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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JOHN BOOZMAN, a Senator from the State of Arkansas.

PRAYER

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

Let us pray.

Almighty God, the light of understanding, the nobility of diction, and the faith of the brave, our hope is in Your unfailing love and mercy.

As trouble surrounds us and problems pile up high, remind our lawmakers of the words of Jesus of Nazareth in Matthew 12:25: "Every kingdom divided against itself is brought to desolation; and every city or house divided against itself shall not stand." Lord, give our lawmakers constancy and steadiness of purpose that they may work for Your glory. May they not be unfaithful in their service to You and country or procrastinate in confronting evil.

Have mercy upon us, O God, and this land we love.

We pray in Your awesome Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 18, 2019.

To the Senate:

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

CHUCK GRASSLEY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

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

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. The Senator from Virginia.

GOVERNMENT FUNDING

Mr. KAINE. Mr. President, I rise today to discuss where we stand as a nation and as a Senate on day 28 of the longest shutdown in the history of the

United States. Following my comments, I will offer by UC to pull one of the House bills up, and I understand the Senator from Oklahoma will be here to respond to that.

We were not scheduled to be in session today. We were supposed to adjourn yesterday and then reconvene on Monday, January 28, but I objected to the adjournment, just as I did last weekend, because our government is closed. So we will be in today and tomorrow, off Sunday and Monday in honor of Martin Luther King, Jr., and then return on Tuesday, January 22.

I offer a partial apology to my colleagues and to our professional Senate staff for any inconvenience they experience because we will be in session during a time when there had been a scheduled recess. I have never objected to the normal weekly adjournment before last week, and I cannot imagine doing so under normal circumstances. But my apology is only partial because the inconvenience experienced by anyone in this Chamber—Senate or professional staff—pales in comparison to the pain that this shutdown inflicts upon workers who are not getting paid, citizens who are not being served, and a nation whose reputation is being damaged. We are made to look like a laughing stock by this needless shutdown, and the enemies of America around the world are enjoying this immensely, just as our allies are deeply worried about us.

Despite what some believe and despite the impression that some may draw from recent history in the article I branch, I do not believe the shuttering of the government of the United States is a normal circumstance, and I, for one, will do anything I can to fight against the normalization of the status we find ourselves in today. That is why I am here today. That is why I will be here tomorrow. That is why I will be here all next week. If our government is closed, I will be here trying to open it.

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



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I am only one Senator, and I lack the power to compel anyone else to be here with me other than the Presiding Officer. I lack the power to force a floor vote to reopen government. I lack the power to call up any legislative matter for a vote, save the two House bills that we have agreed may be called up pursuant to the UC rules.

I do have the power to talk every day with my colleagues and the administration officials to encourage the reopening of our government, and I do have the power to stand on the floor and describe the circumstances of my constituents and all Americans who are being needlessly hurt.

Only a few will hear me as I describe their pain, but describe it I will, and the CONGRESSIONAL RECORD will record for all history their stories. If you want me to share your story in the days to come as I take the floor, please reach out to my office at kaine.senate.gov, where you will see a way to share your shutdown story, and I will try to share as many of these as I can in the days to come.

Today, before I offer the UC on the homeland security short-term bill, I want to do two things. I want first to elaborate on a point I made briefly yesterday about the cardinal illogic of this shutdown, and, second, I want to share stories just from meetings that I had yesterday with affected Federal employees and veterans.

The cardinal illogic of this shutdown has at least three levels. The cause of the shutdown is clear. President Trump does not believe \$1.3 billion for border security funding contained in a bipartisan appropriation bill is sufficient. He says "I want more," and he is willing to shut down massive sections of the American government to get more. President Trump is not only willing to do this; he says that he is proud to do this, even for weeks and months, and he invited cameras into a meeting with congressional leaders and told America that he is the sole responsible party for it.

The first level of illogic to the shutdown is this: Most of the employees and citizens affected by the shutdown have absolutely nothing—nothing—to do with the debate over the right appropriations level for border security. What does the debate about border security have to do with the food stamp program and those who work for it? What does it have to do with the National Park Service? What does it have to do with the Environmental Protection Agency, with the Internal Revenue Service, with the chemical safety board, with national forests, with mental health services, domestic violence programs funded through Department of Justice grants, or with affordable housing programs administered by HUD? Hundreds of thousands of workers and millions of citizens who are served by the affected Agencies are being punished—locked out of their jobs, deprived of paychecks, turned away from services because the Presi-

dent believes that if he punishes enough people, even those unconnected with the legitimate issue at hand, he will get what he wants. This is tyrant behavior, not Presidential behavior.

The illogic of this form of punishment struck me most vividly yesterday, when I moved to reopen these affected Agencies and Leader MCCONNELL objected to my UC request. One of the Agencies covered by my UC request was the Executive Office of the President of the United States. At the White House, many of the President's own chosen staff are furloughed or they are working without pay during the shutdown, so I stood on the floor as a Democrat to ask that the President's own staff be allowed to return to work to serve him, to serve the country, and to be paid.

The majority leader, having previously described his motivation as trying to support the President, stood and objected to the motion that would have returned the President's own staff to work. You can't make this stuff up.

The second level of illogic of this shutdown concerns the core of the policy dispute: the appropriations level for border security. The UC request that I will offer in a few minutes deals with that part of the dispute that is pending before the body. I will offer in a few minutes the UC on the House bill that would reopen for a short term the Homeland Security Agencies that provide security while Congress tries to find a bipartisan deal that can pass both Houses and earn the President's signature, and Senate Republicans, again, in a few minutes—at the request of President Trump, who does not yet want this to happen—will object to that request as well.

If the issue in dispute is border security or, as President Trump often says, "the safety and security of the American people"—he says that in speeches; he says in tweets that is the issue—then why punish the very people who are providing that safety and security? How does it help promote safety and security to not pay the very Border Patrol agents charged with protecting the border? How does it promote safety and security to not pay FBI agents, DEA agents, Federal prosecutors, ATF agents, and U.S. marshals? How does it promote safety and security to not pay members of the Coast Guard, who help interdict drugs and also rescue Americans endangered at sea? How does it promote safety and security to not pay TSA agents, who keep dangerous people off planes, or air traffic controllers, who keep air traffic safety safely coordinated in American skies?

The President has proudly taken paychecks away from the very professionals whom we ask to guard the safety and security of the American public every day, and in doing so, he has made our citizens and our country less safe and less secure.

The third level of illogic is a consequence of actions that were taken by Congress and the President in the last

week. For this, I want to offer thanks to my colleagues. I was able, through use of my adjournment objection last week, to negotiate a successful vote on a bill guaranteeing backpay to all workers affected by this or any future shutdown. I appreciate the cooperation of all my Senate colleagues—the majority leader, the minority leader and others and the House—in this effort and appreciate that President Trump signed the bill in the last few days.

Having guaranteed backpay, we are now faced with an unusual question about continuing the shutdown. Now that we know the Federal Treasury will stroke checks to all affected workers to make them whole at least for the salary they have lost, wouldn't we rather have them at work serving their fellow Americans rather than locked out of their offices and unable to serve them? What sense does it make to guarantee payment or prohibit them from doing the work for which they are paid? These workers want to go back to work because they want to serve their fellow citizens.

That brings me to the second part of my remarks before I offer the UC. I had three meetings yesterday with large groups of Virginians where I listened to them talk about the shutdown. Two of the meetings were actually specifically designed to hear from Federal employees about the shutdown. One was an annual coffee that Senator WARNER and I have for veterans to celebrate their service to the country, and as they were waiting in line and taking pictures, they were talking to us a lot about the shutdown.

In these three instances, I heard an awful lot. Just as I will share stories next week, let me now summarize a few of the things I heard from those I interacted with yesterday and tell you about them.

The mother of a newborn, 6 months old, who works as an air traffic controller and can't afford to pay her babysitter, is working but getting no salary. She started to cry because, she said: I have to go to work and can't pay a babysitter. So the only thing I can do is—I am not calling in sick. The only thing I can do is send my baby to my mother who lives in another State.

She started to cry.

My baby is 6 months old. I have never been away from my baby for more than 8 hours. I don't want to be away from my child. How long is it going to go on? I may be away from my child for weeks.

She teared up as she told us about this.

There was a Federal employee who said: "I signed up to serve Americans but didn't realize that I was being drafted into a political war I had no interest in being part of," a war in which Federal employees are used as hostages.

There was a young married couple, both Federal employees, working without pay, holding their newborn, a tiny baby in their arms, and tearing up as

they talked about their uncertainty over paying their mortgage and other bills.

There was a furloughed Federal employee whose wife is a disabled veteran with PTSD but is postponing her mental health appointments because of her inability to pay copays or pay for medications.

The two Federal-employee couple whose 4- and 6-year-old children, hearing in the background the news on TV and hearing their parents' anxious discussions at night, came up to them the day after Christmas, each holding their piggy banks and giving them to their parents, saying: Maybe you guys need these piggy banks now more than we do.

There was a veteran who has successfully created an entrepreneurial government contracting business and has hundreds of employees who are out of work because of the shutdown.

All of these people express this: their love for public service, their desire to continue public service, and their personal pain at feeling disrespected just because they want to provide public service.

A repeated concern expressed by so many of them about the backlog that is on their desks—they think they will be back at some point, but it was really interesting: Sitting on my desk was this piece of work that I really wanted to get done and how much more is going to be there? It will be hard to serve people, and they will be mad because the backlog is so big.

They are having anxiety about not being able to serve people well because the backlog will grow during the 4 weeks of the shutdown.

Then, a deep concern shared by so many: Why would any young person want to go into public service? Why would any young person, with a heart for public service, want to do that as a Federal employee?

Before I offer the UC—I see my colleague from Oklahoma is here—I want to tell one last story that, for some reason, of all the ones yesterday, this is the one that stuck with me. There were others that might have been more dire, but this one stuck with me because I think it exemplifies a spirit I see in so many of our Federal workers.

There was an employee of the National Park Service who has been with the park service for about 10 years, and his job is to physically maintain the space around the White House: groundskeeping, trash removal, anything, as he says, he can do to make those grounds around the White House look really fantastic. He described why he loves his job, and it wasn't sort of the tasks that he does.

He said: I want schoolchildren visiting Washington, DC, and I want international visitors visiting Washington, DC, when they come to the White House, to be able to look at this and see it and feel impressed with the United States of America. It makes me feel proud when I see the reaction on

people's faces as they are there in front of the White House.

That is how he described his work.

He is furloughed and without pay, so he is home. There are news accounts about trash overflowing at national parks and things like that, and that kind of causes him angst, obviously. He is angry about the situation. He didn't mince any words with me as he described it.

Last Sunday morning he got a call. It was: Hey, we need you to come shovel snow.

We had snow last weekend in DC. We had a lot of snow, 10 inches of snow.

You have to come in and shovel snow. You are not being paid. I know you feel the disrespect of being furloughed, and we are not going to be able to pay you for shoveling snow, but can you come in and shovel snow on Sunday so that at least the walkways are clear in front of the White House?

He said: Boy, I really had something I wanted to say on that call. I wanted to say no, but then I thought about this: What if somebody because of the snow, like a kid, falls and breaks their leg or there is an accident or something because the sidewalks aren't clear or there is ice that causes some problem?

He started to think about the people he cares about that he wants to be impressed by the White House because he wants them to be impressed by the country, and he said: Well, I guess I better go shovel the snow.

I kid you not. We were having this conversation about 11:45 yesterday morning, and some of you had seen there is a weather report this weekend that is a little bit iffy in DC. During the middle of his telling me his story, his phone rang, and he looked at it and said: Yeah, that is my boss. I am not going to answer it. I know why he is calling.

I said: Did you just time this for a stage effect because you knew you were meeting with me right now? Did you tell him not to call at 10:30 but to call at 11:30?

He said: No, I know what the call is about. They need me this weekend, even though I am being disrespected, even though I am not being paid, no matter what I want to say, I know what I am going to say. I am going to say: Yes, I will come in and make sure this White House, this Capitol, this country looks as beautiful as it can look for these schoolchildren and these visitors.

I think we have to up our game, all of us. I know we can do this. We owe it to our citizens. We owe it to our workers. We owe it to our Nation's reputation.

UNANIMOUS CONSENT REQUEST—H.J. RES. 1

With that, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 6, H.J. Res. 1, making further continuing appropriations for the Department of Homeland Security; I further ask that the joint resolution be considered read a third time and passed

and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. LANKFORD. On behalf of the majority leader, I object.

The ACTING PRESIDENT pro tempore. The objection is heard.

Mr. KAINE. Mr. President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

S. 181

Ms. COLLINS. Mr. President, today, along with my colleague Senator CARPER, I am introducing the Comprehensive National Mercury Monitoring Act. This bill would ensure that we have accurate, detailed information about the extent of mercury pollution in the United States.

The issue of mercury emissions is growing in importance around the world. In 2013, the United States was the first country to join and sign the Minamata Convention on Mercury, a global agreement to reduce mercury pollution. The Minamata Convention has since been signed by more than 125 countries, demonstrating the widespread concern that mercury poses a global threat to human health. At present, however, scientists must rely on limited information to understand the critical linkages between mercury emissions and environmental response and human health. Successful design, implementation, and assessment of solutions to the mercury pollution problem require a comprehensive long-term solution. It requires much more information. A system for collecting such information, such as we have for acid rain and other pollution, does not currently exist for mercury, a much more toxic pollutant.

Mercury is a potent neurotoxin of significant ecological and public health concern, especially for children and pregnant women. It is estimated that approximately 200,000 children born in our country each year have been exposed to levels of mercury in the womb that are high enough to impair their neurological development. Mercury exposure has gone down as U.S. mercury emissions have declined, and over the last decade coal-fired power plants in the United States have reduced their mercury emissions by nearly 90 percent, but emission levels remain far too high, given how potent a neurotoxin mercury is.

A comprehensive national mercury monitoring network is needed to protect human health, safeguard our fisheries, and track the effect of emissions

reductions. This tracking is important in light of increasing mercury emissions from other countries, including a substantial amount of mercury emissions from China. Mercury can be transported around the globe, meaning emissions and releases can affect human health and environment even in remote locations.

This network is particularly important after the Environmental Protection Agency's recent proposal on the Mercury and Air Toxics Standards. Last month, the EPA released a proposal that determined it is no longer "appropriate and necessary" to regulate mercury and toxic air pollution from coal- and oil-fired plants. I just do not understand why EPA would send that signal. While the EPA has not proposed to change the current emission standards on mercury and the toxic air pollutants in this regulation, the EPA's action has put the standards in legal jeopardy and could block future efforts to strengthen this standard that is so important to protecting human health and our environment.

By accurately quantifying regional and national changes in atmospheric deposition, ecosystem contamination, and bioaccumulation of mercury in fish and wildlife in response to changes in mercury emissions, a monitoring network would help policymakers, the EPA, scientists, physicians, and the public to better understand the sources, consequences, and trends in mercury pollution in the United States. We must have more comprehensive information and data. Otherwise, we risk making misguided policy decisions.

Specifically, our legislation would direct the EPA, in conjunction with the Fish and Wildlife Service, the U.S. Geological Survey, the National Park Service, the National Oceanic and Atmospheric Administration, and other appropriate Federal Agencies to establish a national mercury monitoring program to measure and monitor mercury levels in the air and watersheds, water and soil chemistry, and in marine, freshwater, and terrestrial organisms across the Nation.

Second, it would establish a scientific advisory committee to advise on the establishment, site selection, measurement, recording protocols, and operations of this monitoring program.

Third, our bill would establish a centralized database for existing and newly collected environmental mercury data that can be freely accessed on the internet and is comprised of data that are compatible with similar international efforts.

The bill would also require a report to Congress every 2 years on the program, including trends, and an assessment of the reduction in mercury rates that need to be achieved in order to prevent adverse human and ecological effects, and that report would be required every 4 years.

Finally, the bill authorizes \$95 million over 3 years to carry out the Act.

I am pleased to report that this legislation—this bipartisan bill—has earned the endorsement of the American Lung Association, the Biodiversity Research Institute, the Environmental Health Strategy Center, the League of Conservation Voters, and the Natural Resources Defense Council. A comprehensive, robust national monitoring network for mercury would provide the data needed to help make the decisions to protect the people—particularly, pregnant women and babies and children—and the environment of Maine and the entire United States.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

GOVERNMENT FUNDING

Mr. PORTMAN. Madam President, I am here today to talk about the ongoing partial government shutdown, the crisis along the southern border, and how we can resolve this in a responsible way.

We are now on day 28 of the government shutdown, and I am more discouraged now than I have been during this entire impasse. We are better than this. We are stuck. Eight hundred thousand workers have missed a paycheck, and there is no end in sight. NASA workers in Cleveland, TSA employees at our airports across Ohio, Coast Guard officers on Lake Erie—they have all contacted me, as have others. But the harm being done to these families and these workers isn't the only thing that is happening with the shutdown.

I have been through five of these shutdowns since I worked in the White House for the first President Bush. I remember in 1990 when we had a weekend shutdown, and everybody thought that was dramatic. Here we are with the longest shutdown in our history. I don't like government shutdowns. I don't think they are good for taxpayers. Every shutdown, we always end up paying more as taxpayers. I don't think anybody likes them—at least not anybody outside the beltway. Some in both parties seem to like to use shutdowns, but they are not good for families who are affected, and they are not good for the economy. They cost the taxpayers more.

On the economy, we now have a report from the Council of Economic Advisers, who tell us this week that the shutdown is going to reduce quarterly economic growth by 0.13 percent for every week it lasts. In other words, every week the shutdown continues, the economy is hurt more. We have a great economy right now. Thanks to the tax cuts and the regulatory relief

and other things this Congress has done, we have record levels of employment. More people are employed than ever in our history. We have historically low unemployment. We are bringing people out of the shadows, back into work, off the sidelines.

There is a lot of positive out there, but this is taking us the wrong way. It is partly the impact on Federal employees, because their purchasing power is less. We are told that of the \$312 billion for fiscal year 2019 that hasn't been appropriated by this Congress—and that is what the shutdown is; about 25 percent of government is not being funded. That is hundreds of millions of dollars each workday that are not going out to Federal employees. So part of the economic impact is that people have less spending power, and part of it is that contractors and a lot of small businesses are not getting paid, so it has an impact on the economy in that way. Again, what happens in the end is that everybody gets paid back, but in the meantime, services are disrupted. It is a very inefficient way to run government, and taxpayers end up spending more, not less.

I am not big on shutdowns, having lived through five of them, but I have to say I have never been more frustrated than with this shutdown. I am frustrated for a very simple reason: The solution is right before us. The reason we are in this shutdown is that both sides are unwilling to sit down and talk. That makes this shutdown particularly stupid.

The issue before us is what to do with regard to border security where, in fact, there is a lot of agreement. Border security is one where we don't have these fundamental disagreements, as we might on, let's say, tax cuts or healthcare policy. This is about whether we should be securing our southern border. I think my colleagues on both sides of the aisle, when pressed, will say: Yes, of course we should.

If you look at the specifics, we are not that far apart. That is what is most frustrating to me about this one—that we can bring people together and achieve a result here. I am going to talk about what that might mean.

I have been working with some colleagues, including the Presiding Officer, on trying to figure out a way forward. We haven't been successful yet. There are plenty of folks who want to get to yes in this Chamber, and we have to figure out a way to provide a forum to do that, to make it happen.

I am not here today on the floor to assign blame, to point fingers. There are plenty of people doing that. That is easy to do because there is lots of blame to go all around. I am here to talk about how to find that common ground.

Of course, we have to do more to secure our southern border. I consider it a crisis. Some of my colleagues say it is not a crisis. Some say it is a crisis. Forget the words. We have a problem on the southern border.

Here is some of the data. During September and October of last year, Customs and Border Protection agents apprehended more than 100,000 people trying to enter the country illegally. This has nearly doubled the number from the same months in 2017. In the most recent data we have—October and November, just a couple of months ago—there is double the number of people apprehended between the ports of entry as we had the year before.

The big increase is families and kids. This is a very tough issue. According to the Department of Homeland Security, there has been a 50-percent increase in the number of families coming across the border illegally and a 25-percent increase in the number of unaccompanied children.

Along with that, there has been a 2,000-percent increase in asylum claims over the last 5 years—a 2,000 percent increase in asylum claims over the last 5 years.

The largest growth is coming, as we know, from three Central American countries: Guatemala, El Salvador, and Honduras. While 9 out of 10 of these claims are ultimately rejected by the immigration courts, the applicants have long since been released into the interior of the United States. That is a problem. We should all be working on that.

How do we address this problem? There are some constructive ideas on both sides of the aisle on how to deal with that, but it is a real problem. In fiscal year 2018, Customs and Border Protection referred nearly 50,000 accompanied minors—almost all of whom came across the southern border to seek asylum—to the Department of Health and Human Services for care.

I have done a lot of work on this issue in the Permanent Subcommittee on Investigations of the Homeland Security Committee and found out about some of the care these kids have gotten and some of the trauma these kids have gone through. HHS is currently housing more than 11,000 of these children. Many have experienced violence—as I say, serious trauma—on their journey to the United States and need significant help.

Furthermore, the Drug Enforcement Administration has reported that the southwest border “remains the primary entry point for heroin into the United States.” There is no disagreement about that. I am told that 90 percent of the heroin that we are experiencing in our communities here comes across the southern border.

Fentanyl comes primarily from China. We made some progress there because it comes primarily through the post office from China. We just passed legislation to deal with that. Fentanyl is the most powerful drug out there—50 times more powerful than heroin on average—causes most of the overdoses in my State of Ohio and around the country.

Guess what. More and more of that fentanyl is coming across the southern

border. Last year, seizures of fentanyl—a synthetic heroin that is causing all these deaths and overdoses—increased by 135 percent last year compared to 2017.

Part of what is happening is that it comes from China to Mexico and from Mexico into the United States, we are told by law enforcement. Then, over the last year, we have seen the scientists in Mexico—evil scientists in Mexico—cook up in these “super labs” crystal meth—methamphetamines, crystal meth, pure crystal meth—that is coming into our communities.

In the last couple of weeks, I have been at three meetings where I bring together the people on the drug abuse task forces of different parts of our State, and I have talked a lot about the opioid crisis, where I spent a lot of time and effort. What they tell me is that we are making progress on opioids, finally—thank God—for the first time in 7 years.

Guess what the new scourge is—crystal meth. It is more pure than ever, more powerful than ever.

So that is coming from where? It is coming from Mexico. It is a 135-percent increase, as we talked about, from fentanyl. We have also seen a 38-percent increase in methamphetamine trafficking across the southern border just from 2017 to 2018.

This drug issue is a big deal as well, and we need to do more. By the way, my colleagues on the other side of the aisle agree with that. They would like to see more funding immediately for better screening at ports of entry, as an example. Most of these drugs come in through cars and trucks that cross our border.

While we have been paying attention to this China issue with fentanyl, what is happening in our southern border continues with very little interdiction on our part.

I met with the Customs and Border Protection Commissioner last month in my office. I asked him: How many of these drugs are you intercepting?

He had to acknowledge: We don't know, of course, but very few.

They need better equipment. They need better technology. They need more people.

I don't think these numbers are sustainable—the number of families, the number of children coming in, the number of asylum claims, the number of drugs coming across our border—for our Border Patrol, for our judicial system, for our education and health systems, and for our communities.

Because of all these problems, we need a broad solution at the border. Experts tell us that our solutions should include more physical barriers, which the President talks about a lot, but, also, more Border Patrol agents, more technology, more surveillance, more drones, more cameras, more screening at our ports of entry, and more technology there to stop this illegal flow of drugs.

There was a time when all this wasn't all that controversial. In 2006,

Congress enacted on a bipartisan basis legislation called the Secure Fence Act. You have probably heard about it. It authorized 700 miles of additional fencing or physical barriers along the border. Then-Senator Barack Obama voted for the Secure Fence Act. Then-Senator Hillary Clinton voted for the Secure Fence Act. Senator CHUCK SCHUMER voted for this bill. It passed by 80 to 19, an overwhelming bipartisan approval.

As recently as 2013, all of the Senate Democrats and two Independents voted for a broader immigration reform plan that called for no fewer than 700 miles of border fencing. That measure ultimately failed in the House. Let me repeat that. Every single Democrat in the Senate voted for that bill. Who was the lead sponsor? Senator CHUCK SCHUMER, the minority leader.

So asking for additional barriers and fencing along the border as part of a broader strategy to make it more secure shouldn't be that controversial. Is it the only answer? No, it is not.

Having said all of that, when you remove the partisan politics and political symbolism, I continue to believe that we are not that far apart. If you look at the January 6 letter the Trump administration sent to the Congress, saying, “Please fund these priorities,” you will see that the response to what is happening along our border that they are proposing is not that far from where we are in the Congress.

Yes, it asks for more barriers. I would think from hearing, frankly, from both sides—from the administration and from the Democrats in Congress—that it would be a wall across 2,000 miles of the border. It is not. That is not the proposal. The proposal is—and I am reading from it—234 miles of new barriers and fencing—not 2,000 miles but 234 miles of additional barriers of some kind.

As you know, the President has now made clear that he is prepared to construct these barriers not as a cement wall but as a fence, what he calls a steel barrier. The White House also made clear in their submission that these barriers would be constructed in a manner consistent with the existing language in the Senate committee-passed bipartisan Homeland Security appropriations bill. That means the definition of the border barrier that Republicans and Democrats have long voted for would be the definition used for the construction of these new barriers.

It is \$5.7 billion in funding for the construction of additional physical barriers along the southern border, consistent with what the experts say we ought to use—both in terms of the type of barrier and where the barrier ought to be.

Again, based on the 2006 law, more than 500 miles of fencing have already been built in California, in Arizona, and in New Mexico. Based on the data—the actual data—they are making a difference. If you talk to folks in

those communities and you talk to Customs and Border Protection, they like having those barriers. At a minimum, it slows people down, and it keeps vehicles from going across some of that desert landscape. This is part of a broader strategy that is primarily used now in California, Arizona, and New Mexico.

The 2006 law resulted in 105 miles of fencing in California, 211 miles in Arizona, and 107 miles in the sector that spans both Arizona and California. This also includes 166 miles of fencing in a sector that spans New Mexico and Texas, though most of this is in New Mexico. In Texas, in total, there is less than 100 miles of fencing. This is where the priority is now for the Border Patrol, in Texas. Why? Because Texas has 1,200 miles of the 2,000-mile border. Yet they only have 100 miles of barriers.

The new fencing that the administration has requested, as we understand it, is particularly necessary in the most populated parts of the Rio Grande Valley on the Texas-Mexico border. By the way, that is where 40 percent of the crossings occur. You would think it makes sense to have more barriers there.

Again, it is not all about barriers. It has to be an all-of-the-above strategy. The \$5.7 billion in barriers, which is about \$4 billion more than the bipartisan Senate Homeland Security appropriations bill, is what they are proposing. It is about \$4 billion more—\$4.1 billion, I think, to be exact—than what is in the bill that has already been agreed to on a bipartisan basis.

In December, Democrats proposed \$1.3 billion for the same purpose, which is actually a reduction in the amount they initially proposed in November, the month before, of \$1.6 billion.

Folks, there is a way to find common ground here, especially if you include, with this 234 miles of additional barriers to be determined by the experts as to what kind of barrier and where it goes, other immigration policies that many on the other side of the aisle strongly support—and some of us do too—like dealing with DACA. This has been talked about, and it has become a political football. Let's resolve it.

These are young people who came here as children through no fault of their own. Their families brought them here as kids. They were minors. They are not responsible for breaking immigration laws.

Now they are young people. Some of them are working, some of them are in school, and some of them are in the military. They are looking for some certainty.

I think the Congress can provide that. As part of an overall package here, it makes sense to include something on DACA. A lot of Democrats who talked about this over the years strongly agree with that.

The President has also asked, in addition to looking at DACA, that in the context of overall immigration reform, we would look at this issue of Tem-

porary Protected Status, or TPS. This is something that many Democrats feel very strongly about. TPS allows the government to provide protection for individuals who come from particularly trouble-stricken countries. There are now 10 countries on that list. The Secretary of Homeland Security has the ability to provide harbor for those individuals from those 10 countries. Sometimes it is because of a natural disaster. Sometimes it is because of a war. Sometimes it is because of violence in those countries. They simply have to present themselves at ports of entry and begin the application process and go through a legal process to apply. Some of these temporary visas that these individuals under TPS currently have are expiring.

Again, there are a lot of Senators, particularly on the other side of the aisle, who feel strongly about this. Senator KAINE has been a champion for these individuals. There are tens of thousands of them in his State of Virginia. Senators would like to see immediate relief there. I think that could be part of a mix here.

The President has also requested \$675 million to help stop drug smuggling at our ports of entry; \$211 million to hire another 750 Border Patrol agents; \$800 million for humanitarian needs to fund enhanced medical support, transportation, and temporary facilities for those who are detained at our border. The Homeland Security appropriations bill already includes funding for all of those purposes, but the President has requested additional funds to help deal with this influx we talked about—more families, more unaccompanied children, in particular. He has also requested \$563 million for 75 additional immigration judges and support staff so that we can help reduce the case backlog of nearly 800,000 pending immigration cases.

Again, a lot of Democrats and Republicans, including me, have talked about the need for this. This backlog is part of our problem because people are typically in the communities, and many of them don't show up for their court cases. Part of the problem is the backlog, the amount of time it takes—months. That can be reduced.

Finally, the President has requested an additional \$631 million for counter-narcotics and weapons technology. Again, this is one I feel strongly about. I know a lot of my colleagues do. Senator SCHUMER has talked eloquently in the past about needing better screening at ports of entry to try to stop some of these drugs from coming in. I believe these are reasonable requests.

Where there is disagreement, let's have a debate over it, and let's come to a compromise. But we have to have a real adult conversation for that to occur.

The irony for me, for those of us who support a stronger presence on the southern border, is that this shutdown is hurting our efforts to secure the border and to make our immigration system work better.

First, U.S. Border Patrol agents and Customs and Border Protection officers are continuing to work without pay. We want to increase the morale of those brave officers along the border. It is hard to increase morale when they are working without pay.

More than 40,000 immigration hearings have been canceled. Think about that. There are 40,000 immigration hearings that have already been canceled, contributing to this backlog that already totals 800,000 cases.

E-verify, the government system used to verify the immigration status of workers to determine whether they are illegal, to allow employers to reject people who are not legally in this country—that e-verify system is incredibly important because, ultimately, those jobs are the magnet. Right? That is what is pulling people across the border more than anything else. Now that system is shut down because the government is shut down—that part of government—meaning employers across the United States are unable to effectively know who is legal or not. That doesn't help us with regard to the border.

For all of these reasons, we need to come together and negotiate a solution. We are not that far apart.

Last week, out of frustration that no progress was being made, my colleague JERRY MORAN of Kansas and I introduced legislation that would establish a \$25 billion border trust fund over the next 5 years to enhance border security across the board—all the things we have talked about.

The legislation would also codify protections for the DACA population we talked about. Again, it is very important to so many in this Chamber, particularly on the other side of the aisle.

In my view, this is a fair and reasonable solution for all sides, and I believe we could get the necessary votes if it were brought to the floor.

Others have better ideas, I am sure. Let's hear them. Let's have a negotiation on all of these issues, but let's get to a resolution.

It has been reported in the media that I have been working with Senator GRAHAM, Senator COLLINS, Senator ALEXANDER, Senator MURKOWSKI, Senator GARDNER, along with Senator COONS, Senator KAINE, Senator CARDIN, Senator MANCHIN, and others. This has been in the press. I am not reporting anything to you today that is not already known. It has been said that we are trying to figure out a way forward, and we are.

Democrats have insisted that there can't be a negotiation until the government shutdown has ended. So a bunch of us have said: Well, what if we do this? One, let's get a commitment from Democrats that they will seriously negotiate based on the President's request. I think it is a reasonable request.

Having received that commitment, then let's have a short-term cessation here of the shutdown—maybe for a few

weeks, maybe for a couple of weeks—to give us the space and the time to be able to work out an agreement.

There are a substantial number of Members from our side and the other side who have agreed to sign a letter along those lines. I am hopeful that can provide at least one opportunity to move forward. It is the only one I see right now.

If there is a better idea, I am eager to hear it, and I know my colleagues are too. More importantly, I know the people I represent are, both those who are directly impacted and those who are watching and saying: Why can't Washington get its act together? This makes no sense.

Yes, we should provide additional security for our southern border. Why can't we agree to that?

We are not that far apart.

Why can't we end the government shutdown in the process and allow the normal operations to go back into place so that families, government workers are not put in this position where, working paycheck to paycheck, they now don't have a paycheck and where taxpayers can get the services they have paid for and not end up paying more money after the fact, which is what typically happens in these shutdowns.

By the way, I do hope we can stop using government shutdowns altogether. I don't like them, as I said, and last week, I introduced legislation, along with eight of my Republican colleagues, that is called the End Government Shutdowns Act. It is pretty straightforward. I have introduced it every single Congress since I was elected in 2010.

What it says is, if you get to the end of the process and the appropriations bill is not funded by Congress—and our fiscal yearend is September 30, so we have been living since then on these continuing resolutions. But if you end up with not getting an appropriations bill done or if you get to the end of a continuing resolution and there is no resolution—you have this impasse—instead of having the government shut down, what you do is just continue the spending from the previous year. Then, after 120 days, you reduce it by 1 percent, and then, after another 90 days, you reduce it by another 1 percent.

Why? To give Congress the incentive to get their act together and to actually fund the government appropriately, to pass these appropriations bills, which should provide not just funding but reforms to government programs. That is the idea. We should every year be looking at all of the government and saying: What is working? What is not working? What are we

going to fund more? What are we going to fund less? What are we going to eliminate? What are we going to create? Something new and good for our country and our constituents. So that is what we want to incentivize by the End Government Shutdowns Act.

I hope that Members on both sides of the aisle can support this and that, looking forward, we will not have government shutdowns. We wouldn't be in this mess today if that legislation were law.

The bottom line is, we have the opportunity before us to reach a fair agreement. Both sides are going to have to move some. The President is going to have to negotiate, and he says that he will.

The Speaker of the House is going to have to move some. According to news reports, Speaker PELOSI flat-out told the press she would not support \$1 dollar for any new barriers, even if the government were reopened and everything that she asked for was granted. That is not serious. That is not the way to have a successful negotiation, especially when Democrats, as I laid out earlier, have long supported more barriers and fencing along the southern border.

So let's act in good faith. Let's move forward to a responsible resolution. That means, yes, we reopen government, but we also secure the southern border. We are not that far apart. We just need to have the will to get it done.

I yield the floor.

ORDERS FOR SATURDAY, JANUARY 19, 2019

Mr. PORTMAN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Saturday, January 19; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day. I ask that following leader remarks, the Senate resume consideration of the motion to proceed to S. 1 with Senator KAINE or his designee controlling 2 hours and, upon the use or yielding back of that time, the Senate adjourn until 1 p.m. on Tuesday, January 22; further, that on Tuesday, January 22, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of the motion to proceed to S. 1.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

At 10:04 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 150. An act to modernize Federal grant reporting, and for other purposes.

ENROLLED BILL SIGNED

The Acting President pro tempore (Mr. BOOZMAN) announced that on today, January 18, 2019, he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 251. An act to extend by 15 months the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 150. An act to modernize Federal grant reporting, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ALEXANDER (for himself and Mrs. MURRAY):

S. 192. A bill to provide extensions for community health centers, the National Health Service Corps, teaching health centers that operate GME programs, and the special diabetes programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself and Mr. MURPHY):

S. 193. A bill to amend chapter 44 of title 18, United States Code, to require the safe storage of firearms, and for other purposes; to the Committee on the Judiciary.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. PORTMAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 12:25 p.m., adjourned until Saturday, January 19, 2019, at 11 a.m.