

of Susan Combs, of Texas, to be an Assistant Secretary of the Interior, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Louisiana (Mr. CASSIDY), and the Senator from Kansas (Mr. MORAN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “yea”, the Senator from Louisiana (Mr. CASSIDY) would have voted “yea”, and the Senator from Kansas (Mr. MORAN) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH), the Senator from New York (Mrs. GILLIBRAND), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 37, as follows:

[Rollcall Vote No. 140 Ex.]

YEAS—56

Barrasso	Graham	Perdue
Blackburn	Grassley	Portman
Blunt	Hawley	Risch
Boozman	Hoehn	Roberts
Braun	Hyde-Smith	Romney
Burr	Inhofe	Rounds
Cantwell	Isakson	Rubio
Capito	Johnson	Sasse
Collins	Jones	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	King	Shelby
Cramer	Lankford	Sinema
Crapo	Lee	Sullivan
Cruz	Manchin	Thune
Daines	McConnell	Tillis
Enzi	McSally	Toomey
Ernst	Murkowski	Wicker
Fischer	Murphy	Young
Gardner	Paul	

NAYS—37

Baldwin	Hassan	Schatz
Bennet	Heinrich	Schumer
Blumenthal	Hirono	Shaheen
Booker	Kaine	Smith
Brown	Klobuchar	Stabenow
Cardin	Leahy	Tester
Carper	Markey	Udall
Casey	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murray	Whitehouse
Durbin	Peters	Wyden
Feinstein	Reed	
Harris	Rosen	

NOT VOTING—7

Alexander	Gillibrand	Warren
Cassidy	Moran	
Duckworth	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 37.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Susan Combs, of Texas, to be an Assistant Secretary of the Interior.

The PRESIDING OFFICER. The Senator from Texas.

TARIFFS

Mr. CORNYN. Mr. President, since President Trump announced his intent to impose tariffs on goods imported to the United States from Mexico, I have been perplexed at the reaction from our Democratic colleagues on both sides of the Capitol. They seem to have washed their hands of the humanitarian crisis occurring at the border.

Again, these are President Obama’s words. In 2014 he identified this crush of humanity coming across from Central America into the United States claiming asylum as a humanitarian and security crisis. But our Democratic friends are simply washing their hands of any responsibility and have not offered any solutions or any ideas on how to solve the problem.

Perhaps they feel like this is President Trump’s problem, but this is more than just the President’s problem. It is America’s problem and challenge: How do we deal with this flood of humanity?

I would like to be clear on one point. I agree with the President that Mexico needs to do more to staunch the flow of people across its borders and into the United States. They must do more and we must do more to stop this mass migration, but any action must prioritize both our country’s physical and our economic security.

Tariffs are not my first choice on how to address this problem. In fact, that is not the most responsible way to address this. The most responsible way to address it is by taking up, debating, and voting on bipartisan legislation that would actually fix the vulnerabilities in our current law that are being exploited by the human smugglers who are charging between \$5,000 and \$10,000 per person to smuggle people from Central America, across Mexico, and into the United States.

Tariffs, on the other hand, would be a massive tax. The U.S. Chamber estimates that Texas alone would face \$5.35 billion in increased costs as a result of a 5-percent tariff that could take effect as early as Monday. This translates into about \$1,000 more on a car.

I am happy that the Vice President and Secretary Pompeo are meeting with the Mexican Foreign Minister and other officials today. Actually, I am encouraged by the response of the Mexican Government, and I can only hope that they come up with some sort of agreement so that these tariffs do not go into effect.

Stronger action by Mexico would be a step in the right direction, but it doesn’t come close to solving the underlying problem. I feel like a broken record at times, constantly reminding my colleagues here of the challenges we are facing in Texas because of this crisis.

More than 100,000 people illegally crossed our southern border between March and April—100,000. That is not a combined figure. It is about 100,000 each month. The Department of Home-

land Security has not released statistics for the month of May, but I am not expecting any good news.

As a matter of fact, if nothing changes, the pull factors—the reasons why people would leave their homes in Central America, cross Mexico, and make this dangerous trip into the United States—are doing nothing but getting worse, encouraging more and more people to take that dangerous trip.

Unlike in previous years, the vast majority of those crossing aren’t from Mexico, as I said. So far this fiscal year, 74 percent of the Border Patrol’s apprehensions across the southern border were people coming from Guatemala, Honduras, and El Salvador.

And if you talk to the McAllen Sector Border Patrol chief, he will tell you that last year alone people from 140 different countries—140 different countries—came across our southern border with Mexico and into the United States. That is because they realize, if you can fly or get any way you can—take a boat, swim, get to Central America—you can make your way up from Central America into the United States. The individuals illegally entering our country are overwhelmingly either families or unaccompanied children, which means we don’t have the facilities, the resources, or legal authorities. We need to expeditiously process them and care for them properly.

What is more, 70 percent of unaccompanied children and family unit apprehensions are occurring in just two sectors—El Paso and the Rio Grande Valley—making the State of Texas and its border communities the hardest hit.

We are ground zero for this crisis. As I said, this is equated to an all-out humanitarian crisis along the border. Our law enforcement officials, city leaders, nongovernmental organizations—everyone who wants to treat these migrants compassionately and appropriately is being completely overwhelmed by the massive waves of people who are entering our country.

We need to get to work on both short-term and long-term solutions.

First, we need to get additional funding to the departments and agencies that are trying to manage this crisis and care for the migrants in their custody. Without action here in Congress, funding could dry up by the end of this month, creating an even more dire situation. That should be our most immediate focus—getting funding to the agencies responsible for managing this crisis. I know the appropriators are working on this, and I hope we can come up with a solution soon because time is not on our side. But that is not a fix; that is a patch.

Any sort of lasting change cannot be solved by a funding bill or by tariffs. It has to be solved by something only Congress can do—passing legislation that addresses the root of the problem.

From what I know, there is only one bill that would address this humanitarian crisis at the border, a bill that

already has Republican and Democratic support. That is a bill I introduced called the HUMANE Act.

I have learned a lot when it comes to legislating on immigration issues. A lot of folks are more interested in talking about it than they are interested in finding a solution. But that wasn't the case when I picked up the phone and called my friend HENRY CUELLAR, a Democrat from Laredo, TX. Obviously, I am a Republican. HENRY is a Democrat in the House. But he understands this situation better than most, and he has been my consistent ally in working on a number of ways to bring common-sense reform to these issues.

We don't always agree on everything, but we do agree on some things, and where we do agree, we work together to try to provide effective solutions. As I mentioned, we introduced the HUMANE Act last month, which will make targeted, long-overdue reforms to our immigration system. Importantly, it includes provisions that both Republicans and Democrats should be able to agree on. First, it closes a major loophole that is often exploited by families and the human smugglers who move them across the border illegally. This is the Flores settlement agreement. This is a lawsuit and a settlement.

Flawed court rulings have looked at the Flores settlement and have turned this once well-intentioned agreement into a major pull factor for migrants hoping to game the system. They know we can't detain children and family units for more than 20 days, and they are using it against us to game the system, to win, to successfully place people into the United States because we simply don't have the authorities to detain them until they can present their claims to an immigration judge.

Rather than single adults arriving at the border alone, we know that the smugglers are sending children, sometimes unaccompanied, sometimes posing as a family unit when they are not even biologically related—so much that the Department of Homeland Security has now been giving DNA testing to determine whether an adult is falsely claiming a child to be their biological offspring so that they can make their way into the country, exploiting the gaps and loopholes that I have talked about.

Children are literally being kidnapped to serve as free tickets into the United States. Tragically, they are often abused, physically or sexually, along the way, and many arrive at our border in critical health.

I have shared the concern expressed by Members of Congress on both sides of the aisle when we see children die in some of our facilities along the border, but that is not because they got sick there in the first place. They got ill on the way, coming from Central America, across Mexico, into the United States, suffering from exposure, being exposed to all sorts of infectious diseases. By the time they get into U.S. custody,

some of them simply don't survive. That is a terrible human tragedy. But the problem is not trying to create more medical facilities at the border; it should be to try to stop people from making this dangerous trek in the first place.

The HUMANE Act would stop that practice by clarifying that the Flores agreement applies only to unaccompanied children, which was the original agreement, not family units as it was subsequently interpreted by another court. It would provide more time for processing and immigration proceedings to take place before families could be released from custody.

Under the current practice, because the numbers are overwhelming the capacity of the immigration courts to hear these cases—and there is simply not enough time to get to these cases when you have to release them in 20 days—they are given a notice to appear for a future court date. Guess what. The vast majority of them simply don't show up for that court hearing, and they remain in the United States perhaps for the rest of their lives unless, perhaps, they get picked up for an unrelated crime.

Our legislation would require that all accompanied children be processed exactly the same, regardless of their country of origin.

Under current law, children from Mexico or Canada can be promptly returned home. But the process for other countries moves much more slowly and represents another vulnerability in our legal authorities. I believe we should make every effort to safely return all children to their home countries as soon as possible, regardless of what country they are from.

This bill includes other provisions to protect children who have been brought to our border, such as biometric screening to ensure that they are literally the biological offspring of the people who claim to be their parents rather than a human trafficker.

It would also place prohibitions on certain individuals who would serve as guardians. For example, no child should be released into the custody of a sex offender or human trafficker. We don't have that confidence now.

The HUMANE Act would enable families to stay together. There has been a lot of discussion about separation of children from their families. We want them to stay together. I think we all agree that should be the standard, but we also need to streamline the processing of those in custody.

Consistent with the recommendations by the bipartisan Department of Homeland Security Advisory Committee, the bill would require the Department of Homeland Security to establish at least four regional processing centers along the southern border to house and process these families. They would literally serve as a one-stop shop, with Department of Homeland Security personnel, folks from Custom and Border Protection, ICE—

Immigration and Customs Enforcement—the immigration service, and FEMA all working together to assist migrants and working to process their claims on a timely and respectful basis. Asylum officers would also be required to be onsite to adjudicate claims as soon as they could and expedite the entire process, which we hope would begin to ease the burden of our current debilitating immigration court backlog.

I believe that if we actually did this, people with legitimate claims would find their claims recognized earlier, and people with illegitimate claims would be returned to their country of origin, which is the way our laws should be enforced.

It is important to recognize that we should not only enforce our immigration laws; as long as they are on the books, we ought to use the time-honored principle of deterrence. In other words, if people realize they are paying good money to try to make their way into the United States in the hands of a human smuggler but because of the way we have corrected and reformed our laws, it is no longer possible to exploit the vulnerabilities of the system, fewer and fewer of them will actually start that trek—that dangerous trek from their home in Central America.

So deterrence is something we need to use on our side, and right now there is no deterrence because the smugglers know this is a money-making machine for them. They care nothing about the people involved. They are commodity agnostic. They will just as soon traffic someone for sex as they will move a migrant from Central America for economic reasons or move drugs from across the border into the United States. We need to deter all sorts of criminal activity like that.

In addition to these changes, the legislation also includes other provisions that I think are just commonsense improvements, like additional Customs and Border Protection personnel and training for CBP and ICE employees who work with children.

There is one last point on what is happening at the border and its impact on the economy and trade. In Laredo, TX alone—I think it just surpassed Los Angeles as the largest port of entry into the United States—there are between 14,000 and 16,000 trucks a day that traverse the U.S.-Mexico border between Nuevo Laredo and Laredo. A lot of that is a part of the manufacturing process, which happens on both sides of the border. But when these trucks can't make their way across the border on a timely basis, then that means the parts or the manufacturing processes fall apart—and the border economies.

I would argue the larger economy in the United States is threatened when just-in-time inventory control no longer works. If you are living in Detroit, MI, and you are expecting that the delivery of a part coming from Mexico will make its way to Michigan

in time to build a car, you can't do it. Eventually, this is going to damage our economy and kill jobs.

So I would like to reiterate, in conclusion, that the HUMANE Act is bipartisan; it is bicameral; and it would provide real relief for folks in Texas and other border states who are struggling to manage the crisis. Most importantly, it would be a much more humane way to treat these children and families who are flooding across our southern border.

I know most of our congressional Democratic friends have adopted the posture of reflexively standing against the President on anything and everything he asks for rather than standing for policies that would actually become the law and make the situation better.

I think this is a much better solution than tariffs on Mexican goods brought into the United States.

The President's team is negotiating the United States-Mexico-Canada Agreement, the USMCA, and I am hopeful we can get that passed here in the Congress once it is sent over from the administration. But I worry that not only are these tariffs that are potentially being placed on goods brought in the United States going to hurt our booming economy and jobs here, they also are going to jeopardize the passage of the USMCA—the successor to NAFTA, which I think we should all acknowledge is a big, positive development for the administration. Why would we jeopardize the passage of the USMCA? Why would we hurt our economy while trying to punish Mexico for not doing more—which they should do to stop the illegal passage of people across their country when there is a reasonable and responsible alternative.

I urge all of my colleagues to take a serious look at the HUMANE Act so we can finally do our part, which only we in Congress can do to stem the flow of Central American migrants who are flooding our borders and to prevent criminals and human smugglers from infiltrating our country as they are doing now.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### DETER ACT

Mr. DURBIN. Mr. President, I want to thank my colleagues for supporting the Defending Elections against Trolls from Enemy Regimes Act, aka the DETER Act, a bipartisan piece of legislation I introduced with the chairman of the Judiciary Committee, Senator LINDSEY GRAHAM, Senator BLUMENTHAL, and Senator GRASSLEY.

This legislation would prevent foreign regimes from exploiting U.S. immigration laws to undermine U.S. elec-

tions. Specifically, it would make “improper interference in U.S. elections” a violation of immigration law.

Given the ongoing threat to the United States in terms of the integrity of our electoral process from Russian interference, we need to ensure that we are denying—and, if necessary, revoking—any visas to foreign nationals who seek to improperly interfere in our elections.

One of the most important takeaways from the Mueller report is that Russia successfully attacked America in 2016 by doing everything it could to undermine our election process.

Page 1 of the Mueller report says: “The Russian government interfered in the 2016 presidential election in sweeping and systematic fashion.”

The report detailed numerous examples of Russian interference, including an “intelligence-gathering mission” that employees of the Internet Research Agency—also known as the IRA—took in June of 2014. The IRA was the Russian troll farm that waged information warfare against the 2016 election with stolen identities, fake social media accounts, fake campaign events, and even attacking the voter list for the State of Illinois.

The report and the earlier indictment of several IRA employees noted that two of the Russians arrived in the United States for a 3-week trip “for the purpose of collecting intelligence to inform [IRA’s] operations.”

The DETER Act would respond to threats like this, barring foreign actors from traveling to our country to interfere in our elections. I thank my colleagues for supporting this important legislation which was approved on Monday night. I hope the U.S. House of Representatives will quickly pass it and send it to the President's desk for his signature.

This should be the first of many steps Congress takes to deter and punish future election interference by the Russians or by any foreign power.

#### IMMIGRATION AND CUSTOMS ENFORCEMENT

Mr. President, as a Presidential candidate, Donald Trump campaigned on a promise to the American people that he would “get tough” on immigrants and secure our border. We heard it loud and clear, didn't we. The wall was to be built by the Mexicans, accusing Mexicans coming into this country of being murderers and rapists. We heard it over and over and over again.

Now, more than 2 years into the Trump administration, it is clear that the President has failed in his efforts on immigration—especially when it comes to families and children. It is obvious our southern border today is much less secure than it was when Donald Trump took office.

Take a look at these numbers. They tell the story, a dramatic story. In fiscal year 2017, which was the end of the Obama administration and the beginning of the Trump administration, in 12 months, 303,000 people were appre-

hended at our border, including 75,000 families and 41,000 unaccompanied children. Now, 2 years later, the numbers are dramatically higher under President Trump's watch. Only 6 months into this fiscal year 2019, 361,000 people have already been apprehended at the border. It was 303,000 over a 12-month period 2 years ago, when the President took office; now, 361,000 in 6 months, including 189,000 families and 36,000 unaccompanied children. That is more total apprehensions in the first half of this year, in the first 6 months, than all 12 months of 2017.

The Department of Homeland Security has been engulfed in Trumpian chaos. In less than 2½ years of the Trump administration, there have already been four heads of the Department of Homeland Security—four—in 2½ years: Secretary John Kelly, Acting Secretary Elaine Duke, Secretary Kirstjen Nielsen, and now Acting Secretary Kevin McAleenan. Within the Department of Homeland Security, there have already been, under this administration, in a little over 2 years, four Acting Directors of Immigration and Customs Enforcement and three nominees to head this agency.

Under President Trump, ICE has never had a Director confirmed by this Republican-controlled Senate, which spends all of its time approving nominees. The Trump administration has never had a Director of ICE confirmed because the proposed nominees' names keep changing. In fact, every major position at the Department of Homeland Security is now held by a temporary appointee not confirmed by the Senate—not confirmed by the Republican-controlled Senate.

A major front in President Trump's war on immigrants has been his attack on Dreamers. Dreamers are young immigrants who came to the United States as infants, toddlers, and children. They have gone to school with our kids. They have given back to their communities as teachers, nurses, engineers, and even soldiers. They are American in every way except for their official immigration status.

In 2010, I joined with the late Republican Senator Dick Lugar of Indiana, on a bipartisan basis, calling on President Obama to use his legal authority to try to protect these Dreamers from deportation. President Obama responded by creating the Deferred Action for Childhood Arrivals Program, known as DACA.

DACA provided a temporary 2-year legal status to Dreamers if they stepped forward, paid a filing fee, went through a criminal background check, registered with the government, and had nothing in their background that would disqualify them from staying in the United States.

More than 800,000 of these young people came forward. They received DACA protection. DACA has really given them their first chance, on a 2-year renewable basis, to not be afraid of deportation and to be able to legally