

This week's progress with our Mexican neighbors throws the Democrats' refusal to act into even starker relief. My colleagues and I have come to the floor day after day, week after week, detailing all the evidence that our southern border is in a state of crisis. The inflow of would-be illegal immigrants is unprecedented. Our facilities and our efforts to house and care for the individuals we detain are stretched literally to the breaking point. In short, the men and women stationed on our southern border are running on fumes. They have been charged with the tasks that circumstances have made incredibly difficult, and they are begging for more funding to keep up.

As I noticed yesterday, the most recent data show that apprehensions last month reached a 13-year high, with higher numbers in every category—more individuals, more family units, and more unaccompanied children arriving at border facilities that are already at overcapacity. The Border Patrol is teetering on the brink. They are nearing the point where they will be unable to perform even the most basic humanitarian and security functions for lack of resources. This is even with funds being diverted away from other important priorities at the Department of Homeland Security on a contingency basis.

So let me say it again one more time. The Department of Homeland Security has had to pull money and people off of other critical missions just to try and meet the overwhelming surge of human traffic down at the border. This is the Department that includes the Transportation Security Administration, the Secret Service, and the U.S. Coast Guard. Congress's inaction has backed them into a corner.

The officials who are responsible for protecting the homeland and safeguarding these individuals could not have been clearer in their pleading to Congress. They could not have been more clear. The Acting Homeland Security Secretary has told us already that "given the scale of what we are facing, we will exhaust our resources before the end of this fiscal year"—"exhaust our resources before the end of this fiscal year."

The Acting Director of Immigration and Customs Enforcement has said: "We are begging." "Begging." "We are asking Congress, please help us."

By any honest reckoning, this constitutes a crisis. That is why Americans across the entire political spectrum agree that Democrats in Congress need to put aside their allergy to finding an inch of common ground with President Trump and finally agree to get something done.

We know exactly what the holdup has been. The New York Times reported in late May exactly why this money didn't make it into the disaster funding package despite Republican efforts. "Democrats balked at allocating billions of dollars more toward border security." "Democrats balked." That is the New York Times.

Around the same time, one House Democrat admitted as much. He told reporters: "In my opinion, we do have to come up with some money. But we've got to convince our more progressive friends. . . ."

Well, look, I am sorry that a humanitarian crisis is not convincing enough to the far left. I am sorry that two separate New York Times editorials haven't made an impact on House Democrats either.

So here we have it. The New York Times editorial page, May 5—incredibly enough: "Congress, Give Trump His Border Money." That is the New York Times saying: "Give Trump [the] border money." They didn't listen.

So several weeks later, on May 23, as I quoted, "Democrats balked at allocating billions of dollars more toward border security."

On June 9, a couple of days ago, in the New York Times: "When Will Congress Get Serious About the Suffering at the Border?"

Here is the situation. The Trump administration and the New York Times are on the same side—and House Democrats don't want to take this up? Goodness, I am having a hard time remembering the last time the New York Times editorial page was on the same side as the Trump administration or Republicans in Congress. It is not a common sight, but here we are.

All of us agree that the border crisis is unacceptable and unsustainable, but still, House Democrats will not act. Yesterday, even my colleague the Democratic leader admitted where this extended delay is coming from. He told reporters that the House wasn't for it, but we were.

Yes, I guess that was true, but in any event, apparently that is where we are now. The House Democrats are the problem. So if they are serious about wanting to resolve this, I hope they will get a grip—get a grip on their far-left colleagues—in a hurry.

So here is what we are going to do. Chairman SHELBY has announced that the Appropriations Committee is going to vote on a \$4.5 billion package a week from tomorrow, with more than \$3 billion in humanitarian funds to expand shelter facilities, increase dedicated care for unaccompanied children, and another billion dollars to prop up critical security missions. I am grateful to Chairman SHELBY for interest in this and his leadership, along with the work of Senator CAPITO and Senator BLUNT.

I cannot urge my Democratic friends strongly enough to finally—what does it take to convince them to get serious?—find their way to yes.

House Democrats may want to come down to the left of the New York Times editorial page—there is not much space over there—but the rest of the country thinks it is just crazy—because it is.

Partisan theater in the House doesn't improve the conditions in border shelters. Melodramatic hearings and Presidential harassment don't secure the border. "The resistance" doesn't pay

the bills. This spectacle of opposition for opposition's sake, even on such an obvious nonpartisan priority, has been more than embarrassing. It is completely irresponsible. It needs to end soon.

In the coming days, it will. We are going to act in the Senate, and we are going to move forward to find the funding necessary to try to solve this humanitarian crisis.

The PRESIDING OFFICER. The Senator from Florida.

ANNIVERSARY OF PULSE NIGHTCLUB SHOOTING

Mr. SCOTT of Florida. Mr. President, on June 12, 2016, our State was attacked. Forty-nine innocent and beautiful lives were senselessly lost, and the lives of countless families and loved ones were forever changed.

The attack—an attack on America, our State, the city of Orlando, our Hispanic and gay communities—was a terrorist attack. This act of terrorism was an attempt to rip at the seams of our society, to divide us, to instill fear in our hearts. But Floridians are strong. Floridians are selfless. Floridians are fighters.

The days I spent in Orlando following the shooting will always be with me. I talked to many parents who lost their children. I went to funerals and wakes, and I sat in hospitals. It was one of the hardest things I have ever done as Governor and as a parent.

Through our State's most challenging times, we also saw incredible bravery and heroism. We saw it in the brave members of law enforcement who selflessly ran into danger to help those in need; we saw it in the doctors and nurses who tirelessly worked to save lives; and we saw in the community that came together after this horrific tragedy to repair and rebuild.

Three years removed from this unimaginable loss, our State is changed forever. Every year on this day, the State of Florida stands united with heavy hearts to honor the victims.

I vow to never forget that evil exists in this world, and we must always stand up against those who wish to harm us. And we vow to always remember the beautiful lives taken far too soon.

HONORING THE MEMORY OF THE VICTIMS OF THE HEINOUS ATTACK AT THE PULSE NIGHTCLUB ON JUNE 12, 2016

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 246, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 246) honoring the memory of the victims of the heinous attack at the Pulse nightclub on June 12, 2016.

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

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 246) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. SCOTT of Florida. 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.

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 senior assistant legislative clerk read the nomination of Pamela A. Barker, of Ohio, to be United States District Judge for the Northern District of Ohio.

The PRESIDING OFFICER. The assistant Democratic leader.

BORDER SECURITY

Mr. DURBIN. Mr. President, I listened carefully this morning to Senator McConnell of Kentucky, the Republican leader, who came to the floor to speak to the issue of the border crisis which we now face. I acknowledge, as everyone should, that we are facing an unprecedented number of people who are presenting themselves at our southern border from primarily three countries—El Salvador, Honduras, and Guatemala.

These people who are presenting themselves, for the most part, are not trying to sneak across our borders; they are literally coming up and presenting themselves—identifying themselves—to the first person they find in a uniform. The reason is they want to apply for asylum in the United States. They want to make the argument that they have credible fears that might entitle them to be considered as asylees in this country, which is a legal classification.

After they state that they seek that status, they are taken into our system. They then, ultimately, go through a hearing process, but that hearing process is not done quickly. In fact, it can take months and sometimes years before the actual hearings take place. Because we are seeing so many people coming—especially young children who are accompanied by their parents or who are even on their own—it has created a special challenge for our border authorities.

I was down in El Paso just a few weeks ago. I met with the Border Patrol agents and the Customs and Border Protection agents, and we talked about the challenges they face. In my mind, there is no question that the numbers have overwhelmed the system to the point at which there are things happening down there that are absolutely unacceptable by American standards. I will give you an example.

Those who present themselves at the border are processed and put into detention cells, but these detention cells are not large enough to accommodate the number of people who come to our border. In El Paso, there was a cell that had a plate glass window on the outside so one could see everyone inside. Above the door of that cell was a sign that read "Capacity: 35." I counted the number of people in that cell on the day I visited. There were 150 who were jammed shoulder to shoulder inside the cell. About 20 of them, maybe 30, had an opportunity to sit on benches along the perimeter, but for the most part, they stood. They stood all day. They were fed their meals while they stood up, and I have no idea how they possibly worked out their sleeping arrangements. There was just no room for all of them to lie down on the floor at any given time, and there was one toilet in that room for 150 people. I learned afterward that the number in that cell increased shortly thereafter to 200. Next to it was a cell for women—capacity 16. Inside that cell, I counted 75 women, including women with nursing babies.

We now have press reports that state, because of the desperate situation these detainees face, there have been attempted suicides. This is in the United States of America. This is a situation we need to address. I couldn't agree more with the Republican leader from Kentucky that we need humanitarian assistance quickly to provide temporary housing or whatever is necessary so that there will be humane treatment of those who have been detained at our borders until they are processed through our legal system.

I might say, although the Republican leader came to the floor to blame the Democrats for not coming up with more money in a timely fashion, it was just this February when we joined, on a bipartisan basis, in voting for \$400 million more for humanitarian assistance at the border. There has been no resistance from this Senator or from this side of the aisle when it has come to

humanitarian assistance in addressing the issues that have been before us.

We remember—and it was not that long ago—the Trump administration's policy that was called zero tolerance. Do you remember? Certainly, I do. Attorney General Jeff Sessions announced that we were then going to have a policy of treating as criminals those who came across the border.

Now, understand what I mentioned earlier. You present yourself at our border for the purpose of seeking asylee status so that you will not be considered a criminal when you present yourself, which is perfectly within our legal system. Rather, Jeff Sessions said, if you come to our border and do not have legal status in the United States, you shall be treated as a criminal. In his having said that, there was a problem. It meant that they separated the children from their parents because, under Sessions' zero-tolerance policy, the parents were presumed to have been engaged in criminal conduct.

The result was awful. There were 2,880 infants, toddlers, and children who were separated from their parents at the border under the zero-tolerance policy. Yet there was a swift public reaction against it, and court cases were filed to stop this policy. In one of the few times since he was elected President, this President came forward and said he was wrong—that this policy was not good and that he was going to end it.

The problem was, in his having separated those children, our government has not kept track of where their parents have gone and how we might possibly reunite them in the future. It took a Federal judge in Southern California to come forward and mandate that our agencies of government find those children and reunite them with their parents.

We didn't accomplish it completely. Overwhelmingly, it took weeks and months for us to put them together because no one thought to keep track of where the parents were headed and where their children were headed. Eventually, we put it together for all but, say, 100, I think—the final number of children for whom we just couldn't find their families and parents.

That was a horrible situation, but it is a reminder to us today as we reflect on what is going on at the border. For goodness' sake, we should all demand the humane treatment of people at our border, particularly of the children. Six children who came to our border died while they sought this asylum status. That is unacceptable.

In fairness to the Department of Homeland Security and to all of those involved in it, I don't believe for a second that they consciously allowed this to happen, but we did not provide the kind of medical assistance that might have ordinarily been provided in these circumstances. We are told that this is changing for the better, and I salute and applaud the efforts to reach that.

When it comes to the humanitarian assistance that Senator McConnell