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Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

Let us pray.

Eternal God, fountain of blessings, thank You for the life and legacy of Dr. Lloyd John Ogilvie, the 61st Chaplain of the United States Senate. Accept our gratitude for his unswerving integrity, ethical congruence, exemplary life, and sanctified service. We praise You for his preaching and writing gifts that provided counsel and guidance, beckoning us to start and maintain a relationship with You.

Lord, You used Dr. Ogilvie to bring deliverance to captives, to restore sight to the ethically blind, and to unshackle those held by the chains of addiction and despair. Thank You for the force of his convictions that brought unity to division, light to darkness, and hope to despair.

Comfort his beloved Doris, his loved ones, and all of us who mourn his death. Inspired by his great life, may our lawmakers accept the challenge to strive by words and actions to bring glory to Your Name.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Ms. ERNST). Under the previous order, the leadership time is reserved.

The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask to speak as in morning business for 1 minute.

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

DISASTER RELIEF

Mr. GRASSLEY. Madam President, Iowa continues to flood and in some cases re-flood. Since March, Iowa has been inundated with water on both the Missouri and Mississippi Rivers and their tributaries. In the past several weeks, there have been multiple tornadoes causing havoc as well.

I am pleased that Congress passed a supplemental bill that will provide some additional funds for recovery. However, I know we have many challenges ahead of us, both for the people living in Iowa and those who represent Iowa. Also, it would not surprise me if, after the final tallies of the disaster that has been done through floods and other natural disasters, we will need additional appropriations before the end of the fiscal year.

I look forward to continuing to work with individuals, communities, the State of Iowa, and the Federal Government to find ways to help Iowa recover and come back stronger than ever and, of course, that will help not only Iowa but other areas of the country that are likewise hit.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MEASURE PLACED ON THE CALENDAR—H.R. 6

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

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

The bill clerk read as follows:

A bill (H.R. 6) to authorize the cancellation of removal and adjustment of status of certain aliens and for other purposes.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Ryan T. Holte, of Ohio, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

The Senator from Texas.

BORDER SECURITY AND TARIFFS

Mr. CORNYN. Madam President, I suppose we were all shocked when Customs and Border Protection announced that more than 103,000 people illegally crossed our southern border in March. In April, we couldn't believe it when that number jumped to more than 109,000, and now we are in complete disbelief that in May more than 144,000

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



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people illegally crossed our southern border.

I found it interesting that in comments by one of the Presidential candidates running on the other side of the aisle, BERNIE SANDERS, who, according to Axios, is running second to Joe Biden in the 2020 Democratic primary polls, called what is happening at the border now a “serious problem” but not a crisis. When asked what more urgent crises there may be, he said: Well, that is an issue we have to deal with, but the issue of climate change is a more serious crisis.

He mentioned that, among other items.

Senator SANDERS finds himself in disagreement, I suppose, with President Barack Obama, who, in 2014, called what was happening at the border, when the numbers were far lower, a humanitarian and security crisis.

President Obama’s Secretary of the Department of Homeland Security, Jeh Johnson, disagrees with Senator SANDERS. He said: “There is a crisis at the southern border that needs [the] urgent attention [of] Congress.”

As it turns out, it is something that Congress itself is capable of addressing but so far has refused any efforts to try to come up with a compromise piece of language that would deal with this ongoing humanitarian and security crisis.

Vice President PENCE’s Chief of Staff said: As opposed to bellyaching about the actions the President is taking to actually secure the border, it would be nice if they put as much energy into actually fixing the problem legislatively.

I couldn’t agree more with the Vice President’s spokesman, or Chief of Staff, in the remarks that he made.

In May of 2019, this was the third month in a row in which the number of individuals who crossed the border illegally was in six figures, a trend that we haven’t seen since 2006, when the yearly total topped more than 1 million. I wouldn’t be surprised if we hit that annual total again this year.

Since the beginning of October, Customs and Border Protection has encountered more than 667,000 illegal border crossings, making this the first time in a decade that we have exceeded half a million apprehensions in a year. Don’t forget, we still have 5 months to go.

The government’s spokesman said last week: “We are experiencing a systemwide emergency that is severely impacting our workforce, facilities, and resources.”

“A systemwide emergency,” he called it. This isn’t a manufactured crisis, as we heard a few months ago from some of our Democratic friends and colleagues. This is not a political stunt. Our Democratic colleagues continue to pretend that there is not a problem.

In the face of rapidly dwindling funds and resources to manage the thousands of people in the custody of Customs and Border Protection, our Democratic

colleagues will not even provide additional funding to help the officers and agents who are working day and night to safeguard our border and to care for the migrants in their custody. I hope this recent data will force our Democratic colleagues to recognize the reality that this crisis is happening and it is growing.

Even the editorial board of the New York Times, never quick to agree with President Trump or Republicans—they say it is time to do something about it. In an editorial in today’s paper, they said: “When Will Congress Get Serious About the Suffering at the Border?”

Madam President, I ask unanimous consent to have printed in the RECORD a New York Times editorial dated June 9, 2019, following my remarks.

An excerpt from the editorial of the New York Times editorial board said:

Unequipped to deal with the crush, border facilities and migrant shelters are dangerously overcrowded, and the staff is overburdened. Dysfunction, disease and even death are a growing reality.

“We are in a full-blown emergency, and I cannot say this stronger: The system is broken,” the Acting Commissioner of Customs and Border Protection, John Sanders, said.

The editorial goes on to say:

In short, it is time for Congress to stop dithering and pass emergency funding to deal with this nightmare.

When the President announced his intention to impose new tariffs on Mexico, trying to bring them to the bargaining table to make sure that it stood up its efforts to try to prevent this flow of humanity from Central America, there were many people who questioned the use of that negotiating tool. I, for one, was concerned that it would certainly have unintended effects, but this is something the President would never have had to do if Members of Congress on the other side of the aisle would simply work with us to provide a legislative solution and, certainly, if Democrats would work with Republicans to provide the emergency funding that is so urgently needed for this humanitarian crisis.

Thankfully, the President was successful in his negotiations with the Mexican Government, and now we will see whether that 144,000 number in May actually begins to come down. That will be the best evidence of whether Mexico’s agreement with U.S. negotiators actually is providing concrete results.

It is time to put politics aside and start discussing real solutions. We know there are no quick fixes when it comes to improving the situation at the border. It is going to require a long-term commitment by Congress and the administration, as well as our Mexican and Central American counterparts. Part of that commitment involves making physical improvements along the border and investing in infrastructure, personnel, and technology. It is the three-pronged approach that experts have repeatedly told me is needed to be successful, and it is ex-

actly what Congress ought to be all about providing. We can’t just put up a strong physical defense and call it a day. We need to devote a great deal of time and effort to making improvements to reduce both the push factors from these Central American countries and the pull factors, which encourage these migrants to come to the United States in these kinds of incredible numbers.

My friend and colleague HENRY CUELLAR, who happens to be a Democrat in the House of Representatives, and I have introduced a bill called the HUMANE Act, which would help us begin to reduce the pull factors and improve the way we process people who seek asylum in the United States. The HUMANE Act would close a major loophole, the Flores settlement agreement, which is often abused and exploited by the human smugglers. This well-intentioned agreement was made so unaccompanied alien children could not be detained for more than 20 days, but a flawed court ruling subsequent to that imposed the same 20-day time limit on families traveling together.

Let me tell you, the people who are illegally entering our country are not fools. They know our laws, and they know how to get around them, as do the people getting rich by moving people from Central America across Mexico into the United States—the human smugglers.

These criminal enterprises know that if individuals travel alone, they will be detained and eventually returned to their home country, especially if you are a single adult. But if you are traveling with a child, the situation unfolds quite differently. After 20 days, they are released from detention and told to return for a court date that is who knows how many months or years in the future. Guess what. Many of them disappear into the great American landscape and never show up for their court date.

Of the more than 144,000 people who illegally crossed our southern border last month, 69 percent were either unaccompanied children or part of a family. We don’t know if these are legitimate families or if a child is traveling with a human smuggler or human trafficker. What we do know is that children are often abused or sexually assaulted on the way here, and many arrive at our border in critical health. It is our responsibility to protect all of the children in our custody whether they are alone, with a legitimate family member, or with a criminal.

The HUMANE Act would clarify that the 20-day limit would apply only to those children. Family units would no longer receive the same treatment, which would deter criminals, smugglers, and traffickers from exploiting children as a free ticket into the United States. There simply has to be some sort of deterrence, and the only deterrence in this context is to detain these individuals until they can appear in front of an immigration judge and make their claim for asylum.

The vast majority of claimants for asylum are not ultimately successful, but if they are released into the great American countryside, they never show up again for their court hearing and essentially circumvent our laws and exploit those loopholes.

In addition, the HUMANE Act would provide protections for children, such as DNA tests, to ensure that they are actually traveling with a biological parent. It would prevent children from being released into the custody of a sex offender or a human trafficker.

I know these seem like commonsense reforms, ones that could protect vulnerable children and ensure that our laws are not abused and finally begin to reinstate the integrity of our legal immigration system. But that is not what is happening right now in the absence of congressional action. There are additional commonsense measures in the HUMANE Act, such as streamlining the processing of migrants, adding more Customs and Border Protection personnel, and training for those who work with these migrant children.

As I said earlier, it is important to note that this is the only bill that has bipartisan support. It is not a sweeping reform that will immediately fix every problem along our border, but it is an important place to start.

I believe there is more we need to do here at home to stem the crisis, but the truth is, we can't do it alone. We need to work with Central American countries, where the vast majority of these migrants are coming from, to help them build stronger and safer governments and countries. We can't do it for them, but we can help. We also need additional support from our southern neighbor, the country of Mexico.

I agree with President Trump that Mexico must do more to prevent the mass migration of Central Americans traveling across their countries en route to the United States. I commend the President, the administration, and the Mexican Government for working together to come up with a solution that will help stem the flow of migrants at our southern border, as well as avoid the costly economic mistake of additional tariffs. The fact is, we can achieve border security without compromising our economic security. The two are not mutually exclusive.

Let me say that one more time. We can achieve border security without compromising our economic security. The two are not mutually exclusive.

I am eager to continue our work in Congress to improve our immigration system in a way that prioritizes both physical and economic security. I hope our colleagues on the other side of the aisle will join me and join us in that effort.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 9, 2019]

WHEN WILL CONGRESS GET SERIOUS ABOUT THE SUFFERING AT THE BORDER?
IT'S TIME TO CUT THE SQUABBLING AND PASS AN EMERGENCY RELIEF PACKAGE.

(By the Editorial Board)

Last week, as American and Mexican officials haggled over how to address the migrant crisis at their countries' shared border, United States Customs and Border Protection released its monthly migration statistics. They tell an alarming story.

In May, 144,278 migrants were taken into custody. It was the third consecutive month in which apprehensions topped 100,000 and the highest one-month total in 13 years.

Unequipped to deal with the crush, border facilities and migrant shelters are dangerously overcrowded, and the staff is overburdened. Dysfunction, disease and even death are a growing reality.

"We are in a full-blown emergency, and I cannot say this stronger: The system is broken," the acting commissioner of Customs and Border Protection, John Sanders, said.

Also last week, officials said that the Office of Refugee Resettlement, the agency assigned to care for unaccompanied migrant children, would begin cutting services "not directly necessary for the protection of life and safety." This includes English classes, legal aid and recreational programs.

Democrats and other administration critics called the move "cruel" and "illegal," but the financial reality is that the agency is overwhelmed. So far this fiscal year, it has taken charge of nearly 41,000 unaccompanied children—a 57 percent increase over last year. The entire program could run out of funding by the end of June.

In short, it is time for Congress to stop dithering and pass emergency funding to deal with this nightmare.

It has been more than a month since the administration sent Congress a request for \$4.5 billion in additional border assistance. A large portion of the money, \$3.3 billion, was earmarked for humanitarian aid—which most lawmakers agree is sorely needed. But a relatively modest piece of the request aimed at shoring up border security operations, roughly a quarter of the total, has tied negotiators in knots.

Early on, Democrats were opposed to funding additional detention beds for Immigration and Customs Enforcement. Republicans had problems with Democrats' demands for changes in the administration's asylum policies. At one point, negotiators thought they were close to resolving these conflicts, only to have other issues snarl the process. Beyond the money for security, one of the remaining disagreements is how much data sharing will be allowed between the agencies responsible for caring for migrant children and those that handle border enforcement.

The broader problem is that many Democrats have come to view the Trump administration as untrustworthy, and they are loath to hand over one more penny for anything to do with immigration. Members of the Congressional Hispanic Caucus and the Congressional Progressive Caucus have been particularly adamant, insisting that their leadership take a hard line in negotiations. In part, they fear that the administration, despite its promises, will spend any additional funding on enforcement rather than humanitarian needs.

There is much to despise about this administration's immigration policies, which are exacerbating this crisis, but there should be no ambivalence about the urgency of addressing the humanitarian needs. While lawmakers wring their hands and drag their feet, tens of thousands of migrant children are suffering.

Congress needs to get serious about dealing with that suffering.

Mr. CORNYN. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

BORDER SECURITY

Mr. MCCONNELL. Madam President, on Friday, the entire country got some really good news: President Trump and his administration secured an agreement with the Government of Mexico. Our neighbors to the south will be doing more to secure their own borders and to control the flow of people through Mexico. These stepped-up efforts should help relieve some of the extraordinary pressure on the U.S.-Mexico border.

This was an important step in tackling the unacceptable and unsustainable crisis—the crisis that continues to roil our southern border. Mexico has an important role to play in solving the ongoing security and humanitarian nightmare.

Americans were also happy to hear the President's announcement that, as a result of this progress, our own families and businesses will not need to absorb the cost of higher tariffs on imports from Mexico. This would have been a step backward for the U.S. economy generally, a new obstacle for many of our manufacturers and small businesses, and a pain that families back home tell me often would hurt them directly.

At its best, the U.S.-Mexico friendship should combine strong mutual efforts on security with a strong and prosperous trading relationship. I am glad that is the direction we seem to be headed.

So this was an important step, but as my Republican colleagues and I have been sounding the alarm for months, the magnitude of this border crisis means that more will obviously be necessary.

Our U.S. processing facilities are badly strained beyond capacity as record numbers of individuals and families continue to pour through.

The men and women of Customs and Border Protection and our other agencies on the border are juggling too much, making do with too little and having to triage resources away from other important priorities so they can keep up even the most basic security functions and provide even the bare minimum humanitarian assistance.

The administration is working overtime on this. Now our Mexican friends are stepping up as well. In short, about the only important players who are still refusing to take action are my