Public Law 112–75, appoints the following individual to the United States Commission on International Religious Freedom: Ahmed M. Khawaja of California.

MEASURES READ THE FIRST TIME—S. 3093 AND S. 3100

Mr. MCCONNELL. Mr. President, I understand that there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The assistant bill clerk read as follows:

A bill (S. 3093) to amend the Immigration and Nationality Act to address the protective custody of alien children accompanied by parents, and for other purposes.

A bill (S. 3100) to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington.

Mr. MCCONNELL. Mr. President, I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be read for the second time on the next legislative day.

RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 553, S. Res. 554, and S. Res. 555.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

AMERICAN INNOVATION $1 COIN ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of H.R. 770 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The assistant bill clerk read as follows:

A bill (H.R. 770) to require the Secretary of the Treasury to mint coins in recognition of American innovation and significant innovation and pioneering efforts of individuals or groups from each of the 50 States, the District of Columbia, and the United States territories, to promote the importance of innovation in the United States, the District of Columbia, and the United States territories, and for other purposes.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Murphy amendment at the desk be considered and agreed to, and the bill, as amended, be considered read a third time.

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

The amendment (No. 3041) was agreed to, as follows:

(Purpose: To improve the bill)

Beginning on page 6, strike line 8 and all that follows through page 8, line 5, and insert the following:

''(A) ORDER OF ISSUANCE.—

''(i) IN GENERAL.—The coins issued under this subsection commemorating either an innovation, an individual innovator, or a group of innovators, from each State, the District of Columbia, or a territory shall be issued in the following order:

''(I) STATE.—With respect to each State, the coins shall be issued in the order in which the States ratified the Constitution of the United States or were admitted into the Union, as the case may be.

''(II) DISTRICT OF COLUMBIA AND TERRITORIES.—After all coins are issued under subclause (I), the coins shall be issued for the District of Columbia and the territories in the following order: the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

''(ii) APPLICATION IN EVENT OF THE ADMISSION OF ADDITIONAL STATES.—Notwithstanding clause (i), if any additional State is admitted into the Union before the end of the 14-year period referred to in paragraph (1), the Secretary of the Treasury may issue a $1 coin with respect to the additional State in accordance with clause (i)(I).

''(iii) APPLICATION IN THE EVENT OF INDEPENDENCE OR ADDING OF A TERRITORY.—Notwithstanding clause (i)—

''(I) if any territory becomes independent or otherwise ceases to be a territory of the United States before $1 coins are minted pursuant to this subsection, the subsection shall cease to apply with respect to such territory; and

''(II) if any new territory is added to the United States, $1 coins shall be issued for such territories in the order in which the new the territories are added, beginning after the $1 coin is issued for the Commonwealth of the Northern Mariana Islands.

''(B) ISSUANCE OF COINS COMMEMORATING FOUR INNOVATIONS OR INNOVATORS DURING EACH OF 14 YEARS.—

''(i) IN GENERAL.—Four $1 coin designs as described in this subsection shall be issued during each year of the period referred to in paragraph (1) until 1 coin featuring 1 innovation, an individual innovator, or a group of innovators, from each of the States, the District of Columbia, and territories has been issued.

''(ii) NUMBER OF COINS OF EACH DESIGN.—The Secretary shall prescribe, on the basis of such factors as the Secretary determines to be appropriate, the number of $1 coins that shall be issued with each of the designs selected for each year of the period referred to in paragraph (1).

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate.

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 770), as amended, was passed.

ORDERS FOR THURSDAY, JUNE 21, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:45 a.m., Thursday, June 21; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. Finally, I ask that following leader remarks, the Senate resume consideration of H.R. 5895.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of our Democratic colleagues.

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

The Senator from Oregon.

FORCED FAMILY SEPARATION

Mr. MERKLEY. Mr. President, many members of the Democratic caucus are coming down to the floor to speak to the abomination of a policy of separating children from their parents when people are seeking asylum in the United States of America. The Senator from Minnesota is going to speak first, followed by the Senator from Hawaii, then the Senator from Washington, followed by the Senator from Illinois.

I yield to my colleague.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Mr. MERKLEY, the Senator from Oregon, for his leadership and his calling attention to the tragedy that has been going on right on our border.

I rise today to join my colleagues to express my deep concern about the policy that was adopted by this administration to separate families at the border.

What we have seen over the past several days and weeks and actually months is simply unacceptable. While the President has now recognized publicly that we should not be taking children from their parents, this should not be happening in our country.

According to the Department of Homeland Security, 2,342 children were separated from their parents at the border between May 5 and June 9. The pace of these separations had been increasing, with nearly 70 children being taken from their parents up until today and being kept in facilities that are increasingly overcrowded.

The American Medical Association and the American Academy of Pediatrics have expressed their opposition. They said that this type of family separation does ''irreparable harm'' to children. The president of the American Academy of Pediatrics, who traveled to the border, called it ''a form of child abuse.''

It is not just the medical groups. A bipartisan group of 75 former U.S. attorneys called on the administration to end its policy. The group included a former Republican U.S. attorney who served under both President Bushes, Tom Heffelfinger from the State of Minnesota. Their letter emphasized that the administration's zero tolerance policy was ''a radical departure from previous Justice Department policy'' and that it is ''dangerous, expensive, and inconsistent with the values of the institution in which [they] served.''

All five First Ladies have been critical, and, as we know, probably the woman who said it best was First Lady Laura Bush. She said:

> This zero-tolerance policy is cruel. It is immoral. And it breaks my heart.

I think that says it all.

I am glad that several of our colleagues on the other side of the aisle have recently stood up and said they disagree with this policy.

Senator GRAHAM said: ''President Trump could stop this policy with a phone call.''

The weeks went by, and the families kept getting separated.

I am pleased that Senator FEINSTEIN is leading a bill, the Keep Families Together Act. I was an original cosponsor of this bill, but I do want to note that we do not need the legislation to stop the separation of children and their parents.

While I am still reviewing this Executive order, I will note that it still raises serious issues, including with respect to the indefinite detention of children and their families, and that there are major questions about the order. That being said, action on this was necessary, and now we must move forward.

I see the Senator from Illinois, Mr. DURBIN, here, who has given so many speeches about Dreamers that I don't think we could even count them. We have more issues for this country besides the one that has just broken the hearts of Americans. We have people on temporary status who are sitting in Minnesota who don't know if they are going to be deported in a year, when they have been in this country legally for decades, working in our hospitals. We have Dreamers who came to this country through no fault of their own. We have immigrants who love this country, who want to be citizens here, and this Senate gave them a path to be citizens in a vote in this very Chamber years ago, and that bill never advanced in the House. We can do that again.

If there is any silver lining to this tragedy as we work through it, I hope that it will focus the American people again on the fact that this is a country of immigrants and that immigrants do not diminish America; immigrants are America.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I thank Senator MERKLEY from Oregon for his leadership and my other colleagues who are coming to the floor this evening.

Like so many people across the country, I have been deeply affected by what is happening on our southern border. Children are being ripped away from their parents, placed into mass detention, deprived of adequate legal counsel, and isolated from everyone they have ever known. Millions of people are rising up with sorrow and horror over what is happening and with good reason.

The President of the United States and this administration are playing games with the lives of these innocent children, and when confronted, they hide behind excuses that they are just ''following the law.'' This is just another lie from a President and an administration that have institutionalized lying to justify their unconscionable policies. There is nothing in the law that requires a zero tolerance approach at the border. It was a choice that Donald Trump and his administration made, and these children are suffering the consequences.

The President's actions are unnecessary and cruel, but they aren't particularly surprising, coming from him. On issue after issue, Donald Trump creates a crisis through his own actions, blames others for what is happening, and uses the ensuing chaos to demand a legislative solution that often harms even more people.

It is up to each of us and to the millions of Americans outraged by his actions to stand up, fight back, and demand action. This action remains urgent, even after the President announced earlier today that he would use his Executive authority to end family separation at the border. This Executive order just creates an entirely new problem. It does not end zero tolerance, and it does not end indefinite detention. It only means children are going to be incarcerated together with their parents. This is still unacceptable and echos back to one of the darkest periods in our history when, during World War II, the U.S. Government incarcerated 120,000 Japanese Americans. That this time we are incarcerating non-Americans misses the point. Due process applies to everyone—everyone—on American soil.

The President's order also instructs the Attorney General to challenge the Flores settlement, which sets national standards for humane treatment of children in immigration detention and ensures their prompt release. The elimination of these national standards would have profoundly negative consequences for thousands of children every year and is yet another demonstration of the cruelty with which this administration treats immigrants to our country.

The President has also hinted that legislation will accompany his Executive action. Any legislative solution must result in less chaos and more justice for these children and their families.

Congress certainly has a responsibility to repair our broken immigration system, and we tried hard in 2013, with months of work and bipartisan compromise. But we cannot and should not enact a patchwork solution that enshrines Donald Trump's hatred and fear of immigrants into law. We need to think through the inevitable consequences of our policies and propose legislation that will actually help these families and their children. This approach stands in stark contrast to a President and an administration that rarely think things through. They never stop to consider the consequences of their actions.

Instead of being ashamed about this, the President appears to take pleasure in the chaos he sows, but this chaos causes real damage to real people. These misguided, shoot-from-the-hip decisions of his have already caused significant harm to thousands of children who will face a lifetime of trauma after being separated from their parents.

Let me tell you a story. It is one I haven't told very often because it is difficult to talk about. I often speak about my own immigrant experience of coming to this country when I was 7 years old with my mom and my older brother Roy. Mom was escaping an abusive marriage to start a new life for us. Mom brought us two older kids with her, leaving my 3-year-old younger brother behind in Japan, because we were old enough to go to school, and at 7 and 9 years old, we could look after ourselves while she was at work supporting us. My younger brother left back in Japan never really recovered from the trauma of the separation from his mother and his siblings. My mother always had deep sorrow about having to leave her baby behind. We finally reunited almost 3 years later.

What is happening to these children feels personal to me. Like so many people, I find that my anger and emotion about this issue aren't far below the surface for me. I am very concerned about what will happen to these 2,400 children who have already been separated from their parents. These children have already been traumatized.

Yet the President's Executive order does not prioritize reuniting these children with their parents.

Years from now, stories will be written about this dark moment in our Nation's history and what happened to these children. People will judge what we did and how we responded.

I will continue to fight against this President's reprehensible actions that dehumanize immigrants, tear families apart, and undermine our country's moral leadership. I call on all of my colleagues, especially those on the other side of the aisle, to join us in this fight.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I want to thank my colleague from Hawaii for sharing her personal experience of how that felt because that is so important for us to hear. I thank the Senator from Oregon and all the Senators who are out here tonight to speak on this.

I may be only one person, but today I bring to the floor of the Senate the outrage, the pain, and the frustration of millions of people in my home State of Washington and across the country who see what President Trump has been doing on our southern border, who have been watching the pain this forced family separation has caused so many innocent children, who have begged the President to pick up the phone, sign a piece of paper, do whatever it takes to make it stop, who have refused to be silenced as President Trump carries out his hateful and divisive attacks on immigrants, and who heard a recording with desperate cries of children calling for their parents. When I heard that, my heart stopped. Like every mom, like every human being, I just wanted to reach out and comfort that child. I could only think of how his mother felt because I assure you, whether she was in that room, a room 100 miles away, or a room 3,000 miles away, like every mom, she heard her child's cry, too, and her heart was broken.

While today we saw President Trump change his story about whether he did, in fact, have the ability to make it stop, there are a lot of questions that remain—questions that actually I and others have been asking the Trump administration for weeks that have gone unanswered, like exactly how these parents are being informed about their children's safety. Where are they? Where are they being located? When will they be reunited? Those are just a few. There are more.

President Trump says the Executive order stops the separation. Does that mean starting today? Next month? When? What about the thousands of children who have been removed? Will they ever see their parents again? When? Where? How?

I have not gotten answers from the Secretary of Health, Alex Azar, whose Department should be focused on families' health and well-being but has instead spent that time complicit in a policy of separating families and traumatizing parents and children alike.

Even experts, such as the president of the American Academy of Pediatrics, said that the practice of intentionally inflicting trauma on young children is child abuse.

While it is a good thing that President Trump dialed back his systematic child abuse, it is not enough. We are not going to say everything is OK now. We are not going to stay quiet because while we are still digging into this new Executive order, here is what we do know right now: If this is implemented, there will continue to be zero tolerance for all asylum seekers, including domestic violence survivors. It is a system of locking up children by the thousands, all carried out in our great country's name.

I just read the story of a woman named Blanca who left El Salvador after she received threats on her 8-year-old son's life. She took those threats seriously, she said. Why? Because another family member had already been kidnapped. And as Blanca said, when the extortionists don't get their money, they kill people.

So Blanca left everything behind to seek safety for her son. Two months ago she arrived at the U.S. border to seek asylum. Blanca said that was the last time she saw or talked to her son, Abel, whose last words to her were ''Mom, don't leave me.''

That is the last thing she heard.

Blanca now sits in a Federal detention center at SeaTac in Washington State where she told her story through tears to an AP reporter. Her son, she has been told, is in custody in upstate New York. That is 3,000 miles away from her, and she doesn't know when or if she is ever going to see him again.

Blanca's story is horrifying. It is sad. Unfortunately, it is not unique. She is one of thousands of parents and children who fled violence and persecution only to find a new nightmare upon arrival in the United States of America—a nightmare caused deliberately, for no good reason, by President Trump, who has chosen to scapegoat asylum seekers and put their children into detention centers for an undetermined amount of time.

We are better than this. We must be better than this. Turning children into bargaining chips or leverage points or deterrents—that kind of cruelty should not be an option in this great Nation.

In recent days, my office has been flooded with thousands of calls and emails and letters from moms and dads and grandmothers and grandfathers—people from all walks of life, from every community I represent—who are angry at the President's new zero tolerance policy and who are horrified by these families who are being ripped apart. So I know I am not alone.

If we can find hope in one thing, it is knowing that all those calls and emails and letters—all of that outcry—got through to the President to change course on one of his most heartless policies yet.

But we cannot let up now.

President Trump has claimed for days he needed congressional action to do anything at all. Today, he proved that to be simply untrue.

So now we know President Trump will bow to stern pressure of a stern moral movement. Families in Washington State and in every State across the Nation are continuing to demand action, and I am going to keep working to make sure their voices are heard for the sake of so many who seek refuge in our great country and those who believe in the kindness and respect and compassion that does make this country great.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Illinois.

Mr. DURBIN. Mr. President, first he came for the Dreamers. It was in September of last year when President Trump announced that he was going to abolish the DACA Program, an Executive order by President Obama that protected 790,000 young people who came forward, registered with the Federal Government, paid a $500 filing fee, went through an extensive criminal background check, proved that they had completed at least a level of education, and made clear that they were no threat to this country. For that, they were allowed, under the Executive DACA order, to live in the United States without fear of deportation for 2 years at a time, renewable, and to work in this country.

Last September, President Trump decided to abolish that protection. He challenged Congress. He said: Now it is up to you. Pass a law.

Many of us took him seriously. I worked on a bipartisan basis with many Senators, including Senator LINDSEY GRAHAM of South Carolina, Senator CORY GARDNER of Colorado, Senator MICHAEL BENNET, and Senator BOB MENENDEZ, and we put a lot of hours into it. We wrote a bill to answer the President's challenge. We produced the bill and presented it to him, and he rejected it. He was not going to allow us to come to a bipartisan conclusion to solve this problem without changing other parts of the law, which he demanded.

We couldn't find bipartisan consensus for the President's proposal. In fact, when President Trump's immigration proposal was called on the floor of this Senate Chamber, 39 of the 100 Senators voted for it—only 39. It was a clear illustration that the President's approach to immigration was not even acceptable to all of the Members of his own political party.

So, today, 790,000 young people across America, because of the action of President Trump last September, have only the protection of a court order that saves them from being deported, which allows them to continue to work, which allows them to renew

their DACA status. If that court decision changes in a matter of days, weeks, or months, their protection disappears. Clearly, this President could care less.

First he came for the Dreamers. Then, in April, with the zero tolerance policy, he came for the children—the infants, the toddlers, the little boys and girls who accompanied their parents to the border of the United States.

President Trump did something that most Americans—two out of three—find not only objectionable but unimaginable. This President decided as a matter of policy—a get-tough policy toward immigration—that he would take children—babies, infants—away from their parents. So far, 2,400, we believe, have been taken this way. What has happened to them? We don't know.

You see, in this great country of America—this transparent and open democracy—the Trump administration will not allow any type of visits by Members of Congress, members of the press, to see exactly what is happening with these children. A few photos have made it out, showing these kids being held in cages—kids in cages. That is the Trump approach when it comes to immigration. The recording came out of the cries of these children when they were being separated from their mothers and their parents. There was the report of a father who had a son yanked out of his arms and in desperation went to his jail cell and committed suicide. That is the reality of this Trump policy.

He has been unapologetic. From where he is standing, with the inspiration of Stephen Miller, his adviser and expert on immigration, getting tough is the only answer, the deterrent, putting pressure on Congress to pass the law this President demands—this ridiculous $25 billion wall that he wants to build on our border with Mexico.

So what has happened? People have spoken out, and I want to thank those Republicans who had the courage to stand up and speak out. Forty-eight Democratic Senators joined Senator FEINSTEIN in making it clear that we were prepared, if necessary, to pass legislation to solve this problem. Some Republican Senators have said the same, that this approach is unacceptable and reprehensible. And the First Ladies of the United States, including Laura Bush, who was quoted earlier by Senator KLOBUCHAR, have just been amazing. They have come forward to let us know, on a bipartisan basis, that what President Donald Trump is doing at the border with children is not only un-American, it is inhumane by any standard.

Treating children this way is something that can have long-term trauma on individuals. We heard from our colleague, Senator HIRONO. She experienced an emotional moment here in the Senate, and I have never seen that before from her. She talked about her family's separation and what it meant to her brother and mom. That is the reality of life. It is a reality this President has ignored.

Well, today, after days and weeks of objections from all across the United States, the President said that he would respond to the situation he created with an Executive order that I have in my hand. It is not that long; it is three pages. I read it closely. I read it carefully. I will tell my colleagues, this Executive order by this President does not solve the crisis that he created.

The order doubles down on the President Trump, Attorney General Sessions, Stephen Miller zero tolerance policy that started this whole crisis of punishing children and families.

The order provides no guarantee that families actually will be kept together. Here is what the language says: It just says the administration will try to maintain family unity, including by detaining alien families together ''where appropriate and consistent with law and available resources.'' That is from the President's Executive order. That is no guarantee that these families will be kept together.

The order does nothing, speaks not a word to uniting the 2,400 children who have been separated from their families—not one word in there. For goodness' sakes, that is where the President should start with his Executive order: ordering his agencies to reunite these families as quickly as possible so the children who are going through the trauma of this separation will finally have a chance to see their parents again.

And the order provides for—this is the President's order issued today—the indefinite detention of mothers, fathers, and children who are fleeing violence and seeking asylum in the United States.

There is no law on the books that requires this government or allows this President to rip children away from their parents. The horrific scenes we have seen and heard on television are the result of a Trump administration policy that could have ended today if President Trump had simply issued an order to end it. He has it within his power to end the crisis he created. He chose not to.

Instead, on World Refugee Day, President Trump offered this remedy to the crisis he created: Lock up entire families together indefinitely.

To do this, he has to ignore a court order that applies to his administration and every administration for the last 20 years. The Flores settlement between the U.S. Government and the petitioners resulted in a binding 1997 court order that required that children be released from custody without unnecessary delay. The Government of the United States of America was a party to that agreement. That Flores case recognizes that children should not be treated like criminals, and it prohibits the prolonged detention of children because of harmful effects.

The Trump Executive order seeks to undo the Flores consent decree. Repealing Flores was actually a key component of President Trump's own immigration legislation. That was rejected, if my colleagues will remember, by 39 to 60 in the Senate in February.

Is throwing kids in indefinite detention what we want to do as a nation? Is it a loophole that a 5-year-old child cannot be detained beyond 20 days under Flores? Of course not.

Remember, the Flores settlement does not prohibit detention if it is necessary to ensure the safety of the child. The Flores settlement simply prohibits indefinite detention of children, even with their families, and any order to undermine this critical protection will almost certainly be challenged in court.

This Executive order from President Trump will be challenged on the very first day that it violates the Flores settlement. In this order he sends Attorney General Sessions into court to undo the Flores settlement, which has been the law of the land and the standard for Presidents of both political parties for almost 20 years.

Looking at the administration's policy of so-called zero tolerance, which Attorney General Jeff Sessions announced in April and on which the President doubled down on today, here is what we find: The policy means they are criminally prosecuting everyone at the border, no matter what reason brought them to that border.

If someone is coming to the border to smuggle opioids or as part of a criminal gang, throw the book at them. But it makes no sense to throw the book at parents who come to the border with their kids because they are fleeing violence and death threats. There is no requirement—none—to prosecute every border case as a criminal case. As with many laws, there can be criminal or civil penalties for crossing the border without authorization. Our Nation could criminally prosecute everyone who drives too fast, but we use discretion and prosecute selectively.

Asylum seekers do not need to be caged to remain united with their families. The government has the power to individually assess each person apprehended at the border and determine whether that person presents a flight risk or a safety risk. Those who do not present a risk can be released with their families to await immigration proceedings. We have found that if they are given the benefit of counsel, over 90 percent of those who have court proceedings show up for the proceedings. We should do that. We have effective and cost-efficient alternatives to detention available.

President Trump and his allies have taken thousands of children hostage to try to enact their anti-immigration agenda into law. We will not be fooled. This crisis doesn't need legislation to fix it. It requires Republican Members of Congress to join us, stand up, say no, and put an end to this ill-conceived Trump policy.

Instead, we face efforts like Senator CRUZ's bill, which would not protect

children and could undermine the due process approach that we have used in this government. This bill, like the President's Executive order, would override the Flores settlement. That is not a good starting point to the humane treatment of children.

Homeland Security Secretary Kirstjen Nielsen claimed: ''We do not have a policy of separating families at the border. Period.'' Like many of the President's tweets, that was just plain false. Attorney General Jeff Sessions established the zero tolerance policy that separated families—a policy that former First Lady Laura Bush called cruel and immoral. When asked to justify how we could take this immoral position, Attorney General Sessions appeared to find some quote in the Bible that gave him solace.

The president of the American Academy of Pediatrics was more plain-spoken. She called this Trump policy ''government-sanctioned child abuse.''

I urge my Republican colleagues. People are watching and asking across this country: Aren't we better than this? Can't we treat the Dreamers in a more humane way? Can't we save these children from being caged away from their parents?

Do we want this image in the world? Is this what America has come to? I don't believe so, and two out of three Americans happen to agree with what I just said. We are a better country than this. This President's Executive order does not solve this problem. It makes it worse.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I first thank Senator MERKLEY from Oregon for organizing this very important session tonight.

Last month, Attorney General Jeff Sessions unveiled the Trump administration's new zero tolerance immigration policy. Whether you come to this land fleeing violence, poverty, or persecution, justice isn't blind. It is now also brutal.

This inhumane policy sends a shudder down the spine of the Statue of Liberty, but not that of our President. Zero tolerance really means zero refuge. Zero tolerance really means zero discretion. Zero tolerance really means zero humanity.

The Trump administration's mindless approach to our broken immigration system takes away the ability of Federal law enforcement officers to exercise any discretion that might be warranted based on the facts and circumstances on the ground. In other words, zero tolerance is an anti-immigrant dragnet, the shocking effects of which we have been witnessing these past few days as children have literally been ripped from their parents' arms and separated from them, as their mothers and fathers are taken into custody.

These horrific images were finally enough, even for President Trump. This afternoon, he signed an Executive order that he says addresses the family separation crisis. It does no such thing. The Executive order that the President signed doesn't end the zero tolerance policy of prosecuting anyone and everyone who crosses the border. It reaffirms it.

If all parents are still being prosecuted as criminals, which the Executive order requires, what does this Executive order actually do? We can only assume that this Executive order would imprison, remand, and incarcerate children—some as newborns—into the same correctional facilities as their parents. They would be sleeping in cages instead of cribs.

In this country, our courts have decided that this treatment of children and families is malicious. In the Flores agreement, more than 20 years ago, we stopped this practice. Now, the President wants to bring it back with a vengeance.

The Executive order directs the Attorney General to try to modify the Flores agreement, but any attempt to undermine the critical protections for children that this landmark settlement has put in place should and will face immediate court challenge. Families and children don't belong in jail, period.

Our President's Executive order does not ask for trained child welfare workers to carry out his wishes. He has called in the military. He expects this cold-blooded tactic—a tactic he is using to negotiate his wall—to be implemented by the Pentagon.

Now, what does that mean? Apparently, he envisions internment camps, using existing military brigs or other facilities to lock up these families. It sounds like a return to the shameful internment camps of the 1940s, during World War II, one of the darkest chapters in our Nation's history. We know how that ended—with the Federal Government paying more than $1 billion to right a wrong that could never actually be corrected. It was a mistake that we should not even contemplate repeating.

So President Trump first manufactured this crisis at the border, and his new Executive order makes it worse. The only thing President Trump wants to solve is the public relations nightmare he has plunged his administration into.

This is not a PR stunt. These are children's lives at stake. How we respond to this crisis will define the character of each and every one of us. It will define our character as a nation. At this critical moral juncture, I ask each of my colleagues to choose humanity.

To my Republican friends, your voices carry weight in this conversation, especially with this administration in power. Use your voices. Make clear that this Executive order will not end the suffering that this administration is inflicting on vulnerable immigrant families, because in the United States we do not keep children in jails or military prisons. We do not criminalize asylum seekers. We welcome immigrants for their contributions. We seek immigrants for their talents. We proudly remember our own families who came across a border, whether land or water, knowing this country meant a new start.

We are better than this. We must be better than this. The President wants to send a message that immigrants aren't welcome in America. His leadership may be devoid of compassion, but the American people are not. This policy must end.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I begin by thanking Senator MERKLEY. Senator MERKLEY, in my view, delivered a wake-up call to the country several weeks ago when he went to the border, and I have been very pleased to be able to join him in this effort.

A few days ago, we visited a detention center in Sheridan, OR. We spoke with a father who had been separated from his 18-month-old daughter. The day before Father's Day, colleagues, Senator MERKLEY and I listened to a father who had been separated from his 18-month-old daughter and had no idea where she was and didn't know when he would see her again. All over the country, as part of this national shame, these stories have been breaking our hearts.

Now, the President has said, for example, that he is turning away gang members. What Senator MERKLEY and I saw last Saturday was that he is locking up innocent people who are in danger because they refused to submit to gangs in their home countries. That is what we heard at the Sheridan prison just a few days ago.

These stories are particularly poignant in our household. The Wydens had the opportunity to flee the evils of Nazi Germany for the safety and the promise of the United States. My father came as a youngster. He barely spoke English. He studied hard, and when the war came he wanted to wear the uniform of the United States more than anything.

He served in our propaganda arm, where his fluent native German was a great value to the war effort because he wrote propaganda pamphlets that we dropped on the Nazis telling them that they had no chance, that they had no opportunity to survive. Unlike the comical efforts of our enemies, who mangled English, the work of young immigrants like my father, wearing the uniform of the U.S. Army, struck at the morale of German soldiers freezing on the battlefield.

My parents were lucky to be able to make a home in our country, and they raised my brother and me here. They did their part to add to the fabric of the United States.

Now, the Wydens were able to come, but not everyone of their Jewish background was so fortunate. Shiploads of Jews fleeing persecution and violence

were deemed undesirable, and they were turned away from America. Let me be clear about what happened. The rallying cry for those who wished to keep people like my Jewish parents out of this country—those who denied Jewish refugees safety in their moment of desperation—was ''America first.''

What happened to those families who turned to the beacon of America for safety and opportunity? Many were forced back to Europe, and many of them ultimately ended up in concentration camps. People don't embark on the harrowing journey to America, much less with kids by their side, unless they are fleeing serious danger and deprivation.

It is with that history that I wanted to join my colleagues tonight on this floor to talk about the heartlessness we see in the Trump zero tolerance policy—thousands of kids, refugees, forcibly separated from their parents. There are reports that border agents lied to mothers and fathers, telling them that their kids were being taken away for a bath, only to have them disappear—a terrifying scenario, colleagues, with grim historical echoes. There are nursing babies taken from their mothers and kids locked in cages for days, regimented like they are criminals facing hard time.

There is a reason that the courts have barred the executive from holding child refugees for more than 20 days. However, it appears the President intends now to ignore the courts and hold children in jails for the foreseeable future.

The administration has gone to great lengths to defend their policy, but they will not stand up and defend it with honest answers. The administration even buried a recent government report showing that refugees are a positive economic force. I gather it is because it just didn't fit the company line.

I will close by saying that in my view a strong leader does not rip kids from their mothers and lock them in cages. A strong leader does not take child hostages to use as political pawns. A strong leader does not lie and mislead the American people about the true nature of the policy he enacts.

In my view, these have been acts of weakness. My view is that the national shame which we have seen over the last few weeks is going to go down as one of the dark moments in American history. It is why it is so important in the days ahead that we come together—Democrats and Republicans—and we restore the greatness of America, which is that we are better and stronger because we stand up for refugees, refugees like the Wydens, who fled Nazi Germany decades ago.

I again thank my colleague from Oregon for his critical leadership on this matter.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I rise on World Refugee Day to thank the American public for standing up against the heartless decision by the Trump administration to separate children from their families at the southern border of the United States. Because the administration's policy triggered our moral gag reflex, you spoke up loudly—everyday citizens, business executives, faith leaders, Governors pulled back Guard troops from missions on the border, and airlines announced they would not facilitate separation of families by flying children hundreds of miles away from their parents. Because of you, the American public, this administration has altered its cruel policy, at least for the time being.

A new Executive order suggests that families will not be separated, but many questions remain. Will they be detained indefinitely? Where will they be detained? What process will be used to determine their fate? Will people seeking to use our legal asylum process be treated like criminals?

The most urgent question I have is this. What is the fate of the 2,300 children you have stripped away from their families? How will you assure that these children are properly returned to parents who are worried to death about them?

Congress has to exercise the most persistent oversight to ensure that these children are restored to their families. An administration that so cavalierly separated them from their parents out of a mistaken belief that the American public wouldn't care about it can hardly be trusted to reunite these families with speed and compassion. We have to stay on the task to ensure that they do.

Much has been said about the trauma inflicted upon these children taken from their parents. I want to say a word about how traumatic it is for a parent to have a child taken away without any idea when or if a child will be returned. Marco Antonio Munoz was a 39-year-old father from Honduras who made the difficult trek to the United States with his wife and 3-year-old boy. They came here in May after his brother-in-law was murdered by a drug gang near Capon. Honduras has one of the highest homicide rates in the world, and they just wanted their family to be safe. The family crossed into the United States on May 12, in Granjeno, TX—a popular crossing point for Central American families and teens who want to turn themselves in and seek asylum in the United States.

I know a little bit about families like the Munoz family. I lived in Honduras in 1980 and 1981 and have returned a number of times, most recently in 2015. The violence in these neighborhoods is severe, driven by gangs connected to a drug trade that has its origins in American demand for illicit drugs produced in Mexico, Central, and South America. The violence in these Honduran neighborhoods has a direct connection to the sad reality of addiction in the United States. When a family like the Munoz family leaves their home, they leave everything behind, and all they have is each other.

When the Munoz family was taken into custody in the United States, Border Patrol agents told them the Trump zero tolerance policy meant they had to be separated, and Mr. Munoz, the father, had a panic attack.

As one border agent said: ''They had to use physical force to take the child out of his hands.''

That is called being a parent. If you tried to take my child out of my hands, I will hold on with every ounce of strength in my body.

They took Mr. Munoz away. They put him in a car to take him to a kennel-like jail, and he fought in the car. He tried to escape when they took him out of the car. When they put him in the kennel, he rattled the cage he was in. They decided the cage wasn't strong enough, so they then transported him to a regional jail in McAllen, TX, and put him in a padded cell. The next morning, when they came to visit him, he was dead in his cell, a victim of suicide, with a piece of clothing wrapped around his neck.

An agent who found him expressed confusion about why Mr. Munoz would ''choose to separate himself from his family.'' It wasn't Mr. Munoz who chose to separate himself from his family; it was a decision by this administration to punish him and his family that separated him from his family, and with no knowledge when or if he would see his wife and 3-year-old son again, he killed himself.

When you have left your entire life behind, and all you have is your family, how can anyone fail to understand how painful it is to lose them?

As we try to reassemble 2,300 families whom this administration has spread to the winds, there will be at least one 3-year-old boy who will not be able to reunite with his father.

I ask this President, I ask the Attorney General, I ask the Secretary of Homeland Security, was it worth it? Was it worth it?

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, let me thank Senator MERKLEY and others for organizing this important discussion—a discussion designed to reclaim American values. I also want to take this opportunity not just to thank Senator MERKLEY but to thank millions of people from coast to coast—people who are conservatives and progressives, Democrats, Republicans, Independents—for getting on the phone, for calling Members of Congress, for expressing their outrage that in the United States of America today, we have small children who are torn from their mothers and their fathers and locked up in detention cages. All over this country, regardless of one's political view, one understands that is not what this country is about and must never be about.

Tonight, as I understand it, we have Democrats here, but opposition to this

policy is widespread. Let me quote from a recent op-ed that Laura Bush, our former First Lady, the wife of a conservative Republican, wrote. This is what she said:

> Our government should not be in the business of warehousing children in converted box stores or making plans to place them in tent cities in the desert outside of El Paso. These images are eerily reminiscent of the internment camps for U.S. citizens and noncitizens of Japanese descent during World War II, now considered to have been one of the most shameful episodes in U.S. history.

This is former First Lady Laura Bush.

The good news is, because the American people spoke up, because some Republicans finally had the guts to do the right thing and convey their displeasure to the President, Trump has changed his policy. Let us be clear that the Executive order he issued today goes nowhere—nowhere—as far as it should go.

Mr. President, I am going to ask consent to have printed in the RECORD an article from the Daily Beast, a publication that came out tonight.

What they say is, there is no guarantee in this Executive order, as Senator KAINE has indicated, that the fate of the 2,400 children currently imprisoned will be changed. There is nothing specific in the Executive order that says those 2,400 kids will, in fact, be reunited with their parents. Presumably, this will apply to future apprehensions where children will be imprisoned with their parents.

Second of all, there is an effort in this Executive order to overturn the 1997 Flores settlement, which limits the government's ability to keep children in detention and orders them to be placed in the least restrictive settings as possible.

If you can imagine it, what this Executive order does is raise the possibility of children being in prison for very long periods of time. Is that better than them being separated from their parents? I guess. But does anybody really believe we should be imprisoning for an indefinite period of time little children? There are better ways to deal with this issue.

What is clear to the American people is that once again we have a President who caused this crisis by undoing existing policy. We have a President who I believe just the other day said: Nothing I could do, it is law.

Sadly, once again, he was lying. It is not Federal law. His decision to separate children from their parents was his decision and his decision alone, as he acknowledges today by announcing an Executive order ostensibly doing away with that policy.

Let me remind the American people that this terrible Executive order he issued separating children from their parents is not the first terrible Executive order with regard to immigration. Let us remember that months ago, Trump created the DACA crisis and put 1.8 million young people in this country—young people who were raised in this country, who are working and going to school or serving in the military—in danger of deportation because of a decision he made.

I say to the President, start working hard on a new Executive order and make that Executive order clear that the 2,400 children, now in jail, separate from their parents, will, in fact, be reunited, and make it clear that we will not keep children in prison for an indefinite period of time.

By the way, while you are at it, why don't you deal with the DACA crisis you created and provide the legal status that 80 percent of the American people want to see for the young people in the DACA Program?

Mr. President, I ask unanimous consent to have the article I referred to from the Daily Beast printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Daily Beast]

TRUMP'S FAMILY SEPARATION ORDER DOES NOTHING FOR FAMILIES HE ALREADY BROKE UP

(By Betsy Woodruff and Justin Glawe)

KIDS ARE THOUSANDS OF MILES AWAY FROM PARENTS WITH NO RELIABLE WAY TO FIND EACH OTHER—AND THEY MAY NEVER AFTER ADULTS ARE DEPORTED.

EL PASO, TX.—Immigrant families won't be separated anymore, thanks to a new order from President Trump, but that doesn't mean families will be reunited.

Trump signed an executive order on Wednesday ending the practice of taking children away from parents who enter the U.S. illegally. Already, though, more than 2,000 children have been separated, according to the government, and advocates and attorneys for them fear they will never see their parents again.

Despite Trump's order, there is no clear, publicly articulated plan to reunite families who are already detained. Parents are held in facilities near the border like McAllen, Texas while their children are sent to foster-care homes as far as New York, Illinois and Michigan. While the adults wait to be deported, their advocates must navigate multiple federal agencies to locate their children.

''The executive order that President Trump signed is no solution,'' said Michelle Brané, director of the Women's Refugee Commission Migrant Rights and Justice program, in a statement. ''First, there are more than 2,000 children already separated from their parents. This EO does nothing to address that nightmare.''

The Department of Health and Human Services will not make a special effort to reunite the children already separated from their families, according to a CBS report.

On Tuesday, an ICE spokesperson told The Daily Beast if a parent asks to be deported with a separated child, the agency will accommodate the request ''to the extent practicable.''

A child immigrant advocate in the Midwest looking after a 6-year-old Guatemalan girl described ''cold-calling'' ICE officials in El Paso and Washington, D.C. to reunited girl with her mother so they can be deported together.

The girl's mother is in ICE custody in El Paso after being turned away at the Paso del Norte port of entry where she sought asylum. The Daily Beast is providing the advocate with anonymity to protect the identity of the mother and child from feared retribution for speaking out.

In her case, the advocate says an Office of Refugee Resettlement agent was helpful in coordinating with ICE, but that isn't always the case.

''There's some actors that are more willing to cooperate than others,'' the advocate said.

The advocate estimated many of the separated children will be in the U.S. six months from now. ''I would say these children will still be here,'' the advocate added.

Even if a foreign government agrees to allow a immigrant back into the country, there is no guarantee that U.S. court cases for the parent or the child will be resolved at the same time, allowing them to return together (Adults are being tried in criminal court, while children are tried separately in immigration courts.)

DHS conceded that parents have been deported without their children.

''When parents are removed without their children, ICE, ORR, and the consulates work together to coordinate the return of a child and transfer of custody to the parent or foreign government upon arrival in country, in accordance with repatriation agreements between the U.S. and other countries,'' the spokesperson said Tuesday.

Chris Carlin, head of the federal public defender's office in Alpine, Texas, told The Daily Beast that he fears some of his clients will never be reunited with their children.

''I think that's a real possibility,'' he said.

Many of the deported parents return to homelessness and poverty, Carlin said, and may not be reachable by the U.S. government who is still holding their child days, weeks or months later.

HHS has put the children of Carlin's clients in foster homes as far away as New York and Illinois, and he said this makes the obstacle of reconnecting children to their parents potentially insurmountable.

''In the cases that I'm personally familiar with, I don't see any evidence of any plan to reunify the parent and the child after the conclusion of the adult's criminal case,'' Carlin said. ''I don't see any evidence of that at all.''

Parents in detention are unlikely to have all the requisite identification documents DHS and HHS demand to prove that a parent and child are in fact related, according to Carlos M. Garcia, an immigration attorney in Austin.

Garcia said none of the people he met with had received any paperwork on how to find their children. However, The Daily Beast obtained an ICE document that is handed out to immigrants once they're detained. It contains several phone numbers for parents to try to find their children. One number notes that the lines are monitored by DHS, possibly scaring away undocumented members of immigrants' families.

''Who knows when they'll be reunified, if they are reunified,'' Garcia said.

A former ICE director told NBC News parents and children may be separated for years, if not permanently. ''You could be creating thousands of immigrant orphans in the U.S. that one day could become eligible for citizenship when they are adopted,'' said John Sandweg, who served as ICE's acting director in the Obama administration from 2013–2014.

The children of parents who have been deported may sometimes be able to gain the legal right to stay in the U.S. if they can make a valid asylum claim, qualify for special immigrant juvenile status, or qualify for a visa for crime victims, according to Ashley Feasley, the director of policy at Migration and Refugee Services in U.S. Council of Catholic Bishops. Her organization works

with children who have been separated from their parents.

''How do we ensure that we can connect a mom that's been deported to make sure she is fully informed of her child's rights and responsibilities under the immigration system, and do so in the timely manner that we'll need to as prescribed by our immigration laws?'' Feasley said. ''That's a big concern of mine.''

Children who have been separated from their parents usually get a brief legal orientation, but most don't have lawyers so they have to face an immigration judge alone. If their parents are deported or in detention, they may have no idea what kind of legal decisions their children face.

''These kids are traumatized,'' the Midwest advocate said. ''The families are heartbroken.''

Mr. SANDERS. I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I thank my colleagues who are here tonight and Senator MERKLEY for organizing this evening.

The President has taken a step back from a crisis he provoked, a crisis he caused, and it seems like it is a rare recognition on his part that when a President speaks and a President acts, he speaks and he acts on behalf of the American people, not on his own behalf. The American people could not stand the idea that this country would do what it did to these kids in their name. They could not stand the idea that the whole world would see the separation of children from their parents on the southern border of the United States of America—perpetrated by our own government.

Finally, probably for the first time ever, this President relented to the values the American people share whether they are conservatives or whether they are liberals or something in between that. That is a reason to say I am glad we are moving in that direction.

Maybe another good thing will come out of this, which is that the people who stood up who work for this administration and defended this terrible, inhumane policy in the name of the law and in the name of religion—the Bible—might think harder the next time they do that at a moment of conscience like this one.

As my colleagues have said, it is not clear tonight what is in the policy. I quote a New York Times article that is on the front page of the paper tonight.

It reads:

And a Health and Human Services official said that more than 2,300 children who have already been separated from their parents under the President's ''zero tolerance'' policy will not be immediately reunited with their families while the adults remain in federal custody during their immigration proceedings.

''There will not be a grandfathering of existing cases,'' said Kenneth Wolfe, a spokesman for the Administration for Children and Families, a division of the Department of Health and Human Services. Mr. Wolfe said the decision about the children was made by the White House, but he added, ''I can tell you definitively that is going to be policy.''

So what are they saying—that current kids aren't going to be grandfathered, that the current kids who have been on the TV this week and the week before are not going to have the benefit of this Executive order?

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 20, 2018]

TRUMP RETREATS ON SEPARATING FAMILIES, BUT THOUSANDS WILL REMAIN APART

(By Michael D. Shear, Abby Goodnough and Maggie Haberman)

WASHINGTON.—President Trump caved to enormous political pressure on Wednesday and signed an executive order meant to end the separation of families at the border by detaining parents and children together for an indefinite period.

''We're going to have strong—very strong—borders, but we are going to keep the families together,'' Mr. Trump said as he signed the order in the Oval Office. ''I didn't like the sight or the feeling of families being separated.''

But Justice Department officials said it was not clear whether the practice of separating families could resume after 20 days if a federal judge refuses to give the government the authority it wants to hold families together for a longer period.

And a Health and Human Services official said that more than 2,300 children who have already been separated from their parents under the president's ''zero tolerance'' policy will not be immediately reunited with their families while the adults remain in federal custody during their immigration proceedings.

''There will not be a grandfathering of existing cases,'' said Kenneth Wolfe, a spokesman for the Administration for Children and Families, a division of the Department of Health and Human Services. Mr. Wolfe said the decision about the children was made by the White House, but he added, ''I can tell you definitively that is going to be policy.''

The president signed the executive order days after he said that the only way to end the division of families was through congressional action because ''you can't do it through an executive order.'' But he changed his mind after a barrage of criticism from Democrats, activists, members of his own party and even his wife and eldest daughter, who privately told him it was wrong.

Stories of children being taken from their parents, audio of wailing toddlers and images of teenagers in cagelike detention facilities had exploded into a full-blown political crisis for Mr. Trump and congressional Republicans, who were desperate for a response to those who have called the practice ''inhumane,'' ''cruel'' and ''evil.''

The president's four-page order says that officials will continue to criminally prosecute everyone who crosses the border illegally, but will seek to find or build facilities that can hold families—parents and children together—instead of separating them while their legal cases are considered by the courts.

But the action raised new questions that White House officials did not immediately answer. The order does not say where the families would be detained. And it does not say whether children will continue to be separated from their parents while the facilities to hold them are located or built.

Officials on a White House conference call said they could not answer those questions.

Mr. BENNET. Mr. President, the headline of the article reads: ''Trump Retreats on Separating Families, but Thousands Will Remain Apart.''

We need to know, and that, obviously, isn't going to be acceptable to the American people if that is what it is.

The last point I want to make tonight, because I know I have other colleagues here, is that it does not help matters when the President is completely allergic to the truth on any dimension but especially on this one.

Today, at the White House, in front of all of the cameras and in front of the Republicans he invited there—he didn't invite any Democrats—this is what he said in lamenting the fact that he couldn't do a deal with Democrats.

This is the President:

We're having a lot of problem with Democrats.

They don't care about lack of security, they would like to have open borders, where anybody in the world can just flow, including from the Middle East—from anybody anywhere they can just flow into our country. Tremendous problems with that. Tremendous crime caused by that. We are just not going to do it.

That is what he said is our position.

As the Presiding Officer knows, I was on the Gang of 8 in 2013 that negotiated what was called the Border Security, Economic Opportunity, and Immigration Enforcement Act of 2013. The first two words in that title are ''border security.'' It got 68 votes on this floor. Every single Democrat voted for it. I want the American people to know what is in it because they will never hear from the President as to what was in it:

There is $46 billion dollars for border enforcement; $30 billion to hire and deploy nearly 20,000 new Border Patrol agents, doubling the total number, a doubling of the number of Border Patrol agents; $8 billion for a fence along the southern border at least 700 miles long; $4.5 billion for new surveillance technologies, including air and marine surveillance so we could see every inch of the border, so we would know what was happening there; $2 billion to enact recommendations of a newly established southern border security commission; $750 million to expand the E-Verify; the remaining $1.5 billion dollars for administrative costs to the Departments of State, Labor, Agriculture, and Justice.

That was the border security bill we passed in 2013, and that is the border security bill we should pass today. The only reason it is not the law of the land today is that the House would not let it come to a vote. Had they let it come to a vote, had the Speaker allowed it to come to a vote, it would have passed.

I think, collectively, we should go back to that work and see if we can't actually solve the problem rather than just play politics with it or, in the case of what we have just seen, rather than play politics with the lives of the children on the southern border.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I come to the floor to talk about the President's Executive order about the separation of family policy and about the incarceration of family policy that has now replaced it. There are details that are unknown at this point about how this program will be working as we go forward, but we know enough right now to have the most serious and significant concerns about the President's Executive order.

Every great nation—even the greatest Nation in the history of the world like the United States of America—has moments of extraordinary shame, times when it loses its moral compass, and it simply takes the wrong direction. We can remember a number of them in our own Nation's history. One of them was the internment of Japanese children who were thrown into World War II-era detention camps and imprisoned, in effect, with their parents. Almost every lawyer in the United States of America and most citizens know the name Korematsu, and that is because it was a moment of shame for this country.

Ending family separation—the process of tearing children away from their moms and dads—is a welcomed and humane step, but the solution should not be the indiscriminate and indefinite detention of children. Family separation should not be replaced by family imprisonment. There is no moral advantage to incarcerating children as opposed to tearing them away from their parents. In fact, it is not only immoral, it is illegal. The courts have said so on a number of occasions—in 1997, in the Flores case, which is now well-known to everyone, but more recently, in fact, as recently as 2016. The reason goes to the core of our constitutional principle about how and when and whom we imprison, how we take liberty away from people.

Indefinitely imprisoning children and families is still inhumane and ineffective law enforcement. President Trump's current policies will put children behind bars indefinitely and indiscriminately. Children will experience many of the same enduring of trauma, pain, and harm. The world will continue to watch the United States of America lock up innocent children and throw away the key.

Much like the policy of family separation, this new policy of indefinite and indiscriminate family detention harkens back to those dark days, to those moments of shame in this country during World War II. History will judge us as harshly if we fail to speak out and stand up at this moment of testing. The gaze of history is upon us now. It is upon the President. It is upon every Member of the U.S. Senate.

There are immense costs to this policy—$775 a day, per individual, at these detention camps. Yet the costs are way beyond dollars and cents; they are to the moral image and authority of this country and to our self-image—the accountability to ourselves, to our own sense of morality and humanity.

The world was outraged when it saw children being torn away from parents, and now the President has acknowledged that his heart responded as well. Yet soon—and I would predict very soon—we will see images as striking, as stunning, and as repugnant as those images of taking children away from their parents when we see those images of the detention facilities, cages, and of children—young people behind bars and packed beyond capacity—on military bases and other places that were never designed to be holding facilities. The world will be outraged by those images as well—of the sights and sounds of those children.

We owe this new policy a special scrutiny and a strong sense of outrage if it is what it seems like right now. We cannot remain silent about the children who have been already separated from their parents. Nothing in this Executive order—not a word—provides for the reunification of the thousands of children who have already been separated from their parents. What will happen to them? Where are they? Where are their parents? How will they be reunited? What trauma will they continue to endure? This policy remains as inhumane and cruel for them as it was earlier today or this week.

All of us bear a responsibility in this moment. I urge my colleagues to take this day—World Refugee Day—to commemorate the great work done by brave individuals in this country who help to resettle refugees and the refugees themselves who had the courage and strength to come here after having made the journeys from shores far away and after having overcome obstacles most of us have never confronted.

There are solutions other than putting children into detention camps. There are release programs that involve oversight and supervision. There is also a case management program that has been working, along with other cities' efforts, that has been used for releasing them. We should choose the least restrictive alternative, the least burdensome one that best serves the purposes of law enforcement. Make no mistake, we have that obligation not only as a matter of heart and morality but also of law.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I begin tonight by thanking my colleague Senator MERKLEY for his leadership on this issue.

I rise to join my Democratic colleagues and millions of Americans who have been appalled and outraged at the humanitarian crisis that President Trump has created on our southern border.

Make no mistake, these past few weeks have truly been an affront to our American values. By now, we have all witnessed the horrifying reality—the images of children being held in cages, the cries of screaming kids who have no idea where their parents are being taken or if they will ever see them again.

The Department of Homeland Security announced that between May 5 and June 9, the Department took 2,300 children—approximately 70 children per day—from their parents. Pediatricians, psychologists, and health professionals have made clear the lasting harm of these forced separations. According to experts, when children are forcibly removed from their parents, the amount of toxic stress can cause neurons in the brain to be killed off, leaving damage that impacts brain development and can cause long-term behavioral health issues, although no parent needs a doctor to tell them that.

The fact that our government has engaged in this type of physical and psychological damage to children is morally reprehensible. These actions have been unacceptable and completely unnecessary.

Let's be clear. The President created this crisis, and over the past days and weeks, the President and his administration made false claim after false claim, saying that there was nothing they could do to reverse the President's own actions. The fact that the President bowed to pressure and signed an Executive order today cannot undo the trauma that has already been inflicted.

We cannot forget about the children and parents that remain separated tonight, and immediate action must be taken to reunite children with their families. Earlier tonight, there were reports that the Department of Health and Human Services will not—will not—make special efforts to reunite children who have already been separated from families because of the President's actions. We cannot and will not accept this continued brutality. The President must act immediately to reunite these children with their parents. Surely the U.S. Government is capable of that.

In the United States of America, we must work to secure our border in a manner that reflects our values, and I am committed to working with anyone on comprehensive bipartisan immigration reform.

Separating children from their families was an abhorrent policy to pursue, and it will forever mark a dark and shameful period in our country's history.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Ms. HARRIS. Mr. President, I want to thank Senator MERKLEY for bringing us all together to address what is, I think, as my colleague Senator HASSAN has said, one of the dark marks in the history of our country.

I rise today to call attention to what has clearly been a human rights abuse committed by the U.S. Government, and that is the outrageous and inhumane separation of children from their parents at the border. This morning,

thousands of children woke up without their parents, not knowing where they were, not knowing when they would see them again, not knowing the adults who surround them, having no relationship of trust with these people who have removed their ability to be in the arms and embrace of their parents. This is simply inhumane, and it is unacceptable.

Even with the Executive order from the President of the United States, that number will be the same tomorrow. Those 2,000-plus children will be in the same situation tomorrow that they were in today and the day before and the day before and the day before that.

Over the last few months, the Department of Homeland Security has separated more than 2,000 children from their parents at the border, many of them younger than 4 years old. Let's be clear about what that point is and that moment is in this stage of human development. Age is more than a chronological fact. There are phases of childhood that can never be replaced—phases of childhood that when that child experiences trauma, he or she will have lifelong impact; phases of life during which a child is so innocent and needs love and needs nurturing and needs that love and nurturing from their parents. It cannot be replaced by anyone else, and certainly not by the cage in which they are now being held.

So let's look at where we are. It is a child's worst nightmare, a nightmare that is displayed, as my colleagues have discussed, in the stories of a child who was apparently ripped from her mother's breast while being breastfed. There are nightmare stories of a 3-year-old who was torn from the arms of his father and the father being so distraught that he took his own life.

We should tell the truth. We have to speak the truth. The American public knows the truth. Let's speak truth here in the U.S. Senate. Let's speak truth as leaders and acknowledge the lifelong consequences of the separation we visited upon these children and their parents. The American Medical Association and the American Academy of Pediatrics have weighed in on this topic, and what they have said is that family separation in these cases, not as a general matter—it is generally true—but specifically in these cases it will cause lifelong trauma. They have indicated there is empirical evidence of the fact that it is likely to cause significant harm to the brain structure of these children and will affect these children's long- and short-term health.

Let's be clear. A society is judged based on how it treats its children. A society is judged based on how it treats the least among us, and we will be judged harshly. History will judge us harshly because of what this administration has done.

As I stand here at this moment, hours after the announcement of the Executive order on this issue, I find it shocking that the Executive order fails to acknowledge that over 2,000 children are currently, at this very moment, without their parents. I find it shocking that the Executive order fails to acknowledge, take into account or even concern itself with the fact that tonight there will be over 2,000 children who will go to bed, who will go to sleep without a kiss goodnight from their mother or their father. There are 2,000 children in our country tonight who will go to bed without a hug from their parents. The 2,000 children tonight will go to bed asking: Where is my mommy? Where is my daddy? This is an outrage.

It is an outrage—not to mention these children are innocent and have committed no wrongdoing whatsoever. Let's be clear.

Thankfully, the American people have been speaking out over these last many weeks, and that is the only reason the administration finally had to acknowledge that politically it could not survive its misdeeds. There has still been no acknowledgment by this administration that it visited this policy upon itself and, after urging from every type of person from every walk of life, still held steadfast in supporting this policy. Then it started to snowball, and they couldn't stand by it any longer, but it was only because of the pressure, only because of the relentless coverage by journalists who went to Texas, who went to California and the activists who stood outside of those detention centers and demanded that there be justice and humanity in this system, and it was because of that activism and because of those people speaking out that finally this administration did what was necessary to end the thing that it started around the separation of these children. But this is not enough.

The reality is that there is nothing about this Executive order that addresses those 2,000 children who are currently without their parents. There is nothing about the administration's stated policy as of today that indicates any plan to reunify those children with their parents.

Let's look at the effect of this Executive order. The effect is there is still indefinite detention of families in America because of this administration's policy. So now we are going to go from babies in cages to babies with their mommies in cages.

Let's be clear about the effect of this Executive order. Millions more taxpayer dollars will be used to expand detention camps on top of the billions of taxpayer dollars that have already poured into this detention system.

Let's be clear about the effect of this Executive order. The so-called zero tolerance policy that created this problem in the first place is still in effect. It is still in effect.

Let's be clear about this Executive order. The effect is to suggest that a mother fleeing the murder capital of the world—which is what the zero tolerance policy suggests—that a mother fleeing with her child from the murder capital of the world should be treated as being a threat to our safety that is equal to being a member of a transnational criminal organization. As a prosecutor for most of my adult life, I find that absolutely disingenuous and absolutely wrong on a moral level, on an ethical level, and devoid of any reference to real fact. But I am not surprised, given the administration's track record on this issue.

If you look at what has been coming out of this administration in terms of its policies, it paints a constellation of attacks on immigrant women, immigrant children, and immigrant families. Let's look at the constellation before us and what has been going on.

Let's just look at how this administration has changed the policies about detention of pregnant women. Before this administration acted on this subject, it was the policy of the U.S. Government to place pregnant women in the least restrictive place, where they could be able to get the kind of prenatal care they so desperately need and deserve. This administration rolled back those protections of pregnant women.

Let's look; there used to be a policy that gave a presumption that pregnant women would not even be detained and should be in less restrictive situations, but this administration changed that policy.

Let's look at how the Office of the Inspector General and the Government Accountability Office have raised serious concerns about oversight and conditions in the detention facilities. There is nothing about this Executive order that addresses those concerns.

Let's look at a complaint filed just last year by numerous organizations, such as the Women's Refugee Commission, that documents insufficient medical care and inhumane conditions for pregnant women in ICE custody—all of which is why I have been proud to work with Representative JAYAPAL to introduce the DONE Act, which will slash ICE detention beds by using alternatives to detention and would increase badly needed oversight of these facilities.

Let's look at another policy. There are reports that the Department of Homeland Security is looking at decreasing the standard of care for children in detention facilities—decreasing the standard of care. These standards govern the types of meals that a child must eat in order to be healthy. These standards govern the kind of recreation a child should receive, again, in order to be healthy, and just this past month, the Attorney General of the United States announced a decision that makes it nearly impossible for victims of domestic violence, over 90 percent of whom are women, to seek asylum in the United States.

Let's look at one final policy that makes this administration's priorities around children very clear—the fact that they have ended DACA. We have talked about this extensively. We have talked about how the American Government made a promise to these

Dreamers, these young people, and this administration has failed to keep that promise.

So what we see is an administration that is engaged in an act of complete hypocrisy, pretending to care about families and children, when in fact, they have a track record of policies that are specifically damaging to families, women, and children.

In conclusion, there is no medical or logical reason that dictates or requires this administration to detain more pregnant women, and it has to stop. There is no evidence that says you should reduce care for children in detention facilities. That has to stop. There is no reason not to have a plan to reunify the 2,300 children who will go to sleep tonight torn from their parents and alone. There is no reason, and it has to stop. This is not reflective of who we are as a country. We are better than this.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I really appreciate the comments of my colleague from California. She brings her background as a prosecutor, as attorney general to bear, as well as the heart of an American who understands that it is not within the scope of America's history or of our traditions or of our culture to treat those who are fleeing persecution by then persecuting them when they arrive on our shores. It is quite the opposite. Thank you for your comments tonight.

Thank you to my colleagues who have spoken before, the 13 Members of the Senate who came and spoke this evening, sharing some very powerful stories. In several cases, they told powerful stories about their own family history, about their own parents or grandparents coming here to the United States of America, placing themselves in a situation. They spoke about how they might have suffered if President Trump had been in office when their families came to the shores of the United States and if they had been separated from their parents when they arrived.

It really helps sometimes to put yourself in the shoes of others, to recognize that outside of our Native Americans, virtually all of us have roots that involve families fleeing persecution, fleeing civil war, fleeing religious oppression, fleeing starvation, and coming here to the United States of America. When they came to the United States, they knew that the general principle of our country was to treat them with respect and dignity.

It has always been symbolized by Lady Liberty. Lady Liberty says: ''Give me your tired, your poor, your huddled masses yearning to breathe free.'' That quote is the one we all know from Emma Lazarus. Her poem inscribed on the Statue of Liberty has some other powerful lines, like this one: ''From her beacon-hand glows worldwide welcome.'' That has been the attitude of America. She says ''the wretched refuse of your teeming shore. Send these, the homeless, tempest-tost, to me. I lift my lamp beside the golden door!''

Well, that golden door, Lady Liberty's torch lighting the path, has been desecrated by President Trump because he has a new inscription, a new message he wanted to send. That message is called a deterrent. If you are fleeing oppression abroad and you wash up here on the shores of the United States of America, we are going to put you in handcuffs, we are going to throw you in prison, and we are going to take away your children. That is hardly the powerful vision of respect and dignity that has been the hallmark of how we treated those fleeing oppression throughout our history.

Pregnant and fearing for her unborn baby's life, a woman fled a death threat from a drug cartel in Honduras. She made her way to America, delivering her baby girl, Andrea, along the way. On Sunday, a group of seven Members of Congress—myself included—met her and her baby. We had gone out on the bridge to see what was going on because we had heard that our American border guards were blocking those seeking asylum from coming across that bridge. They were demanding to see papers of people on the pedestrian bridge, saying: You have a visa, fine. You have a passport, fine. You have no papers and you are seeking asylum, you are not welcome. You may not enter.

I found it hard to believe that we would treat those fleeing persecution, seeking asylum, in that manner, but I heard from others that was the case, and there were articles in the newspaper. We went out there, and we saw it firsthand.

Here is this mother with her baby girl. We were able to talk to her because when we came off the bridge and went into the Hidalgo Port of Entry, through those doors, they had a variety of counseling rooms there. One room was holding 10 or so individuals.

I said: Have you let in anyone who is seeking asylum?

They said: Oh, yes.

I said: Can we meet that person?

They said: Yes.

They brought her out to us with her little girl. She sat down. I sat down beside her.

We asked her some questions.

Why are you fleeing from Central America?

She said: My family took a loan from a private bank. The private bank has a relationship with the drug cartel or criminal empire that runs that part of the city. We can't repay the loan. We had been told that I am targeted to be killed. I was safe as long as I was pregnant, but as soon as I delivered, I would be at high risk. With a month to go in my pregnancy, I fled. I fled to protect the life of my child and my life. I fled.

Unfortunately, her uncle was killed. She escaped, but her uncle was killed. I think we all have to conclude that her fear was very real. There she is, 8 months pregnant, taking the journey from Honduras north up through Guatemala, through Mexico, to get to the United States, stopping along the way to deliver her baby.

I think about the journey of Mary and Joseph with Mary pregnant, seeking shelter, a place to deliver her child, Baby Jesus. She was let in, given accommodation, taken care of, welcomed.

This woman was largely on her own, as far as I could make out. She continued north with her newborn, and she made it to our border finally, escaped the drug cartel, escaped the death threat, and delivered her baby. She made it through Guatemala and Mexico. She got to our shore—the shore so long symbolized by Lady Liberty and her beacon of hope and welcome. She got to the border, and she tried to cross the pedestrian bridge, and she was stopped. She was sent back. She said she tried multiple times to get across that pedestrian bridge, and she was rebuffed again and again.

I said to her: How did you get across the bridge?

We had been out there. We had seen the border guards stopping those without papers.

How did you get across?

For just a moment, an absolute smile lit up her face. She said that as she was sent back time and again, she would study the situation, and she saw that there were people out washing the windows on the car bridge.

She said: I had a plan.

She went out and she borrowed a squeegee from one of the car window washers who were washing car windows and asking for tips. She washed windows all across the bridge, making her way through the cars to the United States of America, and then she was able to open that door to the port of entry in Hidalgo.

That is how hard it was for one young woman with a 65-day-old child in her arms to get the opportunity to seek asylum in the United States of America.

It troubles me to reread the transcript of Secretary Nielsen, who proceeded to say that there is no reason for people to cross our borders; all they have to do is come to the port of entry. That is all they have to do. But she is in charge of this program of slow-walking those seeking asylum to only let in a few at a time and send them back time and time again.

There was an attorney who was doing pro bono legal work for immigrants. On my first trip down 2 weeks ago before last Sunday, she told me that when she got out to that bridge, there were some 40 families sleeping on the bridge, waiting to be allowed to come in.

When I went on Sunday with the congressional delegation, we said we wanted to go out on the bridge.

The officer said: Well, there is nobody on the bridge.

I asked: Why not? They were there 2 weeks ago.

He said: There is no one on the bridge. You can go out and see for yourself.

Well, here is why there was nobody on the bridge: There is nobody on the bridge because they are not being let past the American border guards to come to the American side of the bridge.

This pro bono immigrant advocate and attorney said that those folks are trapped in a terrible, no-win situation because if they return to the Mexico side, the gangs in that city know they are easy prey. She recounted how some had been kidnapped and then their families had been extorted to get the money to free them. It is almost better for somebody to be on the bridge waiting than to be sent back to the Mexican side.

Those who run out of patience and end up crossing the border by going across the nearby river—the bridge is actually over the Rio Grande River. If they do that, then the administration says: You have committed a crime. We are going to lock you up and take your children away.

Another young woman we met on this trip was hanging her head with hopelessness and resignation. She told us she had presented herself for asylum at an official port of entry because she heard the right thing to do was to ask for asylum. Despite doing it at a port of entry, she was charged with illegally crossing the border. Now she sits in an ICE detention center with no idea where her child is, no communication with her family, no legal representation. Will she ever see her toddler again? She doesn't know. I don't know. Do you know whether she will ever see her child again?

Another mother we talked with was panicked over her child's health. She said that her child had medical conditions. When the border guards took the child away, they didn't get any of the information from her about how he needed to be cared for. She is deeply disturbed. She was pleading with them to take the medical information. She still doesn't know where her child is. She doesn't know how he is going to be cared for. How is that mother going to find out about her son's health?

Here is what we know. This policy, which was run as a pilot project last summer, was officially sanctioned with a policy memo on April 6 and was officially announced on May 7. This policy of separating children from their parents is an extraordinarily egregious assault on the welfare of the parent, and it inflicts massive trauma on the child. The American Academy of Pediatrics describes it this way: ''irreparable harm.'' It is harm that cannot be fixed.

Our colleague from Hawaii shared the story of family separation when her mother was not able to bring all of her children with her when she escaped domestic violence and came to the United States to start a new life and the lifelong impact that this has had on her brother.

Well, here is a piece of the puzzle we should spend a lot of time thinking about. Attorney General Sessions just changed the policy of the United States about what qualifies for asylum. So my colleague from Hawaii, whose mother fled domestic violence, would no longer qualify for an opportunity for asylum in the United States of America. She would have been turned away and sent home, back to the horrific circumstances from which she escaped, and my colleague today would not be a U.S. Senator, sitting here helping us to understand this issue through her personal, powerful experience. That mother, the window washer who carried her baby, Andrea, 65 days old, she told us, in one arm and a squeegee in the other, washing windows to get across and finally bypass the American border guard so that she could present her case for asylum—she was fleeing a gang. A drug cartel is defined as a gang, so she is not eligible for asylum—a change that was just made by Jeff Sessions unilaterally. This was an established policy to serve thousands of families fleeing from oppression overseas, and they have just lost their legal standing to be able to present their cases.

I was distraught about this Executive order that came out. It is very vague. The President—was he ready to stand up and take responsibility for the policy he implemented? Was he ready to say: I thought it was right, and here is why. I hear the American people. I hear the Southern Baptists. I hear the evangelical leaders. I hear the United Methodists. I hear the citizens profoundly disturbed by the treatment of children from every corner of the United States, from every part—from Alaska to Florida, from Maine to Southern California, and across Hawaii. I hear them, and I am going to do better. I am going to change this. I am going to modify what we do.

Did he take responsibility? No.

He titled it ''Affording Congress An Opportunity To Address Family Separation,'' and then he proceeded to say nothing about actually uniting the families he has already separated. There is not a thing in here about actually remedying the harrowing plight that he has now put several thousand families into—and counting. The last count I heard was 2,300, and that was days ago. Where are we now? There are 2,500 families separated, children separated from their parents.

What do we know about this situation in which the existing children are going to be united or not united? We have an article from the New York Times that my colleague from Colorado referred to this evening. It answers the question very plainly. I have heard various analyses saying that this Executive order fails to address what is going to happen to the current children, those children who were sent far away from their parents and their parents are incarcerated. The parents are in prison far away. Where are the children? Far away. What is going to happen to them? This doesn't say.

It does say that it is the policy of this administration to maintain family unity, as if it has always been the policy of the administration to maintain family unity. It doesn't announce that they are reversing the previous policy. It doesn't announce a new policy. It says that it is the policy to maintain family unity.

If it is the policy to maintain family unity, then why do I have this in my hand, this article from the New York Times, quoting Kenneth Wolfe, a spokesman for the Administration for Children and Families?

Realize this: When the Department of Homeland Security takes children away from their parents, it then ships them out to a different agency, the Administration for Children and Families, which is a part of the Office of Refugee Resettlement, which is part of the Department of Human Services. So the children are torn away by Homeland Security, and then they are put in a different department over here, a subsection called the Administration for Children and Families. So here is the spokesman, and he says: ''There will not be a grandfathering of existing cases.'' ''Cases''—what a word to describe children ripped away from their parents. They are cases; no ''grandfathering of existing cases,'' he said.

He goes on to say: ''I can tell you definitively that is going to be [the] policy.'' Well, I can tell you definitively, I am going to fight that policy. I am going to fight that policy of failing to reunite these families after the administration says that it is policy to keep families together and then says: But not all the children we have already harmed.

This is pretty disturbing, but it is only the half of it. What is the other half? The other half is that the administration has not given up on its strategy of deterrence based on injuring children. It is a strategy laid out by Jeff Sessions, supported by Chief of Staff John Kelly, with Steve Miller chiming in to say: This will work. They want to deter people from seeking asylum here in the United States of America by mistreating those who arrive and try to seek asylum. They use the word ''deterrence'' to send a message of what will happen to you if you try to come here.

There is no moral code in the United States of America or in the world that would support hurting children to send a message to families still overseas. There is no religious tradition on this planet that supports injuring children to send a message overseas. But here we have Mr. Wolfe speaking definitively that nothing is going to be done for those children, those more than 2,000 children who have been separated from their parents.

Moreover, the other half of the policy is that for those now coming in, it will

be the official strategy of the United States of America to incarcerate the children along with the parents. That is the plan. We have already gone down that path in the past. Experts have already weighed in, saying that incarcerating children with their families—they may not be separated, but they are incarcerated. They can't go to school. They can't play on the playground. To continue this policy of deterrence, that is another strategy of injuring children. That is deeply, deeply disturbing, and it is profoundly unacceptable.

We have done this before. We have put families together in prison camps. We did it in World War II. We took our Japanese-Americans, and we put them into prison camps. It was a profoundly disturbing chapter in our history. Now the President says that is his new plan—to put families together in prison camps.

So, no, I am not happy that the President has ended the policy of family separation because he hasn't ended the strategy of harming children. The fight must continue. The pressure must continue. The weighing in by religious group after religious group needs to continue. The legal challenges need to continue. The debate here on the floor of the Senate needs to continue. We cannot accept family prison camps here in the United States of America.

I was struck by the fact that we had a program that was working pretty well. That program is called the Family Case Management Program. Here in my hand is the report from the Office of the Inspector General of Homeland Security. This is the inspector general's analysis of the Family Case Management Program to keep families together and out of prison and to make sure they show up for their hearings, their asylum hearings. This report is from just a few months ago, November 30, 2017.

For those who want to look it up online, just look up OIG—for Office of the Inspector General—-18–22. That is OIG–18–22, and you will immediately see a copy of the inspector general's report. It takes a look at this program, the Family Case Management Program, which addresses this challenge in a whole different way.

Here is what it says, in summary:

> As of March 30, 2017, ICE reported that it expended $17.5 million in program costs to enroll 781 active participants in FCMP—

the Family Case Management Program—

> across all five locations. According to ICE, overall program compliance for all five regions is an average of 99 percent for ICE check-ins and appointments, as well as 100 percent attendance at court hearings.

It doesn't get much better than 100 percent of people showing up for their court hearings. This didn't require a family prison camp. This got 100 percent by treating people with respect and having a case manager who actually spoke their language check in with them, making sure they had their cell number and their home number and knew where they were living, and making sure they knew the date and understood the importance of showing up both for their check-ins and appointments and their court hearings.

They didn't have 80 percent show up for their court hearings; they didn't get 60 or 40 percent. They got 100 percent.

So there is no argument—no argument—that you have to incarcerate people to have them show up for a hearing, and there is no morality in continuing to injure children in order to send a message of deterrence to people overseas.

Then we have the plan, through all of this incarceration, to build prison camp after prison camp. We have a picture of the tents.

There are children in this new prison camp that is near El Paso, TX. They ran out of room. They ran out of room at Casa Padre. Casa Padre is a big former Walmart that was serving as a detention center for children—children who were unaccompanied minors and children who were separated from their parents. They said earlier this year that they had 300 children there, and in April they had 500 children there.

When I went down there 2 weeks ago and stood outside that Walmart, trying to gain entry after having been denied a waiver to visit it with less than 2 weeks' notice, I said that I had heard from refugee advocates that there were hundreds of kids behind those doors in Walmart—hundreds—and there might even be as many as 1,000 children behind those doors. Even as I said those words, I thought: That is not possible. It is not possible that 1,000 children are locked up in that Walmart.

What did we find out 2 weeks later? A congressional delegation going down and getting a waiver to be able to visit—there weren't 1,000 children there. There weren't 1,100 children there, not 1,200, not 1,300, not 1,400. They had gotten a special adjustment to their permit to allow 1,500 children to be in that Walmart. There were 1,500 children sleeping, living, spending the day, apparently trying to go to class—1,500 in this one building. They said they actually were at capacity. They said: We do have a few slots. But it was something like 1,467 kids. So maybe they had one busload that they could add.

That is why the government is building this tent city—for all the children they are detaining, for all the children they are ripping away from parents.

Now the administration says: We will take these same tent cities, these same prison camps, only we will put whole families in there. By the way, for those children we see in this picture—the almost 1,500 boys I saw at Casa Padre—they don't get to be united with their families because Kenneth Wolfe, the head of the Administration for Children and Families, says that there will not be a grandfathering, meaning those kids are out of luck. For as long as their parents are incarcerated, they are out of luck.

Now, a lot of parents were told: You are only going to go through a court proceeding. It will just take a day or two, and you will be united with your children. That, in many cases, is a lie. If they were asserting asylum, the administration has decided to keep the parents incarcerated until their asylum hearing which, at this point, could be many months into the future, sometimes over 1 year into the future.

There is one woman who said that she came here expecting to be able to assert her asylum claim. She didn't know if it would be judged to breach the standard for asylum in the United States, if she would have enough evidence to demonstrate legitimate fear of return and that she had been persecuted before she came. She didn't know if she would meet those standards, but she said: What I have learned is that my child has been shipped off. She actually said ''children.'' She had several children. She said: It may be that I will be in prison for a year. So I have two choices. One is to give up my asylum claim and be shipped home; the other is to be in prison for a year. She said: For my children's sake, I will ask my sister to adopt my children. She was trying to find some decent way, with asylum blocked and threatened with a year in jail, just to get an asylum hearing.

For those Members of the Senate who have family histories with people who have come from abroad—and I would say it does include every single Member of this Senate; I don't think a single Member of this Senate is 100 percent Native American; so every Member here has a family history with all of these branches going out for generations—imagine your grandfather, your great-grandfather, your great-great-grandmother, and what would have happened if they had arrived in the United States and they told them: You must leave your children aside and be in prison for a year, knowing what harm it will do to your children, and knowing that at the end of the year you might not be granted asylum anyway when you got that hearing.

So let's wrap this up. I believe that we must return to the vision of the Statue of Liberty. I believe that our Nation is a Nation that deeply resonates with the understanding that when those individuals flee persecution—they flee persecution—they should be treated with respect and dignity when they arrive on the shores of the United States.

We absolutely must not go to a family policy of incarceration. That is handcuffs for all, and it is completely unacceptable. We had, under family separation, handcuffs for the parents, and now the administration proposes handcuffs for all of the people and to put them in prison.

This must not stand. We must resist it with every particle of our being and

return to treating those who flee persecution with graciousness and fairness and dignity.

Thank you, Mr. President.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:45 a.m. tomorrow.

Thereupon, the Senate, at 8:45 p.m., adjourned until Thursday, June 21, 2018, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE TREASURY

DINO FALASCHETTI, OF MONTANA, TO BE DIRECTOR, OFFICE OF FINANCIAL RESEARCH, DEPARTMENT OF THE TREASURY, FOR A TERM OF SIX YEARS, VICE RICHARD B. BERNER, RESIGNED.

NATIONAL CREDIT UNION ADMINISTRATION

RODNEY HOOD, OF NORTH CAROLINA, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR A TERM EXPIRING AUGUST 2, 2023, VICE RICHARD T. METSGER, TERM EXPIRED.

BUREAU OF CONSUMER FINANCIAL PROTECTION

KATHLEEN LAURA KRANINGER, OF OHIO, TO BE DIRECTOR, BUREAU OF CONSUMER FINANCIAL PROTECTION FOR A TERM OF FIVE YEARS, VICE RICHARD CORDRAY, RESIGNED.

DEPARTMENT OF COMMERCE

JOHN FLEMING, OF LOUISIANA, TO BE ASSISTANT SECRETARY OF COMMERCE FOR ECONOMIC DEVELOPMENT, VICE ROY K. J. WILLIAMS.

DEPARTMENT OF STATE

MICHAEL A. HAMMER, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF THE CONGO.

MERIT SYSTEMS PROTECTION BOARD

JULIA AKINS CLARK, OF MARYLAND, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE TERM OF SEVEN YEARS EXPIRING MARCH 1, 2021, VICE ANNE MARIE WAGNER, TERM EXPIRED.

FEDERAL EMERGENCY MANAGEMENT AGENCY

PETER GAYNOR, OF RHODE ISLAND, TO BE DEPUTY ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY, VICE JOSEPH L. NIMMICH.

EXPORT–IMPORT BANK OF THE UNITED STATES

KIMBERLY A. REED, OF WEST VIRGINIA, TO BE PRESIDENT OF THE EXPORT–IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2021, VICE FRED P. HOCHBERG, RESIGNED.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MARK MONTGOMERY, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE R. DAVID HARDEN.

DEPARTMENT OF VETERANS AFFAIRS

ROBERT L. WILKIE, OF NORTH CAROLINA, TO BE SECRETARY OF VETERANS AFFAIRS, VICE DAVID J. SHULKIN.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. MARK D. KELLY

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. TIMOTHY J. MADDEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JEFFREY L. HARRIGIAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHRISTOPHER P. WEGGEMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS A. BUSSIERE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. KENNETH S. WILSBACH

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. STEPHEN M. TWITTY

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS ASSISTANT COMMANDANT OF THE MARINE CORPS IN THE UNITED STATES MARINE CORPS, AND FOR APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5044:

To be general

LT. GEN. GARY L. THOMAS

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be major

SAMUEL B. ALBAHARI
RICCARDO C. PAGGETT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be major

JOHNMARK R. ARDIENTE
NATHAN A. GUNTER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RYAN J. BERGLIN
JEREMY O. JACOBSON
JAMES A. NARDELLI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be major

DAVID L. BURRIER
WILLIAM T. CIGICH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOSHUA V. ARNDT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHRISTOPHER Z. FARRINGTON
DAVID J. GRISDALE
BRYAN Z. LIPE
ANDREW J. MCKINLEY
MONICA I. RIVERA
RANDY J. SHED
MICHAEL P. THOMAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RODERICK W. SUMPTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

DANIEL TORRES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MICHAEL P. ANTECKI, JR.
MICHAEL L. ARNER
MICHAEL B. AVENICK
PETER C. BAKKE
BRIAN A. BEAM
RAYMOND W. BLAINE
CLAYTON D. BOWERS
JAMES D. BROWNE, JR.
JAMES A. DAHL
KIRK J. DANIELS
MATTHEW B. DAVIS
ADAM J. DYKSTRA
ROBERT P. FARRELL
DAVID A. FELDNER
CARL L. FRIEDRICHS
ALEXANDRA L. HOBBS
JUSTIN M. HORGAN
THOMAS M. LACY
MATTHEW C. LINDSEY
LECARL B. LOCKLEY
JUSTINO LOPEZ
MARLON T. MALLORY
SCOTT W. MCCARTHY
COREY G. MCCOY
SHEILA MEDEIROS
BETTY P. MYRTHIL
RYAN M. NACIN
PHILIP L. NESNADNY
TAMISHA R. NORRIS
SEAN M. OHALLORAN
BENJAMIN L. QUIMBY
JONATHAN S. RITTENBERG
JASON R. SABOVICH
TIMOTHY J. SIKORA
RYAN G. TATE
JAMES N. TURNER
TIMOTHY P. UNGARO
ZACHARY R. VOGT
JASON WATERS
MARK M. YEARY
SAMUEL S. YI
D014175

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LISA M. ABEL
ELLIOTT ACEVEDO
KENDALL P. ADAMS
ROMAINE M. AGUON
DAVID G. ALEXANDER
JAMES P. ALLEN
JASON A. ALLEN
JORGE ALMODOVAR
DOMINIC L. AMANTIAD
MATTHEW T. AMSDELL
JARMARLE O. ARNOLD
KATIA S. AROSEMENA
SAUL A. ARROYO
FIDEL ARVELO
BRIAN H. ASTWOOD
DANIEL J. AZZONE
ERIC J. BANKS
MARK E. BEERBOWER
SEAN M. BELL
WILLIAM R. BENNETT
KEVIN R. BENTZ
DAVONNE L. BIVINS
FORREST L. BLACK
LISA D. BLACK
NIKKI M. BLYSTONE
JASON P. BOOK
BRYAN J. BOYEA
SIDNEY N. BRADDY
FELICHIA S. BROOKS
JAMARCUS A. BROOKS
CHRISTOPHER A. BROWN
DREWRY L. BROWN
ROBERT M. BROWN
JEFFREY W. BUCKNER
GREGORY A. BUTLER
PAUL E. CACCIA
TOMAS F. CAMPBELL
ANGEL M. CARDENAS
CHRISTOPHER L. CARTER
RIAN M. CARTER
THOMAS A. CARVER
STEPHEN C. CHENG
SHAWN M. CHUQUINN
HWAJIN CLARK
MARK J. CLEARY
JAY C. COATS
HUGH H. COLEMAN III
MARSHALL E. COOPER
BARBARA P. COOTE
MARWIN Z. CORTES
CHARLES H. COSTELLO
BRANDY M. CULP
ISAAC V. CUTHBERTSON
SHAWN O. DANIEL
ROSA V. DELAGARZA
RUDY L. DELAROSA
ERICH O. DELAVEGA
AMALIO DELEON, JR.
JONATHAN L. DELOACH
KARLETON M. DEMPSEY
SUSAN M. DEPIESSTYER
JOAQUIN H. DEQUINTANAROO
MAYRA I. DIAZ
JOHN R. DICKENS