds. They can see clear to March, but they don't know whether they can stay open thereafter due to no Federal funding. These small business centers operate around the country. One of the things they do is help businesses like Port City get small business loans. They can't do that now because there are no business loans being made.

A Federal contractor who is currently unaffected because their contracts are with DOD Agencies had an expansion plan to go out and work with other Agencies that are shuttered by the shutdown; thus they cannot move forward on the expansion plan.

Finally, county government officials who were at the meeting have now had to provide emergency funding for local food banks and for free public transportation for affected Federal employees and other emergency services as well. That wasn't what they thought they would need to be doing with the budget they had planned for. The fiscal year began July 1. They hadn't put it into the budget, but they are having to cobble together ways to serve the Federal employees and their families who are affected.

There are so many other stories like this that I heard around Virginia. One that stuck with me in particular was a local dentist commenting that so many patients are canceling appointments because of their concerns about inability to pay copays or buy medications. Hopefully, these are postponements and not cancellations. Obviously, it is not good for people's health and not good for the small business this dentist operates.

We do have a solution to this that the Senate will take up tomorrow. I am heartened by the fact that we will have an opportunity tomorrow to vote on a solution. I think we should vote to open government until February 8. That is not a lot of time. From tomorrow, it will be 15 days. Then we should engage immediately in an effort to consider, debate, amend, and vote upon the proposal the President introduced through the majority leader yesterday.

I listened to the majority leader's comments before I spoke, and he said a deal was on the table. As I saw Republicans—for example, my colleague from Oklahoma—describe the deal on Sunday during one of the television shows—he said: It is the President's opening proposal. It is meant to inspire constructive dialogue.

In that sense, I agree. It is a proposal to inspire constructive dialogue. The four elements of the President's proposal—border security, the temporary protected status program, the DACA Program, asylum processes, and the bases for receiving asylum—are very

legitimate discussions on which I believe we can find a bipartisan compromise.

We will have a vote on that proposal tomorrow, but it will not be a proposal that is about compromise—it will be an up-or-down vote. Do you accept the President's proposal without the opportunity to hear its justification, without the opportunity to offer an amendment? Take it or leave it. Under those circumstances, it is very hard to say that is a constructive debate or dialogue; however, we have the opportunity to do that.

I believe that if we vote to open government through February 8—15 days—the Senate should, in this humble Senator's view, put that bill in committee next week. There should be an administration explanation of the pieces of the bill, with the members of the relevant committees being able to ask questions. For example, on the TPS proposal, you propose to restore TPS for 4 of the 10 affected countries but not the other 6. Why is that? Is there some reason for that, or can we explore it?

I think those questions need to be asked, and they need to be answered. There may be a reason there. There may be a better approach there.

Then the committee should be able to move—again, in my opinion; I am not on either of the relevant committees, Appropriations or Judiciary, but with Republican majorities and Republican chairs, I believe this could be done—move to a markup of the bill a few days or 2 days after the explanatory discussion. The bill could then be on the floor the following week, before February 8, where we could do the same thing and have the opportunity to try to make the bill as strong as it can be, as bipartisan as it can be because it would need to be to have a realistic chance of passing in the House.

I do agree with the majority leader—there is now a proposal on the table. It is a proposal that is worthy of discussion. I have some ideas about ways to make it better, and I bet virtually every Member—Republican and Democratic—in the Chamber would have ideas as well. But if we are going to take it seriously, let's take the time to take it seriously.

I urge my colleagues to vote yes on one of the votes we will take tomorrow, which would reopen government for 15 days while we engage earnestly with the President's proposal. I deeply believe that if we undertake that kind of focused effort without being pulled away because of the needs of constituents affected by the shutdown, we can be focused and find an answer.

The last thing I will say before I yield the floor is this. Some would say: Why don't you negotiate while the shutdown is in place?

If there was a hurricane in Virginia Beach, everybody in this Chamber would understand that I wasn't here; I was in Virginia Beach dealing with people who were hurting. This is a hurricane. When it affects the livelihood of

so many Virginians who are hurting deeply, I am out every day with people who are hurting. In the middle of a hurricane, no one would fault me for being in Virginia Beach or a Florida Senator from being in Florida trying to comfort people who are hurting. Nobody would say: Why aren't you back here having around-the-clock negotiations on something?

For this Senator, the top priority I have every day is trying to be out with people who are hurting and trying to provide them with answers and some assurance that we can move forward. If we can get government open for 15 days, we can be here around the clock, and we can find a solution to this. I am confident we can. I ask my colleagues to join me in that when we have that vote.

With that, Madam President, I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Maine.

Ms. COLLINS. Madam President, government shutdowns, regardless of which party controls Congress or the White House, are always harmful to Federal employees and their families, who struggle to pay their bills without paychecks, to Americans who need help from closed government Agencies, and to our economy, which is damaged by the decline in consumer spending and consumer confidence. Ironically, they also always end up costing taxpayers more money than if government had been funded on time. That is why I have always worked to end shutdowns.

In 2013, for example, I convened a bipartisan group, of which the Presiding Officer was the very first member, that produced the plan that led to the reopening of government after a 16-day shutdown.

During the past month, I have had numerous discussions with colleagues on both sides of the aisle, as well as with White House officials, on what we can do to reopen government. At the same time, I have been working to mitigate the impacts of this shutdown as much as possible for the hundreds of thousands of Federal employees and their families. These families are being unfairly and seriously harmed, and they have no idea when they will receive their next paycheck.

Right around Christmas, I worked closely with the White House to ensure that the Coast Guard received pay for their work prior to the shutdown, when an anomaly in the pay system put their paychecks at risk. In addition, Democratic Senator BEN CARDIN and I sponsored a bill to guarantee backpay to Federal workers affected by the shutdown. Our legislation was passed by both chambers and was signed into law by the President.

I have also joined Senator RON JOHNSON from Wisconsin in introducing the Shutdown Fairness Act, which would ensure that Federal workers who are deemed essential and required to come to work each day are paid on time despite the partial government shutdown.

It is simply not fair to force employees to work and not pay them, and I hope that this bill, too, will become law.

As the Presiding Officer is well aware, after 33 days—the longest shutdown in history—it is long overdue for all sides to come together to engage in constructive debate and compromise to end this standoff. Shutdowns represent the ultimate failure to govern and should never be used as a weapon to achieve an outcome.

Here is what does not reopen government. Political ads do not end shutdowns. Overheated and inflammatory statements do not end shutdowns. An unwillingness to budge and a lack of specific proposals do not end shutdowns. What will end this shutdown? Remembering the real harm that this shutdown is causing, putting specific proposals on the table so that the administration and Republicans and Democrats in both the Senate and the House can see signs of good faith and compromise, voting on specific proposals and trying to get to yes—that is what is necessary to end shutdowns.

Finally, over the weekend, the President submitted a plan to end the shutdown, which the Senate will consider tomorrow. His legislative package avoids the chicken-and-egg dilemma of whether we should reopen government first or whether border security measures should be considered first. It combines all of those issues in one package that would reopen government, strengthen the security of our borders, change some immigration rules for the better and some, in my judgment, for the worse, and provide disaster relief funding. The administration's package would reopen government for 800,000 Federal employees, including hundreds of thousands who work at the FBI, the TSA, Border Patrol, Coast Guard, and the DEA, who have been working without pay to protect us from terrorists, drug cartels, and other criminals. It provides disaster funding to address devastating hurricanes, wildfires, earthquakes, and volcanoes. The bill also makes border security investments and includes some immigration changes.

It is important to note that all of the remaining appropriations bills are incorporated into this package, and, thus, this bill would fully reopen government until September 30, the end of the fiscal year.

I would also note that these seven bills either passed this Chamber or the Appropriations Committee last year with widespread bipartisan support. The Transportation, Housing, and Urban Development bill that I offered with my good friend and colleague Senator JACK REED, the ranking member, is a great example. At its core, this is a bill that creates jobs, strengthens communities, improves our infrastructure, and helps low-income families, veterans, seniors, and those who are homeless with their housing needs. This bill passed the Senate in August by an overwhelming vote of 92 to 6 as

part of a four-bill package. It should be law.

This shutdown is harming low-income families and seniors across the country. Funds for housing repairs and disaster recovery have been stopped from being allocated to areas of critical need. Public housing agencies and multifamily property owners in Maine and across the country are scrambling to line up short-term loans and other financing to try to fill the gap caused by a lack of HUD funding.

Since the shutdown began, nearly 42,000 households, most of which are comprised of low-income seniors or disabled individuals, have not had their rental assistance renewed, and millions more are at risk the longer the shutdown continues.

Just this morning, the city of Portland contacted me to express alarm over the 1,700 housing vouchers serving 3,500 people who will be affected on March 1. Statewide, that number is in the vicinity of 10,500 vouchers, affecting many thousands more vulnerable individuals and families.

The problems, unfortunately, go well beyond HUD housing vouchers. Because most HUD staff have been furloughed, HUD has been unable to correct computer errors that are keeping local shelters and small nonprofit groups across the country that assist the homeless and victims of domestic violence from accessing their grants. Maine's eight domestic violence shelters are about 75 percent funded by the Federal Government. If this shutdown continues, how can they continue to serve the women and children who are escaping abuse and violence?

While there is never a good time of the year to be at risk of losing one's housing or to be unable to find a shelter if one finds oneself homeless or to be able to escape domestic violence and abuse, the middle of the winter is an especially cruel time to face a housing crisis.

The shutdown is also challenging for our Nation's air traffic controllers, who remain on the job, dedicated to the safety of every flight, despite missing paychecks. Our Nation's air traffic controllers and safety professionals work in a system that has no room for error. Regrettably, they are now enduring financial strain in jobs that are already very stressful.

So many other important functions of the Federal Government—operating our national parks and the tourism they support, ensuring the safety of the food that we eat, preventing hunger, avoiding drug shortages, processing tax refunds, addressing the opioid epidemic, providing access to loan guarantees for small businesses and homeowners—all would be addressed by reopening government.

Let me provide just a few examples from my State of Maine. I have heard from physicians in Portland about emergency shortages of critical drugs. We cannot reach the FDA, which is where we would normally turn for as-

sistance because of the furloughs. Instead, we are contacting the manufacturers to try to get help.

A small Maine-owned architecture and engineering business in Western Maine has contracts with 10 Federal Agencies. It will very soon not have enough work for its employees because it is not being paid by these Agencies. A smoked salmon facility in Hancock, ME, cannot operate because it lacks a vital certificate from the FDA. Seniors at the Maine Maritime Academy are unable to take their licensing exams, which will delay their job searches significantly, and current merchant mariners who need to renew their licensees cannot do so.

The Coast Guard, which is so important to my State and to the State of the Presiding Officer, is not being paid, and yet its members are required to work to perform absolutely vital tasks, and they cannot be absent to take on another job to pay the bills.

Of course, like many of my colleagues, I have talked with so many TSA employees in Bangor and in Portland who are having difficulties paying their bills, having to take out loans or rely on family or friends, and yet they are so devoted to their important mission that they show up for work day after day, despite not being paid.

In addition to reopening government, the legislation also includes investments and policies to lessen the problems at our southern border. Ninety percent of the heroin that is flooding into this country is coming from Mexico, some through legal ports of entry that lack the technology to detect these drugs and some smuggled across the border outside of ports of entry.

Physical barriers have proven to be an effective deterrent in many areas where they have been built, such as San Diego and El Paso. That is why Congress and two previous administrations, on a bipartisan basis, authorized and built more than 600 miles of walls, fences, and other barriers by January 2017, an often overlooked fact.

In fact, to listen to this debate, you would think that there were no barriers along our southern border, and that is not true. There are more than 600 miles of physical barriers. In some places, they don't make sense, but in some places, they have proven to be an effective deterrent. Republicans and Democrats voted to support the construction of these physical barriers in 2006.

As recently as last June, the Senate Appropriations Committee passed—again, on a bipartisan basis—a Homeland Security funding bill that would have provided the money for additional physical barriers at the border. The package before us that we will vote on tomorrow would supplement this existing infrastructure by providing funding for an additional 234 miles of barriers at high-priority locations identified by the experts at Customs and Border Patrol.

We already have more than 650 miles of physical barriers. What this bill

would provide is funding for 234 additional miles of fences, walls, and other kinds of physical barriers that have been specifically identified as needed by the experts at Customs and Border Patrol.

The bill would also provide \$800 million to meet the urgent humanitarian needs of those who are crossing the border, as well as additional funding for new Border Patrol agents, immigration judges, and Customs officers. Again, you rarely hear any discussion that this package includes \$800 million for humanitarian assistance, as well as funding for personnel, for technology, for K-9, and for sensors. This has to be a multipronged approach to be effective.

The package also takes some preliminary steps to alter our broken immigration system. We need to focus on the Dreamer population, those young people who were brought to this country by a parent usually at a very young age.

I so remember a conversation I had with a Dreamer who lives in Portland, ME, and attends the University of Southern Maine. He was brought to this country by his parents when he was age 4. He had no idea that he was not an American. He thought he was born in Portland and had lived his whole life there. It was only when he was going to apply for his driver's license that his parents told him the truth. The fact is, like so many other Dreamers, this young man has known no other country but America.

Many of the Dreamers are going to school, working, serving in the military, or otherwise contributing to our country. This legislation does not go as far as I would like, but it would at least provide relief for 3 years to the 700,000 young immigrants who are enrolled in the Deferred Action for Childhood Arrivals Program, or DACA Program. Frankly, I would prefer giving these young people a path to citizenship, provided that they have abided by and continue to abide by our laws.

We also need to help those legally receiving temporary protected status, the so-called TPS population. Many of these immigrants have been in the United States for years—even decades—working hard, creating jobs, and becoming established and valued members of their communities.

On the other hand, some of the asylum changes proposed in the President's bill are problematic. Allowing people to apply for asylum in their home countries appears to me to be a good idea, but raising the bar to qualify for asylum needs much more study.

The plan put forth by President Trump is by no means ideal, but it would result in the reopening of government—my priority—and the outlines of a compromise are before us. I urge my Democratic colleagues to also put forth a specific plan that addresses all of these issues.

Compromise is not a sign of weakness. It is a sign of strength, particularly when hundreds of thousands of families are being harmed.

The administration and Senate Republicans and Democrats have the opportunity to resolve the stalemate before 800,000 Federal workers and their families—dedicated public servants—miss yet another paycheck, and our economy is further damaged. Shutdowns harm too many innocent Federal employees and their families as well as vulnerable citizens, homeowners, small businesses, and rural communities. This shutdown must end.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, it is day 33 of this dangerous and unnecessary government shutdown.

Let me share with my colleagues that this morning, I stopped by an IBEW office that was set up by the Maryland Food Bank. We are very proud to have the Maryland Food Bank in Maryland. It provides the necessary food for hungry Marylanders who go through tough times and can't get enough food for their families. I don't think we ever thought it would have to set up a special location for Federal workers and for those who are impacted because of a Federal shutdown, but it is exactly what it did today. I am very proud of those at the Maryland Food Bank. I thank them for their services to the people of our State. They have now been able to provide basic food to patriotic Federal workers who are not getting their paychecks.

This will be the second pay period this week for which Federal workers' pay stubs will read "zero" for the work they will have done. Of the over 800,000 Federal workers, 30 percent are veterans. They are patriotic Americans who show up every day to do work—to keep us safe, to deal with our national security, to deal with our food safety. The list goes on and on and on. They are showing up today and working on the 33rd day. They are being asked to carry out their work with their having no prospects of getting paid in the near future. These are patriotic Americans.

The number is more than 800,000. We also have contract workers who get contracts from the government. Many of these contractors employ low-wage workers to do basic work for the government. These workers are not getting paid.

We have small businesses that depend upon contracts that are not being fulfilled right now because of the government shutdown. They are laying off workers.

Then we have the general impact on our economy. It is projected that we are going to lose all of our economic growth, which will slow down and create more unemployment in America.

All of that is happening because of this shutdown. It is in our national security interest to end this dangerous shutdown. The FBI is on shutdown,

meaning many of its workers are not even being brought in, and those who are being brought in are having a difficult time doing their jobs. On Thursday, the FBI Agents Association released a petition that describes the shutdown as a matter of national security. It urges leaders in Washington to reopen the government.

"On Friday, January 11, 2019, FBI Agents will not be paid due to the partial government shutdown, but we will continue our work protecting our nation," the petition reads. "We urge our elected representatives to fund the Department of Justice . . . and the FBI because financial security is a matter of national security."

My colleagues, these are people who go to work every day to keep us safe, and we are asking them to do that without their having a full complement of supporting workers and to do it without being paid.

Recently, I met with our airport security people—the TSA and others—who are charged with keeping our airports safe. They are responsible for air traffic safety. They asked me how they can do their work when they are distracted. How are they going to pay their bills? They also don't have the full complement of support staff necessary. That is what it is at risk.

We know security is being compromised in our Federal Prison System. On Friday, prison guard Brian Shoemaker was patrolling the halls of Lee penitentiary in Southwestern Virginia when an inmate tried to squeeze past him into a restricted area. Seconds after Shoemaker told the prisoner to turn around, the inmate lunged at him and punched him in his shoulder. Mr. Shoemaker did not sustain a major injury, but it did not escape him that he was working without a paycheck at one of the most dangerous Federal jobs in America during this partial government shutdown. Fears for his and other prison staff members' safety are escalating as 16-hour shifts become routine and as a growing number of guards call in sick in protest and work side jobs to pay their bills.

"I don't think we should be subjected to that kind of thing and not receive a paycheck," said Shoemaker, age 48, a 17-year veteran of Lee penitentiary. "I'm walking in here and doing my job every day, and it's very dangerous."

Mr. Shoemaker is one of 36,000 Federal prison workers who is deemed to be an essential employee by the U.S. Government, which means he is expected to report for work during the shutdown even though he will not get paid until the government reopens. He has worked 33 days without pay.

Even though these employees are supposed to work, union officials at 10 prisons, including Lee, who were reached by the Washington Post, say the number of employees who are not showing up for work has at least doubled since the shutdown began. This cannot continue.

As a result, those who are showing up are routinely working double shifts,

correctional officers and other prison staff members say. Secretaries, janitors, and teachers are filling in for absent officers. There is at least one prison—Hazelton Federal Correctional Complex in West Virginia—at which the number of assaults on officers has increased since the shutdown, according to a union official there.

"There has been a rise in people calling in sick and taking leave during the shutdown," said Richard Heldreth, the local union president at the Hazelton prison. "The staff who are showing up are dealing with this violence, long hours and extra overtime with the uncertainty of when we will be compensated."

The list goes on.

I had a chance to meet with some of our Coast Guard workers this morning. The Coast Guard is in a partial shutdown. Here is one of the critical national security Agencies of this Nation that is not working at its full strength. We have heard the President talk about border security. He has compromised border security by not allowing Homeland Security to be fully operational—to have all of its capacity—and its workers to be paid to do their work.

Research is being very badly hurt as a result of this shutdown. A coalition of more than 40 patient and healthcare provider groups is warning about the effects of the government shutdown on the FDA. This marks the first time advocacy organizations have weighed in on the more than month-long lapse in appropriations.

"We fear that this continued shutdown not only puts the current health and safety of Americans' safety at risk, but has begun to put future scientific discovery and innovation in jeopardy," the group wrote in a letter to President Donald Trump and senior congressional leadership. The effort, spearheaded by Friends of Cancer Research, has drawn in the American Academy of Pediatrics, the American Society of Clinical Oncology, Research!America, and the National Organization for Rare Disorders.

The shutdown is keeping the FDA from reviewing new drug and medical device applications and from conducting certain inspections of food and medical product facilities. It has also slowed the hiring and onboarding of new staff at an Agency that is already grappling with hundreds of vacancies. Some FDA research and policy development has also come to a halt.

The FDA regulates products and industries that comprise about one-quarter of the U.S. economy. The FDA ensures a safe food supply; protects patients from contaminated and unsafe medical products; and approves new lifesaving treatments, the group wrote.

The list goes on.

Diplomatic missions around the world are being compromised. I had a chance to talk to one of our Ambassadors in a key country of great interest to the United States. He confided in

me that without a full complement of staff, his mission is being compromised, and our national security is being put at risk.

Let's take a look at the faces of the people who are impacted by this shutdown. I already mentioned the fact that just a few hours ago, I was at the Maryland Food Bank location at which I saw very proud, patriotic government workers stand in line to get bags so they could pick up food because they didn't have the money to pay for food for their families. That is what is at stake.

I have received letters from Federal workers who are concerned about whether they will be able to continue their dental and vision health protection because those payments are not automatically made when we are in shutdown. The workers are supposed to make those payments directly. How many workers are going to be able to or will even know that they need to make the payments? They may see the loss of critical coverage.

I know it is affecting people's credit scores. We know credit agencies are not very tolerant with late payments. Yet government workers are going to have to slow down in paying their bills because they will not have money. Most workers live paycheck to paycheck in paying their bills. Now their credit scores are going to be affected, and that is going to affect the cost of credit. It may affect such things as their security clearances, which will affect their employment.

I have heard from several Federal workers. I heard from one who said: I have this dilemma. I live 90 miles away from where I work as a Federal worker. I am expected to be there every day. I don't have the money to pay for gasoline for my car. Yet I am expected to pay for that without getting a paycheck. By the way, I don't have the money to pay for the childcare for my children. How am I expected to show up for work and do essential work when I don't have the money to take care of my needs so I can get transportation to my job and take care of my family's needs with safe childcare?

This is the face of the people who have been impacted by this partial government shutdown. Her circumstances are really shocking.

One might be surprised to learn that many Federal workers are expected to use their own personal credit cards to pay for government expenses. If they travel on behalf of the government, they use their own credit cards to pay for those expenses. I am told it averages somewhere around \$600 a month. At the end of the month, they have to, of course, pay their credit card bills, but they have their reimbursements from the Federal Government for these legitimate expenses. In a government shutdown, there is no Agency that can reimburse them for that money. The credit card companies are going to demand that they pay. These are government expenses, not theirs. What do

they do? This is where we are today with the tragedies.

There was an ad in the paper that really got to me. It was written by a government worker who said she was looking for a job.

She writes:

I'm currently furloughed due to the government shutdown and am available for baby-sitting during the workday. I have plenty of childcare experience from raising my two children, ages 3 and 5, so I know how hard it can be to find last-minute weekday childcare. Alternatively, I'm also happy to provide science tutoring for any high school or college students. I have a Ph.D. in cellular and molecular medicine and can help with biology, genetics, microbiology, biochemistry, cell bio, or research methods. Please message me if interested, and I would be happy to provide you with additional information. Thanks.

Here is a Federal worker whom we want to keep in Federal service. She needs money to pay her bills and is willing to be a babysitter but has scientific training. We know she could be gobbled up in the private sector for a lot more money than she is making as a government employee, and we are going to lose her. We are going to lose a lot of talented workers who ask: How much longer can I put up with this? How much longer can I work without pay? The critical missions that she is performing on behalf of America will be compromised and lost. This is what is at risk. This is what we are risking.

I haven't even gone into all of the different Agencies or the work that is important to Americans. HUD's being closed means FHA loans are not being processed and that you can't go forward with your closing on a home. I know several senior housing projects are being put on hold, which jeopardizes quality, affordable housing for our seniors. The IRS season is beginning, but it doesn't have its full complement. People want their refunds, but they are going to be delayed. The list goes on and on and on.

This is President Trump's shutdown. Many of us, on both sides of the aisle—Democrats and Republicans—understand border security issues. In the fiscal year 2019 appropriations, our appropriators did their work. The distinguished ranking member, Senator LEAHY, is on the floor. He worked very closely with Senator SHELBY on every single appropriations bill in a bipartisan manner. We did our work in the U.S. Senate.

Seven of the appropriations bills have not yet been completed through no fault of the work of our appropriators. Four of them passed the Senate by a vote of 92 to 6. Why don't we just pick them up and pass them? We have tried. I have asked unanimous consent. Because we don't want to offend the President, the Republican leaders have refused to allow us to consider them. Two others passed the Appropriations Committee by votes of 31 to 0 and 30 to 1.

With regard to Homeland Security, on border security the committee did

its work on the fiscal year 2019 budget. They came up with a game plan on border security. We did our work on time, in a bipartisan manner. We know how to deal with border security issues. We have the expertise to work to make sure that we spend our money in the most appropriate way to defend our border and to protect Americans.

So what should we do? First, we should open the government. There is no excuse for the government to be closed. We are a coequal branch of government. We need to act as a coequal branch of government. It is our responsibility. We will have that chance tomorrow.

There will be a vote on the floor of the Senate to pass a short-term continuing resolution. This is identical to what we acted on by unanimous consent before the President changed his mind.

Let's remove the hostage-taking of the American public. Let's have a short period of time to prove that we can use the legislative process here, as we have in the past, to work on border security issues and pass a bipartisan border security bill, but not under the tactics the President of the United States is currently using. We can act that way on behalf of the American people.

This is a dangerous shutdown. We have seen the results, and we know people's lives have been compromised and our national security has been affected. We need to take the leadership.

I hope my colleagues will join me tomorrow in voting for the continuing resolution so we can open the government and use our legislative process to deal with the border security issues and to deal with what is important to the American people.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Vermont.

MR. LEAHY. Madam President, I hope the country has heard what the distinguished senior Senator from Maryland said. He sees this every day. He sees it when he goes home to Baltimore. He sees it when he talks with his neighbors. He sees it when he is in the grocery store. He sees it at the temple. He sees it everywhere because these are the people who are among our finest government workers, and they are out of work. They are not being paid. I suspect he also sees it with the contractors and subcontractors and those who are not on the Federal payroll but who would lose their jobs if the Federal Government is closed. So I compliment him for doing this.

I also appreciate what he said about the Appropriations Committee. The distinguished Presiding Officer is one of the hardest working chairs of the Appropriations subcommittees. I realize she cannot respond in her position as Presiding Officer, but I note that she moved her bill through. She did it in a way that got enormous support from Republicans and Democrats across the political spectrum, which is the way we are supposed to do it. It certainly has

been the way we have seen it done with people from her State. We did it with her father. We did it with my dear friend, Senator Stevens, when he was chair of the Appropriations Committee. We did it when the distinguished senior Senator from Maryland, Ms. Mikulski, was chair of the overall committee. We got this done.

It is a lot of work. It is tremendous work for our staffs on both sides of the aisle—a lot of late nights and weekends—but it is done because the American people want the U.S. Government to work.

For a month now, much of the Federal Government has been closed for business while the President of the United States rants and raves about his personal obsession, the centerpiece of his extreme, anti-immigration agenda—a wall on our southern border.

For a month now, hundreds of thousands of dedicated public servants have gone without a paycheck, even while many of them showed up for work every single day. Many can no longer pay their bills. They worry about how they are going to put food on the table. Many are looking for temporary work. Many are standing in line at food pantries. These are professionals. They are trying to figure out: How do we pay for childcare or healthcare? How do we pay our student loans? How do we pay for our mortgage?

It is not just the individuals. It is also our institutions. Our Federal courts are running out of money. Our Federal courts are running out of money. TSA agents are calling in sick in droves after weeks on the job without pay. What is that doing with air traffic, especially during the winter, in America?

Thousands of people who are trying to buy new homes, which boosts our economy, with a Federal Housing Administration loan told: Come back later.

Come back when?

Well, we don't know. Whenever President Trump ends the shutdown, come back.

Small businesses and farmers cannot get federally backed loans. This is after this body—under the leadership of the distinguished Republican, Senator ROBERTS, and the distinguished Democrat, Senator STABENOW—put through a 5-year farm bill, which brought almost all of us together. We voted for it, but now farmers can't use it. They don't even know what the new rules are because nobody is there to answer their questions.

We scaled back on food inspections. We are not enforcing our clean air and clean water rules. Our national parks are being vandalized and permanently damaged as they remain open to the public, but they are not staffed.

As a former prosecutor, here is something that sends a chill down my spine. The FBI Agents Association says criminal investigations are being stymied, grand jury subpoenas are going undelivered, and confidential sources

are being lost. It is quickly becoming a national security threat.

This is America? This is the country I am proud to serve?

Either the President does not understand the harm his shutdown is causing, or he does not care. But the country is suffering. Our economy is suffering. The American people are suffering.

The Trump shutdown makes us look foolish and weak to the rest of the world. This is the leader of the free world we are seeing as weak and incompetent. However, over the weekend, the President addressed the country from the White House, and he laid out his price to stop the shutdown. Calling it a compromise, he made vague promises for protections for DACA recipients and those who receive TPS, or temporary protected status. We could end this shutdown, he said, and all U.S. taxpayers had to do was fund his wall—a wasteful monument to himself that he just wants the taxpayers to fund, even though he gave his word to all Americans, over and over, that Mexico would pay for it. He did not tell the truth then, and now he wants the American taxpayers to bail him out.

It was a transparent attempt to look reasonable on national television, while simultaneously holding the Federal Government and millions of Americans hostage to a shutdown that harms our economy and our communities every day. But as for offering temporary protections for vulnerable immigrants—protections that he unilaterally chose to strip, in the first place—in exchange for a permanent, ineffective wall, nobody can call that reasonable. It is hardly reasonable to hold the well-being of our Federal workforce or the services upon which many in America rely as hostages to fund a pet project. The President cannot bargain with something that he broke.

On Monday night, Senate Republicans unveiled the President's plan in more detail. It became clear that what seemed like a disingenuous ploy to seem reasonable to stop his slide in the polls was really a much more cynical attempt to implement his hard-lined, anti-immigration agenda, using the harm of the Trump shutdown as leverage.

The McConnell bill before us reads like an A-through-Z immigration wish list for President Trump and those in his anti-immigrant inner circle. First, the bill provides \$5.7 billion for a wasteful monument to the President's ego—a wall that most experts say would do little to address the real problems on our southern border.

The bill, ultimately, dramatically increases the number of Immigration and Customs Enforcement, or so-called ICE, detention beds to 52,000 and ICE enforcement agents by 2,000. Even as I give these numbers, I think of walking through these rooms with cages that children are being kept in. Every one of us who has children or grandchildren

and every one of us who has gone through a school yard and has seen young children has heard that the decibel level is outstanding. They are laughing. They are playing. They are talking with each other. When you go through these cages—these cages holding these young, innocent children—there is dead silence—no laughter, no talking with each other, no joking. There is dead silence.

This is America. What are we showing the rest of the world?

The Trump administration has repeatedly proven it does not know how to prioritize its immigration enforcement resources. In the first 14 months of the Trump administration, ICE's arrests of immigrants with no criminal convictions—no criminal convictions—spiked by 203 percent over the last 14 months of the previous administration. So it shows that President Trump has not deployed resources to round up, as he said, "bad hombres" or threats to our national security. He is deploying his enforcement resources to strike fear into the hearts of all undocumented immigrants.

This administration's enforcement policies are driven by the cruel desire to scare undocumented immigrants into believing that they or their disabled children or their elderly parents could be next. Until the Trump administration changes its dragnet approach to immigration enforcement, Congress should not fund an expansion of his detention and deportation force.

I would ask anybody to walk past those cages with the children in them. I never thought I would see this in America. I have seen it in war zones and other countries, but not America—not in the America I love.

The bill also contains provisions that serve as fig leaves to fix problems the Trump administration brought about in the first place. It would provide 3 years of temporary protection to 700,000 individuals currently involved in DACA—protections that are only required because of the President's own decision to terminate the DACA Program. It would not provide a path to citizenship for these Dreamers or any protections to the nearly 1 million more individuals who are eligible for DACA protections. Similarly, the bill would provide 3 years of temporary protection to TPS recipients from a few countries with TPS designation the Trump administration terminated in the first place.

If you provide permanent funding for a wall in exchange for provisions that temporarily clean up messes of the Trump administration's own making, that is not a compromise. It is taking hostages on top of hostages. That is a nonstarter. Stripping away protections from Dreamers and TPS recipients and then treating them like pawns by suddenly offering them temporary reprieve—this is not compassion. It is callous. It is wicked. It is evil.

Finally, the bill seeks to dismantle our humanitarian asylum system as we

know it. It contains provisions that would effectively bar any asylum applications from Honduran, Guatemalan, and Salvadoran minors that are not made from a designated processing center somewhere in Central America. In other words, thousands of vulnerable children fleeing the horrors of torture, murder, and rape in the Northern Triangle and arriving at our border would be categorically barred from applying for asylum and be subject to immediate removal proceedings.

The entire point of asylum is to provide an opportunity for those who have fled from persecution and violence to seek refuge in our country. Our asylum system would become distorted beyond recognition if, instead, we punish these desperate children—punish them for the very act of fleeing for their lives.

It is remarkable that the man whose name is on the book called “The Art of the Deal” would think that Democrats would accept what amounts to a deal breaker. This Democrat will not.

I welcome a debate on the need for immigration reform. I would remind Senators that in 2013, when I was chairman of the Senate Judiciary Committee, I issued a bipartisan bill to reform the immigration system and secure our border through the committee. We held dozens of hearings. We considered hundreds of amendments. We often met until late at night. Then, when we brought it before the Senate, it got 68 votes here on the Senate floor. Republicans and Democrats joined together to give it a supermajority. So it shows it can be done, but not while the President holds hostage all Americans, including hundreds of thousands of Federal workers and their families.

I remind the Senate that on December 19, when Republicans controlled the House and Republicans controlled the Senate, the Senate passed a bipartisan bill to fund the government by a voice vote. In other words, the Senate was for keeping the government open—until President Trump changed the mind of our Republican leader.

The President and Senate Republicans should reopen the government now, without any further foot-dragging. Congress and the Senate are a co-equal and independent branch of government. We have bipartisan bills before Congress right now to do that. My friend the majority leader has refused to bring them up while the country pays the price. This has to end. I hope he will pull up the bipartisan bills. I hope he will let us vote.

Again, I would say that we are looking weak to the rest of the world. We are looking foolish to the rest of the world. But what hurts the most are the people—not only Federal employees but contractors, private industry, and everybody else in every one of our States—who are suffering and watching our economy sink further as a result.

I see the distinguished majority leader on the floor, so I yield the floor.

#### ANNIVERSARY OF MARSHALL COUNTY HIGH SCHOOL SHOOTING

Mr. McCONNELL. Madam President, I would like to take a moment to mark the first anniversary of the tragic shooting at Marshall County High School, which took place 1 year ago today in Benton, KY.

Bailey Holt and Preston Cope, both 15, began that morning just like any other. Their parents and friends described Bailey and Preston as bright kids with promising futures ahead, but this peaceful community was shattered when a fellow student opened fire, taking Bailey and Preston’s lives, and leaving nearly 20 additional students wounded.

Their families were left to grieve, and for the past year, the community has done its best to provide comfort and put the pieces back together.

This evening, the Marshall County community will join together once again to remember the victims and to continue the healing. As they do, my prayers and those of all their fellow Kentuckians will be with them.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO DR. STEVEN M. SOUTHWICK

• Mr. BLUMENTHAL. Madam President, today I wish to recognize Dr. Steven M. Southwick on the occasion of his retirement.

For over 30 years, Dr. Southwick has dedicated himself to researching combat-related PTSD. His impressive work has helped make great strides in the efforts to alleviate suffering and promote resilience for veterans. Much of the necessary progress in this field is thanks to Dr. Southwick’s diligent studies.

A graduate of Yale College, the George Washington School of Medicine, and the Yale Psychiatry Residency, Dr. Southwick served in the U.S. Army before attending medical school. During his service, he was stationed in Germany. His time in the military would shape the path of his future research.

In 1985, Dr. Southwick joined the faculty of the VA Connecticut Healthcare System and the Yale Department of Psychiatry. Throughout his career, he has worked not only with combat veterans, but also with a range of trauma survivors, including athletes, astronauts, civilians with PTSD, and former prisoners of war.

Some of his many notable accomplishments include leading the first mechanistic neurobiology study of PTSD and, along with his colleagues at the National Center for PTSD, being among the first to study the biological and cognitive underpinnings of resilience among U.S. Special Forces trainees. Through such research, Dr. Southwick pioneered the study of human resilience and introduced a new perspective on trauma. I have been fortunate to learn firsthand during visits to the

center about the progress he and his colleagues are making on this complex but extremely critical condition that affects many veterans and first responders, and I commend them on their vital work.

He now serves as the medical director of the clinical neuroscience division of the VA National Center for PTSD and the Glenn H. Greenberg Professor of Psychiatry, PTSD, and Resilience at the Yale University School of Medicine. In these positions, Dr. Southwick has mentored countless future leaders in the field of PTSD research.

Dr. Southwick is the recipient of numerous honors and takes part in a number of journals, committees, and seminars in his area of expertise. Though he is recognized for his immense contributions to the realm of PTSD research, he is also highly regarded and beloved by his colleagues, students, and patients.

I applaud his lifetime of service and hope my colleagues will join me in congratulating Dr. Southwick on his well-earned retirement. •

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 11:03 a.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 bills, in which it requests the concurrence of the Senate:

H.R. 31. An act to require certain additional actions in connection with the national emergency with respect to Syria, and for other purposes.

H.R. 328. An act to require the Secretary of State to design and establish a Vulnerability Disclosure Process (VDP) to improve Department of State cybersecurity and a bug bounty program to identify and report vulnerabilities of internet-facing information technology of the Department of State, and for other purposes.

H.R. 353. An act to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes.

H.R. 439. An act to amend the charter of the Future Farmers of America, and for other purposes.

H.R. 498. An act to eliminate unused sections of the United States Code, and for other purposes.

H.R. 676. An act to reiterate the support of the Congress of the United States for the