

In his realizing he is hurting the public and hurting the economy and in the underlining of the fact that his Presidency has far too much chaos and too little order, direction, and certainty, the President has had to make a proposal to try to shake things up. It is not a good-faith proposal. It is not intended to end the shutdown. The President's proposal is one-sided, harshly partisan, and has been made in bad faith.

The President single-handedly canceled DACA and TPS protections. He did it himself, on his own, a while back. Now the offering of some temporary protections in exchange for the wall is not a compromise—it is more hostage-taking. When the President says: "I will give you DACA and TPS partially"—even though he created the problem on his own—"in exchange for the wall," it is like bargaining for stolen goods. The President didn't offer the DACA protections in good faith. The President's team sold the DACA protections as the BRIDGE Act—a temporary fix originally proposed by Senators DURBIN and GRAHAM. It turns out the actual legislation is even more limited than the BRIDGE Act and would barely restore the protections that President Trump himself took away.

The New York Times reported that Stephen Miller, the architect of the President's harshest policies on illegal immigration, intervened to narrow the DACA proposal as much possible. When Stephen Miller is crafting the policy, you can be darned sure it is not a compromise.

Worst of all, we found out this morning that the legislation includes incredibly partisan changes to our asylum system so as to make it nearly impossible for migrants to claim asylum at our border. This is a dramatic change in what America has been all about—a dramatic turning around from what America has always had as its symbol—the Statue of Liberty. The asylum changes are a poison pill, if there ever were one, and show a lack of good faith that the President and now Leader MCCONNELL have in trying to make a proposal.

The President and his team have tried to spin this proposal as a reasonable compromise with there being concessions to the Democrats. That defies credulity. Nothing could be further from the truth. There were no serious negotiations with the Democratic leaders or any Democrat to produce this proposal. Let me say that again. There were no serious negotiations with the Democratic leaders or any Democrat to produce this proposal. The President didn't ask what the Democrats needed in a bill to achieve our support. He simply laid his proposal down on the table and proclaimed it a compromise.

You can't have a compromise when one side declares: This is what we want, and this is what you want. You can't have a compromise when one side is determining not only what it wants

in the bill but what we want in the bill without even seriously negotiating with us. That is not how negotiating works. That is not the "art of the deal." What we have here is just another one-sided, partisan proposal from the President.

Contrary to the President's claims, it hardly represents a softening of his position. If anything, it is even more radical. First, President Trump said: Give me the wall or I will shut down the government. Then President Trump said: Unless you give me the wall, I will keep the government shut down. Now President Trump is saying: Give me the wall, and make radical changes to legal immigration or I will shut the government down.

No one can call this new effort a compromise. The President's proposal is just wrapping paper on the same partisan package and hostage-taking tactics. When you take off the wrapping paper, it is the same partisan, narrow, unacceptable package that cannot pass the House and that cannot pass the Senate.

So far, there is only one piece of legislation that has a chance of arriving at the President's desk, and that is for the Senate to take up and pass any of the appropriations bills that have already been passed by the House. These bills are noncontroversial, and there are no surprises or poison pill riders. In essence, what is in those bills has been supported by Republicans already, and each of them would reopen the government and allow us to continue our discussions on border security. The sooner Leader MCCONNELL allows a vote on those bills, the sooner we can end this pointless shutdown and reopen the government.

President Trump and Leader MCCONNELL, the American people and 800,000 workers are asking and waiting for you to act.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### TANF EXTENSION ACT OF 2019

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 430, which was received from the House.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 430) to extend the program of block grants to States for temporary assistance for needy families and related programs through June 30, 2019.

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

Mr. BOOZMAN. I ask unanimous consent that the bill be considered read a third time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill was ordered to a third reading and was read the third time.

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

The ACTING PRESIDENT pro tempore. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 430) was passed.

Mr. BOOZMAN. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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

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

The bill clerk proceeded to call the roll.

#### STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—MOTION TO PROCEED—Continued

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

The PRESIDING OFFICER (Mr. BOOZMAN). Without objection, it is so ordered.

#### UNANIMOUS CONSENT REQUEST—H.J. RES. 1

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

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. KAINE. Thank you.

#### STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—Continued

The PRESIDING OFFICER. The Senator from Virginia is recognized.

#### GOVERNMENT FUNDING

Mr. KAINE. Mr. President, I rise to discuss the continuing effects of the shutdown of part of the government on American workers and the American public.

I want to begin by discussing the effect of the shutdown on the Coast Guard. Following that, I will talk about a visit that I actually just made to a restaurant at 7th and Pennsylvania Avenues that was opened for the

purposes of offering free food to Federal employees and their families during the shutdown. Finally, I will address the proposal offered by the President on Saturday to reach an agreement on border security and immigration issues.

To begin with, the Coast Guard. The Coast Guard is a branch of the U.S. military with a proud history. There are 42,000 active members of the Coast Guard. There are 7,500 reservists, 8,500 civilian employees, and nearly 50,000 Coast Guard retirees. All are affected by the shutdown, most working without pay, and others, particularly civilians, are furloughed without pay. In addition, the shutdown jeopardizes payments to the 50,000 Coast Guard retirees.

Virginia has a significant Coast Guard presence, especially in Hampton Roads and Northern Virginia. Virginians perform all of the missions that the Coast Guard is entrusted to perform—search and rescues, drug interdictions, military missions, and law enforcement. The Coast Guard Honor Guard, which covers funerals and ceremonial occasions all over the world, is based in Virginia, and so is the unit that provides IT support for Coast Guard functions, including cutters that are currently at sea, like the USS *Bertholf*, which deployed out of Alameda, CA, on Sunday.

As the Presiding Officer knows—sometimes it is a little bit confusing not just to the public but even to the military—the Coast Guard is unique in the shutdown because they are a branch of the military, but they are budgeted through the Department of Homeland Security, not the Department of Defense.

DOD was funded by the work that this Senate, the House, and the President did through appropriations bills that were signed earlier in the year. So every other branch of the military is currently funded; the DHS, however, is not funded. So the Coast Guard is the one military branch that is not being paid.

This is creating some enormous—enormous—issues that my Coast Guard members in Virginia have been sharing with me. Just one, for example, is the USS *Bertholf*, which is the Coast Guard cutter that deployed Sunday out of Alameda, CA, on a military mission as part of PACOM in the Western Pacific. So the traditional going-away event, where everyone in the Coast Guard is deploying for multiple months, and their families are there, and they are saying good-bye to their families—but for the families who live in and around Alameda, it is not necessarily cheap. They are going to have to keep paying bills—rent and other things—while their Coasties, as they call themselves, are deployed. Yet they are not being paid. Even though this cutter will be involved in missions together with Navy ships where sailors are being paid, the Coasties are not being paid.

You can imagine—and this has been described by my Coast Guard members

in Virginia—that there are some sizable equity issues in this. The Coast Guard likes to recruit among those who want to volunteer to serve their country, and they have said that they have been able to recruit even-stein with the Marines and the Navy and the Army and the Air Force. They can recruit even-stein. They offer a lot of similar opportunities to serve and similar abilities to advance in rank, so they feel that in recruiting for IT professionals or others, they can do their very best. However, something like this really affects their ability to recruit.

As is well known, in a shutdown, the DOD is likely to be funded. All of the other branches of the military will be funded, but the Coast Guard will not be. It affects recruitment significantly, and it affects retention.

I have heard a number of stories from Coast Guard members in Virginia. Just this morning, someone who is a young coast guarder in their first 2 years said this; this is a direct quote:

I skip dinners now so I can buy food for my dogs. I have dogs. I care about my dogs. To buy dog food is important for them, and so I will do breakfast and lunch, but I skip dinners now to buy food for my dogs.

I had two Coast Guard members tell me about challenges with paying rent—one in the private sector and two, interesting enough, are living on military bases. Let me describe each.

Northern Virginia is not a cheap place to live. There is a Coast Guard member in Northern Virginia, and when the shutdown started and he was not being paid, he went to his landlord and said: Landlord, can you give me an extension? I am serving my country in the Coast Guard.

The landlord, a regional firm that has many apartments, came back and said, in an effort that kind of sounded friendly: Listen, we will let you pay half of the month's rent on the 15th and half at the end instead of one big rent check a month. We will do that, but you have to agree to rewrite your lease to allow us to evict you after 15 days rather than after 30 days.

He said: Look, I am a young guy. I don't know that much, but I have a grandfather in the real estate business. I showed him this proposal, and he said "Hold on a second. It would probably be better if you keep your current lease and try to even borrow money from family than to sign an amendment of your lease allowing you to be evicted after 15 days."

I think the Presiding Officer and I would say: What kind of landlord would do this? What kind of landlord would take somebody serving their country and try to accelerate the ability to evict them because of the shutdown? That is, in fact, happening, and it is not a small landlord either.

That one surprised me, but I will say there was another one that surprised me more. Two of the Coast Guard members I had visited with in Northern Virginia live on military bases. One

lives in Quantico in military housing, and one lives in Fort Belvoir, the Army base in Fairfax County, in military housing. So you would think that this landlord would be a more understanding landlord than maybe a private sector landlord, but when the shutdown happened, in each instance, they went to their landlord and said: Hey, we are being shut down. We are not being paid.

The response was: What do you mean you are not being paid? The Marines are being paid. The Army is being paid. You are living on a military base, and everybody is being paid. What do you mean you are not being paid? You have to pay your rent.

The military, which is in charge of military housing on these bases, was not aware that because the Coast Guard comes up through DHS, they are not being paid. So they are having trouble with their landlords, even though their landlords are part of the military and should understand this.

That same challenge is affecting one of the servicemembers whose child is in a child development center on the base at Quantico. Not being able to pay—you would think that a military child development center might understand, but, in fact, that is not the case.

Other Coast Guard members have told me about an additional challenge. The Coast Guard relies on civilians, just as all of our other military branches rely on civilians, and the civilians are hit very hard by the furlough.

At one facility in Virginia, civilians are in charge of maintaining more than 40 buildings that are old and need some TLC. Boilers that need work in January and other physical infrastructure that has needs—that work is done by private contractors who are furloughed, so that work, which is critical to their being able to operate the installations, is hard to get done.

The IT functions of the Coast Guard take advantage of the civilian expertise of people in Northern Virginia too. One Coast Guard member described a job offer they extended to somebody to come work for the Coast Guard. They made the job offer just a day or two before the shutdown happened, so now they can't hire the individual.

They are trying to convince the individual: Please, hang on; don't take another job. IT jobs are plentiful in Northern Virginia, but don't take another job. Wait for us.

Well, wait for how long?

I don't know for how long.

They are worried that they are going to lose a critical employee.

One of the Coast Guard individuals I talked to basically put it this way: "It is embarrassing. It is psychologically embarrassing. We signed up to help others, not beg for charity at food banks or restaurants for Federal employees"—and just talked about how hard it is.

In a way, we should all be willing to ask for help. We all need help in our

lives. But somebody who has signed up and their goal is to help others—they were just being candid in saying that it is really hard to go ask others for help, for food.

When the Coast Guard can't do missions or when they can't do some of the other functions they are supposed to do—the Honor Guard can't go to funerals at Arlington or other occasions—then those jobs fall heavier on the other services. So they talk about not just the degradation of their own work but the fact that others have to pull extra weight for them.

Here is what a Coast Guard employee said to me: I am paid as an officer to motivate and to lead. That is what officers do, we try to motivate and to lead. I shouldn't have to stand before a group of Coasties and offer a class on how to file unemployment insurance.

Yet that is something that he is now being told that he has to do.

So many of the Coast Guard members mention what other Federal employees say—almost a cliché line that I am hearing from everybody: I guess I will figure it out for myself, but I worry about my shipmates. I guess I will figure it out for myself, but I worry about someone else. So many of the Federal employees are struck.

Finally, a general question: Why would anyone sign up if they knew they would be treated this way?

Some of the Coast Guard members authorized me to use their names and let me tell a few of their stories with their first names attached before I move into talking about my visit to the pop-up restaurant just seven blocks from here.

**Katherine from Fairfax County:**

I am directly affected by this senseless government shutdown. I retired from the U.S. Coast Guard in 2006. Since the U.S. Coast Guard is an organization of the Department of Homeland Security, all U.S. Coast Guard personnel (active duty, civilian employees, reservists, and retirees) are being inflicted with undue financial hardship and stress. Today, I went to my local [credit union] branch office to enroll in a 0% APR Government Shutdown Assistance Program. Admittedly, I was embarrassed and saddened to have to take this action to maintain some sense of personal financial health and security. My heart goes out to my brothers and sisters of the [U.S. Coast Guard] that are currently on active duty, working without pay, and supporting a family. This is our reality today.

**Lisa from Ashburn:**

My husband works for the Coast Guard and is required to work without pay. We suffered a house flood during Hurricane Matthew that wiped out our savings and have a daughter in college. Not sure how we can manage if we miss more than one paycheck, as we also assist my mother, who has had a stroke. Praying that this is over sooner than later.

**Sue from Loudoun County:**

My Coast Guard son and his family live in Kodiak, Alaska, and are not getting paid.

Senator MURKOWSKI gave a speech about Kodiak and the Coast Guard presence in Kodiak on the floor on Saturday.

Risking his life as a rescue pilot with no pay is unpatriotic as well as dangerous for

the country. These men and women work for us, to protect our country. They should be paid and not told to have a yard sale to make due.

**Mary from Williamsburg:**

My husband has worked tirelessly as a member of the all-volunteer Coast Guard Auxiliary. He teaches Safe Boating classes and has used his boat as a vessel to assist in search and rescue in Sector Hampton Roads. Now with the shutdown, he cannot do any of the boat safety activities to help the Coast Guard keep our waters safe. It is ridiculous to shut down the federal government—but it is dangerous to have curbed the lifesaving activities of the Coast Guard and their invaluable volunteer auxiliaries!

He cannot volunteer. He cannot volunteer because of the shutdown.

**Trinity from Suffolk:**

My father works on the US Coast Guard base in Portsmouth, VA. Even though my father hasn't gotten a paycheck, Hampton University still wants the payments for my tuition. Just because his paychecks have stopped doesn't mean our bills have.

**Gary from Chesapeake:**

My son is a Chief in the Coast Guard. For the past 19 years, he went to sea to protect our coastline, enforce our laws, and rescue those in need. Over the years he missed countless holidays, birthdays, and anniversaries with family and friends. Now, there's no respect for his sacrifices and service.

**Finally, Samantha from Herndon:**

My husband is a civilian employee of the Coast Guard. We are having to pull money from savings and significantly change our spending habits just to make sure we can make it through the month. We worry about paying our mortgage and keeping the heat and lights on. A wall will not help border security, and everyday working people are paying the price for a pointless standoff over it.

These are just a few of the stories I have heard from Guard members. There are many, many more.

I want to talk about a visit that I just paid, and I would encourage everyone in Congress to do this—in the Senate. We are here this week. There is a pop-up restaurant at Seventh and Pennsylvania—just seven blocks from here—that was opened by an organization called Chefs for Feds. Chefs for Feds is an organization started by Jose Andres to deal with emergencies. They went to Puerto Rico and served millions of meals to people affected by hurricanes there. They have done similar work in California to deal with the communities affected by wildfires and in Indonesia to deal with communities affected by earthquakes and tsunamis. This is an NGO that focuses on helping people in the midst of disasters.

Now they have opened a restaurant at Seventh and Pennsylvania. This is the first manmade disaster in which they are trying to figure out a way to help. The restaurant opened last Tuesday. Any Federal employee or family member can come. Six to eight thousand people have come every day. It is open from 11 a.m. to 6 p.m. Today, they expanded services. They have also opened, broadly, a coat closet, a food bank, a place where moms can go to get diapers, which aren't cheap, feminine products, which aren't cheap, and

basic pharmaceutical things that aren't cheap. So it is a combination of a restaurant and sort of a broader social services ministry.

Chefs for Feds is an interesting group. They have other nonprofits that are involved—DC Diaper Bank, Martha's Table, which is an effective, faith-based ministry to hungry and homeless people.

I showed up there at about 11:45. It is cold today. I showed up to go thank people and work as a volunteer. There was a line like you see in pictures of the Depression of hundreds of people waiting outside. The restaurant is actually kind of short. You go in, get in a line, and you are offered a sandwich or soup and some fruit and maybe an iced tea and utensils. People are coming in and eating quickly and leaving. You can take a sandwich for a colleague at work or for somebody at home if you need that. It looked like one of those photos you might see from the Depression.

The volunteers are chefs and restaurant workers around Virginia who have their own issues and challenges to deal with, but they are there helping. Many of the volunteers are furloughed Federal employees. If you are being locked out of your job, you still want to help others, and so probably the biggest group of the volunteers were furloughed Federal employees.

I met a Federal employee from Richmond who was furloughed and drove up just to volunteer today to help others, who lives not far from where I live. There were other volunteers who are just concerned citizens—not Federal employees, but they heard about it and came.

I met one of the volunteers, a kind of supervisor of the kitchen. His name is Tim, and so that was easy for me to remember. He was here from Ventura, CA. He knew nothing about this group until his house burned down in California, and they came to his community to offer meals. With his whole house destroyed, he started to volunteer to help others. When he heard about the shutdown, even as he is still dealing with his own issues in California after the wildfire, he came to help run the kitchen operation.

Today, they not only expanded to the clothes closet and diaper distribution; they also announced a whole series of other restaurants and similar pop-up operations they are going to do all over the United States. They have looked where there is a high density of Federal employees, and they announced 15 to 20 other locations around the country where they are now going to start serving.

It was something to see this long line of Federal employees waiting out in the cold to get into that restaurant. Just the length of the line made a real impression on me. It was emotional. It was interesting that so many were law enforcement in uniform—Park Service, people from the FBI and other Agencies, clearly law enforcement in uniform—waiting in the cold to come in

and get a sandwich. There were parents with their children, young children. Being furloughed, it is hard to afford childcare, so if you are going to come down to get food, what do you do with your 3-year-old? Well, they had their children in their arms.

As I said, it looked like something from the Depression, but we are not in a depression. Our economy is strong right now. Our stock market is up right now. It is one thing to see that kind of a line when we are in a depression, but when we are being told that the economy is great, to see that kind of line made a huge impression upon me—so unnecessary.

I thank Jose Andres and the chefs. I thank the volunteers. I thank Martha's Table. I thank others who are responding. They pointed out to me—they said: Look, this one is different from all the other ones we have done because it is the only disaster that is manmade and unnecessary.

Jose looked at me and said: Shut us down by reopening government. You guys reopen and then shut us down. We don't want to be open at Seventh and Pennsylvania. We want to send the volunteers home and have the government reopen.

The President said he was proud to shut down the government. I defy any thinking and feeling person in this country to go to Seventh and Pennsylvania between 11 and 6 and look at that line in the middle of January and say they are proud. I have a lot of words that I might attach to it. I don't think anybody could look at that—I don't think anybody going and talking to people or working the line like I did—just the faces. The faces of people as they came to the line—all were grateful. All were grateful that others were there to provide some help, but many were embarrassed, certainly for their country and sometimes personally—again, like my Coast Guard who said: I signed up to help people. I don't like asking for help. I don't like asking for charity.

There are people who are there that—yes, they are grateful, but they are embarrassed and some are angry at how they are being treated, and who can blame them for that?

As I conclude, there is a way out. There is a way out, and I think the way out has two steps: First, reopen government ASAP, and second, treat the President's proposal from Saturday seriously. I do believe the President's proposal—and we have talked about this—I do believe it is a proposal that deserves to be treated seriously.

The proposal he has made, if it were offered for a vote now, with no opportunity to study it and improve it, I probably would vote against it, but it is a proposal that deserves to be treated seriously because it deals with four issues. It deals with the right investment in border security; that is an important issue. It deals with how to deal with Dreamers; that is an important issue. It deals with how to deal with

the TPS program; that is an important issue. There is a fourth issue in the proposal that the President didn't speak about Saturday—the standards and processes for applying and potentially receiving asylum in the United States. He didn't mention that during the speech. It is in the proposal. It is an important issue.

What does it mean to take the President's proposal seriously? Even if I have some points of difference on each of the four elements, I would not disagree with the assertion that each of the elements is very important. We should be dealing with them.

What does it mean to take the President's proposal seriously? If he means it seriously, then he should want us to address it seriously.

I understand that the bill is 1,200 pages. I understand that it might be introduced today. I haven't seen it. I don't think it has been introduced yet. Maybe it has and I was down serving lunch and haven't had a chance to read it. But 1,200 pages is a big bill, and these are big and important topics.

What would be the way we would engage, Democrats and Republicans, with this proposal to show the President we are taking it seriously? We would put it in a committee—the Judiciary or Appropriations Committee. The Parliamentarians would determine where it would go based upon how it is drafted, but it would likely be one of those two committees. The relevant committee obviously has a Republican chair in a Republican majority body; that is fine. There is a Republican majority on the committee; that is fine. But you would put it in the committee, and the first thing you would do is you would ask the administration to come up and explain each point.

They put a proposal on the table. OK, \$5.7 billion—how do you want to spend it? What does your TPS proposal mean? What does your Dreamer proposal mean? How do you propose to change the asylum laws? The administration would explain their proposal and answer questions about it.

Then promptly—especially with a Republican committee chair with some power over timing—promptly, the committee could take up the matter and have a normal committee process, with members able to make amendments. I am not on either of the relevant committees, so this is easy for me to say, but if a Democrat had an idea about, here is a way to improve it, there is no chance that idea is getting passed without some Republican votes because the Democrats are in the minority. But a Democrat and a Republican should be able to offer ideas for how the proposal should be improved, and that can be done promptly.

With a Republican majority, the chances of the President's proposal—hopefully with some improvements—being reported out to the floor is very high. If it is reported out to the floor, we could have a similar process here, with Members being able to make

amendments. Again, no amendment is going to be accepted from a Democrat without some Republicans saying it is a good idea. No amendment would be accepted without a majority or a supermajority of this body saying: That is a good idea; that improves the proposal.

That would be how we would show President Trump that we take the proposal seriously.

I have heard—and I know it is not yet completely decided, though—that there is an effort that we want to have a vote on it this week. We don't want to have a committee process. We don't want to have amendments. We just want to have a vote on it this week.

That would suggest that the proposal was not offered in seriousness and the Senate was not being serious about addressing it.

I think the Senate, on this proposal, should just be the Senate, and we should count on committees, which are helmed by Republicans, to try to promptly move this through a process where they all get to put their thumbprints on it and make it better.

Let me address quickly, as I conclude, the elements of the proposal.

How much to spend on border security? For this Senator, the dollar amount that the President proposed does not trouble me as long as it is used right. I have voted for proposals to try to advance to the White House that had more than \$5.7 billion of border security. Our 2013 bill had \$40-plus billion over 10 years. The bill we voted on in February had \$25 billion over 10 years. The dollar amount is not the challenge for this Senator. The challenge is that I want to make sure we use it the right way.

When every Member of Congress who represents the border—all nine—say that just using the money to build a big wall is a bad idea, that should tell us something. When our border professionals say there are higher priorities than using all the money to build a wall, that should tell us something.

But if the administration goes to the committee and presents their case, and they have border professionals saying, "Here are the ways to spend it, and physical barriers are really important in this place or that place," they would really help us. I am very open to that. I just don't want to waste the money, but the dollar amount is less important to me than the way money should be spent. That is the kind of thing we can negotiate and find an accord on.

Dreamers. The President terminated protection for about 1.7 million Dreamers two Septembers ago. He then challenged us to find a congressional resolution.

His proposal is to restore protections to about 700,000 Dreamers for a period of 3 years. Well, I am curious—700,000. Why not the full 1.7 million whose protections you pulled. Three years—why not four? But these are issues we could debate. These are issues where amendments could be offered, and we could find—again, I believe—a compromise.

The President is terminating TPS programs for about 400,000 people from 10 countries. He is proposing, actually, to restore about 300,000 of the individuals with rights under the Temporary Protected Status Program. I want to know: Why not all 400,000? What is it about some countries that you want to restore the protections you took away but you don't want to restore protections to the other countries? Maybe there is a reason. Maybe there is a good reason. But maybe there isn't a good reason, and we ought to have that discussion and offer Democrats and Republicans the ability to take some sandpaper to it and try to make it better.

Finally, asylum. This was the issue that the President did not speak about in his speech, but apparently the bill, which I haven't seen, has dramatic changes to the processes for applying for asylum and possibly the standards for getting asylum.

That is an important issue. We want to make sure that we do it right. There are international legal ramifications, and there are also ramifications in terms of this "Statue of Liberty" Nation. We want to make sure we get it right, but is there an openness to having discussions about asylum procedures? Of course there is.

So I would say that when President Trump put a proposal on the table on Saturday that dealt with border security funding, TPS, Dreamers, and asylum, each of those issues are issues on which we ought to be having a discussion, and we ought to be able to find some accord.

Frankly, if we can't find a pretty significant bipartisan accord here, the chances of there being one in the House is slim. So we ought to take the time to find it here. We ought to take the time to do that and do it promptly without people being needlessly hurt.

That is why I return to my original request. I hope we will take a step that will shut down the pop-up restaurant at 7th and Pennsylvania, as the chefs asked me to do today. Let's reopen government and shut down the restaurant that has popped up to serve those 6,000 to 8,000 people a day who are being punished unnecessarily.

I thank the patience of the Chair and those in the Chamber.

I yield the floor.

THE PRESIDING OFFICER (Mr. PORTMAN). The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, on December 11 of last year, at a meeting at the White House, President Trump said he would be "proud"—"proud"—to shut down the government of the United States if he didn't get things 100 percent his way. Then, 11 days later, on December 22, President Trump shut down the government.

We are now 32 days into the longest government shutdown in the history of the United States, and I say to President Trump: That is nothing to be proud of.

The damage is growing by the day in every part of our country and across different sectors of our economy. It is estimated that the partial government shutdown is now costing the economy \$6 billion every week. Eight hundred thousand Federal employees are going without pay, and this coming Friday will mark the second full pay period in which they get pay stubs with a big fat goose egg on them.

Hundreds of thousands of those Federal employees are working every day without pay, and hundreds of thousands of them have been locked out of work and want to get back to doing the business of the American people but are prohibited from doing so because of the government shutdown. So as a result of their inability to go to work, there are tens of millions of our fellow Americans who are losing access to vital government services.

There is nothing to be proud of in shutting out a whole sector of service contract employees and small businesses that provide support services to the Federal Government.

I am going to go into a little more detail in a moment, but small businesses around this country that depend on the Small Business Administration for loans or because they do business with the Federal Government are getting absolutely clobbered. That is nothing to be proud of.

It is not anything to be proud of that so many Federal employees are not able to make their rent or mortgage payments or the monthly tuition installment payments for their children's college education or for other provisions they want to provide for their family.

Now, sadly, this Senate is complicit in the shutdown. Let me actually rephrase that. The majority in the Senate is complicit in the shutdown because we have not been allowed a vote on two bills that are on the Senate calendar that we could vote on today and would reopen the government.

I have one of those bills right here. I have brought it to the floor in the past. It is a bill that would open eight of the nine Federal Departments that have nothing to do with the Homeland Security Department or border security or a wall—eight of the nine of them. This bill is sitting on the Senate calendar. We could vote on it today, and yet the majority leader refuses to bring it up for a vote.

The great irony is that this bill that is on the Senate calendar contains provisions that have already been supported in the Senate by overwhelming bipartisan majorities. A big part of this bill includes about four Federal Departments where we voted by 92 to 6 on the funding levels for the whole fiscal year until the end of September. In other cases, what is in this bill passed the Senate Appropriations Committee on a vote of 31 to 0 and another on a vote of 30 to 1. So why aren't we bringing up these bills?

Now, the majority leader had said previously he wasn't going to bring up

any bills in the Senate unless they were supported by President Trump and by the Democrats. Do you know what? That is an abdication of the responsibility of this Senate as a separate and coequal branch of government. Since when do we say to this President or any President: We are not going to consider a piece of legislation on the floor of the Senate unless you tell us ahead of time that you are good with it?

That is not doing our job. That is not fulfilling our constitutional responsibility. We have an obligation to do our duty as a separate branch of government and vote, especially when it is on a piece of legislation the Senate has already voted on and already supported overwhelmingly on a bipartisan basis and that would reopen the government.

So instead of doing our job, we are going to contract out our responsibilities to the President of the United States, but apparently it is going to get worse because now, as I understand it, the majority leader has changed his position and now he will allow a vote on something in the Senate Chamber. But guess what it is. It is on the President's proposal.

So now not only are we going to essentially say that we will not vote on something the President doesn't like, but now the one thing the majority leader says we will vote on is what the President wants—what the President wants.

Well, do you know what? I am OK having to vote on the President's proposal, but if we are going to vote on that, my goodness, we should also vote on the bill that is already on the Senate calendar and that has already received strong bipartisan support in the U.S. Senate.

So I do have a question for the majority leader. If we are going to be voting on President Trump's most recent proposal, are we also going to be able to have a vote on the bill that was already on the Senate calendar, that has already been supported by a bipartisan majority, and that would reopen the government right away? That is my question.

Let's vote, and let's just see what happens, but let's vote on not just what the President of the United States wants. Since when does the President dictate what we do here in the Senate? That is a question for every Member.

So I am for voting, but I am not for doing what appears to be about to happen, which is just to say that we are going to vote on what the President wants and, again, contracting out our responsibilities to the White House.

What we are seeing every day, as I said, is the growing damage from this shutdown. I mentioned that small businesses are really feeling the pain. There is a story in the Wall Street Journal, headline: "Small Businesses' \$2 Billion Problem: Government Shutdown Leaves Loans in Limbo."

This is happening all over the country. What you are seeing is that businesses and startups and the engines of

our economy are not able to access loans through the Small Business Administration. In fact, Mark Zandi of Moody's Analytics estimates the shutdown has delayed the \$2 billion in SBA lending. Jill Emerson, the CEO of an electrical components company in Tennessee, just heard that her lender shut down their \$3 million line of credit. "Our frustration is unbelievable," she said. This is the CEO of an electrical components company in Tennessee. "To keep us alive, I am borrowing from business associates who have worked with us for years."

We are hearing other small businesses that are just starved for lack of capital, others where the small business owners are personally guaranteeing loans. For the most part, there are many who are just not getting the capital they need to open up their businesses, to sustain their businesses, and as a result, they are laying off workers. That is a growing consequence of this shutdown.

Many times, I have shared on this floor some of the stories of Federal employees who work in Maryland and the fact that they want, first and foremost, to get back to work. Everywhere I go, even before people mention the fact that they are missing their paychecks, they tell me they want to get back to do the work for the American people. Then they do share terrible stories about how the lack of pay is impacting them more and more, day by day.

Beyond the stories you will hear from Federal employees who work in my State of Maryland or Senator KAINE's State of Virginia—and I want to thank Senator KAINE for all of his efforts to reopen the government and, of course, Federal employees in the District of Columbia—the reality is, 80 percent of Federal employees live outside of this region. They live all over the country. We are talking about the Coast Guard, Coast Guard officials. We are talking about TSA officials. We are talking about Homeland Security officials. We are talking about people in Federal Agencies who are scattered across this country.

A former marine who is now an EPA employee in Kansas is the primary breadwinner for her family and two children. Here is what she had to say the other day: "To have to go to your landlord and say, 'I don't know how I'm going to pay you,' I have never had to do that."

The President said people would "make adjustments." The President said he could "relate." It is easy for the President to say. He is sort of jetting from the White House to Mar-a-Lago, to Trump Tower. Those words are hollow to the millions of Americans who are actually really hurting.

Here is what this Federal worker in Kansas said:

We're trying to cut the grocery bill just down to the necessities, I mean we don't live extravagantly so it's hard to cut out any bills.

Her children notice, she said. She said:

My son wants to sell art to pay our bills.

Right now, we have Federal employees all over the country who are trying to take on odd jobs to make ends meet. Sometimes that takes startup costs, which, of course, they don't have because they don't have any income coming in the door.

One story from Cadillac, MI, goes as follows: Debra-Ann Brabazon, a furloughed Forest Service worker, said she is paying \$100 to get fingerprinted and get background-checked so she could get certified as a substitute teacher. She was down to eating one meal a day. She didn't have the \$100 to pay to get the fingerprinting and background check to get an odd job in order to bring in some income while she wasn't getting her Federal paycheck. She said she leapt to volunteer in exchange for grocery money and that "I was a nanny in college. I am falling back on everything I learned about how to survive."

As we can see, as each day goes by, the pain grows—the pain grows on small businesses, the pain grows on families. The Trump shutdown is also hurting our national security and creating growing harm to our national security by the day.

The FBI Agents Association put out a report today on the impacts they are seeing. One agent said:

I have been working on a long term MS-13 investigation for over three years. We have indicted 23 MS-13 gang members. . . . Since the shutdown, I have not had a Spanish speaker in the Division. We have several Spanish speaking informants. We are only able to communicate using a three way call with a linguist in another division.

The government shutdown is hurting the FBI's efforts to go after MS-13 gangs.

I often hear President Trump talking about the need to crack down on MS-13, and when it comes to MS-13, he is absolutely right. Long before the President even started talking about MS-13, many of us in this body and in the House of Representatives have been working to crack down on MS-13 gang violence. The President just discovered MS-13 when he decided to run for President, but many of us had been working on that issue for a long time. Yet now the government shutdown is undermining that effort.

Here is what another national security official says:

Not being able to pay Confidential Human Sources risks losing them and the information they provide FOREVER. It is not a switch that we can turn on or off.

Here is another FBI official indicating that the shutdown has shut off funds they used for critical informants to track down criminals, but apparently that doesn't matter to President Trump. That effort is just another casualty of the shutdown he brought about.

We are also seeing impacts on cyber security. WIRED magazine reported last week: "As the Government Shutdown Drags On, Security Risks Inten-

sify." The article notes that the new Cybersecurity and Infrastructure Security Agency at the Department of Homeland Security is operating with a skeleton crew, risking government websites and systems.

Many government websites have had their HTTPS encryption certificates expire during the shutdown, exposing them to potential snooping or even impersonator sites. And with most IT staff staying home, it seems unlikely that software patches and upgrades are being installed at their regular clip, potentially leaving them exposed to malware they'd otherwise be protected against.

In other words, since President Trump has sent all these employees home without pay, they are not able to ensure that government computers are not kept up to date with the software they need to protect them against cyber attacks. The shutdown is leaving a lot of the U.S. Government's computer systems more vulnerable. When that happens, it makes all of us more vulnerable.

In addition, the private sector that relies, in many ways, on a public-private partnership with cyber security resources from the National Institutes of Standards and Technology, NIST, says they are not able to access that information at this point in time.

Those are just some of the more recent impacts that harm our national security. Interestingly, what we are seeing is that not everyone is hurting. It turns out, if you have friends in the Trump administration, you may be able to get some relief.

I think many of us were interested last week when the mortgage industry was able to persuade the administration to bring back some employees from the IRS back to work. Here is what the mortgage industry said: Could you make these guys essential, meaning some of the folks then wanted to bring back at the IRS.

Do you know what? In response to the mortgage industry, the White House brought more people back. According to the report, the shutdown was stalling an IRS process to confirm borrowers' incomes before they could grant home loans, and that of course is a problem for the mortgage industry in making those loans. So the Mortgage Bankers Association reached out to the Department of the Treasury, and suddenly the Department of the Treasury said: Oh, that is an essential function. The mortgage industry wants it. We are going to bring back folks to process that information.

The story quotes the chief executive of the Bankers Association, saying: I would like to take some credit. Our direct request got quite rapid results.

I am glad people are getting their income checked through IRS validations so they can get their mortgages. The way to do this isn't to respond piecemeal to some powerful special interests. We shouldn't be playing favorites in this shutdown, and that is what we are seeing from this administration.

The way to deal with it is obvious: open up the government so we can resume these functions. In the U.S. Senate, the fastest and best way to open up the government is to have a vote—to have a vote on the bill that is on the Senate calendar that has already received broad bipartisan support in the U.S. Senate.

I want to talk a minute about Homeland Security. The Trump administration's request for this portion of border security funding was \$1.6 billion. That is what is in their budget. You can look at their budget online. They requested \$1.6 billion. I serve on the Senate Appropriations Committee, and the Senate Appropriations Committee provided that request—provided that request for strengthening barriers. We did say you can't use that money to build that sort of new, huge wall the President used to talk about, but we provided \$1.6 billion. That was going to work out fine in the long run.

Then, of course, in December, the President said: Oh, I need this \$5.7 billion for a big wall.

I think all of us who follow these issues closely know that even before President Trump was elected, we had 700 miles of barriers and fencing along certain strategic parts of the border, and we have provided funds to reinforce and strengthen some of those barriers. So this is a totally manufactured issue by the President of the United States in terms of all of a sudden demanding more funds than the President himself in his budget requested.

So we should have a serious conversation on border security and immigration issues, and we can have it now, but what we cannot do is continue to allow the country to be held hostage through this government shutdown. As I said at the beginning of my remarks, it was the President of the United States who said on December 11 of last year, he would be "proud" to shut down the government if he didn't get things his way. Well, that is just not how things work, especially not how things work in an era of divided government. So I appeal to my colleagues, my Senate Republican colleagues to work with us to find a way out. Obviously, the fastest way out is to vote on the bills that already have bipartisan support. We should have the conversation, but what I do find to be a very sad reflection on this body, is if we move forward and have a vote only on the proposal the President of the United States wants and not also a vote on the bill that previously had bipartisan support in the U.S. Senate because that would send an awful message. It would send the message that the majority party has allowed an independent and coequal branch of government to be totally hijacked by the President of the United States, as opposed to doing our job as a separate branch of government under article I.

If we are going to take the position that this Senate, with 53 Republicans

and 47 Democrats, is only going to vote on a proposal from the President of the United States, then we simply have become a vehicle—an agent for the President. That would be a great shame on this body.

If we are going to have a vote on that bill—and I am fine to have a vote on that bill. We should have votes. In the light of day, we should have transparency and accountability, but what would be outrageous is to say: OK. We are only going to vote on the bill the President of the United States wants and not on another measure that has already received broad bipartisan support. That would be a dereliction of duty in the U.S. Senate as a separate and coequal branch of government.

Let's end this shutdown. We have it in our power to vote now. Let's do our job. The President can do what he wants, but let's do our job under the Constitution and let's do it and be held accountable by the American public. Let's not use procedural devices to only allow votes on what the President wants and not votes on bills we voted on before.

I am hoping this Senate will do its job and do its duty and hold that vote to reopen government and not just on the President's proposal but on the other proposals as well. In the meantime, we should continue to have serious conversations about the most effective and cost-effective way to provide border security and how we can deal with other immigration issues, but nobody should send the signal that shutting down the government is a good way to do business. I would hope that neither Republican nor Democratic Senators would want to send a signal to the Executive that they are going to be rewarded for shutting down the government—now 32 days long, a real shame for the country, and something nobody should be proud of. No matter what the President of the United States says, this is nothing for anybody to be proud of.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOZMAN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### UNANIMOUS CONSENT AGREEMENT—H.R. 268

Mr. McCONNELL. Mr. President, I ask unanimous consent that it be in order to move to proceed to H.R. 268.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### SUPPLEMENTAL APPROPRIATIONS ACT, 2019—MOTION TO PROCEED

Mr. McCONNELL. Mr. President, I move to proceed to H.R. 268.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to the consideration of H.R. 268, a bill making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes.

Mr. McCONNELL. I know of no further debate on the motion to proceed.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the motion to proceed.

The motion was agreed to.

#### SUPPLEMENTAL APPROPRIATIONS ACT, 2019

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 268) making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes.

##### AMENDMENT NO. 5

(Purpose: Of a perfecting nature.)

Mr. McCONNELL. Mr. President, I call up the Shelby amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] for Mr. SHELBY proposes an amendment numbered 5 to H.R. 268.

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

The PRESIDING OFFICER. The minority leader is recognized.

##### AMENDMENT NO. 6

(Purpose: Of a perfecting nature.)

Mr. SCHUMER. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up my amendment, No. 6.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 6.

Mr. SCHUMER. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

#### ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I further ask unanimous consent that notwithstanding rule XXII, it be in order to file cloture on amendment