

“badly needed,” that was where leading Democrats stood.

Today, however, it seems there is a new party line. The use of physical barriers to preserve the integrity of a sovereign Nation is now, according to the new Speaker of the House, “immoral”—“immoral.” They went from “badly needed” to “immoral” in little more than the span of a Presidency. Talk about a pivot. Talk about a pivot.

My Democratic friends wanted fencing and physical barriers in the recent past. Their most prominent leaders actually bragged about voting for physical barriers. The only thing that has changed between then and now is the occupant of the White House.

Steel fencing was fine, even salutary, when President Obama was in the White House, but it is “immoral” when President Trump occupies the office.

All of a sudden—all of a sudden—Democrats have developed this new partisan allergy to the subject of border security. They are even prolonging a partial government shutdown just to avoid getting more of what they themselves have voted for in the past.

This inconsistency doesn’t stop with drawing imaginary lines in the sand between the border security the Democrats once supported and the virtually identical measures they have decided to oppose today. The inconsistency also extends to the conduct of the Senate itself during this tantrum.

#### THE MIDDLE EAST

Mr. MCCONNELL. Mr. President, yesterday evening, Democrats blocked the Senate from proceeding to important foreign policy legislation. This bill, which was blocked last night, included measures of which they have been outspokenly supportive and even cosponsored, but then they decided that getting anything done at all this week would clash with their new political brand.

To be clear, the legislation I am referring to would have addressed several serious challenges to U.S. interests in the Middle East. It would have reaffirmed our commitment to the security of Israel, our closest regional ally. It would have reauthorized defense cooperation with Jordan, a critical partner, and it would have taken a vital step toward bringing the perpetrators and the enablers of the Assad regime atrocities in Syria to justice. Frankly, it would have delivered on promises to which my Democratic colleagues appeared to be firmly committed.

In their own words, Senate Democrats have discussed “the continuation of America’s unshakeable, seven-decade commitment to Israel’s security” and doing “everything in our power to fight the BDS movement,” but, alas, instead of proceeding to this legislation, Senate Democrats voted to block it.

My friend the Democratic leader chose to take this partial government shutdown that he is prolonging and add

his very own Senate shutdown on top of it. They want to shut down the Senate as well—no progress, no bipartisan work, not even on urgent and pressing matters, nothing that might take the spotlight off his unreasonable show-down with the President.

Just as an example, during the 2013 government shutdown, the Senate kept right on chugging through the people’s business. We passed 5 bills, 13 resolutions, appointed conferees on the farm bill, the budget resolution, and confirmed 28 of President Obama’s nominees. The Senate was not shut down during the last government shutdown. This time, the Democrats want to hold everything hostage—everything?

Here is more inconsistency. Senate Democrats were for border security, including billions for physical barriers, before they were against it, and they were for the Senate working hard during government shutdowns on other business before they were against it.

Until our Democratic colleagues agree to get back to work—until they agree to get back to work—the Senate can’t make much progress. Rest assured, Assad has not pressed the pause button on the Syrian civil war simply because it doesn’t suit the Democratic leader’s political strategy this week, Israel’s enemies haven’t stopped either, and until Democrats prioritize the public interest ahead of political spite, our border will not be secured, and the Federal Government will remain partially closed.

I cannot urge my Democratic colleagues more strongly to get past this purely partisan spite, rediscover their own past positions on border security, and negotiate a fair solution with the President to secure our Nation and reopen all of the Federal Government.

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, last night President Trump tried to convince Congress and the American people that there is a crisis at our southern border. It was little more than a rehash of spurious arguments and misleading statistics the President has been using for weeks. President Trump once again tried to claim there was a crisis at the border. The fact is, migrant border crossings have been declining for nearly two decades.

The President inveighed against drugs pouring over the border, but the

vast majority of heroin enters the United States through legal ports of entry in trucks and on airplanes.

The President and his allies have been claiming that nearly 4,000 known or suspected terrorists have been stopped from entering the United States. They say that is a reason for the border wall. But nearly every single one of those apprehensions occurred in airports, not on our southern border.

In a recent report, Donald Trump’s State Department concluded that there is no credible evidence that terrorist groups were trying to enter the United States through the southern border. In a report on the President’s strategy to combat terrorist travel, sent to Congress by President Trump on December 21—the day the shutdown began—the National Security Council, appointed by President Trump, did not even mention a wall or a barrier to stop terrorists from entering the country.

The President continues to fearmonger, and he makes up the facts. This is a Presidency that is in crisis. It has so many problems, and it is the old trick—fearmonger, distort, try to scare people, and maybe they will not pay attention to the real problems in this administration.

In no way, however—the President is not getting his way. His fearmongering just isn’t working. In no way did the President’s speech last night make a persuasive or even a new case for an exorbitantly expensive border wall—a wall that the President guaranteed would be paid by Mexico. He said: I ran on this. Yes, he ran on it, saying Mexico would pay for it. At his rallies, he chanted: Who will pay for the wall? The people screamed back: Mexico.

The President’s speech did nothing—nothing—to convince us here in Congress, and I believe it did nothing—nothing—to convince a skeptical public that this government shutdown is anything but a manufactured crisis of the President’s own making. The President’s speech, if anything, moved the American people even further away from his view that he should keep the government shut down until he gets his way. Reports say that the President didn’t want to give this speech. Well, he was right. I don’t think it helped his cause, and he probably hurt himself.

It is time for the President and our Republican colleagues to stop this fearmongering and to stop this diversion away from the problems that the President really has and end the shutdown. The shutdown is hurting millions of Americans, and it is going to get worse, all because of President Trump’s temper tantrum. We should not—we should not—treat hundreds of thousands of Americans—millions of Americans—as leverage to try and get something by pounding the table. That is not how our government works.

What is happening? Hundreds of thousands of Federal workers—innocent Federal workers who do their jobs, who work hard, and sometimes they get up on Monday morning with a 100-

degree fever, but they go to work because they know their job is important—have been furloughed because of what Trump has done. Four hundred thousand continue to work without pay. TSA agents, food safety inspectors, border agents—those hard-working, dedicated public servants—are about to miss a paycheck.

Last night, many of my colleagues—including Senators WARNER, KAINE, KING, CARDIN, CASEY, VAN HOLLEN, and others—held the floor to give voice to these Federal employees who live and work in their States, many of whom are living paycheck to paycheck.

President Trump's government shutdown—his choosing, he is the only one who did it—is forcing a personal crisis on those public servants and their families. How unfair, how mean-spirited, and how wrong.

These families are owed a paycheck, but they are left to wonder how they are going to pay the mortgage or the rent and all of their other bills. They are wondering what will happen to the good credit they have worked so hard to maintain over the years. They are innocent victims of the Trump shutdown—a shutdown he said 25 times he would cause, a shutdown he said he would be proud to own.

President Trump, are you proud to own a shutdown that is hurting so many innocent people? Did you realize that when you caused this?

As government agencies remain shut down, American farmers and small businesses can't get the loans they desperately need. Tourism suffers as our national parks go neglected. Some families can't get a mortgage to buy a new home. The American people are suffering needlessly—needlessly—because President Trump selfishly refuses to retreat from an intransigent, indefensible, and increasingly unpopular position.

The Democratic House has passed legislation that received support from many of my Republican colleagues to reopen the government. In no way does that legislation preclude us from having a debate and hashing out compromise solutions on border security. We have done that before.

We can continue to debate because, indeed, Democrats, Republicans, and the President all want stronger border security; we just sharply disagree about the best way of achieving it.

Why not open the government while we continue to hash out our differences? I have asked that of President Trump. I said: Give me one good reason why the shutdown should continue as we debate our differences on border security, which we all want. He could not give a single reason. We know the reason: He is leveraging—mercilessly leveraging—millions of Americans who are caught in his irresponsible action and who are hurt by it.

Let us open the government and continue to hash out our differences. That would be the responsible thing to do,

and I believe Republican Senators, many of them, know that.

I urge my friend Leader MCCONNELL to act now, convince the President to accept legislation to reopen the government, and let's pass it here on the floor of the Senate. The vast majority of the Republican caucus has already supported it. What are we waiting for?

#### DEPUTY ATTORNEY GENERAL ROD ROSENSTEIN

Mr. SCHUMER. Mr. President, on another matter, this morning it was reported that Deputy Attorney General Rosenstein intends to step down from his post at the Justice Department if the nominee for Attorney General, William Barr, is confirmed. It is a timely reminder of the swirling conflicts of interest and bias that surround nearly every Trump nominee to lead the Justice Department.

Acting Attorney General Whitaker publicly and forcefully advocated for defending and imposing severe limits on the special counsel's investigation, calling it "a mere witch hunt." He has troubling conflicts of interest, including with a grand jury witness in the investigation, not to mention the fact that he appears to have been involved in fraudulent business dealings before joining the Justice Department.

The nominee to take his place, William Barr, is just as fatally conflicted a nominee when it comes to the special counsel. Last month, we learned that Mr. Barr sent the Justice Department an unsolicited memo, criticizing the special counsel's investigation.

Mr. Rosenstein's potential departure only heightens the stakes for Mr. Barr's nomination. From all accounts, Mr. Rosenstein has been an impartial actor at the head of the special counsel's investigation. President Trump is trying to replace folks like Mr. Rosenstein with conflicted loyalists like Matthew Whitaker and William Barr. The Senate, starting with the Judiciary Committee, should subject Mr. Barr's views to the strictest of scrutiny next week. I still believe, after the revelations about Mr. Barr's unsolicited memo, President Trump ought to withdraw this nomination.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

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

The PRESIDING OFFICER. Under the previous order, the Senate will re-

sume consideration of the motion to proceed to S. 1, which the clerk will now report.

The senior assistant legislative clerk read as follows:

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

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

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

#### GOVERNMENT FUNDING

Mr. THUNE. Mr. President, I think it is important that we remind ourselves about what it takes to make a law here in Washington, DC. It obviously takes passage of a bill by the House of Representatives, passage by the Senate, and a Presidential signature. Obviously, we are in the middle of sort of a, I guess you could say, fight right now between the executive branch—the President—and Democrats in the House and the Senate, which normally would be resolved by the two sides sitting down and negotiating and coming to some sort of an agreement or compromise. That, frankly, is what is going to be necessary to resolve the current crisis we are in.

The Democrats in the Congress have the majority in the House. It takes 60 votes, as we know, to do anything in the Senate, which means it will take somewhere around the order of 10 Senate Democrats in order to put a piece of legislation on the President's desk.

There has to be a negotiation. There have to be two sides at the table. The Democrats have made it very clear in the Senate and in the House that they have no interest in negotiating with the President.

Furthermore, they have determined that they are going to shut down all the rest of the business that is being done in the Senate simply because they do not want to provide funding for the border wall that has been requested by the President. That is the standoff we are currently in the middle of.

I will remind our colleagues that as recently as last month, my friend the Democratic leader said that in order for us to proceed and vote on anything in either Chamber, we need to have a piece of legislation that the President has said he would agree to sign, which, again, suggests the way out of this is for the Democrats to come to the table and enter into a negotiation with the President about how to fund the border wall, how to deal with the issue of border security, and then to open up the government. That is the way this ultimately gets resolved.