



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, FRIDAY, DECEMBER 21, 2018

No. 202

Senate

The Senate met at 12 noon and was called to order by the Honorable JOHN CORNYN, a Senator from the State of Texas.

PRAYER

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

Let us pray.

Eternal Father, strong to save, we put our trust in You. Continue to be our shelter in the time of storm. Guide our lawmakers. Keep ever before them the vision of a better world that is yet to be. May the words of their mouths and the meditations of their hearts be pleasing to You, O Lord, our strength and our Redeemer.

Lord, give our Senators pure intentions, a steadfast regard for Your glory, and a faith that will not shrink, though pressed by many challenges.

We pray, in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 21, 2018.

To the Senate:

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

ORRIN G. HATCH,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

(Thereupon, Mr. KENNEDY assumed the chair.)

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, the events of the past week should concern every American. This may have been the most chaotic week of what is undoubtedly the most chaotic Presidency ever in the history of the United States.

The stock market is in a tumult and in decline. The Secretary of Defense, one of the only pairs of steady hands in our government, is resigning from the administration in protest. The United

States is pulling out of Syria and likely Afghanistan, abandoning our coalitions, allies, and the Kurds, and surrendering the field to Putin, Iran, Hezbollah, ISIS, the Taliban, and Bashar al-Assad.

The positions of Defense Secretary, of Attorney General, of Ambassador to the United Nations, of Interior Secretary, and even of Chief of Staff to the President are all in flux.

The institutions of our government lack steady and experienced leadership. With all of these departures, it is about to get even more unsteady. The President is making decisions without counsel, without preparation, and even without communication between relevant Departments and relevant Agencies. All of this turmoil is causing chaos in the markets, chaos abroad, and it is making the United States less prosperous and less secure. To top it all off, President Trump has thrown a temper tantrum and now has us careening toward a Trump shutdown over Christmas.

In a short time, the Senate will take part in a pointless exercise to demonstrate to our House colleagues and the President what everyone here already knows: There are not the votes in the Senate for an expensive, taxpayer-funded border wall.

President Trump, you will not get your wall. Abandon your shutdown strategy. You are not getting the wall today, next week, or on January 3 when Democrats take control of the House.

Just 2 days ago, the Senate came together to support a proposal by Leader MCCONNELL—unanimously, every Democrat, every Republican—to extend government funding through February without partisan demands. What it would accomplish would be that the government would not shut down, the fights we are having would be postponed to a later day, and millions of Americans would not be hurt this Christmas week.

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



Printed on recycled paper.

S8005

Let me repeat that. The Senate—every Democrat and every Republican—has already unanimously supported a clean extension of government funding.

Democrats supported the measure because we do not want to see the government shut down. We have no demands other than that. We had every indication that the President would sign the legislation—as did our friends the Republicans on the other side of the aisle in the Senate—but yesterday President Trump, hounded by the radical voices of the hard right, threw another temper tantrum, and here we are once again, on the brink of what the President has spent months saying he wanted—a Trump shutdown.

The President will try to do his best to blame Democrats, but it is flatly absurd. President Trump called for a shutdown no fewer than 25 times. In our meeting with the Oval Office, President Trump said: “If we don’t get what we want . . . I will shut down the government. . . . I am proud to shut it down. So I will take the mantle. . . . I’m not going to blame you.” Those are President Trump’s words, and nothing he says or does today can undo that.

No Democrat has called for shutting down the government. We are all working to avoid it. The President seems to relish it. He seems to feel he will throw a bone to his base—his base probably being less than one-quarter of America.

President Trump, you cannot erase months of video of your saying that you wanted a shutdown and that you wanted the responsibility and blame for a shutdown. President Trump, you own the shutdown. You said so in your own words.

President Trump may get his wish, unfortunately, but it doesn’t have to be this way. Democrats have offered two alternatives, and Republicans—Leader MCCONNELL has offered one. Democrats have offered to pass the six bipartisan appropriations bills, plus a 1-year continuing resolution for Homeland Security. We have also offered a 1-year continuing resolution for all the remaining bills. Republicans have offered to pass a short-term continuing resolution through early February. Each one of those proposals would pass the House and pass the Senate. Each one of those proposals contains \$1.3 billion of real border security, not a wall. There is no wall in those proposals. Democrats support real border security, not a wall.

By the way, that is in addition to the \$1.3 billion in border security Congress allocated last year, the vast majority of which the Trump administration has not yet spent. They are asking for loads of more money. They haven’t even spent last year’s money. It is clearly a political gambit by President Trump to appease his never-happy base.

On the other hand, a Trump shutdown would result in zero dollars for the Department of Homeland Security over the Christmas holiday.

There are several ways for President Trump and congressional Republicans to avoid a shutdown over Christmas—I mentioned three—but there is only one way we will have a Trump shutdown: If President Trump clings to his position for an unnecessary, ineffective, taxpayer-funded border wall that he promised Mexico would pay for.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Mr. President, yesterday the House passed an amended version of the continuing resolution to sustain government funding and sent it here for our consideration. In addition to giving the entire Federal Government the necessary resources to operate into the new year, this legislation also provides much needed investments in disaster relief for hard-hit communities and in our national security, particularly the integrity of our borders.

In my view, this legislation would be quite uncontroversial in a more normal political moment—in a moment when both parties put the obvious national interest ahead of any personal spite for the President.

I support the additional border security and disaster aid that the House added to the bill, and I am proud to vote for it. It is not a radical concept that the American people’s government should be able to control the people and the goods that flow into our country. It is not a radical concept that physical barriers play an important role in achieving security—unless there is a caucus of lawmakers who go to bed at night with their front doors wide open that I am not aware of. What is radical, what is way out of the mainstream, is this absurd premise of the open-borders far left that achieving basic stability and law enforcement on our southern border is somehow in itself without compassion or discriminatory or immoral.

Fairness and compassion don’t mean enforcing only some of our laws halfheartedly; fairness and compassion mean that we fulfill our governing duties for the American people. If we continue to throw up our hands and tolerate a status quo that is allowing too many drugs and dangerous criminals to travel freely into our land, then this Federal Government is not doing its duty.

The facts are clear on this. The need for greater security on our southern

border is not some partisan invention; it is an empirical fact, and the need is only growing. Apprehensions along the border have nearly doubled in the past year. The men and women of the Border Patrol are encountering greater numbers of gang members and individuals with criminal histories, more family units, more seizures of cocaine and fentanyl.

This is a real crisis. The implications for American communities, for vulnerable children, and for Border Patrol units that are already stretched thin are very real.

There is no bright line of principle that sets this request for border funding apart from similar requests that many Democrats have supported in the past. A lot of them have supported this in the past. There is no sharp distinction between the proposal my friends across the aisle have decided to oppose today and proposals they have been happy to endorse in the past. All that has really changed are the political winds way over on the far left. That is what has changed.

So let’s not end this year the way we began it—with another shutdown over the issue of illegal immigration. Remember this back in January? It was all because the Democrats were unwilling to support commonsense measures to address it. Let’s advance this legislation. Let’s pass it. Let’s finish our work for this year. Let’s secure our country.

CHILD PROTECTION IMPROVEMENTS ACT OF 2017—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the Senate the House message to accompany H.R. 695, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH), the Senator from Nevada (Mr. HELLER), the Senator from Georgia (Mr. ISAKSON), the Senator from Arizona (Mr. KYL), and the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The yeas and nays resulted—yeas 47, nays 47, as follows:

[Rollcall Vote No. 274 Leg.]

YEAS—47

Alexander	Corker	Fischer
Barrasso	Cornyn	Flake
Blunt	Cotton	Gardner
Boozman	Crapo	Graham
Burr	Cruz	Grassley
Capito	Daines	Hooven
Cassidy	Enzi	Hyde-Smith
Collins	Ernst	Inhofe