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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

Let us pray.

O God, our way, our truth, and our life, we worship You. Quicken our consciences by Your holiness, that we will find nourishment in Your truth.

As this partial government shutdown grinds on, help our lawmakers to open their hearts to Your love and to surrender their desires to Your purposes.

In this tangled world, we are conscious of our woeful inadequacies to sit in the seats of judgment, to balance the scales of justice, and to respond with equity to the myriad calls of human needs. We need You, Eternal God, to crown our deliberations with Your wisdom and with spacious thinking to fit these challenging days.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. BOOZMAN). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. 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 resume consideration of the motion to proceed to S. 1, which the clerk will report.

The senior assistant legislative clerk read as follows:

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

The PRESIDING OFFICER. The Senator from Iowa is recognized.

MEASURE PLACED ON THE CALENDAR—S. 109

Mr. GRASSLEY. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 109) to prohibit taxpayer funded abortions.

Mr. GRASSLEY. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

GOVERNMENT FUNDING

Mr. Kaine. Mr. President, I rise to talk about the significance of today, January 11, the 21st day of the partial government shutdown.

Today, we tie for the longest shutdown in the history of the U.S. Government. Tomorrow, we will set a record for the longest shutdown.

Today is the first paycheck day where 800,000-plus Federal employees will not be paid. In fact, some have al-

ready started to get their paychecks because even when there is no pay, the process of producing the check and the stub continues. So people get paychecks, but there is a zero on the line, which is sort of like pouring salt in the wound or adding insult to injury. It is one thing not to be paid, but it is another thing to be working and then get the stub and have there be a zero there. People have already reported—some of our air traffic controllers and TSA professionals and others—that they are starting to receive those checks.

January 11 is also a time when—I know what it is like in my family. My wife and I kind of load up on both the charitable contributions and buying gifts for our family in December, and then that credit card bill in January is the biggest one we pay all year. Families are receiving those.

January tends to be among the coldest months of the year, and heating bills are the highest. We are going to have a cold snap and maybe a snowstorm in Washington this weekend, and those bills will be high.

January 11 is a time when a lot of families sit around kitchen tables and write tuition checks for the spring semester for their kids.

It is precisely the worst time to have a shutdown of this kind that affects more than 800,000 people and jeopardizes their livelihood.

I stand on the floor today to repeat what I said Tuesday night when many of us stood here and said it is really time to end this shutdown. The House wants to end it. An increasing number of Senators want to end it by passing bills that are right here in the Senate, available for consideration, to reopen the government and to engage with the President in a meaningful, short-term, and prompt dialogue about border security and immigration reform.

I wanted to share some of the stories that are flooding into my office. I will be back on the floor later because at 11 o'clock, Senator WARNER and I will

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



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meet with Federal employees at a community center in Alexandria, and I will be bringing more stories back to the floor before we adjourn at 1 o'clock today.

Before I share stories, I do want to express appreciation to the majority leader, to the Republicans, and to the Democrats who joined together with us yesterday to pass an important bill, S. 24. It is not as good as getting a paycheck, but it is a bill to tell those who have lost paychecks or are losing paychecks during this time that when we reopen, they will be paid.

We have done that in the past. Once we reopened, we figured out a way to do that. But I felt it was important that on the day people are not being paid, for them to at least get the signal from Congress, some certainty, something that they might be able to show to a landlord or to a bank saying: I am going to get paid.

The Senate majority leader and minority leader worked at the end of the day to make sure that a UC to pass S. 24 was successful. It was, and at about 5 o'clock last night, we sent that bill to the House. My understanding is the House is taking up the bill this morning. I also applaud Senator McCONNELL for reaching out to the White House and speaking directly with the President about the bill. The President indicated he would sign it when the bill gets to him.

Again, it is not as good as a paycheck, but it adds a little something on a tough day to tell people that they can rest assured that when we figure this out, they will be made whole. I do want to express my appreciation to all for working on that yesterday, but, again, that is not a cessation of the pain.

I am going to read stories from Federal employees, but I do want to acknowledge that this is not about just 800,000 employees; it also affects millions of Americans.

I told a story on the floor Tuesday night about just coincidentally two Saturdays ago going to four different units of the National Park System under the Department of the Interior and the National Forest System under the Department of Agriculture and being turned away by a gate closed and a sign saying: We are shut down.

That I was turned away was of no moment, but I was interested to watch other families pull up in their vehicles on a Saturday, spending time with their kids. Time with the family is precious. You often don't get a lot of it. Sometimes driving with kids a long way to get to a national park or something—they are squabbling in the back seat, and you are really hoping to get there. Watching families pull up and looking at their faces as they saw that what they hoped to do that day they couldn't do because it was closed—that made an impression on me.

People were trying to visit the museums here in Washington, and they couldn't.

Citizens who are falling into hunger, who want to apply for food stamps—95 percent of the workforce that processes food stamp applications has been furloughed during this time.

Air traffic controllers are working because they are essential, but it has to make you a little cranky to get a paycheck with a zero on it. I can't imagine a Federal employee I would less like to be cranky than an air traffic controller. I mean, this is very important stuff. You don't want an air traffic controller sitting in that tower thinking about anything other than air safety.

If 5 percent of their brain is sort of mad at this shutdown and 20 percent of their brain is focused on "How am I going to pay the bills?"—air traffic controllers have shared that they need security clearances to do their jobs. Do you know that if your credit is impaired and you start to get hits on your credit report, that could endanger your security clearance? In some circumstances, it could lead to your security clearance being taken away. If you are under a court order to pay alimony or child support, and you can't, regardless of whether you have a good reason, and there is a court order forcing you to, that could lead to your losing your security clearance.

You don't want an air traffic controller in the tower worrying about anything other than the safety of the passengers. If they are mad at the government for shutting down, and they are anxious about not getting a paycheck, and they are wondering about how long it will go on and what the consequences might be, that is not something that makes me feel comfortable.

This is an issue about Federal workers, certainly, but it is also an issue about the effect on Americans who need all kinds of services.

Like every office here, my office has been flooded with expressions of concern. They are saying: Senator, why can't you do something? What is going on? How long is this going to go on? And I don't have a good answer for them.

Let me read some stories. I read seven or eight Tuesday night. These are stories that have come in since Tuesday.

Shane from Alexandria wrote:

I am a veteran and furloughed government employee working for the Peace Corps. My wife is a disabled veteran, and we live paycheck to paycheck. I lost my job during the housing crisis, and we lost our home and then relocated to the DC area for work. We have worked hard to build our lives back up and again own a home. Now, that is all in jeopardy again! If I don't get paid, we can't pay the mortgage, and we will lose our home. I relocated my family from Florida for a secure job here and to provide financial stability to my family. Now, because of a dysfunctional government, I may have to find new work again, but it may not be in time to save our home. Please, Please, Please, do what you can to open the government back up.

Terry from Fairfax wrote:

I am writing you, along with my two other elected officials, seeking your help in bringing this government shutdown to an immediate end. Today is day 19—

This was sent to us on Wednesday—

and counting, with no end in sight. The information put out by the media saying the number of those affected by this (partial) government shutdown is 800,000; I submit to you it is much higher than that—especially in the Commonwealth of Virginia.

Currently, I work for the Department of Homeland Security, the Transportation Security Administration at Washington Dulles International Airport. I have the compliance department at Washington Dulles, enforcing the Code of Federal Regulations, and have 15 people working for me. We make sure the nation's transportation system at Washington Dulles is secure and safe and are exempt from furlough.

Of the 15 people that work for me, most all live paycheck to paycheck. As you can imagine, with the outlook of no paycheck coming this Saturday, the morale is starting to go down and Maslow's hierarchy of needs—

I hope I am saying that right—

is kicking in—that of self-preservation. Their focus is switching from their work—keeping things secure and safe—to their family and how they are going to provide for them (survive).

As for me, I served honorably in the United States Coast Guard and retired after 26 years. I started working at Washington Dulles when TSA first stood up and have been here over 16 years. I am 63 years old. My Coast Guard retired paycheck is my financial security, something to fall back on, something I can plan on . . . up until now. I just learned yesterday there won't be a retired paycheck for Coast Guard retirees because of the shutdown. The financial security we worked for is no longer there. This is a breach of trust between the U.S. Government and every Coast Guard retiree, and it's wrong!

I have proudly served the American People for more than 42 years, and I have been through every government shutdown since 1976. This particular one is getting old in a hurry, it may be the worst, and it needs to stop. For my people at work, my family at home, and my fellow Coast Guard retirees, we need your help in ending this shutdown.

Garrett, a Virginian working as a contractor at NASA:

I am a contractor for NASA, I am shut down, and I am not very happy. This is having a negative financial effect on my life. I am ok today, but soon in the very next few days when I have exhausted my vacation, then take leave without pay, then have to pay for overpriced health insurance; then I will be in a big pinch. As a contractor we are not guaranteed to be re-reimbursed for our leave. The last shutdown I lost a paycheck I never got back, that was like a 2% pay cut. I won't be able to take sick leave or vacation this year. SOMETHING HAS TO BE DONE, and I am relying on you to make it happen. We all are. Just think of all the good government employees that will be forced to leave the government because it is such a negative place to work.

Just a comment, government employees are being forced to leave the government.

Today in Fairfax, the Fairfax public school system is having a hiring fair just for Federal employees. They need substitute teachers, they need bus drivers, and they need cafeteria workers. So they are doing the hiring fair to try

to play upon the unhappiness of Federal employees who are out for the shutdown and don't think they are going to come back to work.

Phil from Chesterfield:

Through no fault of my own I am not being paid [my] bi-weekly salary . . . tomorrow. This will cause a significant strain on my family, my church contributions, my shared health care cost, my retirement contributions. Having a college age student attend Virginia Commonwealth University, with winter semester fees for tuition and room and board totaling [thousands in] out of pocket expenses is extremely frustrating. I really cannot [go a long time] without a salary.

Long term policy disagreements (among both parties of our elected Senators) using federal government employees' salaries as a token to rally off is not Democracy. This is not fair to You . . . or a career professional like myself who works for the United States Government.

I ask you . . . to consider a CR which would fund our government through a short-term solution until you and your bi-partisan colleagues can fix a long-term problem. . . .

Nonetheless, my family and I are out of funding Now! I ask that you publicly announce [what you will do] and help lead the bi-partisan CHANGE TO HELP Virginians.

A family from Loudoun County—one, a 20-year government employee:

I am scared not knowing when he will get paid. Our 2 young children should be signing up for spring sports this week, but we are cutting optional spending. We are eating out of the pantry instead of going to the grocery store. Real people are hurting, working and not being paid. It is 800,000 but the broader fear and economic impact is tremendous.

Opel from Hampton:

My name is Opel and my husband Kenny is an inspector with the FDA. As you know, he has been unable to go to work for the past few weeks. I am writing to you to keep our story and our situation at the forefront of your agenda. Please continue to push for our Congressional leaders to get the government open. It is very difficult to try to explain to our 9 year old son why Daddy isn't going to work, why Mom and Dad are having trouble paying our bills. This shutdown is wrong and I feel that it's also wrong for federal employees to not be able to go to work because a person some people elected President wants an extreme form of "security." Please Sir, reopen the government. Many people's lives are at stake.

Daniel from Arlington:

I am a furloughed employee in the Department of Commerce. My income has stopped. I have become aware that I will soon be responsible to make payments for my family's healthcare, my life insurance, and other benefits that are normal paycheck deductions. So now I have no income, plus unbudgeted expenses.

I have hard decisions now with regard to paying my rent, paying for my family's healthcare, and paying for care for my elderly parents. I have applied for unemployment assistance. I am trying to find work to survive throughout the shutdown.

I have 5 years of federal service, and I have experienced furloughs before. Until now, I have not needed to take resources away from the unemployment system. Until now, I haven't had to compete in the job market to take a position away from someone who has no job at all.

I have personally shut down; I am using as little gasoline as I can, I am only shopping for necessities. I'm cutting back in every

money-saving way I can. This is a disheartening way to just try to survive.

PLEASE support legislation that will return furloughed Federal employees to paid work status.

A final story, Joie from Warrenton:

My husband is a highly experienced Ph.D. Economist with the SEC. I am a disabled (thanks to cancer) Episcopal priest. We are in free fall not knowing if my husband will have his job again, and our health insurance we need for my [cancer]. We need every penny he earns and no job could replace his compensation. We spent most of our savings paying off my \$40K in cancer and cancer related bills last year. Still, we live MOD-ESTLY in a 1700 sq foot old farmhouse with no central air/heat, drive one 13 year old car and . . . [another old] used Subaru. It's early Thursday morning 1/10 and I'm having a panic attack wondering if I will lose my dogs if we get evicted in case this runs a few months and we run out of savings to pay our mortgage. We have no family support or back up and a son with anxiety and ADHD issues for which we spend thousands out of pocket because mental health services for youth are either unavailable or do not accept insurance. Please continue to pressure . . . [all your colleagues] to bring opening the government to a vote. WORKING AMERICANS need protection!

This is just a sample of the letters we have received. When I come back from the session Senator WARNER and I are doing in Alexandria, I will bring back more stories. I know that other offices are receiving these same kinds of inquiries. Even with a guarantee of back-pay, for so many people who live paycheck to paycheck or who have modest savings, the timing of even missing one paycheck is very, very critical.

The House has already taken action by a strong majority to reopen government. By my count, just based on what folks have said in this Chamber, there are at least 52 members of this Chamber who have already gone on record and said we should take up the House bill and vote to reopen government. My hope is that when people listen to stories like this about lost paychecks and the effect on families and when people in this body understand the magnitude of tomorrow's recordbreaking day, when we establish the longest shutdown in the history of the country, as our colleagues are back in their home States over the weekend chatting with folks, that number of Senators—52—who want to take up these bills and vote on them will increase and we can end this suffering that is so unnecessary.

I will say this. I definitely get that there is an important controversy that needs resolution—talking about border security, talking about immigration reform. We have been talking about these issues since I got here. Regardless of your position on how we should solve them, I think everybody in the body knows—with no immigration reform done since 1986 and border security funding a perennial topic—that there is an important issue to resolving this: How much should we spend for border security? What is the right way to spend the money? What is the right place to get the money? Can it be done

by executive fiat, or must it be done via congressional appropriations? What are the immigration reforms that we need, having not done an immigration reform bill since 1986?

When the President says these are important issues, he is not wrong. He is right. But as for the idea that even with an issue of importance on the table that we need to grapple with, people who are unconnected to that issue have to be victims, have to suffer as we are trying to resolve that issue, I just don't get it. As for some of those who are suffering, it is kind of even counter to the national emergency or crisis that the President is talking about.

For example, the Coast Guard—as was indicated by one of my stories, from Terry—is one of the Agencies, because it is under the Department of Commerce, I believe, that is shuttered. They are not a DOD Agency. So they are not funded. There are 42,000, I believe, Coast Guard employees. Most are essential and are working without pay, but some are furloughed. If there is a crisis at the border—and as the President described that crisis, a significant portion of the crisis is illegal drugs coming across the border, and we need folks to interdict illegal drugs—why would we shutter the Coast Guard? The Coast Guard has many missions, but one of their important missions—and they work very well on this, in tandem with other Agencies in this country and in other countries—is the interdiction of illegal drugs. How does it make sense, if there is a crisis at the border dealing with drug importation, for the Coast Guard to be shuttered?

So the President's statement that this is an issue that needs a resolution is correct, but punishing people who are unconnected to the issue or even punishing some of the very people whom we need to solve the issue is just the wrong approach. That is why I believe the right approach is the approach taken by the House—bringing up bills that were bipartisan bills, that were worked on and voted on either by Senate committees or on the Senate floor, and saying: Let's just do these. Let's reach an agreement for the non-affected Agencies, the nonimmigration-related agencies, but between now and September 30 reopen government. And let's provide short-term funding, a month or 3-weeks of funding for the immigration and homeland security Agencies, and let's just make the whole next chunk of time in this body a discussion, a resolution, and a compromise that will enable us to meet some of what the President wants and some of what we want—and that is possible.

I think sometimes the word that goes out from a shutdown or the word that goes out from some of the news stories, as well, is this: There is not going to be a compromise that is possible. The sides are dug in. We can't find an accord.

I just want to remind the body—and the President knows this—that it was

just last February when 8 Democrats and 8 Republicans worked and introduced a bill that coupled borders security with protection for Dreamers. The President now is asking for \$5.7 billion, essentially, in border security. The bill we had in February was \$25 billion, over 10 years—\$25 billion—which was exactly to the penny what the President had asked for. It was \$25 billion, borders done right. We wanted to exercise traditional congressional oversight in the then-two Republican House Congress over how the money would be spent, but the amount the President asked for wasn't the problem. It wasn't a problem at all—\$25 billion in exchange for something else that the President had asked for.

He had said: We shouldn't protect Dreamers by Executive order; it should be done by Congress. There should be a statutory congressional fix.

He is right about that. That is a better thing—to fix it via statute, rather than to rely on an Executive action that can change with the whim of each new Executive. He is right about that.

We basically went to him with a proposal, 16 of us, and introduced the bill: \$25 billion, Mr. President, that is what you asked for; protection for Dreamers, Mr. President, that is what you asked for.

The response from the White House was not to say: "I don't like that deal; let me give you a counter," or "Could you add to it?"

Within less than 24 hours, the White House put out a press release attacking those who put the bill together—even the Republicans—as proponents of open borders who wanted to end immigration enforcement as we know it. It was a press release from the DHS that read like it was somebody's campaign literature rather than the response that you would expect from a White House or a Cabinet-level official.

But what that offer showed is that there is great willingness in this body to invest in border security. In fact, even after the President poured cold water on it, we put that bill on the floor for a vote. Forty-six out of 49 Democrats voted for it. Forty-six out of 49 Democrats voted for \$25 billion in border security, just like more than 50 Democrats in 2013—and I was part of this, as well—voted for more than \$40 billion in border security.

So for folks at the White House wondering whether in a 3-week or monthlong intense discussion we could find a path forward on border security and immigration reform, the evidence is out there that, yes, we can. We can find that path forward, but we ought to open up government and let those unconnected with the dispute at least go back to work, at least go back to work and start getting paid. Then, in this body—which is a great deliberative body, with 100 people who are very savvy and smart and who could find a deal moving forward—we could find an answer to this that would enable the President to say he got significant in-

vestments in borders, and it would also enable those of us who have promoted commonsense immigration reforms to feel like there was something in there as well.

With that, I am going to yield the floor. I am going to meet with Federal employees and then return to share some of their stories. My ask is a simple one: We need to reopen government. We need to lift the burden of this anxiety over people.

The last thing I will say is, if this backpay bill passes and the President signs it—and we are going pay people, we are going to guarantee their pay—why wouldn't we want them to be serving? If they are going to be paid, wouldn't we want to have them serving Americans rather than not serving Americans during this time?

With that 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.

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

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

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, this shutdown is not a negotiation situation. This is a hostage situation.

For the past 3 weeks, Donald Trump has held 800,000 Federal workers, tens of thousands of Federal contractors, and thousands of small businesses hostage to extort money for his vanity wall under the pretext of an emergency at our southern border. Today, hundreds of thousands of hard-working civil servants felt the pain of missing a paycheck because this amoral, hostage-taking President is continuing to throw a temper tantrum.

Most of us live in the real world, where paychecks are needed to keep a roof over our heads and food on our table. Growing up, my mother was the sole breadwinner for three of us kids. It would have been unthinkable, disastrous, for our family to miss even one paycheck from her low-wage job.

When the President says that he can relate to the hundreds of thousands of families going without a paycheck, who does he think he is kidding? Most people don't have daddies, as he did, to bail them out time and again by the millions.

Enough said about a President who does not feel your or anybody else's pain—we can't look to him for leadership, moral or otherwise.

One person who can enable the Congress to end the shutdown is Majority Leader MITCH MCCONNELL. All he has to do is to bring up the bills that the House sent us last week—the same bills that passed the Senate and last Congress to keep government open.

No one needs to remind Senator MCCONNELL that the Senate is part of a separate and coequal branch of govern-

ment. The Senate can and should act without the President's consent—consent he is currently withholding unless he gets his vanity wall.

Instead of standing up to Donald Trump, Senator MCCONNELL is missing in action, and through his silence and inaction, Senator MCCONNELL has endorsed another of Donald Trump's lies—that there is a crisis at the border so severe that it justifies taking 800,000 people hostage as leverage for a \$5.6 billion downpayment—only a downpayment—for his vanity wall.

Let me be clear. The only crisis is the one Donald Trump manufactured, and the only wall that is real is the one that is closing in on him.

The weekend before Donald Trump shut down the government, I joined several of my colleagues on a visit to Texas, where I saw the real crisis at the border—the humanitarian catastrophe created by Donald Trump's disastrous immigration policy.

At detention facilities in Dilley and Karnes—facilities that a top official from Immigration and Customs Enforcement Patrol, ICE, callously and dismissively described as "summer camps"—I saw families locked away, some for months at a time, without proper access to legal, medical, or mental healthcare. Many of these families have access to legal services only out of the generosity, ingenuity, and hard work of volunteers and overstretched nonprofits.

I also visited the massive detention camp for unaccompanied children at Tornillo. Tornillo started as a temporary camp for several hundred kids in June of 2018 after the Trump administration systematically separated kids from their parents under its zero tolerance policy.

Tornillo has now ballooned to currently holding some 2,700 unaccompanied children, and I note that there are now an estimated 15,000 unaccompanied children in facilities throughout our country. Since June, the administration has already spent more than \$144 million on the makeshift Tornillo detention camp, where food, water, and other basic items have to be trucked in regularly.

I was disturbed to find that thousands of kids are being held in these soft-sided tents in the middle of the desert, shut off from the outside world and the local community. In fact, when concerned members of the local community came by to drop off gifts and items to show these kids that there were people who cared, the detention camp turned the community people away. When I said "Why would you do that?" it was explained to me that there were not enough items brought to give to every child—a pretty sad reason, in my view.

Most troubling was that there was no good reason for the prolonged detention of children at this facility. We were told that between 800 and 1,300 kids at Tornillo already have sponsors, such as parents or relatives, lined up to

take them into homes. But the children continue to be detained because of the administration's policy of requiring all potential sponsors and all adults in the potential sponsor households to submit fingerprints, which would then be information shared with ICE, thus subjecting everyone to potential deportation. The chilling effect of this policy is obvious in the skyrocketing length of detention of these children as fingerprints are obtained and processed.

Now the negative consequences of this policy have become apparent even to this administration, which instituted the policy to begin with, so the administration is now easing up on the fingerprinting of everyone in the household, but the damage has already been done.

In 2016, the average length of stay for unaccompanied children in these facilities was 35 days. Today, the average has been reported to be at least 59 days and even up to 74 days. These are kids who need to recover from the trauma of coming to this country, not to be re-traumatized with prolonged detention.

The detention of unaccompanied children and families for longer and longer periods is the real humanitarian crisis facing our country at the southern border, and this crisis will not be fixed by Trump's vanity wall.

As if holding 800,000 workers and their families hostage is not horrible enough, Donald Trump is now thinking of taking billions of dollars away from disaster victims to find a way to pay for his wall. This is callousness compounded.

Sometimes I find myself totally at a loss for words as the President keeps coming up with all of these ways to basically get himself out of a corner that he has gotten himself into.

I call on Senator MCCONNELL to use the power he has to bring the House-passed bills to the floor—the bills that we in the Senate passed by voice vote last Congress to end this shutdown. Unnecessary pain grows by the day—800,000 workers go without pay; food safety is being compromised; our national parks go unopened or unprotected; air travel can turn into a nightmare as more and more of the TSA agents stay home. The list goes on as we wait for the President to come to his senses. We should live so long. Meanwhile, our country is waiting for Senator MCCONNELL and our Republican colleagues to come to their senses.

So, Leader MCCONNELL, everyone knows you have the power to act. Bring these bills to the Senate floor. We can end this shutdown now.

The Senate—if Senator MCCONNELL will bring the bills to the floor—will pass these bills because we already did so. End the unnecessary pain. We don't have the luxury of waiting around for the President to truly feel anybody's pain because he is incapable of feeling anybody's pain but his own.

We can end this shutdown now. We can take action on the floor of the Sen-

ate. We can do the responsible thing in response to the pain that I know we are hearing from all of our constituents all across the country.

What are we waiting for? End this shutdown now.

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

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

Mr. VAN HOLLEN. Mr. President, today marks the 21st day of the government shutdown, an unnecessary and shameful government shutdown. We are now tied with the longest shutdown in American history.

A few weeks ago, the President of the United States, President Trump, said he would be "proud" to shut down the government if he didn't get his way. This is nothing to be proud of, and the harmful impacts of the shutdown are growing by the day, growing on people throughout this country who are being denied important government services, impacting every American.

We just heard the other day from the Food and Drug Administration that they are no longer going to carry out some of their food safety inspections, putting at risk the American food supply for every American. We heard from the EPA that they are going to be suspending their monitoring of some toxic pollutants, also having a growing harmful impact every day on the country and putting the health of American citizens at risk. So that is nothing to be proud of, nor should any of us be proud of the fact that today marks the first full pay period in this shutdown where Federal employees are going to get no pay. These are civil servants who go to work, when they are allowed to, for the good of our country in all sorts of Agencies, providing fundamental services.

Today—I know you can't read this document from there—they are getting pay stubs, and on the pay stubs in the place where their normal pay period salary should be, there are zeros—zeros.

I just arrived on the Senate floor from a meeting that Senator CARDIN, my fellow partner representing the State of Maryland, held in Howard County, MD. We met with 16 Federal employees, most of whom have been locked out of work and all of whom are not getting any paychecks. We wanted to bring them together to hear about the impact this shutdown was having on their lives and on their families.

The first thing they wanted to talk about was that they wanted to get back to work to do the business of the American people. When they are out of work, so many Americans who rely on their efforts are denied the benefit of their work. So they emphasized the

fact that their No. 1 priority was to get back to work on behalf of the American people.

We also wanted to hear from them directly about what the impact was on them as individuals and their families because they are now getting a big zero on their pay stubs.

One of the people we heard from was Freda McDonald. She works at FEMA, the Federal Emergency Management Administration. She has a chronic medical condition that requires her to get treatments every week. She said she has pretty good insurance to cover most of her health condition, but the insurance doesn't cover the cost of her medication fully, and she needs to get that on a weekly basis. Then, on a weekly basis, the copays amount to hundreds of dollars. So she is going to be squeezed right away on getting access to the medication to treat her medical condition because she got a pay stub with a big zero on it.

We heard from Kerri Woodridge. He works at the Office of Personnel Management. A lot of Americans don't know what that Agency does, but they are the Agency that has to oversee Federal employees throughout the system. If they are not at work, the whole system begins to break down. The first thing he emphasized was the total waste of dollars to the American taxpayer in keeping them out of work because that just creates even more inefficiencies throughout the entire Federal Government when the Office of Personnel Management can't be on the job. He also talked about the fact that he is not going to be able to make his mortgage payments.

There are a lot of Federal employees—thousands and thousands of Federal employees, GS-2s and GS-3s, who are literally one payment from not being able to make their bills. Now their pay is not coming in, but I can tell you their bills are still coming in. Their mortgage payments are coming in, their rent payments are coming in, their medical bills are coming in—all of those bills are coming in, even though their paycheck is not.

Mr. Woodridge talked about the fact that with the upcoming mortgage payment, he didn't think he would be able to make it. He has electric bills. He spoke very passionately about his children because he has a son who has some special needs, and in order to make sure his son can perform well at school, the family has hired a tutor for that child, and he doesn't think he is going to be able to make the payments to the tutor in the coming weeks. He said: Well, the Agency said you should get a lawyer to protect you from the creditors who are coming after you when you can't pay your bills. Mr. Woodridge had a pretty simple question: If I can't afford to pay my bills, how can I afford to hire a lawyer to protect me from the people who are demanding I pay my bills on time?

Eric Bryant, another Federal employee there, an Air Force vet, is someone who served his country in uniform

before serving his country in a civilian capacity for our Federal Government. Thirty percent of our Federal employees are veterans. They served their country in the military, and now they are serving their country in a different way as civil servants in the Federal Government. He said that he had called the electric company to let them know that because he wasn't getting paid, he wasn't sure if he would be able to pay his electric bill on time. Could they take it easy on him? The electric company said: We want our money. Sorry, go find the money to pay the bill on time.

I don't know if they threatened to turn the lights off or not, but people aren't going to be able to pay their mortgages or rents or electric bills or other bills.

There was another Federal employee who took a moment out of work. He is actually not furloughed. He is working because he is part of the Federal Law Enforcement Officers Association, and he has been deemed essential for the public safety. But he came there to let us know that when his colleagues, many of them in the analytics part of Federal law enforcement—the folks who collect DNA, the folks who are tracking suspects, people who are tracking fugitives—when that whole part of Federal law enforcement is furloughed and can't do their job, that puts those who are on the job and in the line of duty at greater risk. He said that it puts their lives at greater risk.

Of course, to the extent that we are compromising and weakening Federal law enforcement in general, we are also putting the public at greater and unnecessary risk every day.

We heard similar accounts from other Federal employees who were there. We also heard from a small Federal contractor. I am sure that all of us are hearing not just from Federal employees but so many small businesses that provide services to the Federal Government in places around the country, and in many cases, they are in danger of going belly-up.

In order to deal with the shutdown and the fact that they may not get paid as a small business by the Federal Government for their services, they also are laying off their employees. Many of these are low-wage employees or median-wage employees. Think about contractors who provide food services to different government agencies or janitorial services. Those employees are also living paycheck to paycheck. They have been told not to come into work. We heard from one that is a nonprofit called Senior Service America that actually helps put seniors to work in jobs around the country. Just a few days ago, this particular Federal contractor in Maryland furloughed—laid off—176 of their employees. These aren't Federal employees being laid off.

In addition to that, these are Federal contractor employees who work for small businesses that contract with the Federal Government. The negative im-

pacts of this are mushrooming by the day, harming families, harming communities, and harming all of the others that also require the economic activity from either Federal employees or small business contractors who help at their restaurants, and that is on top of what I talked about earlier, which is the negative impact of the denial of important services and health protections for the entire American public.

A lot of the concerns expressed this morning by Federal employees also include the long-term impact. If you don't make a mortgage payment on time, that is going to hurt your credit rating. In some cases, for Federal employees who work for National Security Agencies, their ability to keep their security clearance is tied to their credit rating. When you start having your credit rating downgraded, it is going to mean, No. 1, you don't get credit, can't pay your bills, and it also means, in some cases, that you risk your entire livelihood, at least in those Federal Government jobs that require good credit ratings.

None of this is anything that the President of the United States or anybody should be proud of. I do want to say a word with respect to the contract employees. Yesterday, Senator CARDIN, Senator SMITH, Senator BROWN, Senator KAINE, and many Senators—about 30 Senators—wrote to the Office of Management and Budget, wrote to the Trump administration, and asked them to use their contract authority to hold harmless those Federal service contract employees who are being locked out of work through no fault of their own.

I was pleased that just yesterday in this body, on a unanimous basis or by unanimous consent, we passed legislation that would ensure that Federal employees were made whole at the end of the day because they should not be the ones who are punished for a shutdown they had nothing to do with.

Senator CARDIN and I and others proposed legislation to ensure that innocent Federal employees should not be the victims of a political fight they had nothing to do with. I am hopeful that later today, the House of Representatives will pass that legislation and the President will sign it. That, of course, would remove a big cloud of uncertainty that hangs over the head of Federal employees who are either working without pay or furloughed and locked out without pay.

It, of course, doesn't deal with the fact that while Federal employees are denied a paycheck, they are not going to be able to make their payments on time on mortgages and rent, and they will have a snowballing, harmful effect from loss of credit rating. There is other legislation that has been introduced by Senator SCHATZ and I and others to make sure that Federal employees aren't hurt because of their credit impact or by people collecting bills, just as we protect servicemen and women who are deployed overseas to

make sure people can't come after them when they are not here and not able to pay their bills. I hope we will pass that legislation.

All of this just goes to show that while Federal employees and the small business service contractors and a growing number of communities that depend on that economic livelihood are being hit by the day, the big losers are also, of course, the American people, both because of the lack of health protections and services and because, at the end of the day, taxpayers want to make sure they are getting services for their tax dollars.

What are we accomplishing with a government shutdown? I must say that when the President of the United States says he can "relate" to what is happening, it is pretty clear he can't, right?

I don't know if my colleagues saw the Coast Guard statement the other day on how you are supposed to help make do during the government shutdown. Here is a recommendation that they provide. This is step 4 to supplement your income. They suggest that finding supplemental income during your furlough period might be challenging, but here are a few ideas for adding income:

Have a garage sale—clean out your attic, basement and closets at the same time.

Sell unwanted larger ticket items through the newspaper or online.

Give me a break. When the President of the United States says he can relate, I want to see the President of the United States hold a garage sale. This is somebody who goes from Trump Tower to Mar-a-Lago and back to the White House. He can't relate to these fellow Americans, Federal civil servants who, when they miss a paycheck, can't pay their mortgage.

This is why, just yesterday, Senator CARDIN and I asked unanimous consent for the Senate to act immediately on two bills that came over from the House to reopen the government because, yes, this is the shutdown that President Trump said that he would be proud to have if he didn't get his way. He is certainly the initiator; he is certainly the protagonist of the shutdown. But every day that goes by when this Senate doesn't do what it can that is within its power to end the shutdown, the Senate is an accomplice in President Trump's shutdown. If we have it within our power to do our job as a separate branch of government, then we should do it. It is not an excuse not to act because the President doesn't like what we propose. Under article I of the Constitution, we are a separate, independent, and coequal branch of government.

Last Thursday, as their very first order of business, the House of Representatives passed two bills. The first bill was H.J. Res. 1. I have a copy of it right here in my hand. What this bill does is reopen the Department of Homeland Security at current funding levels through February 8, to give us all an opportunity to debate the best

and most effective way to provide border security in our country. The dispute here is not about whether we need border security; of course, we need secure borders. We don't want open borders. We need secure borders.

The question is, What is the most effective and smart way to accomplish that? The Presiding Officer is an expert on this. I respect the input he has provided to this body and others. We need a multilayered approach. But the purpose of H.J. Res. 1 was to say: OK, we have some differences over the best way to do that, but let's not shut down the Department of Homeland Security while we debate that. Let's keep it open at least until February 8 at current funding levels and work that out. That is what the House sent to the Senate.

Guess what. With respect to the Department of Homeland Security, it is identical—word for word—to what this Senate passed just before Christmas. We passed it on a voice vote—a big, overwhelming bipartisan vote. That vote was to keep the Department of Homeland Security and other Departments open until February 8.

What is the justification for not having a vote in the Senate on the same thing that we passed by voice vote just a few weeks ago? The answer we get is: Well, the President of the United States doesn't agree with it.

Well, that is too bad. We are a separate branch of government. If the President wants to veto that, let him veto it. Then it comes back here. Under the Constitution, we would have a veto override vote. But we shouldn't be contracting out our responsibilities under the Constitution to the President. Yet the Republican leader, the majority leader, objected to letting us vote again on the same measure that we voted on just before Christmas.

Senator CARDIN then offered the other unanimous consent request yesterday. That was to pass legislation to open up the other eight of the nine Federal Departments that are closed—Departments that have nothing to do with Homeland Security, nothing to do with border security.

This legislation was also passed by the House of Representatives on its opening day a week ago Thursday. Here is the kicker. The House didn't take the numbers that the House of Representatives was proposing in the appropriations bills for these Departments; it took the funding levels the Senate had proposed on a bipartisan basis, and the Senate did that on a bipartisan basis in two ways.

First of all, the full Senate voted overwhelmingly—certainly, by a veto-proof margin—to fund eight of those Federal Departments through the remainder of this fiscal year—so through September 30—at levels we agreed to, first, on the Senate Appropriations Committee and then by an overwhelming vote on the Senate floor. The other measures in the bill the House passed were measures the Senate Ap-

propriations Committee, on a bipartisan basis, overwhelmingly supported.

The House said to the Senate: We are going to send you a bunch of bills to open up the government at levels the Senate has already agreed to, in a bipartisan way, one way or another.

Yet the Republican leader, Senator MCCONNELL, on behalf of the caucus, said: No, we are not going to allow a vote to reopen eight of those nine Departments because the President doesn't want it, because the President wants to hold all of those Departments that have nothing to do with homeland security hostage until he gets his wall—a 2,000-mile-long wall.

The irony, of course—and the Presiding Officer knows this—is that the President's own budget for this year was \$1.6 billion. That was the President's budget for this year.

I am happy to sit down—and I know all of our colleagues are—to work out the best way to provide border security. As part of an overall approach, we had barriers along parts of our border long before President Trump was in office, but we don't want to be wasting taxpayer dollars. As I said, even the President's budget for this year was not requesting what the President says he now needs.

Let's be straight with the American people. It is not just \$5.7 billion—or whatever it is—to build a wall. You are talking about a 2,000-mile-long wall, so you are talking about \$30 billion. What the President wants to do is to come back every year and shut down the government until he gets his next installment on a 2,000-mile-long wall that the experts tell us is not the smartest way to provide border security and is certainly not the most cost-effective way.

Let us remember that the President said this was something Mexico was going to have to pay for, not the American taxpayer. I saw him on TV yesterday, when he was down at the border and was trying to explain away that campaign promise: Oh, I didn't really mean Mexico was going to pay for it directly; it was going to be indirectly.

That is just not happening. We know Mexico is not paying for this wall like the President said. That is why, as its first order of business, it is important for the Senate to pass the legislation that is before us that we have already supported on a bipartisan basis. Literally, we have the keys today, if we want to, to pass the bills that would reopen the government and send them to the President. If he doesn't want to sign them, at least we will have done our work as the Senate. We would then face the question of overriding the President's veto to reopen the government.

This is where we are now. As I said, as each day goes by, we have Americans who are being denied more and more services. In addition to the ones I have already mentioned, I have spoken to a lot of small businesses that rely on the Small Business Administration for

their small loans in order to get up and running, and I have spoken to a lot of folks in farm country who really rely on farm service credit and farm center services. They are being squeezed very badly.

This is impacting people throughout the country as 80 percent of Federal employees actually live and work outside of the national capital area, and 80 percent of them are folks like the folks along the border. There are TSA officials who are all over the country at airports, and all of them are being asked to go to work every day without pay. They are getting zeros on their pay stubs like the other hundreds of thousands of Federal employees.

It seems to me this is the time for us to act. That is why I have joined with so many of my colleagues to say to the Republican leader, to the majority leader: Let's do our job under the Constitution. Yes, we know what the President's position is, but what is our position? Why are we unwilling to vote on two bills that are before us that reflect the position this Senate has taken on a bipartisan basis already? How can we justify to our constituents and to the people around the country that we are unwilling to take a vote on measures that we know have overwhelming support in the U.S. Senate because we want to somehow reinforce the President in his own political fight?

I am very hopeful that as the days go by, the Republican leader will decide to make sure this body—the U.S. Senate—does its job as a separate branch of government and will take up the bills that will reopen the Federal Government, put people back to work for the American people, make sure Federal employees who are working get paid and that those who have been furloughed will have a chance to go back to work on behalf of the American people.

We have it within our power to do it today. We have it within our power to do it any day now. I hope we will do our part to end this shameful shutdown. By tomorrow, it will be the longest shutdown in American history. The President of the United States may say he is proud of it, but I hope not a single Senator in this body—Republican or Democratic—will be proud to be here on the day in history when we will have broken the record for the longest government shutdown. In my view, that is a dereliction of duty, and it is certainly a dereliction of duty for us not to do our part and use the power we have to take a vote on the bills that are at the desk in the U.S. Senate to reopen the government for the American people.

I see my friend, the Senator from Maine, is now on the floor. I thank him for his leadership in this battle.

Let's do the right thing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I first want to make a single declarative sentence:

There is no one in this body who is for open borders.

One of the most troublesome aspects of this debate that has been framed, particularly by this administration, is that you are either for the wall or for open borders. That is not true. In 2013, two-thirds of us voted for a very strong border security provision as part of the comprehensive immigration reform bill that passed this body—as I say, by two-thirds. It was never taken up in the House. Had it been taken up in the House, it likely would have passed; the President would have signed it; and a lot of these issues would have been behind us.

All of us—everyone here on both sides of the aisle—support border security. What we support is cost-effective, sensible border security, not border security that really doesn't fit the nature of the problem we face and that so far, anyway, is undefined in terms of location, design, cost, and all of the other characteristics of any major construction project that is submitted to this Congress for its approval.

Again, one of the problems with this whole discussion is what does the President mean when he says “wall”? Is it 30 feet high? Is it 20 feet high? Is it steel? Is it concrete? This has evolved over time. The biggest question is where and how long. Is he talking about a wall that extends from the Gulf of Mexico to Southern California, to the Pacific Ocean? That is about 2,000 miles. Is that what he is talking about? If so, we should know that. Then we can debate it as it relates to other potential options for securing the border along that distance.

It also should be noted that there already is a wall, by anybody's definition, along portions of that border. I have seen it. I have been to McAllen, TX, where the President was yesterday, and I have seen the wall—a wall. Yet the questions are, How big is it? Where is it going to go? How is it going to be designed and paid for?

One of the reasons the wall is really not the right solution for the current problems of immigration starts with the fact that about 50 percent of the illegal immigrants—of the undocumented immigrants—in this country today are here on overstayed legal visas. A wall has nothing to do with these people. These are people who came in through airports and all other ports of entry all over the country into the United States, and 50 percent are here on overstayed visas. The wall has zero effect on that issue.

The other principal issue we are facing at the wall—and this has also been confused in the news coverage of the caravans and in the fear that has been spread—is that the vast majority of the people who come to the border today are not looking to sneak across; they are looking for a port of entry at which to give themselves up as asylum seekers. They are not illegal immigrants; they are availing themselves of American law. Once they get to this coun-

try, with their having credible fears of prosecution or of persecution or of danger in their home countries, they have a right to have it be determined whether they are legitimate asylum seekers.

That is who we are dealing with. That is who all of those people are. When you see the pictures of the caravans, they are not headed for a blank place in the Arizona desert. They want to go. They want to be captured. They want to be taken into custody. Then they can have their asylum claims adjudicated. The wall has nothing to do with them. The wall is a response to a problem that is decades old but that has grossly, drastically diminished over the last 10 or 15 years. For the problem of people literally sneaking across the border—entering the country illegally—all of the data is that the number is down. It is down about 85 percent from the number of people who entered the country illegally in 2007, over the past 10 or 11 years.

By the way, all of the data can be found in a fascinating document that was produced in September of 2017, about a year ago, by the Trump administration's Department of Homeland Security. I can't remember the exact title, but it is something like the “Status of Illegal Immigration at the Southern Border.” It is a long report that is full of graphs. I like graphs, but I don't need to hold them up because all of the graphs have a downward slope in terms of illegal entries, of the people who get away, of the number of people who come in who are recidivists, who have been here before. They are all down. So to argue that we are somehow in a crisis today, when all of the indicators are moving in the right direction, is really hard to reconcile with the reality.

The issue I am trying to illustrate is that the wall is the wrong solution to the current problem. It may have been a rational solution in 1985 or even in 2005 or in 2006, when the Congress passed a major fence law and did increase border security substantially, but we are dealing with a different set of problems today that the wall—a wall—whatever it is—doesn't address.

I said at the beginning that nobody here is against border security and that there may be places where a wall is part of that. Yet one of the secondary problems we have is, we have never been told what this thing—the wall—is. How long will it be? How big will it be? How much will it cost? Is it going to be on private land or Federal land? We don't have a plan for what it is that is actually being proposed that the government is being held hostage over.

We don't know what the President wants. To say “I want a wall” doesn't tell you much. Is it 2,000 miles long or 100 miles long? Is it 20 feet high, is it a fence, is it a 30-foot high concrete wall or something with steel slats, which seems to be the design of the day?

We don't really know what it is. If the mayor of Bangor, ME, went to the

city council and said “I want to build a new school, but I am not going to tell you how many students are going to be in it; I am not going to tell you where we are going to build it, and I am not going to tell you what it is going to cost; just give me a blank check to build that school,” the city counsel of Bangor would laugh Her Honor out of the hall. It wouldn't even think about doing something like that. No city in America would do something like that. Yet that is what we are being asked to do here today.

We are essentially being asked for a blank check—well, it is a check for \$5.7 billion, but that is a downpayment. The real estimate is for what they think the President wants, which is more in the \$20- to \$25-billion amount.

That gets me to my final point before I talk about the impact of this in Maine. Let's say that we could settle this, this week. We could negotiate with the White House—which is not easy to do because their position changes day to day—and say: OK, it is going to be 100 miles of wall; this will be the size; this will be the design; this is the agreed-upon cost. Let's say we could do that. If we do that in the context of the government being shut down, we are inviting this to happen again.

Next year, we will just have more budgets. We have a debt ceiling debate coming that is very important for the future of the country, for the economics of the country, for the soundness of our economy. We have budgets coming next September. If this works, if this shutdown that has been initiated by the President works as a tactic to get a portion of his wall, he will do it next time. That is why the age-old principle is, you don't negotiate with hostage-takers. Why? Because if you do, the next time, they will do it again. Then this will become a normal and routine tactic between this President and, perhaps, future Presidents and the Congress that puts us in a position of being totally—where we have to choose between a government shutdown and the pet project of whatever and whoever that President is. That is a very dangerous path for us as a deliberative body, particularly as a coequal branch of the U.S. Government.

I have talked in sort of global terms, but this is hurting Main Street America. We have heard today and we have heard on the news and we hear all the time about the effects on the furloughed Federal workers, which are very real. Today is the day that they don't get their check. Here is the problem: You can shut down and stop people's checks from coming, but you can't stop their bills from coming—their mortgage payment, their childcare payment, their automobile insurance, their homeowners insurance, their heating bill, their medication, their food. All of that has to be paid for.

We can say: Well, we know they will make adjustments. That is a pretty

hard path to put people on. That is a heartless path. These people are being used as pawns, as hostages, in a policy debate that has nothing to do with them.

One of the easiest solutions would be for us to pass the six bills that the House has passed and that we passed, which funds 90 percent of the government. Why should the Department of Agriculture be caught in the crossfire of a debate over a wall in Texas? Why should park rangers be caught in that? Why should the Coast Guard be caught in that?

This is having a real effect. Aside from those Federal workers, of whom there are about 1,000 in Maine on furlough right now, there are all the contractors that serve these government Agencies. We passed a bill last night that is going to ensure that the furloughed Federal employees will eventually be paid. That doesn't say anything about what they are going to have to do about penalties on late mortgages and those kinds of things that they can't pay now. But there is no help for the contractors that are going to lose total income during this period, and some of them will be threatened with going out of business.

It is not just the 800,000 workers nationwide; it is thousands and thousands—tens of thousands—of people who depend on those Agencies for the work that they do, that they provide to the Federal Government.

Let's talk about effects in hometown, Main Street America—in places all over Maine. In Portland, for example—I will chuckle because it sounds like "Oh, this is no big deal"—one of our most growing industries in Maine is beer. We have over 1,000 people employed in the craft brewing industry. It has been a growth industry. Yet many of the brewers are being stymied because they can't ship their beer across State lines without approval of their labels from the Food and Drug Administration. That is held up.

We have a merger or an expansion of a brewery in Southern Maine that is held up because they can't get their permission from the tax and trade bureau, from the ATF. These are the kinds of things—the services that should be provided—that aren't occurring. The Portland Press Herald reported on the breweries.

The Portland Press Herald also reported on a developer who has a project to develop a real estate project in Maine and can't get an SBA loan. The SBA is shut down. That is going to hold up the project and could even cause the deal to fall through.

The Bangor Daily News reports that a family is stuck in the middle; they have moved out of their house, anticipating a closing on a new house with an Agriculture Department loan guarantee that is now stuck, stranded. There is no action, nobody to answer the phone. They are living out of boxes. They are caught in the middle.

These aren't Federal employees. These are good Maine people who relied

upon the daily activities of the Federal Government occurring, which ought to be just simple common sense. Yet they are caught without a place to live.

The Ellsworth American newspaper in Ellsworth, ME, an award-winning weekly newspaper, reports about a smokehouse that does smoked salmon. They were getting ready to reopen and hire people. They got people on staff, and, all of a sudden, they are dead-stopped because the Food and Drug Administration can't act to approve their licenses.

You can say: OK, this little smokehouse can survive. The family will find a place to live, but if you multiply these examples by thousands and millions, you are talking about a really substantial effect on real people's lives, and there is no excuse for it.

If this were over some major life-or-death policy issue, it would be somewhat understandable, but this is an eminently negotiable problem. It is not a crisis but a problem. I don't argue that it is not a problem and that the southern border doesn't need to be secure—again, that is where I started—but the question is, How do you do it right? How do you do it in a way that makes sense to the American taxpayer?

There may be places where we need a wall, but the wall is \$200 million a mile. There may be ways to do it for a fraction of that and provide equal security. There also are ways—for example, with better screening devices at the ports of entry—to deal with drugs.

By the way, all of the data from the DEA, the current administration's Drug Enforcement Agency, is that the principal source of drugs coming across the southern border is at ports of entry, hidden in cars, hidden in trucks, not over, through, and around some place in the middle of the desert. That is where the drugs are coming through. That is where we ought to be concentrating. That is where we ought to be putting the technology—more dogs, more technology that can detect this type of thing, not building a wall that doesn't address the current problem. It is a solution, but it is going after the wrong problem.

These are real-life impacts. It doesn't need to be this way. If this were a project being proposed by the military—a new BOQ at Fort Benning—it would come to this Congress. It would go to the authorization committee. The plans would go to the Appropriations Committee. We would review it, question the sponsors, determine if it were an appropriate expenditure of public funds, and either approve it or deny it or suggest some alteration. This wall has never gone through that process. We are basically abdicating to the administration a major decision, particularly about public expenditure, without meeting our responsibilities.

One really simple way to get out of this would be for us to vote by two-thirds to pass the budget that we voted on 98 to 2 several weeks ago. It has \$1.6

billion in it for border security, by the way. We could pass that and then sit down and talk with the administration about just what it is that they want and what is reasonable and how do we do it in a sensible way, and then we can get this thing done.

What worries me is the posture that the Senate is in today is adding a provision that isn't in the Constitution. The Constitution says that the President can veto a bill. What we are saying here, now, through our inability or unwillingness to bring a bill to the floor is that the President can stop a bill simply by saying he doesn't like it. That is not what the Constitution says. It doesn't say that the President has the right to stop a bill he doesn't like. It says that he has to veto it. If he is going to veto it, fine. Then we can discuss it, debate it, and determine whether that is an appropriate veto. But by avoiding the responsibility of considering this legislation, we are essentially handing the President a massive power that I don't believe Presidents should have.

This is an important issue. It is one that should be considered. It is one that should be debated. I would like to see the administration given the opportunity to make its case for the specifics, not the case generally about criminals or drugs—many of those claims have been refuted—but a specific case: Here is what we want to do; here is the effect of it; here is what it will cost; and here is why this is the best solution, as opposed to other solutions, like a fence or more Border Patrol agents or more technology or drones or sensors or whatever. We are not being given that opportunity.

I am perfectly willing to debate that in good faith. I don't dismiss out of hand that a wall may make sense in certain areas, but I am not prepared to give this administration a blank check for some construction project when I don't know what it is they want to build.

I am also very reluctant to concede anything in the context of a hostage situation where the U.S. Government is being held hostage because of a project that the President wants to build. If we do this, this will become the go-to tactic for this administration and probably for future administrations. We will have established a precedent that will haunt this institution for years to come. That is one of the reasons I think it is just imperative that we not cave in to this kind of attempted intimidation and express our good-faith willingness to look at, work on, and try to establish the right rule for all parts of border security, not put all of our chips in one area that I believe will be both ineffective—not cost-effective—and damaging to our other efforts to actually secure the border and protect the American people.

I yield the floor.

THE PRESIDING OFFICER. The senior Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I have listened to some of the remarks

from my colleague from Maine. I appreciate so much of what he has said, the reminder to us all to be acting in good faith here.

I would like to just take a few moments this morning to say: Count me in. Count me in to be operating in good faith. Count me in as one of the many in this body and the many around this country who want to ensure that we have strong borders in this Nation, that we have true and meaningful border security, whether it is at our southern border or whether it is at our northern borders, whether it is our borders on land or whether it is our borders on sea.

Count me in as one who is prepared to deal with the difficulties, the true humanitarian issues that we are seeing on the southern border today with an influx of children and families, those who are seeking asylum, those who are frustrated with our system. Count me in as one of those who want to address these issues. But also count me in as one who says that shutting down the government is not governing. Nobody is winning in this.

I have been reading all the accounts that are out there in terms of whether people think this is on the President, whether this is on the Democrats, whether this is on the House. Do you know who it is on? It is on the backs of all of us, of the men and women who are the Federal workers, who work hard, who get up every day and do the jobs we have tasked them to do, some of whom are furloughed, some of whom are working without pay, but all of whom are worried about where we are.

We are now in the longest shutdown we have seen. I think it is either today or tomorrow that we will pass that benchmark. It is not just Federal workers who are being impacted; it is those of us who rely on the services of those who work in our Agencies.

I come from a State, as does my colleague from Maine, where fisheries are a significant issue for us. NOAA and some of these other Agencies have a great deal to do with the economic health and well-being of our State right now. This is our big crabbing season. This is the time of year where there are a lot of folks out there on the water who need to be able to provide for their families—their livelihood. You think it is all about looking for the crab at the bottom of the Bering Sea. Well, in order to do that, you not only have to have certain permits, you have to have the ability to unload your load at the dock with certified scales.

Not necessarily in the crab fisheries, but in other fisheries, you have to have observers on your boats. One of the things we are learning is that the observers need to be checked out after their trip. They have to be checked out before they can move to another vessel. You have kind of a ripple effect that is going on out there. So if you are a cod fisherman or a crab fisherman and you are thinking: The government shutdown doesn't mean anything to me—it

doesn't until it does. Our reality is that there is impact, and I understand that it impacts us in many different ways.

Every morning, I check in with the folks who are answering my phones here in Washington, DC, along with staff back in Alaska, and I ask, what are we hearing from folks back home?

I will tell you, I have a lot of people saying: LISA, you have to stand with the President. You have to stand strong on this because we need to have border security.

Then I have an equal number who are saying: Please, please do something to help reopen this government. We expect it of you. We need it from you. We are begging you to make things work. Fix it back there.

I think about where we are right here and right now. There have been some suggestions out there that we don't know how long this is going to take, but we just have to hunker down, and you are just going to have to figure out how you can make ends meet.

We have some great credit unions in the State of Alaska that have put out notices that say: If you are concerned about how you are going to make that mortgage, make that car payment, pay your landlord, come to us and talk to us. I so appreciate that, but I also know that many times, that is limited in its application.

This suggestion that I have heard by some that, well, you can just go out there and get a second job—I come from a State where we have the highest unemployment rate in the country right now, or maybe we are now second from the bottom, but there are communities where there aren't a lot of options.

Our Coast Guard base in Kodiak is the pride and joy of the Coast Guard. We have a lot of coasties who serve us in Alaska—about 2,500, and that is significant for us. But in the community of Kodiak, if a military spouse or a Coast Guard spouse says “I have to find a job because my husband isn't getting paid, and we are not quite sure when it is going to come,” in Kodiak, it is pretty tough to find a temporary job.

One of the things we have learned is that, you have a situation, OK—the Coast Guard is required to show up, and we so appreciate that. We so appreciate the work of the Coast Guard. They are out there in the Bering Sea right now. They are helping those who are dealing with some pretty extreme conditions. Every day, they put their lives on the line for us. So the fact that they are not protected at this point in time causes me great concern and anxiety and stress, as it does them as well. But think about it. You have a situation where non-exempt employees are those who are providing childcare at the childcare center. So you are still going to work and not getting paid, but now your childcare center is not open.

Think about these real-life applications, and then think about the very easy answer: Well, go out and find

something to tide you through. So I asked my team back here—I said: Wait a minute, you could go out and you could drive Uber. Well, if you are a Federal employee, you can have secondary employment, but in order to ensure that there is no conflict with your Federal job, you have to get permission to do so. So if you are in the middle of a shutdown and if your Department is shut down, where do you go to get permission to get that secondary job? Where do you go to ask for permission and say: I want to drive Uber for the next however many weeks until the government opens. There is nobody there to give the approval.

It seems like this, where we can say back here in the Halls of Congress: Just hang tough. Just be strong. Just talk to your landlord. We are all going to get through this together.

We want border security. I want border security. I think the President's request for a comprehensive view of how we address this is not something that is so unreasonable. Let's figure that out. Let's walk through it.

I was part of a group this week who was suggesting, let's take the proposal that the Acting OMB Director sent to the chairman of the Appropriations Committee, and let's treat that as a request for supplemental appropriations. Let's have that hearing. But in order to do this, we have to get our colleagues on the other side to sit down and go through this process with us. So maybe we can get a short-term reprieve. Let's do a short-term CR to allow us to process this. But let's not keep the government shut down while we do this. We can figure out these things.

Everyone is talking about leverage—it is all political leverage. Well, tell that to the people who are really worried right now.

We had a pretty tough earthquake on November 30 that a lot of folks are still digging out of. They are writing checks to contractors because they need to make sure they are going to have a boiler to get through a cold winter or make sure the foundation in the home they want to get back into—that they are going to get back into it sooner than later. But what do you do if you are not sure if that paycheck, which was supposed to come today, is coming today or coming 2 weeks from now, and you have written the check to the contractor? There is a lot of anxiety out there.

I hear from a lot of these folks who are dealing with unexpected household expenditures after that earthquake. I shouldn't say it is just after that earthquake; we just had another one yesterday, 4.7. This is the fourth earthquake we have had since the first of this year, January 1, that has exceeded 4.0. So we had the big one, and then we have had thousands afterwards. So we are still dealing with a lot of this stuff. When people hear that the requests for FEMA assistance or for small business assistance may be delayed because the government is not open—think about

how we are compounding their stress, their anxiety.

I have been part of groups who have talked to the Vice President, have talked to his negotiating team. I myself have raised these issues with the President. I want to be part of the solution, and I want to be part of the solution sooner rather than later because we owe it to the people of this country to function, and when the government is shut down, partial or otherwise, we are not functioning.

Let's stop talking about who has leverage and who doesn't have leverage and when that is going to tip to advantage the other side. Let's do what we need to do when it comes to ensuring the security of our Nation and our borders. Let's navigate those issues. But let's not hold hostage good men and women who are working hard to keep us safe every day through the basic functions of government.

I am one who has signed on I think to most of the bills that are out there that would help alleviate some of what individuals and their families are seeing, whether it is the Pay Our Coast Guard Act, the End Government Shutdowns Act, the Pay Excepted Personnel Act. But those are simply bandaids, and quite honestly, they are probably not getting more than messages right now.

What I am hearing from folks is, keep us secure, protect our borders, deal with humanitarian issues, but allow our government to function. Go to work, stop arguing about who is winning, and let's get the government open.

SIGNING AUTHORITY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the senior Senator from Alaska be authorized to sign duly enrolled bills or joint resolutions today through Monday, January 14.

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

ORDERS FOR MONDAY, JANUARY 14, 2019

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, January 14; 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, that notwithstanding the provisions of rule XXII, the cloture motion with respect to the motion to proceed to S. 1 ripen at 5:30 p.m., Monday.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, if there is no further business to come before the Senate, I asked that it stand adjourned under the previous order fol-

lowing the remarks of our Democratic colleagues.

Mr. KING. Would the Senator yield for just a short comment?

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. KING. I can't leave the floor without complimenting the Senator from Alaska for her usual thoughtful analysis and constructive approach to dealing with this issue. I am proud to serve with the Senator on the Energy and Natural Resources Committee. She has brought the same wisdom to the floor today that she does to the work of our committee. I simply wanted to acknowledge that and thank her for her comments.

Ms. MURKOWSKI. I thank my friend from Maine. I enjoy working with the Senator as well.

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

Ms. BALDWIN. Madam President, I rise to speak about President Trump's shutdown and the real pain that it is causing in my home State of Wisconsin and in communities across this country. The Trump shutdown is now in its 21st day, tying the longest Federal Government shutdown on record. Today is also the day that approximately 800,000 Federal workers will not get their regularly scheduled paychecks, including approximately 3,000 Wisconsinites. Many of these workers are doing their jobs without pay: Coast Guard workers, Transportation Security Administration agents, air traffic controllers, along with Federal law enforcement, including FBI and DEA agents.

These hard-working Americans are suffering because President Trump and Republicans in Congress refuse to support bipartisan legislation to end this shutdown and reopen the government.

We should be working today to pass bipartisan legislation to end this senseless and useless shutdown and reopen the government. Sadly, no votes are scheduled today by the Senate majority leader, meaning that the Trump shutdown will continue.

The House did their job and passed bipartisan legislation to end the Trump shutdown, but Senator Majority Leader MCCONNELL has thus far objected to bringing up this legislation in the Senate. In fact, yesterday, I joined many of my colleagues on this Senate floor in an effort to pass, once again, bipartisan legislation to reopen the government, but Majority Leader MCCONNELL blocked our efforts, and the pain will continue for so many across this country.

Why is the government shut down? Over the past 3 years, President Trump has publicly promised well over 200 times that Mexico would pay for his wall. Now he has shut down our government over his failure to keep his promise. He even said that he takes pride in this Trump shutdown.

The American people shouldn't pay for this deception, and Congress should

not make taxpayers pay billions of dollars for his wasteful and ineffective wall. What we should do instead is reopen the government and pass bipartisan Homeland Security legislation—supported by both Democrats and Republicans—that provides smart and cost-effective border security.

President Trump's shutdown has many consequences, and he has created many victims. I want to speak about some of the pain Wisconsinites are feeling.

In Wisconsin, the Trump shutdown is hurting farmers and rural communities. It really could not come at a worse time. Wisconsin lost over 600 dairy farms last year and over 500 the year before. In response, Congress worked together on a bipartisan basis to pass a farm bill that would support our farmers and our rural economy.

Unfortunately, with this shutdown, President Trump has threatened all of that progress. His shutdown is stalling the implementation of the bipartisan farm bill and delaying things like subsidy payments and loans that farmers need to get ready for the spring planting season and plan how they will endure in these very uncertain market conditions.

We have heard from farmers about the pain the Trump shutdown is causing them. Here is one story. Michael Slattery is a grain farmer from Manitowoc County, WI. He is waiting on \$9,000 that the Department of Agriculture agreed to pay him to compensate him for the losses from the President's trade war and for conservation efforts that he participates in on his farm.

Mr. Slattery planned to use this money to get ready for the upcoming planting season, but now that is all on hold. To quote Mr. Slattery: "We are being played the stooge."

He is right. Farmers like him have suffered enough under this administration, and the Trump shutdown is another blow for Mr. Slattery and farmers like him across Wisconsin and the entire Nation.

I have also heard from Kelly. Kelly lives in Black River Falls, WI. Kelly has a disability, and she also takes care of a grandchild with a disability. Kelly received funding from the Department of Agriculture, including a program that specifically helps low-income and underserved people in rural communities. The USDA had agreed to help her close on a home and to help her make some immediate home repairs. Now the funding is on hold. She can't pay the contractor who made the repairs, and she is also having trouble paying the mortgage on her new home.

What is the Department of Agriculture doing to help or assist Kelly? Right now, nothing. She can't even get information from the USDA because of the Trump shutdown.

People like Kelly and Michael should not have to suffer because President Trump broke a promise to make Mexico pay for an ineffective border wall.