



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, SUNDAY, JANUARY 21, 2018

No. 14

Senate

The Senate met at 1 p.m. and was called to order by the Honorable DAN SULLIVAN, a Senator from the State of Alaska.

PRAYER

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

Let us pray.

Eternal God Almighty, who rules and reigns forever, as our lawmakers seek to solve the problem of this government shutdown, remind them of the miscalculations in our history. Give them the wisdom to remember that those who sow to the wind often reap the whirlwind. Provide them with the faith to trust You to direct their steps as they discontinue the blame game and strive to do the most good for the most people.

May our Senators be grateful for the opportunity to serve You and country in these grand and challenging times.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 21, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable DAN SULLIVAN, a Senator from the State of Alaska, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

GOVERNMENT SHUTDOWN

Mr. MCCONNELL. Well, here we are, Mr. President. This is day 2 of the Senate Democrats' government shutdown, day 2 since the Democratic leader made the political calculation to do something that, according to a recent survey, even most Democrats don't support. He shut down the government to appease a portion of his party's left-wing base. It makes you shake your head. Who comes up with ideas like this?

Well, on Friday, a bipartisan group of Senators voted to advance a bill that would have kept the Federal Government open, provided 6 years of certainty for the State Children's Health Insurance Program—of which at least seven different Governors have written they are in dire straits—and allowed ongoing talks to continue on a variety of other important issues that we have been discussing here for a couple of months. Together, Democrats and Republicans had enough votes to pass it. Five Democrats crossed over and voted against shutting down the government, to keep the government open while we do our work. The House had already passed it, and the President was ready to sign it. We were poised to send him this compromise solution and erase the threat of a shutdown, but unfortunately my friend the Democratic leader had other ideas.

Now, we all know in the Senate the minority has the power to filibuster. I support that right from an institutional point of view, but the question is, When do you use it? On Friday, the Democratic leader made the extraordinary and destructive choice to filibuster our bipartisan bill and to guarantee the American people a shutdown of their Federal Government. Now, it is the second day of the Senate Democrats' filibuster and the Senate Democrats' shutdown of the Federal Government.

Because the President wouldn't resolve months of ongoing negotiations over massive issues in one brief meeting and give the Democratic leader everything he wants, my friend across the aisle has shut down the government for hundreds of millions of Americans because he didn't get everything he wanted in one meeting on Friday with the President. So who pays the price for that? Healthcare for needy children, training and resources for our men and women in uniform, care for our veterans who came home, and survivor benefits for families of heroes who did not, full funding for the CDC, for the NIH, and for routine safety inspections of food and medicine.

To most Americans, those sound like fundamental responsibilities. To the Democratic leader, apparently, they sound like hostages ripe for the taking. All of this was totally unnecessary. There is a broad consensus, on both sides of the aisle, that DACA and other issues related to illegal immigration require a compromise solution. Almost everybody here—Democrat and Republican—believes we need to get to a solution on the DACA issue and related immigration matters. Bipartisan, bicameral negotiations have been underway for months, but they can go nowhere until Senate Democrats realize the extreme path their leader has charted leads them nowhere—a filibuster of healthcare for 9 million children, a filibuster of the tools and training that our warfighters need to keep

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



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S395

us safe, a filibuster of funding for the Federal Government itself, for hundreds of millions of Americans—all over a tangential issue related to illegal immigration that does not even ripen until March. All of these other things are an emergency. The one non-emergency issue that our friends on the other side are trying to shoehorn into this discussion doesn't reach that status of emergency until March.

This is pure folly. The American people know so. That is why, in a recent survey, a majority said keeping the government open is a higher priority than shutting down the government over the issue of illegal immigration. That is why headlines all across America are laying the blame for this government shutdown right at the feet of Senate Democrats and their filibuster.

Now, the Democratic leader could end this today. We can get past this manufactured crisis and get onto a host of serious issues before us that require thoughtful, bipartisan negotiations. This shutdown is going to get a lot worse tomorrow—a lot worse. Today would be a good day to end it. All we have to do is pass the common-sense legislation the Senate is currently considering—ending the government shutdown and ensuring healthcare continues for vulnerable children. There is nothing in this measure that my Democratic friend cannot support.

So here is the situation. If nothing changes, a cloture vote will be no sooner than 1 a.m. tonight. We could resolve this much earlier if the Democratic leader withdraws his procedural objection and allows the Senate to proceed to a vote. Our constituents want us to end this. Secretary Mattis, our military leaders, and our Governors want us to end this, and we can. Today is the right day to do it.

Senate Democrats only need to withdraw their filibuster and allow a bipartisan majority to move America forward. If they really care about the big issues—increased defense funding, disaster relief, DACA, border security, and other important matters that we have been negotiating and that I would like to bring to the floor—then they will stop their filibuster and this shutdown and let the negotiators get back to work.

Everyone has figured this out. This shutdown was a political miscalculation of gargantuan proportions, but it doesn't need to go on any longer. It could stop today. So let's step back from the brink. Let's stop victimizing the American people and get back to work on their behalf.

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. SCHUMER. 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.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

GOVERNMENT SHUTDOWN

Mr. SCHUMER. Mr. President, we now enter day 2 of the first real government shutdown ever to take place when one party controlled the Presidency, the House, and the Senate. Under this unified control, it was the Republicans' job to govern. It was their job to lead. It was their job to reach out to us and come up with compromise. They have failed.

Our democracy was designed to run on compromise. The Senate was designed to run on compromise. We are no dictatorship subject to the whims of an Executive, just as we are not a one-party system, where the winner of an election gets to decide everything and the minority nothing.

We are a government that can only operate if the majority party—the governing party—accepts and seeks compromise.

The majority, however, has forgotten the lessons of the Founding Fathers. They have shown they do not know how to compromise. Not only do they not consult us, they can't even get on the same page with their President from their own party. The congressional leaders tell me to negotiate with President Trump. President Trump tells me to figure it out with the congressional leaders. This political catch-22—never seen before—has driven our government to dysfunction.

Americans know why the dysfunction is occurring: a dysfunctional President. Hence, we are in a Trump shutdown with party leaders who will not act without him. It has created the chaos and the gridlock we find ourselves in today. It all really stems from the President, whose inability to clinch a deal has created the Trump shutdown.

I agree with Majority Leader MCCONNELL. The Trump shutdown was totally avoidable. President Trump walked away from not one but two bipartisan deals, and that is after he walked away from an agreement in principle on DACA that we reached way back in the fall of last year. If he had been willing to accept any one of these deals, we wouldn't be where we are today.

On Friday, in the Oval Office, I made what I thought was a very generous offer to the President—the most generous offer yet. The President demanded for months that a deal on DACA include the wall. Most Democrats don't think the wall is effective. We think it is expensive and a waste of money. We are all for tough border security, but every expert will tell you that drones, sensory devices, roads, and personnel are far more effective than the wall.

Because the President campaigned on the wall—even though he said it would

be paid for by Mexico—and demands the wall, for the sake of compromise, for the sake of coming together, I offered it. Despite what some people are saying on TV—and mind you, these folks were not in the room during the discussion—that is exactly what happened. The President picked a number for a wall. I accepted it. It wasn't my number. It wasn't the number in the bills here. He picked it. It would be hard to imagine a more reasonable compromise. All along, the President has been saying: I will do DACA and Dreamers in return for the wall. He has it. He can't take yes for an answer. That is why we are here.

We don't have anyone in the White House, in the Senate, or in the House, Republicans of the President's own party, to tell him he has to straighten this whole thing out. He can't say yes one minute and no the next—three, four, five times.

The bottom line is this: It would be hard to imagine a much more reasonable compromise. I was, in principle, agreeing to help the President get his signature campaign promise—something Democrats and Republicans on the Hill staunchly oppose—in exchange for DACA, a group of people the President said he has great love for. I essentially agreed to give the President something he has said he wants in exchange for something we both want, but only hours after he seemed to be very open, very eager about that generous, tentative agreement—and it was only tentative; there were no handshakes—he backed away from the last best chance to avoid a shutdown.

That is why, from one corner of America to another, this is being called the Trump shutdown. It is trending all over. People from one end of the country to the other know it is the Trump shutdown, and they know why. They have seen what the President has done. It is a direct result of the President, who has been proved unwilling to compromise and is, thus, unable to govern.

The deal wasn't everything the President wanted. It certainly wasn't everything we wanted. It was a compromise—something nobody loved, but everyone could live with; something good for the country. It would have staved off a government shutdown on Friday. It could still reopen the government today. I am willing to seal the deal to sit and work right now with the President or anyone he designates. Let's get it done.

Meanwhile, the Republican leader would have you believe we Democrats forced the shutdown. He forgets that several Members of his own party voted against the CR. Are they holding the government hostage over illegal immigration? No, it doesn't seem that way.

The Republican leader accuses Democrats of holding up pay for our troops. I heard Speaker RYAN blame the Senate on TV, but yesterday Senator MCCASKILL offered a motion to make sure our military gets paid, and the majority leader himself objected. The

majority leader prevented the troops from getting paid. This would have passed in a minute. Speaker RYAN should talk to Leader MCCONNELL, who is the only person in the U.S. Senate standing in the way of paying our troops, not anybody here.

We don't want to use the troops as hostages. Unfortunately, some on the other side may be doing just that. We can make sure our troops get paid right now if the majority leader would only consent. If there is pride of authorship, let him offer the resolution. We will not block it. We will applaud it. I hope it can happen as soon as possible.

The Republican leader also accuses Democrats of blocking CHIP, when he full well knows every Democrat here supports extending CHIP. It is 4 months lapsed. Who let that happen? The Republican majority. A Democratic majority would never have allowed CHIP to expire.

Now, just because it was placed on a CR—that was a bad idea for so many reasons—Republicans want to pretend they are advocates of CHIP, but quite the contrary. They were using the 10 million kids on CHIP and holding them as hostages for the 800,000 kids who are Dreamers. Kids against kids; innocent kids against innocent kids. That is no way to operate in this country.

Again, a party that controls the House, the Senate, and the Presidency would rather sit back and point fingers of blame than roll up their sleeves and govern.

The way out of this is simple. Our parties are very close on all of the issues we have been debating for months now. We are so close. I believe, we might have had a deal twice, only for the President to change his mind and walk away. The President must take yes for an answer. Until he does, it is the Trump shutdown.

He has said he has a love for Dreamers. Let him show it. He said he needs a wall and border security. Accept our offer to do both of those things because we Democrats—while we think the wall will not accomplish very much and cost a lot of money—we strongly believe in border security and fully supported the President's budget proposal on border security for this year.

So this is the Trump shutdown. Only President Trump can end it. We Democrats are at the table ready to negotiate. The President needs to pull up a chair and end this shutdown.

I yield the floor.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

FEDERAL REGISTER PRINTING SAVINGS ACT OF 2017

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 195, which the clerk will report.

The bill clerk read as follows:

House message to accompany H.R. 195, a bill to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell amendment No. 1917 (to the House amendment to the Senate amendment to the bill), of a perfecting nature.

McConnell motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, McConnell amendment No. 1918, to change the enactment date.

The ACTING PRESIDENT pro tempore. The majority whip.

Mr. CORNYN. Mr. President, President Trump didn't vote to shut down the government. He is not a Member of the U.S. Senate. President Trump did not shut down the government. Now, Senate Democrats are reeling because the President has said that while the government is shut down, he is not going to negotiate a change of our immigration laws that our Democratic colleagues, and, frankly, many Republicans like me would like to see changed relative to the Deferred Action on Childhood Arrivals, or DACA, young adults.

It seems to me, our Democratic colleagues have figuratively shot themselves in the foot; reloaded and shot themselves in the other foot. Now they expect President Trump to somehow rescue them out of this box canyon.

I know I am mixing my metaphors here, but this is the situation they find themselves in. They shut down the government, and now they are hurting the very people they shut down the government to help because there are no negotiations going on to find a solution that we would all like to try to achieve.

This is really surreal. There is an old saying: Everybody is entitled to their opinion, but you are not entitled to your own facts. Facts are facts. Democrats voted to shut down the government because they are impatient to get a solution for these DACA young adults. Now they have to blame somebody else because they are unwilling to own up to their own responsibility.

Growing up, my parents told me one of the most important things I could do—and my sister and brother could do—is accept responsibility for our own mistakes, not blame somebody else. That is simply juvenile.

We could work this out today. We could work this out now if our Demo-

cratic colleagues would simply acknowledge that they, themselves, are the ones who shut down the government. They, themselves, have now caused negotiations for the solution they want to cease because the President rightly says: Why reward bad behavior by continuing the negotiations when they shut down the government? As I said a moment ago, it is surreal.

There are casualties. There are casualties, not just to the DACA kids, who are now young adults. These are children who were brought here by their parents without complying with our immigration laws. Being children, they are not responsible. They are not culpable. The law doesn't hold them responsible.

We all agree they ought to get some relief, and we would like to be able to negotiate that. But we can't do that when the government shuts down as a result of their miscalculation.

The DACA kids, now young adults, aren't the only casualties here. It is our military. It is the National Guard that can't train. It is the 9 million children who are depending on an extension of the Children's Health Insurance Program, which enjoys broad bipartisan support.

I almost couldn't believe my ears. The Democratic leader is a talented politician. He is a very intelligent guy. I enjoy working with him on occasion, but he has been driven into this untenable, unsustainable filibuster because he simply refuses to say no to the most radical fringe of his political base.

This isn't like him. This hasn't been my experience working with the senior Senator from New York on a myriad of other things. But as the Democratic leader, he simply could not say no to this narrow fringe of his political base that insists that a solution today on the DACA problem is more important than funding the military, paying our Federal law enforcement officials, or providing health insurance to 9 million vulnerable children.

As people begin to realize this miscalculation, we start seeing it reflected in public opinion polls. CNN reported that only 34 percent of the people they polled said that this kind of miscalculation was justified—34 percent. I bet as people learn more, as they are personally affected more and more by this government shutdown—now in day 2—then there is going to be an even greater majority of people who say: This just is not worth it. Why won't you take yes for an answer from Republicans who want to work with their Democratic colleagues? Why would you shoot yourself in one foot, reload, and shoot yourself in the other foot?

I realize it is hard for our Democratic colleagues to save face in this outcome, but sometimes in life, when you make mistakes and you can't blame them on anybody else, then you simply need to acknowledge your own responsibility and say: Do you know what? I had the best of intentions, but I was wrong. I made a mistake. That could be

liberating sometimes, but not in politics, apparently, and not on this topic—at least not yet.

At 1 o'clock tomorrow morning we are going to have a vote. Democrats filibustered a 4-week continuing resolution, but in an effort to provide them a face-saving way out of this dilemma of their own making, the majority leader has offered them a vote on a 3-week continuing resolution, during which we will continue to work on this DACA solution. My guess is it is going to pass because there are a dozen or more Democrats—I understand 19 were at a bipartisan meeting after the government shutdown, trying to figure out how can we help our leaders find their way out of this mess.

Do you know what? People who are on the ballot in 2018, which isn't that long from now—it is a great way to run for reelection, isn't it? To say: Yes, I shut down the government. Yes, I hurt the military. I hurt vulnerable children. I inconvenienced everyone, including the government workers, who diligently come here to the Capital—and across the country—to perform their important work on a daily basis. Yes, I basically made their lives worse. Oh, by the way, elect me in 2018. What a great message that is.

There are Members on that side of the aisle who are realizing, hey, this is going to hurt me personally. Forget the constituents. Forget the children. Forget the military. They are realizing, hey, this is going to make it harder for me to get reelected. Do you know what? I have now created an election issue on which I might lose. It might be the end of my political career.

I hate to think that this is the most important thing in people's calculation here. I hope that rather than their own personal politics, they would be more interested in the other people they are hurting and the futility of this situation they have created.

I hope; maybe I am naive. I don't think I am naive, but maybe I am. Maybe not enough Senate Democrats will reconsider what they have done on the 4-week CR and they will not vote for a 3-week CR, even though the majority leader has moved their way to provide them a face-saving way to get out of this box.

I don't care what it is—whether it is their own personal, political calculation, whether it is the realization that this is not worth the shutdown—because Republicans are willing to work with them to find a solution before the March 5 deadline for the DACA recipients. Whatever the rationale, I hope there are enough Democrats who will simply say to their leader: You know, you made a mistake. You miscalculated. This isn't about President Trump. President Trump didn't shut down the government. He didn't vote to filibuster this continuing resolution. It was Democratic Members of the Senate, and it was a mistake. Let's correct that mistake, and let's move on. Let's

do the right thing for our constituents. Let's do the right thing for our constituents who wear the uniform of the U.S. military. Let's do the right thing for veterans. Let's do the right thing for Federal workers and the law enforcement agents who are simply being hurt needlessly and unnecessarily, but callously, by this shutdown.

They may have forgotten about the hundreds of thousands of Americans, including 200,000 Texans who could be furloughed if this shutdown continues. I haven't forgotten about them. That is why I voted to keep the government up and running.

Unfortunately, the American people lose out when their elected officials decide that their personal politics or their own political interests are more important than the people they have been sent here to represent. We talked about this all last week. We warned our colleagues on the other side about the effects of a shutdown and urged them not to vote against funding the government.

It wasn't just the Senate Republicans. Our House colleagues did their duty on a bipartisan basis and sent us a 4-week continuing resolution.

In the meantime, our Democratic colleagues have heard from bipartisan groups of Governors, including seven Democratic Governors, who have said, in effect: Wait a minute. These children who depend on the Children's Health Insurance Program are collateral damage to your political fights in Washington, DC. Why hurt them? They implored us to extend the Children's Health Insurance Program for 9 million children across the country who rely upon it.

The answer so far is: Forget about it. We don't care. Our Democratic colleagues continue this shutdown for no good reason. It really is a shame.

Here is the other thing that has been pointed out time and again, but I think it is worth repeating. There is nothing in this bill that Senate Democrats oppose. What they are saying is: Other things we want are not in the bill, so we are going to shut down the government.

In my experience in the Senate, it is bizarre to say: I am going to vote against a bill that I support. What is that all about? Do they want to fund the government? I think they do if they could figure a way out of this conundrum that is not particularly controversial.

Do they want to fund the military? I honestly believe our colleagues across the aisle want to support our military, although it is hard to tell when you see what they have done here. But our military has broad bipartisan support, generally.

Do they want to reauthorize CHIP, the Children's Health Insurance Program, for 6 years? That passed out of the Senate Finance Committee, on which I sit, with broad bipartisan support. It is very popular, not only with the Governors who have to run the program but also here in the Congress.

Why abandon all the things you support over an unrelated issue and one that we are in earnest willing to work with our Democratic colleagues to solve? Why decide to be derelict in one of your most basic duties as an elected Federal official in order to hold hostage Congress and the country, really, on an unrelated issue that we are working on, we have been working on, but now, as a result of their shutdown, we can't work on?

Let's open the government back up. Let's get back to work and do our job on each of these issues.

Of course, the so-called DACA issue is important. I have 124,000 DACA recipients who signed up in good faith with the Federal Government, even though President Obama overreached his authority, according to the courts, and now it is our responsibility to clean up the mess that was created by this end run around the Constitution and Congress. We welcome that part of our responsibility.

It is important to me personally, like my friend, the Senator from Illinois, who has been a champion for many years for the Dreamers. In other words, these are the same people who came here innocently with their parents who violated the law, but we don't hold children responsible for what their parents do. But sometimes they get caught up in the consequences, and that is what has happened here.

I have had a number of these current recipients of deferred action come visit me in my office. One young man is 22 years old. He told me that he is really worried about his future, and he wants us to try to provide him a predictable future because he wants to make the most of himself. He wants to keep going to school. He wants to contribute to this country that he was brought to by his parents. He knows no other country, really.

You would have to have a pretty hard heart not to be moved by the stories that so many of these young people tell. I don't believe anyone here wants to do them harm intentionally. But, indeed, the very people who our Democratic colleagues said they are shutting down the government for are the ones who are suffering and who are being hurt because we have stopped negotiations because of this government shutdown.

This is an issue that deserves its own separate, thoughtful consideration instead of being lumped into a manufactured tug of war over a noncontroversial funding measure. I know it sounds ridiculous when you say it out loud, because now we can't properly resume negotiations on DACA when we are forced to negotiate to reopen our own government.

What is really pretty amazing to watch is that the minority leader keeps trying to shift the blame to the President. There used to be a time when Congress would jealously guard its authority under the Constitution and tell the President, no matter if

they were a Republican or a Democrat, that is a congressional prerogative. The Constitution provides that authority to the Senate and the House, not to the executive branch. That used to be the fights we would have with the executive branch. But now, after the Democratic leader has simply abdicated his responsibility and tries to blame the President for something he himself created, it has turned that whole idea on its head.

I, for one, am not willing to relinquish the authority given to the U.S. Senate under the Constitution, under the separation of powers—I am not willing to relinquish that to any President. I believe it would be wrong to just say: Whatever the President wants or says or negotiates, we are going to rubberstamp. That would be an abdication of my responsibility to the 28 million people I represent. I am not going to do that.

We come from a big, diverse country of more than 320 million people. The Acting President pro tempore proudly represents the people in the great State of Alaska. Their interests and their concerns aren't necessarily the same as every other State. They have unique concerns based on their history and culture and location in the world that are different from some of the other 49 States. That is really the magic of the Senate, that each of us is here representing our constituents in our given States, and we have the responsibility of trying to build consensus and come up with solutions to problems. But I doubt the Acting President pro tempore came here just to be a rubberstamp for any President. Knowing him as I do, I am confident that is not the case. I am not here to do that either.

So to hear the Democratic leader call this a Trump shutdown when the President didn't vote to filibuster this bill, when this is a congressional responsibility, not an executive branch responsibility, and to somehow then expect all of us to fall in line, turns this whole idea of the separation of powers in our constitutional responsibility in the Senate on its head.

Well, as I have said before, our great country is a product, among other things, of two great inheritances: that we are indeed a nation of immigrants—all except a small fraction of the people who live in the United States now came from somewhere else at some point in their family history. My relatives emigrated from Ireland in the 19th century, I am told, following the potato famine. Others left their home country because of religious persecution. Others came because of their dire economic circumstances, and they simply wanted a better life. They wanted a piece of the American dream.

So we all understand that in some ways, the fact that we do hold out that promise of more opportunity, of the American dream for people who come from diverse places around the world—we literally have been the beneficiary

of the hard work, the determination, the intelligence, and the resolve of those immigrants who have come here to make America a better place and to pursue their American dream in the meantime. But the part that some people seem to have forgotten—the second great pillar of what has made America great—is the fact that we believe in the rule of law. We believe in the Constitution. We believe in the people being the ultimate word on what the laws are, that the very legitimacy of our laws is derived from the consent of the governed. It is not because of some great idea we have come up with here; it is because the American people have consented and given us the authority we need in order to pass those laws and to govern our great country.

So all I am hoping for that might come out of this mess we find ourselves in now is that somehow, some way, working together in a bipartisan way—which is the only way anything gets done around here—we can regain our lost legacy as a nation of laws and a nation of immigrants. That is what has made our country so great, in my opinion.

An aide to one of our Democratic colleagues was reported as saying: I am concerned we don't have an exit strategy. Well, I think the exit strategy is pretty straightforward. At 1 a.m. tonight, early tomorrow morning, they are going to have a chance to vote to reopen the government for 3 weeks. Again, governing by continuing resolution is a lousy way to govern. It is a miserable way to govern. It is irresponsible. But it is better than a shutdown.

So I hope our colleagues will take advantage of this opportunity, of the conciliatory gesture the majority leader has made to shorten the length of the continuing resolution that they filibustered and that resulted in the shutdown and that they will now vote for this 3-week continuing resolution, during which we can reopen negotiations on the DACA issue. It could be—there is no guarantee, but it could be that given 3 weeks more time, we can come up with a solution to all of those issues and more, including disaster relief for Puerto Rico, for Florida, for the Virgin Islands, for Texas, disaster relief for California and where the wildfires have devastated places out west. All of that is being held up, too, as a result of the unwillingness to deal with budget caps, spending caps, because of DACA. That is the other casualty here.

My hope is that given 3 weeks to continue our discussions, and learning from their mistakes, I hope we will vote to reopen the Federal Government and take that time to discuss the spending caps and how to move forward on DACA. All eyes are on us. The responsibility is ours. It is not the President's responsibility; it is our responsibility. And every Texan and every American who relies on the Federal Government in one way or another—and that would pretty much be all of us—expects us to do our job. So let's

get to work. Let's reopen the government. Let's find a solution to DACA and the other challenges with which we are presented.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. KENNEDY). The distinguished Senator from Illinois.

Mr. DURBIN. Mr. President, first of all, I wish to thank my colleague from Texas. I particularly liked your speech about DACA and the Dreamers. I have given a speech very similar to that a few times on the floor. Thank you. I do believe you. I believe you really care, and I am hoping we will both have a chance to demonstrate that very soon. So thank you for those kind words.

We think back about our memories as kids growing up. Today is Sunday, and I remember so many Sundays when I was a little boy. Sunday was our family day. Dad liked to get up early, and Mom liked to sleep in. So Dad would get up for 7:30 mass in East St. Louis, IL, and I would jump out of bed, too, because I knew that after mass, Dad and I would go out to some greasy spoon restaurant and get eggs and bacon. It was something I looked forward to. Then we would stop at a bakery and pick up a doughnut for Mom. We would get home in time to see her wake up, give her her doughnut and coffee, and then she would be off to 11 o'clock mass at St. Elizabeth's. Then we would anxiously await her return because the big event was in the afternoon.

The big event was Ann Durbin's fried chicken Sunday dinner. Without exception, that was the delicacy and banquet of my childhood, that Sunday afternoon fried chicken. She had her own special recipe, and she didn't like to share it. I know it included Lawry's seasoned salt and some garlic powder. But the secret to her recipe was bacon grease. She fried that chicken in bacon grease. I apologize to all the nutritionists in the world, but it was delicious, and I am still standing. I looked forward to it because we all gathered as a family. We set the table, and we would eat the fried chicken. We stuck around in the afternoon, and we were together.

That is what we need this Sunday in the U.S. Senate. We need to get our family together—Democrats, Republicans, and Independents. That is what is missing at this point, because when I listened to the speech by Senator CORNYN—and I do respect him—there are so many things we agree on. There are so many things we understand to be priorities.

I want to set the record straight. There were some words said about Senator SCHUMER's opening remarks. The reason Senator SCHUMER continues to refer to the "Trump shutdown" is because last Friday, Senator SCHUMER was invited by the President to come for lunch. This was before the critical vote on the continuing resolution and the funding of our government. This really was the first opportunity for Senator SCHUMER and the President,

face-to-face, to try to reach an agreement.

The good news reported back to me by Senator SCHUMER afterward was that there was an understanding of what we were going to do on a myriad of issues, including the controversial issue of immigration and Dreamers and DACA, and what we would do about the wall. We knew what the President—some of us don't think the wall is such a great idea at all, but we know what the President thinks, and when you get down to a compromise to save the government and to move the Nation forward, you have to give, and Senator SCHUMER put the wall literally on that luncheon table. He was prepared to go further than any Democrat in leadership has ever gone. He told the President, and then he came back to report to us: I think we have an agreement. I think we are there.

Within 2 hours after that lunch, he got a call from the President, who said: It is over. No agreement. We are not going forward.

He was surprised and disappointed, and I was, too, because I thought we were going to avoid the mess we find ourselves in today. But it wasn't a big surprise because I had a similar experience with the President just the week before.

It was January 9 when I was invited, with 24 other Members of the House and Senate, Democrats and Republicans, to an amazing meeting. It was in the Cabinet Room of the White House, called by the President. We came together, and the President did something I have never seen before. He told the television cameras to stick around, and they sure did, for 55 minutes, as we debated the whole question of the Dream Act and DACA.

I think the reason for this debate is very obvious. We are facing a deadline created by President Trump when it comes to protecting at least 800,000 young people in the United States. These are young people who took advantage of President Obama's Executive order called DACA. They submitted themselves to a criminal background check, they filed the fee of about \$500, they waited patiently, and about 800,000 ended up winning protection under DACA.

President Trump announced on September 5 of last year: I am ending this program. I am ending this protection officially on March 5.

In the meantime, we have seen thousands of these young people losing their protected status. They are literally beside themselves.

On September 5, the President made the announcement that March 5 was the termination date, and for 4½ months, Congress has done nothing, despite the President's plea to us—challenge to us—write a law. Show me that you can come together and write a law to solve this problem. We have done nothing. There has been not a single hearing in the committee that we serve on, the Senate Judiciary Committee,

which is the committee of jurisdiction. I shouldn't say no hearings—I believe there was one hearing, but no bill, no markup, no vote, nothing on the calendar from our committee.

So a number of us came together—three Democratic Senators and three Republican Senators—and said: We have to do something about this. This has a deadline, and at the end of this deadline, lives will be in danger, the lives of these young people. So we wrote a bill. It wasn't easy. The President had challenged us to come up with a bill at his meeting on January 9. He literally said: If you pass a bill, I will sign it.

I will take the political heat, not the Republicans, not the Democrats. I will take the heat.

We came back here after that meeting, the six of us gathered again, and said: We have to do it, and we have to do it now—and we did. We reached an agreement on a bill. Senator LINDSEY GRAHAM, myself, Senator JEFF FLAKE of Arizona, Senator CORY GARDNER of Colorado, Senator BOB MENENDEZ of New Jersey, and Senator BENNET of Colorado, we all came together, and we agreed on it. It wasn't easy. There are parts of it I hate. I gave on some areas that hurt me personally, and so did they, but that is why we are sent here—to compromise and come up with solutions.

So we anxiously called the President. Two days after our meeting on January 11, I called him because he had invited me to, and darned if he didn't call me back in 10 minutes. I couldn't believe it. I said: Mr. President, we have a bipartisan agreement that hits all of the four elements you wanted us to hit, and Senator GRAHAM is going to come down to the White House to explain it to you. He said: Good. I don't want to slow-walk this. He said: Let's get this done. Great.

Then I got a call: The President would like you to accompany Senator GRAHAM. I am not going to go into details of what happened next when we got there. They have been widely reported. I am just not going to return to that whole experience, but it is fair to say the President rejected our bipartisan approach in its entirety. At this point, I was disappointed and a little bit—I was stunned because he had asked us to do just what we had done.

Here we have two examples, both with Senator SCHUMER and the President and the White House and my experience with the President and the White House on this contentious issue of DACA, where the President literally said: There is no agreement. We are walking away.

So when Senator SCHUMER comes to the floor and says the President bears at least some responsibility, if not the major responsibility, had we reached agreement those 2 days, had we stuck with it, had we come back and met, had we reached the final consensus, a bipartisan agreement, we wouldn't be in the mess we are in today. That is

why Senator SCHUMER makes that reference.

I would like to go back to a couple other issues before I conclude; that is, let's make it clear. When it comes to respect and love for our military, it is not a partisan matter. Both parties do. Each of us has seen good Democratic soldiers and good Republican soldiers give their lives for this country. They weren't fighting for a political party; they were fighting for our flag. I believe both parties love this country and both parties respect our military, and we don't want to hurt them in any way.

Senator CLAIRE MCCASKILL of Missouri the other night offered a unanimous consent request to make sure there was no interruption in pay for the members of our military during this debate and this government shutdown. Unfortunately, Senator MCCONNELL objected. I understand the political strategy, but let's use that as a clear illustration that both sides—both sides—should stand behind our military, regardless.

At the heart of this debate is a 4-week continuing resolution. If we were asking for a grade on our budget efforts this year, it certainly would not be a passing grade. We are one-third of the way into this fiscal year—over 100 days into this fiscal year—and we have yet to produce a budget. It is not easy. It wasn't easy when we Democrats were in control, and we failed, too, but the Republicans in control of the House and the Senate failed to produce a budget.

I am on the Appropriations Committee. We have spent more hours—particularly our staff has spent more hours—putting together a good bill for the defense of this country, getting ready to bring it to the floor, getting ready to vote for it, and sitting there and waiting now for 6 months or more. There is no excuse for these continuing resolutions.

The Department of Defense came out the other night and said: Stop doing this to us. You are hurting our national defense by not having a budget and just doing temporary spending measures after temporary measures.

The Secretary of Navy said he believes that continuing resolutions from Congress have cost the U.S. Navy \$4 billion. Four billion taxpayer dollars have been wasted because we can't even agree on the defense of our country, for goodness' sake. So I wouldn't take any great pride in a 4-week continuing resolution. I noticed my colleague from Texas Senator CORNYN referred to them as lousy and miserable. Put me down for the same remarks. I couldn't agree more.

Why are we facing this moment of truth in the Senate today? Because there is a lot at stake. We need to roll up our sleeves and do what we were elected to do. We need to pass a budget for this country. We need to take care of this looming DACA deadline that President Trump created—the March 5

deadline was his creation—6 weeks away. This notion that, well, we will not do it this week; maybe we will get around to it next week—if you have watched this empty Chamber as much as I have, you realize it takes a lot to get us to roll up our sleeves and get down to business, and that is what we need to do.

One of the Senators said this is about the Democrats saving face. It isn't. It is about much more. It is about saving the CHIP program, the health insurance program which was allowed to lapse for 4 months that provides health insurance for 9 million kids. It is also about saving the community healthcare clinics, which provide the lion's share of the benefits to the kids covered by CHIP programs. That is not included in the CR. It has to be. We have to reauthorize it. I can't believe we are even debating it. It literally is the source of healthcare for millions of Americans. It is about dealing with the pension issue we have in the Midwest and beyond, one that we believe needs to be addressed forthrightly. It is about DACA, which I have talked about earlier. It is about healthcare insurance.

We are slow to come to realize that, unless we do something significantly, more Americans will lose health insurance and the premiums will go up. I want to give kudos to Senator LAMAR ALEXANDER, a Republican from Tennessee; Senator PATTY MURRAY, a Democrat from the State of Washington; Senator COLLINS, a Republican from Maine; and Senator NELSON, a Democrat from Florida. They have come up with a plan they want to include in this measure which can help to keep health insurance premiums affordable. On either side of the aisle, who doesn't want that?

Disaster relief. I can't wait to vote for disaster relief for Texas, Florida, California, Puerto Rico, and for the Virgin Islands. My State has received that kind of relief in the past, and I want to stand up and help other States. That is something that should be included in the CR, and it is not.

Finally, let's get this right for the Department of Defense. Let's give General Mattis, the Secretary of Defense, the resources he needs to spend money wisely in defense of this country, to make sure we never come in second in war. It is a long litany of things that are being postponed and postponed and postponed again. For goodness' sake, let's not postpone any further.

I will just close. I think it is time for an eastern coast chicken family dinner in the U.S. Senate. It is time for this family to come together after perhaps some fried chicken—which I will be happy to provide—and sit down and work this out. We can do it. We can do it together, and I hope we will soon.

This moment of truth is a moment of challenge—not just to the Democrats but to the Republicans, to the President, to all of us—to do what we were elected to do.

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

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

Mr. TESTER. Mr. President, I rise today for one simple reason, and that reason is to tell this body to stop pointing fingers and start writing a budget that works for not only my State but every State in the Union. It can be done. It has been done many, many times before.

Unfortunately, this year our budget ran out on September 30. We had a CR that took us from the next day, October 1, to December 8. When December 8 rolled around, we had another continuing resolution to take us from December 8 to December 22. When December 22 came around, we had another CR that took us from December 22 to January 19, and that is where we are today, because some of us said enough is enough. We need to have a budget that works for this country. Here we are on day 2 of the government shutdown, and this body can't even agree to pay our troops. That is how dysfunctional we have become. Now we are using military men and women as political pawns because of the dysfunction we have here in Washington, DC. In the past, we have always taken care of these folks because our servicemembers and their families have sacrificed much for this country, but we continue to draw it out—the leadership of this body—for political gains.

The folks I talk to, the rank-and-file folks on both sides of the aisle, think it is ridiculous. They think it is ridiculous that we have gotten here in the first place. But the truth is, if we are going to give predictability and the ability for our agencies to plan and the military to plan and the VA to plan and our border security folks to plan and everybody else, we need to have a budget that goes longer than month to month or 3 weeks to 3 weeks.

We need a budget that funds more than just CHIP. It is interesting that CHIP could have been reauthorized months ago. I did events in Montana and talked about how important it was months ago. I am cosponsoring a bill that has sat on the leader's desk that could have been passed months ago. But it was put in I guess as a sweetener. Unfortunately, using CHIP as a political pawn isn't exactly what I had in mind for a program that has been around for nearly 20 years and has served Montana's families so very, very well.

That is not the only program we haven't funded. We haven't funded our community health centers. I heard the Senator from Alaska talking about how critically important they are for Alaska. They are critically important for Montana. I have a notion that they

are critically important for every rural State in the Union and probably every urban State, too, as far as that goes. That needs to be taken care of. In Montana, where we have just over 1 million people, 100,000 people depend on community health centers for their healthcare.

There is a thing called 340B. Not to get into the weeds too far, but these are payments given to hospitals that hold pharmaceutical companies accountable and keep our hospitals open. I have had hospital administrators and former hospital administrators in my office over the last month telling me that if this doesn't get fixed, we are going to lose hospitals in Montana, once again taking access away from many folks. This is not included in any of this. It could have been done months ago.

There have been plenty of folks who have come to the floor to talk about opioids and to talk about pensions. Neither of those is included in this.

There is no money for the borders. The southern border needs some attention. The northern border does, too, particularly the ports.

There is no predictability for our military. Defense Secretary Mattis has said that many, many times.

Things that are closer to home, such as rural ambulance services, need to be addressed. This isn't addressed and isn't going to be addressed unless we push the envelope and work to get things done.

Teaching health centers allow us to have doctors in places around this country that can't get doctors, and this is critically important.

Medicaid coverage for physical therapists and occupational therapists—we are going to lose these folks if we don't have it.

The Special Diabetes Program—particularly for Indian Country, where diabetes is rampant—needs to be addressed, plus a whole lot more.

When I was in high school, I debated for a couple years, and one of the things that were interesting during debate—you go through debate, and you hear the affirmative and negative lay out their cases, much in the same way that is being done by the two leaders here on this issue. When you were done debating and one team was particularly behind or ahead, they would say, well, they didn't make a case on why this is a good idea, or, they didn't make a case—the negative did not make a case on why their case should stand over the affirmative.

I hear the same thing today when folks come to the floor and say: People agree with everything that is in this. Well, I don't because there ain't much in there. We have been coming here for the last 4 months since the budget ran out at the end of September and continue to kick the can down the road. That is just how dysfunctional this body has become. We can't do the basic thing we were elected to do, and that is to pass a budget for the year for the

things that are included that are important to this country. Whether it be military or healthcare or whether it be issues that revolve around Medicare or pensions, we just don't do much, and I think many of us are getting very tired of saying: You know what, we don't want to put forth any excellence in this body. We don't want to put forth any vision or any leadership. We are just going to do the bare minimum every day.

We need to stop. Congress needs to stop with short-term solutions, going from crisis to crisis. That is no way to run a nation, and I will state that most folks on both sides of the aisle would agree. That is why we need to start working together to get this problem fixed, because it is a problem—the problem of 3-week or 4-week CRs, the problem of not addressing the issues that are so critically important to working families and businesses in this country. It needs to stop. We need to work together.

I said yesterday that we are being pulled apart by the far left and the far right, and that is the truth. In days gone past, in Mike Mansfield's day, 70 percent of the work got done in the middle. Now we don't even do the basic work today.

So I would say, let's get together. The truth is, the Republicans control the White House, they control the House, they control the Senate, and they control the agenda. And they should—they won the last election. But that doesn't mean we shouldn't work together as Democrats and Republicans and most importantly as Americans to do what is right by this country.

So I would just ask that particularly the leaders on both sides get together, do the tough negotiations, compromise, and come up with a budget that works for not only Montana but for every State in this great country.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I am proud to be a Wisconsin Senator. Washington is broken. Washington isn't working for Wisconsin or Minnesota or the rest of America, for that matter. I rise today to call on all my Senate colleagues, Democrats and Republicans, to fix it.

I think it is very important for all of us to be honest with the American people and shoot straight with how we got to this point where we are today, amidst a government shutdown.

At the end of September, nearly 4 months ago, the Republican majority missed a major deadline—a deadline to pass a budget for America and its government and appropriations bills that fund the government for the year. Republicans have the power of the majority here in the U.S. Senate, in the House of Representatives, and the Presidency. Yet the Republican leadership has failed—failed to put together a budget for America and its government that provides certainty for our coun-

try. Families in Wisconsin who are struggling paycheck to paycheck put together a budget for their families because they have to in order to make ends meet. But here in Washington, my friends on the other side of the aisle have played by a different set of rules.

On Friday night, they didn't put forward a budget for America and its government. Instead, they offered their fourth short-term continuing resolution in the last 4 months. This is no way to govern, simply kicking the can down the road each month and ignoring the real needs of our country.

The Federal budget is not a calendar year budget; rather, it runs from October 1 to September 30 each year. There are all sorts of historical reasons for why that is, but among them, if we get our work done on time, the local governments and other entities that have calendar year budgets get to see what Federal funds have been allocated for the things that we do jointly that make a real difference in people's lives. The Congress is actually supposed to get its budget done in the spring and then finish its appropriations process by September 30. In fact, today we should be starting our work on the 2019 budget. Instead, we are still working on the 2018 budget that should have been completed last spring and appropriations bills that should have been done by September 30.

The majority had from September 30 until December 9—that was the first, short-term continuing resolution, as it is known—to get the job done. On a bipartisan basis, we allocated that time through a continuing resolution. The majority then had from December 9 until December 22, another short-term continuing resolution, and then from December 22 to January 19, another continuing resolution. But the governing majority still hasn't done its work, so they asked for yet another 4 weeks. This month-by-month approach from the majority has failed. It has failed to provide our military and troops with the budget certainty they need.

We heard from Secretary Mattis and his team this week about how harmful these continuing resolutions are to our Nation's military, and the majority should heed those words because it impedes the military's ability to plan for the defense of our Nation. Under repeated continuing resolutions, the Department can't start new programs, hiring and recruitment are limited, and our national security funding priorities are left on autopilot. The Defense Department has made it clear that they need a long-term budget, not week-by-week and month-by-month measures, but the majority has failed to deliver results.

Our veterans need VA reforms so that they can get the healthcare services they have earned, and I have worked in a bipartisan manner on a number of reforms of the VA Choice Program, but the continuing resolution offered—and rightly rejected by both Democrats and

Republicans—shortchanges veterans' health when we should be working together to serve those who have bravely served this Nation.

Four months ago, congressional Republicans let funding for children's healthcare expire. They refused to pass legislation that funds the Children's Health Insurance Program, otherwise known as CHIP, and 170,000 children in the State of Wisconsin rely on CHIP for their healthcare. But the congressional Republicans were more concerned during that period of time with giving away massive tax breaks; 80 percent-plus of the benefits go to the upper 1 percent and big corporations. In fact, while these children were ignored, Republicans gave permanent tax cuts to powerful corporations and now won't provide permanent funding for the CHIP program for children's health insurance for low-income families.

Four months ago, the majority party that controls Washington let funding for community health centers lapse. In my home State, 300,000 Wisconsinites are served by community health centers, including kids on CHIP. Two weeks ago, I visited one of those community health centers in Green Bay, WI. The healthcare workers and staff describe the anxiety and uncertainty they feel every day because they don't know whether they will have the funding they need to minister to the healthcare needs of those whom they serve. Many community health centers can't move forward with longer term contracts for services or repairs or invest in new medical equipment because they don't know if or when Washington will act. They found out on Friday night that the continuing resolution offered, just like the three before it, failed to address funding for community health centers once again, but it did give tax breaks to big insurance companies. We cannot leave our community health centers without the funding they need to serve the people for whom we all work. We should take action now to fully fund them because they can't wait any longer.

I know that every one of my colleagues here in the Senate has come face to face with the opioid epidemic. I know I have. I have traveled my State and met with healthcare workers, local officials, people from law enforcement and the judiciary who are working on the frontlines of this crisis. I know what it is like to have a loved one dependent upon narcotics. I have met with families who have lost a loved one to this epidemic. I have met with family members who are currently finding their own lives totally upended because of a loved one who is hooked on opioids. There is bipartisan support for doing more. There is support across party lines for the Federal Government to step up and be a stronger partner in this fight. A short-term, stopgap measure isn't going to do it, and we all know it. So let's find the will to work together to provide strong investments in local communities so that they have

the resources they need for prevention treatment and recovery efforts. Let's work together to save lives.

We are where we are right now because I think Washington has lost sight of what our work here should be about—making a difference in people's lives. Hundreds of thousands of young people have had their lives placed in limbo by the politics of Washington. The Dreamers, who have only known America as their home, are working hard. They are going to school. They are serving in our military. President Trump has threatened them with deportation. Right now, we have a bipartisan solution that Republican leadership in both the Senate and the House have refused to make a commitment to passing. This bipartisan solution strengthens border security and does right by the Dreamers. Just a couple of weeks ago, I spoke with an education leader in Wisconsin. He told me that his school, a Catholic K-12 school, employs by his count 23 Dreamers. He can't imagine the devastating impact it might have if we don't figure this out.

On Thursday of last week, I spoke with a Wisconsin Dreamer. She made her way to DC—and this wasn't her first trip—to tell her powerful story. She asked for an update, and I told her what I thought was happening here. She told me she had just 8 days left before her DACA status expires, and she said: I don't know what I am going to do, how I will be able to work. Today, she has only 5 days left. We have a bipartisan solution that Senate Republicans and Democrats have worked on together, so let's do our job and let's get it done.

I have the privilege of working for a State with a work ethic that is second to none. I am deeply humbled by that privilege, and I do everything I can to respect and reward the hard work of Wisconsinites. That is why I have been working for months on pension reforms. When people work hard and they play by the rules and build their retirement security, they should be able to depend on the pensions they have earned. Right now, 25,000 Wisconsin retirees and workers have had their pensions threatened through no fault of their own. I have visited with these workers throughout the State of Wisconsin in Green Bay, in Endeavor, in Milwaukee, and Brookfield—hundreds of them. They each have a powerful story. I spoke to one worker who started his job as a trucker at age 23. He worked for 40 years. At several stages in his career, he had the opportunity, if you will call it that, to forgo a potential increase in wages so that he could put more into his pension, so he and his wife could enjoy a secure retirement. But today he and thousands of others are facing the prospect of massive cuts to the pensions they have earned, unless Congress acts. They can't afford to have us kick the can down the road once again. They need us to act and keep the promises of the

pensions they worked so hard for. Let's work together. Let's work together and get the job done by passing the Butch Lewis Act and save the pensions that over a million workers and retirees across this country are counting on.

Mr. President, enough of round after round of fighting. The American people are fed up with it. They did not send us here to perform a monthly melodrama. They sent us here to get things done. They didn't send us here to play political games and create chaos. They sent us here to work together on solutions to the problems that they face and that we face jointly as a nation. The biggest problem we face right now is that Washington is broken. It is up to us to fix it, so let's start working together to get the job done.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Vermont.

Mr. LEAHY. Mr. President, I see the distinguished Senator from Alaska on the floor. I will not be long, as I noted to him. I am speaking in my capacity as the Democratic manager of the legislation before us.

I think—like most of us and most people in the country—we are frustrated by what is happening, because I have only heard one person say they want a government shutdown, and he got exactly what he wanted. It was President Trump who said the country could “use a good shutdown.” President Trump said a shutdown would be “good” for him politically. It was President Trump who tweeted yesterday that the shutdown was a “nice present” to himself.

Well, the United States of America is not designed to give presents to the President. We expect Presidents to do what is best for the country, not for themselves.

The best for the country would be not to have a shutdown. People are suffering under the Trump shutdown. For him to call it a “nice present” to himself escapes reality.

In fact, as he rubbed shoulders with the superwealthy at his father's fundraiser last night, the President's son said a shutdown is “a good thing for us politically.” It is hard to make up this kind of detachment from our country.

I want to make one thing very clear to President Trump, there is no such thing as a good government shutdown. It is not a good thing that today medical research is ground to a halt. It is not a good thing that families in Vermont or New Hampshire who are trying to help their loved ones overcome opioid addiction cannot access the resources they need. It is not a good thing that readiness training exercises for our military were canceled this weekend.

The President apparently is thinking of himself and playing the politics of fear and obstruction. In fact, he was actually prepared for it. One would think he was hoping for it. Yesterday morning, the first day of the Trump shutdown, the President's campaign

posted a video that was nothing short of racist fearmongering. Propaganda meant to scare the American people has no place in our democracy.

Instead of playing the politics of fear, the President should be leading and working with us to reach a bipartisan deal and a path forward. That could be done if the President really wanted to lead instead of talking about what is a good political present for himself. I think he knows this.

In 2013, when talking about the government shutdown at that time, he said the President has “got to get everybody in the room and he's got to lead,” but so far the President and Republican leadership continue to lock Democrats out of the negotiations. When they do that, they exclude the voices of half the American people.

This morning, the President even said the Senate should change its rules to permanently exclude the input of the minority party. Well, I have been here many times in the majority and many times in the minority. I can't think of Republicans or Democrats who want to take that chance because someday the shoe is always on the other foot.

That is why I was so proud to be asked by Senator Bob Dole—one of the great leaders of this Senate, a Republican leader—to speak on his behalf at the Gold Medal presentation this past week. He knew both sides have to work together.

I have long said the Senate can be the conscience of the Nation. It can be the conscience of the Nation precisely because it forces bipartisan compromise. It forces the inclusion of views from across the political spectrum, because its Members—and I include the Republican leader, the majority leader today—have a deep respect for this institution. They are not going to take a sledgehammer to the Senate.

It is the majority's responsibility to produce a bill to send to the President. They didn't get 60 votes because they had not negotiated with Democrats. Republican leadership presented the Senate with a bill that was produced behind closed doors, with no involvement from the Democrats, and, I suspect, no involvement from many of their own party. They allowed no amendments. That is a recipe for failure, and that failure and the President's inability to keep his word put us here.

The Republican Party controls the House, the Senate, and the White House, and it is their job to govern and to lead. It is their job to reach out to us and come up with a compromise. In my 43 years here, I have been in so many of these compromises with people across the political spectrum, where no one gets everything they want, but the country was far better off.

The President promised to treat DACA recipients with “great heart.” Instead, he is holding our Nation's Dreamers hostage to a rightwing, anti-

immigration agenda. He rejected a bipartisan deal—actually, the bipartisan DACA deal with Senators GRAHAM and DURBIN and others from both parties—specifically drafted to meet what the President said were his demands.

In the wake of his heartless decision to end DACA, nearly 122 Dreamers lose status every day—122 yesterday, 122 today, 122 more tomorrow. The Trump administration has acknowledged to Congress that implementing any Dream legislation will take up to 6 months, during which tens of thousands more Dreamers could lose their status, like the young who is excelling in medical school. In an interview, he said he worries about a knock on the door, and he may have to leave. The irony is, there are a whole lot of other countries that would like to have him, even though he is in an area where we have a shortage of doctors.

We know on March 5, hundreds of thousands of DACA recipients will lose their status because of President Trump's actions. Republicans argue there is no urgency to provide protections to Dreamers. It couldn't be further from the truth. Since President Trump decided to revoke their protective status, these hundreds of thousands of Dreamers have had to live with fear and anxiety every day. No urgency? I tell you right now, if this were part of my family, I would feel the urgency, not every hour but every minute, every second.

We are here because we had 113 days to do this. The can got kicked down the road on the basic responsibility of Congress to fund the Federal Government. Republican leadership failed to reauthorize the Children's Health Insurance Program and failed to advance legislation to protect the Dreamers.

For 113 days, Democrats supported three continuing resolutions. I voted for a critical one of those, but we had the promise from the Republicans that they needed a little more time to reach a bipartisan deal. The time they said they needed is long gone. We voted for a continuing resolution in September to provide for time. We voted for a second continuing resolution in early December to provide more time. We voted for a third continuing resolution in late December to keep the talks going. How will it be different if we vote for another 4 weeks?

We have all the pieces to reach a bipartisan path forward. All we have to do is say yes. Let's do our job. We want to raise budget caps set in place by the Budget Control Act. We want to stop the devastating consequences of sequestration on both defense and non-defense legislation. We want to take care of the bipartisan Children's Health Insurance Program. We want to extend community health centers, and we actually have a bipartisan agreement to protect the Dreamers. Let's not kick the can down the road.

If we pass another continuing resolution without a bipartisan agreement, we only drive further into the fiscal

year without doing our jobs, and the American public, Republicans and Democrats alike, will know that.

Even if we did reach an agreement at the end of the next continuing resolution, we would still need another month to write the appropriations bills, which could bring us halfway into the fiscal year. As vice chairman of the Appropriations Committee, we are ready to start moving on those bills the second we have an agreement because we can't govern by continuing resolution. Our military cannot function under a continuing resolution and under the burden of sequestration.

We Democrats have been ready, willing, and asking to negotiate bipartisan deals since June. We need to reach a deal on a long-term path forward. We need to have the courage to reach that deal now.

I see my friend from Alaska on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, as you can see here, a lot of the Senators are coming down to talk about the government shutdown. We are in a completely avoidable shutdown. There are a lot of speeches, but I think it is important to be clear on one fact. The position of the Democratic leadership on Friday night was this: Unless you agree with our demands on the DACA issue by midnight, we will shut down the Federal Government. I don't think anybody disagrees that is what the position was Friday night. The irony, of course, is there wasn't even a bill to agree on, but that still was their position. The decision was in their hands and they made it and here we are. This was completely avoidable, and we need to get this government of ours up and running again.

I have been coming to the floor for the last few days—on the eve of the shutdown and each day during the shutdown—to emphasize one point; that the American people need to be skeptical. They need to be very skeptical as the Members of the Senate Democratic leadership and some of their colleagues trot out newly polished talking points emphasizing their concern for the military readiness, rebuilding our forces, and more spending on defense.

You might be hearing this. As a matter of fact, I have heard that argument from the leadership on the other side more in the last 3 days than I have heard in the last 3 years as a Senator in this body. Even the junior Senator from Vermont this morning on CNN was talking about the importance of rebuilding our military. Wow. That is new. So you are seeing these new talking points.

I respect and get along well with all these Senators, the Democratic leader, Democratic whip, the junior Senator from Vermont I just mentioned, and the Senator from Wisconsin was just on the floor talking about—again, a big

emphasis on the Democratic side on the military. I have respect for them. I know they are all patriotic, and they all love their country, but one thing I think is pretty clear—at least in my 3 years in the Senate—this has not been their area of focus. It hasn't been. Go look at the speeches. There has not been the focus on fully funding and rebuilding our military. That is not where the Democratic leadership has been, but it seems to be now with these new points.

Of course, I welcome this. I welcome this change of heart. I welcome this new emphasis on fully rebuilding our military forces. In fact, there are many of us in the Senate who serve on the Armed Services Committee, like the Presiding Officer, led by Senator MCCAIN. We have been focusing on this issue for years. There are a lot of Republicans and some Democrats. I mentioned a few on the floor the other day. This is an issue we have been focusing on literally daily because it is a huge problem right now in the country. It is enormously important for my State, the great State of Alaska. Whether it is our Active-Duty Forces or Reserve Forces, we have thousands not only serving in the military now but who have served. We have more vets per capita than any State in the country and thousands of civilians and family members who support them.

These issues of military funding and rebuilding our military are really important to a lot of us. I welcome the Democratic leadership's new focus in the past 72 hours on military readiness, supporting our troops, and rebuilding our forces. But I will admit this—I am skeptical. I am very skeptical.

The American people watching this debate at home or in the Gallery should be skeptical too. You should be skeptical when the junior Senator from Vermont goes on CNN and talks about being strong on military funding. You should be a little bit skeptical.

Why? What is really going on here? Why is there all this new talk from the Democratic leadership about how important fully funding our troops is? Why weren't they talking about this last year or the year before?

I think they might be overcompensating. I think they might be worried. I think they might be feeling a bit defensive. I think they might be trying to preempt arguments that their policies of late have actually been harmful to the military and our troops and their families. The truth is, their policies of late have been harmful to our military forces and our readiness.

Here are a few important points. From 2010 to 2016—the second term of the Obama administration—the Department of Defense budget declined by 25 percent. That is not a focus on the buildup of military; that is for sure.

There were also dramatic troop cuts. As a matter of fact, when I first started in this body in 2015, the Obama administration announced that they were cutting 40,000 Active Duty Army

troops; 5,000 were focused on Alaska. Because of this, we have seen readiness in our Armed Forces plummet.

Here are just a few disturbing facts and a few disturbing trends. At least one-third of Marine aviation isn't flying right now. We have had numerous mishaps that have killed marines because of aviation accidents. Only 5 out of 58 Army brigade combat teams are fully ready. We have the smallest Air Force in U.S. history. We have a pilot shortage—really, a crisis—in the Air Force and the Navy with regard to being able to recruit pilots. Training hours for our pilots each month have been cut in half. There are reports right now that Chinese and Russian pilots are getting much more monthly training than our forces. We have had naval mishaps at sea that have killed several sailors in the prime of their lives—the best and the brightest of our country.

We all recognize that there is a big problem. As we were cutting forces and cutting spending for the last several years, the national security threats to our country were dramatically increasing. We are cutting forces, we are cutting spending, and ISIS is rising. North Korea is becoming an enormous and immediate threat, as are Iran, China, and Russia.

The world isn't any safer, yet we have been cutting our military forces and the funding for our troops. That is why there is starting to be a change right now. We passed the National Defense Authorization Act with a dramatic authorization for an increase in military spending, but it is still not appropriated.

When it comes to the Democratic leadership's new talking points, actions speak louder than words. The new talking points don't mean much in the face of actions that have actually undermined our military.

Let me provide a few examples. In the past 3 years, every Defense appropriations bill that has passed out of the Appropriations Committee has been filibustered by the Democratic side. Let me say that again. Every single time we have brought a bill, usually a very bipartisan bill, out of the Appropriations Committee for the funding for our troops, it gets filibustered by the Democratic side. That is not supporting our military.

A number of us have come down and talked about this. We have encouraged our colleagues: Don't support the filibuster. We have asked: Why are you doing this? Why are you doing this?

We all know that our forces have been cut too dramatically. The national security challenges have increased, yet every single time we bring a bill out of the Appropriations Committee to fund our troops, the other side filibusters that bill.

If most people back home knew that, whether you are a Democrat or Republican, it doesn't matter what State you live in—if you knew that was what was going on here on the Senate floor, you

probably wouldn't be happy. But that has happened. That still happens every time.

Mr. SCHATZ. Will the Senator yield?

Mr. SULLIVAN. No, I will not yield. I will finish, and the Senator can respond to this later.

Hopefully my colleague from Hawaii hasn't been one of those who have been filibustering spending for our troops, but it has happened. In the summer of 2015, it happened five times in a row.

Next—right now we are having these discussions on the appropriate level of defense spending, but the other side is saying: No, there has to be parity, with "parity" meaning that if we increase defense spending, which people are now saying we need to do—and we do—we have to correspondingly increase domestic spending.

Well, again, the vast majority of Americans don't agree with that position. That is not a position that is showing strong support for our military, yet that is the position right now. That is one of the reasons we have had difficulty coming to a final topline number.

In other words, if you want to increase the budget for the Marines, you need to increase the budget for the EPA or another domestic agency. Well, that is not showing this newfound emphasis and importance with regard to the military.

Let me provide just one last point. This government shutdown—we all know that really hurts our troops. We all know that really hurts training. We all know that really hurts planning. Right now, if you are a lance corporal in the Marine Corps fighting in Iraq or somewhere else around the world for our national security, you have just been told that you are not getting paid. Right now, the families of survivors for the military—meaning that your husband, your wife, or your dad was killed in action—get survivors benefits. Guess what happened on Friday night. Those families no longer get survivors benefits.

We have all heard it, and I agree that a CR is bad for the military. I fully agree with that. There is one thing that is absolutely worse for the military and our troops right now—shutting down the government. That is worse. That is worse than a CR.

When my colleagues on the other side trot out statements from General Mattis and others, that is their view. Shutting down the government is the worst thing we can be doing right now.

There was a little bit of news today. This was in the Alaska Dispatch News, or what is now known as the Anchorage Daily News, about what is going on in my State of Alaska. I am going to quote a couple of sentences from this article.

It says that LTC Candis Olmstead of the Alaska National Guard "wrote that the Alaska National Guard also canceled its monthly drill weekend, scheduled for Saturday and Sunday, due to the government shutdown. About 4,000

Guard members"—we have a lot of military in Alaska—"throughout the state had planned to attend."

I guarantee, some were en route, and they were told to go home. Alaska is a big State. Sometimes you can fly 1,000 miles within Alaska to go to a drill weekend.

She said: "Drill weekends are when the bulk of our force—our traditional or part-time Guard members—train alongside our full-time personnel." Well, that is not helpful for our military.

National Public Radio this morning did a big story on what was going on with the military. Again, they focused on Alaska as well. They said that at least 4,000 people were impacted.

The reporter talked about how stressful this is for families. Let's say you are a corporal in the Army. You and your family can go into debt because you are not getting paid. Think about being deployed overseas, and your wife is calling you, saying: I can't pay the rent. That is what we did. That is what my colleagues did on Friday night.

These new talking points, saying "We really support the military,"—be skeptical because actions speak louder than words.

It is not just the military members. In Alaska, there are hundreds, probably thousands, of family members in the civilian world—many of whom are veterans—who, according to an NPR story this morning on the radio, are going to go to work on Monday. They are going to be told whether they are essential or not, and they have 4 hours to pack up their stuff and go home.

This is clearly, clearly disrupting our military. It is not just Alaska. It is all over the country. To be honest, it is all over the world.

Let's talk about the civilian workforce in Virginia. In this same article that I read from earlier, it says:

While uniformed personnel are largely shielded from the shutdown effects—

Because they are still working and, by the way, they are not getting paid—civilian employees whose jobs are not deemed critical to defense operations will be furloughed.

There are more than 740,000 Defense Department civilians. Mattis said Friday that about half of them would be furloughed.

Again, it is not just military members. It is the families. I mentioned survivors benefits. There is also something called insurance that covers things, for example, like funerals.

This article continues:

Already on Saturday, other effects were felt across the military. One particularly sensitive one is the temporary suspension of \$100,000 payments promised to military families in the event their loved one dies so that they can travel and prepare for funerals.

Well, that has now been suspended. It even affects our forces overseas.

The article goes on to say:

The American Forces Network, which carries television broadcasts of sporting events and other programming, was taken off the

air at midnight, leaving deployed U.S. troops without one common way to watch National Football League playoff games this weekend.

That might sound like a small thing. It might sound like a small thing, but if you are deployed overseas, serving your country overseas, you want to touch base with America. Watching a football game is a great way to do that. Guess what. Our troops are not even going to have that small privilege.

In conclusion, the next time the Democratic leadership or some of my colleagues come to the floor or go on CNN emphasizing their concerns for the troops and rebuilding our forces, knowing that we have to do a lot more, spend on the military, be skeptical. Be skeptical.

The talking points are nice. We are hearing them from everyone. It is the actions that count. It is the actions that count, and they speak louder than these newly crafted, slick talking points.

This has not been the focus of the Democratic leadership. It hasn't been. I believe some of those giving these new talking points are a little bit concerned or maybe a little bit haunted by the specter of the Democratic Party once again being known, as they were in the 1970s, as the anti-military party.

Now, I will say this: The vast majority of my colleagues, Democrat and Republican, care about our forces, are patriotic, and care about our veterans. But the way you show that is not through new talking points; the way you show that is through actions and policies that are truly and sincerely focused on supporting our troops and rebuilding our military.

We can start that. We can start those kinds of actions by ending this ill-conceived government shutdown with a vote tonight.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I was going to give some prepared remarks, but I want to be a little quicker because I see the Senator from Virginia here, and I know how devastating a government shutdown is for the State of Virginia. It is terrible for Hawaii—for our shipyards and our Federal workers.

I do want to respond to my friend from Alaska. He is my friend. We overuse that word in the U.S. Senate; that is true. DAN SULLIVAN is my friend, but he is wrong on this.

First of all, a small point: The NFL Network is back up and running on the Armed Forces Network. That was fixed on Saturday.

Second of all, there were unanimous consent requests on Friday night to make sure that we pay the military. On Friday night, a unanimous consent request was made to pay the military. It was objected to by the majority leader. And then we tried again yesterday, and it was objected to by the majority leader.

So when the junior Senator from Alaska alleges that we are emerging

with slick talking points about the need to support our military servicemembers and civilian DOD employees, I take personal offense. I agree, it should not be slick talking points. This should not be a bludgeon that one party or one Member of one party uses against the other party. But let's just get our facts straight about what happened. I am not excusing what a government shutdown does to people—civilian, DOD, servicemembers, other government employees, essential, non-essential, the people who depend—not just the workers but the people who get services from the workers. I am not defending this shutdown, but let the facts be clear.

On the night of the beginning of the shutdown, a Democratic Senator tried to ensure that at least we minimize the harm for our servicemembers, and then we did it again yesterday, and both times it was objected to by the majority leader.

With that, I will deliver my other remarks later and yield the floor to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

UNANIMOUS CONSENT REQUEST—H.R. 1301

Mr. KAINE. Mr. President, I appreciate the deference of my colleague from Hawaii. I also echo the comments about friendship with our junior Senator from Alaska. This is a matter that is of deep importance to Virginia, and I rise to talk about why we are here on a Sunday in January, the second day of the shutdown of the Federal Government. When I conclude my speech, I will seek unanimous consent for the reopening of the government for 3 days as we find a path forward.

We are in shutdown mode because the Republican majority did not prioritize completing a budget during the first year of the Trump administration. As the party in control of the White House, the Senate, and the House, they have a calendar set forth in law that we are supposed to follow. The President is supposed to present a budget to Congress in February. He didn't. The Houses are supposed to pass budgets in their committees in the spring. They didn't. The authorizing committees are supposed to write bills. Many of them did, but because they didn't have budget numbers to write them to, they were sort of of marginal effect. The appropriations committees are supposed to have funding bills ready and passed to start the fiscal year on October 1. The President was supposed to present a budget, and he didn't. The budget committees, controlled by Republicans, are supposed to pass a budget, and they didn't. The appropriations committees are supposed to have bills that are ready to be in effect on October 1, the fiscal year, and they didn't. Now, that is not unique to this particular Congress, but it explains why we are here.

Why was there a decision to violate the statutory calendar and not, frankly, even get to a serious consideration of the budget until January, the fourth

month of the fiscal year? Well, it is because the majority decided that the priority of the budget was a low priority. Instead of working on the budget and appropriations bills, what the majority wanted to work on for the first 9 months of the year was the ineffective and ultimately failed effort to repeal the Affordable Care Act. That took us into late September, essentially a week before the start of the fiscal year. The repeal of the Affordable Care Act was more important, was a higher priority than getting a budget done to fund governmental services.

When that effort was done, did the majority then race to do a budget and do appropriations? No. They then took the next 3 months—now into the new fiscal year with no budget—to do tax cuts and eventually before December were able to pass a tax cut bill.

Finally, the majority turned to this issue of the budget and the urgency of the budget in January, the fourth month of the fiscal year, and they are using a gimmick—again, that both parties have used, a continuing resolution—to evade the responsibility of actually doing a budget.

Republicans, when they were focusing on other things and they didn't want to focus on the budget—because it was about tax cuts and repealing the Affordable Care Act—said: We can't do it by October 1; give us until December 8. Then they said: Give us until December 22. Then they said: Give us until January 19. The Democratic minority reluctantly agreed, but it was the Republicans who said: We want to push this budget back, back, back, back, back.

Nearly 2 weeks ago, there was a very important meeting that, frankly, has not occurred in my time in the Senate. It was a request by our Secretary of Defense, Secretary James Mattis, to come and speak to the caucus lunches. I have been here since January of 2013; that has not happened before. He came—I believe it was on the 8th of January, a Tuesday—to speak to both the Democratic and Republican caucuses. I know what he told us, and because I know the honor of Secretary Mattis, I am sure he said the same thing to the Republicans. He said: Don't give me another continuing resolution. He told us, as he has repeatedly testified and as others have testified, that continuing resolutions are destroying the military, they are destroying our readiness, and they are destroying our capacity to meet the threats of today. He said: Don't continue this continuing resolution mania. Give me a full-year budget. Give me a full-year budget.

So when the Republican majority proposed yet another continuing resolution until February 19, with no commitment about actually finding a budget deal, many of us—both Democrats and Republicans—said that we would no longer support the continuing resolution gimmick and that we wanted to move expeditiously toward a full budget deal.

I think this is very important because, again, this is President Trump's Secretary of Defense saying: Do not give me a continuing resolution; let's find a full budget deal.

As my colleague Senator MCCAIN said in a written statement the other night: A shutdown is bad and a continuing resolution is bad. We need to move forward to find a full budget deal.

It was interesting that even as we were here on Thursday night and the House was passing a continuing resolution to put it on the table here, the Department of Defense—the Pentagon's chief spokesperson was tweeting out: Stop. Don't do another continuing resolution. This is wasteful. It is hurting the military. Work toward a full budget deal.

That is the position of the Department of Defense in the Trump administration, that this CR is actually a bad thing.

That is why we are here—because we didn't heed the advice of the Secretary of Defense; we delayed consideration of the budget until well into the fiscal year.

And we are here for another reason. We are here because President Trump announced in September that he is terminating legal protections for hundreds of thousands of Dreamers. It was interesting that the other night, the majority leader repeatedly called these Dreamers illegal immigrants. They are not illegal. They are here protected by a Presidential Executive order that has been upheld in courts. They are legal. President Trump is threatening to take away their legal status and make them illegal. But when the majority leader stands here and calls Dreamers illegal immigrants, it really shows you the contempt with which he holds these young people. To call people who have a legal protection illegal immigrants, as he has done and as the President has done, is deeply offensive.

The President's threat to end their legal status on March 5 creates a huge hardship for them and is a matter of real urgency. When the House passed the continuing resolution Thursday night, we asked the majority for a vote. We said: Let's vote right now to defeat the continuing resolution because the votes aren't here; even Republicans will vote against it. The Pentagon was tweeting out, basically telling us the CR was unacceptable. We asked for that vote Thursday night so we would have the full day of Friday to find a compromise and keep the government open, but the majority wouldn't let us vote Thursday night. They wouldn't let us vote and then use Friday as a full day to find a compromise to keep the government open. Instead, they postponed the vote until 10 o'clock Friday, thinking that would pressure people, but it failed, as we knew that it would.

When my Democratic colleagues stood on the floor twice and asked for the short-term ability to keep the government open to keep negotiating, the

majority objected. So the government closed down as the majority objected to those short-term agreements.

Why did the majority object to keeping us open over the weekend while we debated? That is a question for them to answer, but I have a surmise. My surmise is that they are OK with the shutdown.

I am only aware of two people who think shutdown is good. In Virginia, we don't think it is good. Our military doesn't think it is good. Our Federal employees don't think it is good. Those receiving Social Security disability checks don't think it is good. Virginians don't think it is a good thing. But I can find two people who think shutdown is a good thing.

President Trump, in a tweet on May 2, 2017, basically said: Our country needs a good shutdown in September to fix this mess. Well, he didn't get exactly what he wanted. He didn't get a shutdown in September. But can you imagine the mindset of somebody basically saying that a shutdown is a good thing? This President—it is President Trump who uniquely says—and he is the only person I know who has said it—that a shutdown is a good thing. He actually tweeted out something similar yesterday. He said: On my 1-year anniversary, the shutdown has given me a "nice anniversary present." That is what he tweeted out yesterday. So we have President Trump on the record saying that a shutdown is a good thing and that it is a nice present.

I have found one other person who has said a shutdown is a good thing. I think it was on Friday, actually, that the Republican Director of the Office of Management and Budget was on a radio show hosted by Sean Hannity, and this is a direct quote from Mick Mulvaney, Director of the Office of Management and Budget: "In fact, I found out for the first time last night that the person who technically shuts the government down is me, which is kind of cool."

"The person who technically shuts the government down is me, which is kind of cool."

The reason we on this side are referring to this as the Trump shutdown is because it is only President Trump who has said the shutdown is good. It is only his Office of Management and Budget Director who says it is cool to shut down the government. And when we offered to our Republican colleagues to avert the shutdown Friday night, they objected to it. They objected to it. So here we are.

We need to follow the advice of the Secretary of Defense and reopen government and commit to finding not another continuing resolution but a full budget deal—a full budget deal that deals with all of our priorities, whether it be emergency relief in Texas or CHIP reauthorization or education or defense financing. That is what Secretary Mattis has asked us to do, and that is what we need to do. We must also deal with the emergency created by Presi-

dent Trump with his threat to take legal children and deprive them of their legal status on March 5.

For that reason, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, which is H.R. 1301; that the Schumer amendment that would provide for a continuing resolution to fund the government through Tuesday, January 23, 2018, which is at the desk, be the only amendment in order to the bill; that there be 1 hour of debate equally divided between the two leaders; that the amendment be considered and agreed to; that the bill, as amended, 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?

The majority whip.

Mr. CORNYN. Mr. President, reserving the right to object, shutting down the government only to fund it 3 days at a time afterward isn't how this place is supposed to work, and it certainly isn't what the American people deserve.

We will soon vote to reopen the Federal Government for 3 weeks, where we will have time to discuss spending caps and how to move forward on DACA recipients. If our Democratic colleagues are ready to end this needless shutdown, then let's have the vote right now and open the government so we can begin discussions on bipartisan priorities.

Mr. President, I ask unanimous consent that the Senator's request be amended and that unanimous consent be given, notwithstanding rule XXII, that the Senate immediately vote on the motion to invoke cloture on the motion to concur with amendment, which funds CHIP and reopens the government; further, that if cloture is invoked, all postcloture time be considered expired and the Senate immediately vote on the motion to concur with further amendment.

THE PRESIDING OFFICER. Does the Senator from Virginia so modify his request?

Mr. KAINE. I do not modify my request. This is a vote that has been noticed for later in the evening, and the colleagues who would be asked to vote on it are not here. So I do not agree to modify my request.

THE PRESIDING OFFICER. Is there objection to the original request?

Mr. CORNYN. I object.

THE PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask unanimous consent to address some questions with my colleague from Virginia.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I thank the Senator very much for laying out the history of some of the key

elements of how we got here. If your unanimous consent request had been agreed to by the Republicans, we would have a vote to reopen the government; is that the case?

Mr. KAINÉ. That is correct. Had there not been objection, we would have reopened the government.

Mr. MERKLEY. And is this not essentially the same consent request that was put forward by our colleague from Montana, Senator TESTER, just on Friday night?

Mr. KAINÉ. It is, Senator. I believe Democrats asked for both a 1-day and a 3-day extension to find a budget. That is true.

Mr. MERKLEY. So, repeatedly, the majority that controls this Chamber and has locked up the amendment box—the opportunity for anyone to put forth any proposals—they have locked it up. We have asked unanimous consent to essentially unlock that and put forward a proposal to keep the government open—because it hadn't yet shut down when it was first put forward—and now to reopen the government. They are absolutely refusing to entertain the prospect of this amendment being heard.

Mr. KAINÉ. That is correct. I think the point the Senator has made about locking up the amendment is important. The bill that came over from the House, we should have been able to debate and potentially make it better and acceptable to Members of both parties, knowing that those votes were needed. But the majority leader decided to make it “our way or the highway” and gave us no ability to offer amendments to improve it.

Mr. MERKLEY. So the citizens of the United States anticipate or expect that this body—once referred to as a great deliberative body—would have a chance for different ideas to be put forward and different proposals to be considered. But that has not happened in this situation. There has been no opportunity for anyone to put forward any proposal to modify the legislation that has come from the House.

Mr. KAINÉ. That is correct.

Mr. MERKLEY. No matter how important it is to keep the government open, the majority refused to entertain any proposal toward that effect, even if it had bipartisan support.

Mr. KAINÉ. They would not entertain either amendments, nor would they entertain the 1- or 3-day extensions we sought to keep the government open.

Mr. MERKLEY. So the whole reason we have a Trump shutdown right now—as you pointed out, the President wanted it, but it is also because the majority leader, on behalf of the majority, also wanted to keep us shut down and refused to entertain the Democratic bipartisan proposals to open it up.

Mr. KAINÉ. The Senator is correct. Again, I would remind the Senator that had we voted down the continuing resolution Thursday, we would have had an entire day Friday to find a bipartisan

accord to keep the government open. But the majority leader refused to allow us to do it. He set the vote at the end of the day Friday to basically maximize the chance there would be a shutdown.

Mr. MERKLEY. So the President, the House, and then the Republican leadership launched this plan to shut down the government. They succeeded. They rejected at least three times the Democratic effort to have a bipartisan proposal to keep the government open or after they shut it down—the Trump shutdown—to reopen it. Yet, even as you put forward this proposal, at this moment, they are still determined to keep the government shut down.

Mr. KAINÉ. I can't understand it, other than we are dealing with a President who said he thought shutdown was good, and his chief budget official thinks the shutdown is cool.

Mr. MERKLEY. I thank the Senator. I appreciate his speech and proposal. Certainly, so many of us are ready to vote right now, as we were before, to have a 3-day period in order to force intensive negotiations, because what we have seen, when the Republicans do a continuing resolution of a month or longer, they wait until the last 2 days to actually work on the issues, and we want to work on them right now. We think it is important that we address opioids. I think that is what your constituents in Virginia would like to see us do.

Mr. KAINÉ. They actually would. My constituents in Virginia view the gimmick use of a CR as essentially a slow-motion shutdown, and they are asking us—Federal employees, troops, Secretary of Defense—let's really do a budget and do it the right way.

Mr. MERKLEY. They really want to see us reopen our community health centers and get those funded because they are so important.

Mr. KAINÉ. That is true. The continuing resolution—they forced us to wait until a 10 p.m. vote Friday night—did not include funding for community health centers.

Mr. MERKLEY. As I am standing here, I am in support of the proposal the Senator put forward, and I think every Member on this side of the aisle is. We are ready to open it up for 3 days, just as we were determined not to have a shutdown in the first place. So let's end this Trump shutdown and encourage our Republican colleagues to quit hatching and continuing this plan to extract this penalty, this damage, to our Nation.

Mr. KAINÉ. I thank the Senator.

The PRESIDING OFFICER. The Senator from Illinois.

UNANIMOUS CONSENT REQUEST—H.R. 1301

Ms. DUCKWORTH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, H.R. 1301; that the amendment at the desk, providing for continuing appropriations for pay and death benefits for members of the Armed Services, be considered and

agreed to; that the bill, as amended, 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?

The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, I think one of the most offensive things about this government shutdown is that our men and women in uniform are being used as political pawns. That is why I am surprised to see so many of our Democratic colleagues force us into a 2-day government shutdown as part of their strategy and call into question our commitment to fund our military and support their families. It is completely irresponsible, and our servicemembers deserve better. We have an obligation to provide them with the certainty of a full-year funding bill because they deserve it.

So, Mr. President, I ask unanimous consent that the request be amended to provide that the Senate proceed to the immediate consideration of Calendar No. 36, H.R. 1301; that the amendment at the desk, which provides for full funding for authorized activities in the National Defense Authorization Act, be considered and agreed to; that the bill, as amended, 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 (Mr. TILLIS). Is there objection to the modification?

Ms. DUCKWORTH. I object to the modification.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. CORNYN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, as we enter day 2 of the Trump shutdown, I am here on the floor again imploring my colleagues to take action right now on something we can all agree on—that we ensure this shutdown and the partisan gridlock do not harm the troops who are in harm's way right now, holding the line, defending our Nation. We all agree they have enough to worry about without having to worry if their paycheck will come in on time this month.

We need to take immediate action to pass the Pay Our Military Act to eliminate any threat of our military personnel not being paid or, even worse, our military families not receiving death benefits when their loved one has made that last full measure of devotion for this country.

We have work to do. We have to do better by our constituents and this great Nation. But in the meantime, let's at least take this simple, commonsense step that we all agree on.

Let's remove any possibility that military pay and, even worse, military death benefits will be used and held hostage as political leverage. That would be unconscionable. Let's take this off the table right now.

The reality is that quickly passing the Pay Our Military Act is the least we can do. We must continue working for as long as it takes to develop and pass a bipartisan solution to fund our government. However, if acting now to ensure military pay and death benefits continue during this shutdown brings relief to even just one military family, that would be worth it. If it prevents just one survivor from experiencing even more pain and hardship as they struggle with the utter grief of losing a loved one killed in action while defending our great Nation, then it will be worth it.

The time to act is now. This should not be a partisan issue. Every Member of Congress supports paying our military personnel and ensuring that military death benefits are not delayed, so why delay now? There is no good reason.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, like I assume most of the rest of the Members of the Senate, I am very disappointed that today we have not reached a bipartisan agreement to reopen the government.

I think it is important to note that there is a lot of shared frustration on both sides of the aisle about how we got here. Leader MCCONNELL, Senator GRAHAM, and other Republicans have expressed their exasperation at the fact that for weeks President Trump hasn't stuck to a position for longer than a couple of hours and that he has derailed several proposals which would have addressed the concerns that have been expressed by Democrats in this body about how to move forward to keep the government open.

Thankfully, there is also a lot of bipartisan consensus in the Senate that we need to work together to fix our situation, to get the government up and running again, and to address some of the long-term challenges that have led to this moment.

However, in order to do this, we need the President and we need Republican leadership to provide some leadership so we can move forward. I am committed to negotiations that will allow us to address certain key issues: first and foremost, I believe, is a long-term budget agreement that will go through the remainder of this fiscal year. That will put our defense on solid footing, yet not shortchange our domestic needs. Congress has to set aside the short-term funding bills—this is the fourth one in just the last 3½ months, since the beginning of this fiscal year—because these bills inflict real damage on our domestic needs and also on our Armed Forces.

We also need the necessary Federal resources to help communities and

first responders across the country effectively combat the national opioid epidemic. We need long-term funding for the Children's Health Insurance Program, for community health centers, and for other health issues we are facing.

I have rural hospitals in New Hampshire that if they don't get the disproportionate share payments, they could be in real financial trouble. We need to address these challenges that are facing States across the country.

We also need a solution that will give Dreamers the path to citizenship they deserve so they can live and work without fear of deportation. A bipartisan deal that will provide long-term budget certainty is absolutely critical for our national security.

It can't be overstated how much damage continued short-term funding causes our military. We have been repeatedly warned by the Pentagon of the damaging impacts of budget uncertainty. We heard from Secretary Mattis. In just the last couple of weeks, he came to the Democratic and Republican Caucuses and said: Please don't give us another continuing resolution.

Army Chief of Staff GEN Mark Milley has cautioned that the Army's combat readiness is significantly hampered as training cycles are disrupted and sometimes completely discontinued. Just recently—in fact, on Friday, I believe—the Pentagon's spokeswoman echoed the sentiment, saying that operating under years of continuing resolutions is “wasteful and destructive” and that what is needed is a “fully funded” budget.

When we had our first Navy caucus—I know the Presiding Officer can identify with this because we met with Admiral Richardson, and Admiral Richardson said: We tell everybody in the Navy not to count on doing anything in the first quarter of a fiscal year because we have been operating under continuing resolutions for so long.

As we continue working toward a bipartisan compromise, it is critically important that we ensure our military servicemembers, as well as Department of Defense civilians and contractors who support them, receive the pay they have earned.

I was disappointed when Senator KAINE and Senator DUCKWORTH made that unanimous consent request, and when Senator MCCASKILL made it on Friday night, that it was objected to. The fact is, there is an effort to get this done by unanimous consent, running what is called the hotline on both sides of the aisle, and the majority is objecting to allowing us to go ahead and make the commitment that we are going to pay our men and women of the military and their civilian support.

Our men and women in uniform, as well as Department of Defense civilians, work tirelessly to protect our national security, and they and their families should not have to worry about whether they are going to re-

ceive a paycheck. We urgently need to pass the Pay Our Military Act legislation. This is legislation that will allow our men and women in uniform to focus on their critical missions across the globe that are paramount to protecting this Nation. They need the peace of mind to know they will be compensated. I believe that is what everybody in this Chamber thinks we should do.

Importantly, that legislation would ensure that death benefits will be funded should a servicemember be killed overseas. Again, I think this is something that all of us agree needs to happen and that we can agree it should happen now because whether you are stationed in Afghanistan, on the Korean Peninsula, or deterring Russian aggression in Eastern Europe, our servicemembers should not have to worry about whether they will be able to provide for their families and loved ones back home.

We passed similar legislation in 2013 during the last government shutdown, and I urge swift passage of this important legislation again so our men and women in the military can continue to protect our country without worry.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, it was just 1 year ago that President Trump was sworn into office, promising the American people he would break through the gridlock to get results for workers and families; that he would work with Democrats and Republicans; that he would be this great dealmaker—“the best,” he said.

This past year has proven quite the opposite, and nothing has made that clearer than what we have seen these past few days. This has been a year of chaos and dysfunction, of bullying and attacks, of hatred and division and controversy and crises. That is just what we have been seeing on the President's Twitter feed before breakfast.

On the heels of so much utter dysfunction and disarray coming from this Republican government, it is fitting, even while deeply disappointing, that President Trump's first year has ended with him pushing our country into a completely unnecessary government shutdown. There is no reason—absolutely no reason at all—why we should be in this position. Democrats have spent months—months—trying to get the President and Republican leaders to work with us. We have spent months pushing Republicans to work with us to pass a long-term extension of the Children's Health Insurance Program that gives millions of kids access to care. We have spent months pushing Republicans to work with us to pass funding for community health center programs so many of our patients and families depend on. We have spent months pushing Republicans to work with us to pass disaster relief for our families and communities who have been hit so hard. We have spent months pushing

Republicans to work with us to support our veterans and to combat opioid and substance abuse. We have spent months pushing Republicans to work with us to increase investments in education and healthcare and other domestic and defense priorities.

We have spent months, and really years, pushing Republicans to work with us to protect the hundreds of thousands of Dreamers across our country—young men and women who have known no home but America, who have spent their entire lives reciting our Pledge of Allegiance, who think of our great country as their great country, who now, through no fault of their own, are facing a prospect of being torn from their homes, from their families and their friends, and deported to a country many of them can't even remember.

Months and months have been spent trying to get Republicans to work with us. Months and months we have been urging Republicans to join us at the table. Months and months we have been trying to solve problems with solutions that had bipartisan support. Democrats and Republicans were on the same page on all of these issues. For months and months, President Trump and the Republican leaders have refused. They have sat in their partisan corner. They have ignored the Democrats and Republicans who wanted results. They have pushed us to the precipice and then right into this completely unnecessary shutdown.

I know this has been discussed on the Senate floor at length today, but it bears repeating. This shutdown is a choice made by Republicans—the party that controls the Senate, the House, and the White House. It is a choice made through their inaction, months and months of refusing to work with us, and it is a choice made through their actions trying to jam through a partisan bill at the last minute they knew couldn't pass, blocking our last-minute efforts to keep the government open for a few days while we negotiate an actual deal, moving the goalpost in the last-minute negotiations between President Trump and the Democratic leader from New York, and now spending their time trying to point fingers and place blame instead of facing up to their responsibilities as the governing party.

I know President Trump said this year that our country “needs a good shutdown.” I hope he remembers what he said in 2013 because back then President Trump said:

Problems start from the top and they have to get solved from the top—and the President's the leader. And he's got to get everybody in a room and he's got to lead.

He went on to say:

When they talk about the government shutdown, they're going to be talking about the President of the United States, who the President was at that time.

And that in a government shutdown, “I really think the pressure is on the President.”

I don't say this often, but President Trump was absolutely right in 2013 about the Trump shutdown of 2018. President Trump is not the only one in the White House, but it is Republicans who run the Senate and they run the House, all of them. The onus is on them to get this done, and they have a Democratic Party that is ready to work with them to get this done right.

Before I close, I do want to make one final point, very much connected. This weekend is not just 1 year since President Trump's inauguration; it is also the anniversary of the women's march, when millions and millions of people across the country stood up to make it clear, wearing those bright pink hats, that they weren't going to just sit by and watch. I was at that incredible women's march in DC a year ago, and I remember thinking to myself, this is what a democracy looks like—people getting involved, getting engaged, speaking up, speaking out, fighting back, and standing strong. For those women and men at the marches this weekend and for the millions and millions more who are looking at what is happening in our country and feel so strongly that this just isn't right, Democrats agree, and we have your back.

I am going to keep fighting as hard as I can. I am going to keep making it clear, I stand ready to work with anyone from any party who is willing to stand with me to restore respect and get results. I believe there are enough Members on both sides of the aisle who are more focused on reaching out hands than pointing fingers, and we can get this done. We can reopen our government. We can address the many challenges facing the people we represent, and we can get back to doing the work the people we represent sent us here to do.

Before I close, I do want to mention one thing. A number of my colleagues have been working hard to make sure our military and their families are protected no matter what. We have a bill—the Pay Our Military Act—that would do exactly that. My friend, the Senator from Missouri, has been working so hard to get this done. I know my friend the junior Senator from Illinois has as well. So many of us believe this is the right thing to do right now, at a time when there is uncertainty. Unfortunately, the Republican leader has blocked our efforts so far. I just want to say I am really hopeful he reverses course and allows us to get this done. It is the right thing to do, and it is the least we can do for the men and women who sign up to serve our country and protect all of us.

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.

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

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

Ms. HIRONO. Mr. President, when Donald Trump was a private citizen during the last government shutdown, he said:

Problems start from the top, and they have to get solved from the top, and the President's the leader, and he's got to get everybody in a room, and he's got to lead.

That is what Donald Trump said when he was Citizen Trump. He is now the President. Now that he is the President, he has those shoes to wear. He refuses to step into them and step up. The only person who actually said that maybe we need a good shutdown is President Trump. Although I have to say that, recently, Office of Management and Budget Director Mick Mulvaney also said it was “cool” to shut down the government—unbelievable. It is definitely not cool. This attitude may explain why the President keeps shooting down bipartisan efforts to prevent a shutdown.

Republicans control the House and the Senate. I don't know why we have to keep reminding Republicans that they control the House and the Senate. There is no reason for the majority leader and the Speaker to enable this Trump shutdown to continue. There is no reason to wait on the President to tell them to do whatever or to tell them what he believes, because Donald Trump is a changeling. He is incapable of being consistent. I witnessed this 2 weeks ago when I went to the White House with a bipartisan group of Members of Congress to find a path forward to protect the Dreamers. During the meeting, in front of all of us and on national TV for over 50 minutes, Donald Trump promised to sign whatever bipartisan compromise that Congress came up with. He said he would take the heat. We had barely driven back to the Capitol before he went back on that promise. This pattern repeated on Friday, when the Democratic leader discussed a broad, bipartisan compromise with the President to keep the government open, and after appearing to agree on a framework, the President, shortly thereafter, said no.

Once again, this is Donald Trump's shutdown. It is important to understand who is responsible for this shutdown. He himself said it is the President who is supposed to be bringing everybody together. But, frankly, it is more important to end the shutdown. It is time for Congress to lead.

Congress is a separate branch of government, and we should start acting like it. We can come to a broad, bipartisan agreement on nearly every part of a deal to end this shutdown. We can reauthorize the Children's Health Insurance Program, which provides health insurance to 9 million children all across the country. We can fund community health centers, which provide healthcare for hundreds of millions of people in our communities. We can protect the Dreamers. We can fully

fund the Department of Defense and provide funding parity for critical domestic programs. Congress shouldn't wait around for the President to make up his mind. Let's do our jobs.

I support passing a very short-term funding bill, somewhere in between 1 and 3 days, which we have proposed, to sustain the urgency in getting this done in as short a time as possible. So a multiweek extension of government funding that allows the President, the majority leader, and the Speaker to kick the can down the road and pit one group against another is not the way to go.

The Republicans continue to pit the Children's Health Insurance Program against Dreamers, and they pit funding for troops against Dreamers, pitting one group after another on and on. Are the Republicans saying that we can only take care of one group or the other? Do we cut off the right arm or the left arm? We have seen this "pitting one group against another" strategy at work all week.

Authorization for the Children's Health Insurance Program expired on September 30, months ago, but the majority leader waited until now to put it up for a vote because he hoped to use it as leverage to divide Democrats and leave Dreamers out in the cold, pitting one group against another. Just as a reminder, guess who spent months and months trying to take away healthcare from millions of Americans and more months to provide the richest 1 percent of people and corporations in our country with huge tax cuts, all behind closed doors? The Republicans—that is who. We could have and should have funded the Children's Health Insurance Program months ago. We could have come to a compromise on Dreamers months ago.

The majority leader has come to the floor repeatedly to argue that there is no urgency to protect the Dreamers or the DACA participants, that we have months to find a solution. Doesn't he know that more than 16,000 people have lost their DACA protections since Donald Trump cruelly and cynically ended the program in September, and every single day, 122 DACA recipients lose their status. These young lives are on hold. They are scared, and they are afraid of being kicked out of the only country they know and love, and that is the United States of America.

Over the past few days, we have heard the President and the majority leader continuously disrespecting these inspiring young people by referring to them as illegals. That is how you take away an individual's humanity, by categorizing them as one group or another—as illegals. I have met many of these DACA recipients. They are not illegals. They are legally protected under the DACA Program to be in the United States. They want to make a contribution to the only country they know, America.

It is Dreamers like Leonardo, from Oregon, who came to my office in late

December, shared his immigrant story and why he is fighting to be able to stay in the United States. Leonardo came to our country with his siblings and his mom, who was fleeing an abusive marriage. Growing up, Leonardo hardly saw his mom, who took public transportation to work the night shift and slept most of the day. He told me that, as he has gotten older and as he has had to work so hard to make ends meet, he truly appreciates the sacrifices his mom made to ensure that he had food and clothes. Like many young high school students, Leonardo dreamed of going to college. Because he was ineligible for financial aid as an undocumented student, he saw athletics as a path to pursue his dreams. Leonardo got a scholarship offer from a small school, but at precisely the moment he thought his dreams came true, he learned the school was unable to fulfill its promise because Leonardo was undocumented. Put yourself in his shoes. His heart was broken. Leonardo's life changed when he was able to sign up for DACA. He enrolled in community college to study chemistry and hopes to become a pharmacist one day. Leonardo told me that DACA didn't just allow him to access a better quality of life. He said it changed how he values himself as an individual and as a person, that he was more than his status—that he was a human being, not an illegal. When I asked him why he came all this way to share his story, he said:

What we're doing here really encompasses what it means to be an American. The idea that we have to fight for justice. That we have to fight for dignity. That equality surpasses any status. That our humanity surpasses any status.

Thank you, Leonardo. I agree.

This is a pivotal moment for Congress. Are we going to continue to bend to the whims of an unpredictable, mercurial, and unreliable President, or will we come together on a bipartisan basis, behave like the separate branch of government that we are, and reauthorize the Children's Health Insurance Program, fund community health centers, protect Dreamers, and provide parity for defense and domestic programs in a long-term budget deal?

I respect my colleagues on the other side of the aisle. What I don't respect is holding up this process, knowing full well that we can come up with a bipartisan way in 3 or 2 days, or even 1 day to end this shutdown.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, one of the unusual things about the moment we find ourselves in is that we are debating on virtually all fronts on topics that 70 percent of the Senators agree on. When you look at the appropriating bill, at least 70 Senators are for the Children's Health Insurance Program—maybe 90, maybe more than that. It is a widely supported program. Nobody really believes that the Obama taxes

and ObamaCare on medical device taxes ever made any sense, or the so-called Cadillac tax, where if you have worked hard and, in many cases, worked and negotiated an insurance coverage package, now the government says it is better than it should be and you should pay taxes on that, or that everybody should pay an individual tax on their healthcare. Nobody is for that.

Surely everybody wants the government's doors to stay open and so, on that front, one of the major criticisms of stopping the continuing resolution from going on is that nobody is opposed to it. So they are using that totally as leverage on an issue that we, also, almost all agree on. As to these kids who came here as kids—and I have met a number of them as the Presiding Officer has—one of the first questions I often ask is, Well, how old were you when your parents brought you here? The answer is often 18 months, 2, 3, followed by something like: Now I work at an architectural firm, or I just graduated from college—or whatever else they might say about what they are doing now. They clearly grew up in this country; we all get that. This is not a hard problem to solve, I don't believe. But leverage has somehow become the big issue here.

First of all, we let the appropriations process collapse, where only a few people have anything to say about how we spend our money, and then we have decided we will let the whole legislating process collapse and have spent way too much time on confirming people who there is no opposition to.

And then our friends on the other side, like the Democratic leader, insist on 30 hours of debate or 8 hours of debate where there is no debate. All you do is use up that time so nothing else can happen. He says: Why can't we debate this issue? We could debate this issue if we hadn't just spent an entire week confirming four district judges. These are not four Supreme Court Justices and they are not four circuit judges who will handle appeals from the district court. We spent an entire week last week doing nothing but that. And these judges were all confirmed. On Monday, we all knew they were going to be confirmed. They were all confirmed by the end of the week, but we spent the whole week doing that. The same people who insisted on that wonder why we don't have time to debate the issues we would all like to debate.

I would like to have seen the children's health insurance bill debated, but we ran out of time. We are now beyond the time when the bill expired. States are beginning to have stress on that. I would have loved to have seen a debate there, and I would love to see that debate include expanding excellence in mental health to a few more States. I would have loved to have seen that debate include the expansion we need in community health centers. But we didn't have time for that. We were

spending needless time confirming people who were ultimately going to be confirmed.

Remember, the rules on this are 30 hours of debate on the floor if anybody insists on it. For a circuit judge, we had 30 hours of debate. There are only so many hours in a week, and we are wasting those hours. That rule has to change, and if we can't change it one way, my guess is eventually the frustration will become so great, we will change it another way.

We find ourselves here in a government shutdown with no disagreement on what we are talking about. This is just to show who is running the Senate. The majority, at the end of the day, is going to run the Senate. That is what always happens. If our friends on the other side want to run the Senate, they need to get in the majority, but this will not be the way they get there.

My good friend the Senator from Hawaii and I have a common health issue with kidney cancer. We both lost a kidney, and that is a binding sort of thing. So when I say I care about her a lot, I do. But she said: How dare people talk about kids who were brought here illegally as people who came here illegally.

I think a great disservice was done to the DACA kids when the other side decided they wanted to make them a focal point on a debate that has nothing to do with them.

Don't act surprised that other people are going to come to a conclusion that the weakest point in the argument for DACA kids is that every one of them came to the country illegally. They were brought here illegally, but every one of them came to the country illegally. And we need them. They grew up here. They went to school here. We need that vital, strong population that is part of a growing the economy. Seventy percent of the country, if not 80 percent, agrees with that. This is an issue that could be solved, but we see the further deterioration of how we spend our money.

The appropriations process, for a decade now, has come down to one big bill at the end that almost nobody had anything to say about. It certainly has strengthened leadership on both sides. It has weakened membership on both sides. I don't think the leaders want the power that they have gotten through this wrecked process.

For 200 years, we appropriated our money by bringing bills to the floor. I imagine that initially there may have been one bill. In recent years, there have been a dozen—one or two at a time—on the floor. Every Member of the House and every Member of the Senate could propose any amendment they wanted to as long as it was about spending and didn't add any money. We haven't seen this enough times in recent years. People can hardly remember the process in the Senate, although the House has rediscovered it. A bill comes to the floor, and you say "I think we ought to spend \$1 million

more here than we are spending, and I propose we do that by cutting this other category by \$1 million," and then all the Members vote.

We are never going to have that debate this year. The Speaker saw that debate on the other side. We will never have that debate here because starting a decade ago, roughly, the Democratic leader of the Senate decided that we were not going to bring those bills to the floor unless they are unamendable. Four or five years ago, when—I think my math is right—Barbara Mikulski, the great Senator from Maryland, an incredible legislator, had become chairman of the Appropriations Committee for the only 2 years in her career, she aggressively argued with the leadership on her side all the time: Let's bring these bills to the floor and debate the bills. Let's not have one big bill at the end of the year or, even worse, one big bill 4, 5, 6 months into the next year.

We have to figure out how to recapture the process of our responsibility. This works. It includes the Members and the people they work for in a way that we are not now included. The debate on how we spend our money becomes public in ways that are not now public.

We can't bring an appropriations bill to the floor in the Senate without 60 Members being willing to debate the bill. One way we could do this is just figure out how to change it to where an appropriations bill—maybe all bills—don't need 60 Members just to debate the bill. I am a believer that once you got these bills started and once you started debating them and once Members got to see that their own amendment wasn't nearly as popular as they thought it would be, that we would then get to the final vote, and we would then pass a bill or maybe a package of a couple of bills. The House would do the same. We would have a conference. They would go to the President's desk. He would sign those bills, and that part of the government would be funded for the next year.

Year after year, this has been brought down to where virtually nothing is funded on September 30 for the October 1 fiscal year. Here we are, January 21. To still be talking about work that should have been completed in September is unacceptable.

If we can't see this moment where we are debating two big issues that everybody agrees on—the component parts of both of those big issues—if we can't see this as a moment where we need to fundamentally change how we get this work done, we may have lost the constitutional responsibility that the Congress has to set our priorities based on how we spend our money.

The one thing I know for sure is how we are deciding to spend our money now is not the best way to do it. It has now led to where it is now a late-year fight about, well—and I think defense is the principal reason for the Federal Government to exist. The No. 1 priority of the Federal Government is to

support the common defense. But we have gone beyond "I want more money for defense, but before I do that, I would like to have more money for something else, as well" to—it is not even about the appropriations bill. We are not even going to give you a number to appropriate to on the appropriations bill. We don't want to fund the government now until we do something that has nothing to do with funding the government.

Maybe that is the logical conclusion of years of bad behavior. Maybe that is the logical conclusion of thinking you can hide the work of the Congress behind a massive bill that nobody understands, that everybody says: Well, I want to be in that massive bill that nobody understands either.

I believe one of the issues that was debated the last few hours was, we want to put our bill that would help DACA kids on a bill that must pass. We are not going to be happy unless our bill is guaranteed to get on another bill that would have a better chance of passing than our bill.

What we need is a DACA bill that can pass on its own. Surely you can take a 70-percent or 80-percent issue and combine it with another 70-percent issue of people who believe we ought to do a better job securing the border and managing people who have come into the country in other ways, as well—surely you can take those two issues and find a way to put them together in a bill that winds up on the President's desk. But there appears to be little confidence in that and frankly little confidence in the way we appropriate money.

This is an outrageous place to be in. You and I, Mr. President, and other Members of the Senate and Members of the House need to figure out what we can do to convince enough of our colleagues that either the rules need to change or the behavior needs to change so that everybody has an opportunity to talk about the priorities of the government, how those are funded, and so that we also have time to get to the important debates that we would all like to be part of.

I hope we can reach a conclusion quickly. People deserve for their government to be open. People deserve the very opening of the government not to be held hostage to things that have nothing to do with appropriating money but everything to do with a Congress that no longer works the way the American people deserve to see it work.

I hope we find a conclusion quickly and let the doors of the government be open to the people the government is supposed to serve, rather than those very doors to be used as a leverage because legislators couldn't figure out how to legislate.

I yield my time.

THE PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, we have heard some highly partisan

and passionate speeches on the floor of the Senate and a lot of finger-pointing. The American people are done with the blaming and the finger-pointing; they want the government to be reopened. All of us do too. That is why a number of our colleagues are working hard and have been involved—many of us, directly and indirectly—in promoting and suggesting possible solutions, reaching across the aisle, working to reach a consensus and to make sure the government is reopened.

The President has been absent—some would say absent without leave, AWOL—from these negotiations. Ironically, he is the only one in America who has referred to this as a “good shutdown.” It is a Trump shutdown because the President has enabled—in deed, encouraged—it to happen.

Across the aisle in the Senate, there are efforts to provide leadership and to fill the gap that has been created by a President who is AWOL in America. The lack of leadership is potentially tragic for this country. He has thrived on chaos and confusion, personal invective and insult.

The time is now for us in this body to fill that vacuum. We are divided in our Nation in many ways, but we are united in support of our military men and women. Two of my sons have served. And always in this Chamber and throughout the country, there is support for them and their families, who equally serve and sacrifice.

No speech on the floor here and no tweet by the President will change that fundamental unity and bipartisan support for our military men and women. That is why there was bipartisan support for rejecting a short-term, “kick the can down the road” patch in a continuing resolution.

A continuing resolution that flatlines funding for our national defense, both military and nonmilitary, is against our national interest. The most eloquent and persuasive voice on that topic is our Secretary of Defense, General Mattis.

Mr. President, I ask unanimous consent that the September 8 letter be printed in the RECORD.

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

SECRETARY OF DEFENSE,
PENTAGON,
Washington, DC, September 8, 2017.

Hon. JOHN MCCAIN,
Chairman, Committee on Armed Services,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am writing in response to your August 29, 2017 letter regarding the potential impacts of another fiscal year under Continuing Resolution (CR) authority. I appreciate and share your concern in this matter.

Long term CRs impact the readiness of our forces and their equipment at a time when security threats are extraordinarily high. The longer the CR, the greater the consequences for our force. A CR, if required, avoids a government shutdown and provides an opportunity for a longterm solution that lifts the BCA caps.

In the long term, it is the budget caps mandated in the Budget Control Act (BCA)

that impose the greater threat to the Department and to national security. BCA-level funding reverses the gains we have made in readiness, and undermines our efforts to increase lethality and grow the force. Without relief from the BCA caps, our air, land, and sea fleets will continue to erode. BCA caps obstruct our path to modernization, and continue to narrow the technical competitive advantage we presently maintain over our adversaries.

The Service Secretaries and Chiefs have identified many of their specific concerns about operating under a CR (enclosed). I appreciate that you share our concerns, and look forward to working with you in FY18 as we build a solution to alleviate the BCA caps.

I have provided similar letters to the other Chairs and Ranking Members of the House and Senate Committees on Armed Services and Appropriations.

JAMES N. MATTIS.

IMPACTS OF A CONTINUING RESOLUTION
AUTHORITY IN FISCAL YEAR 2018

This summary describes the most likely impacts of operating under a Continuing Resolution (CR), if enacted for Fiscal Year 2018 (FY18). The impacts of a CR depend in part on the level of funding provided and the duration of the CR period.

The Military Departments and Defense Agencies are justifiably concerned that under a CR, the Department cannot reprogram FY18 funds until a full appropriation is enacted. Inability to reprogram CR funds drastically reduces the ability to respond to urgent requirements or to address funding gaps that damage readiness.

During a CR, we remain committed to supporting the warfighter. The Military Departments will realign or execute CR and existing budgetary resources within the limits of their authorities to fully support forward-deployed operations, direct support activities, and urgent operations of the Combatant Commands. Finding ways to fully fund such essential activities while operating during a CR does not make CRs any less disruptive or detrimental—in reality, doing so imposes a great burden on DoD’s foundational capabilities, and immediately manifests in impacts on training, readiness and maintenance, personnel, and contracting.

Training: Impacts begin immediately, within the first 30 days of a CR. By 90 days, the lost training is unrecoverable due to subsequent scheduled training events. These training losses reduce the effectiveness of subsequent training events in FY18 and in subsequent years.

Most major exercises and training events are scheduled for the spring and summer, and presume individual and unit-level training was completed. Training scheduled during the period of the CR, however, must be re-scoped and scaled to incorporate only mission essential tasks and objectives, so units enter the major exercises less prepared.

For example, the scope of a Joint live fire field training exercise (FTX) scheduled to execute in conjunction with annual Marine Corps weapons certification events may have to be reduced during a CR by limiting weapons crews to firing at levels that firing tables specify as necessary to maintain certification, thus forgoing the added training benefit of firing weapon systems in a Joint operational context. Without this experience, the Marines would then enter their major exercises and training rotations without the benefit of having practiced coordinating joint fires, or the experience of firing in an operational environment.

Air Force must preserve core readiness training for deployed or next-to-deploy

units, at the cost of institutional training and flying hours. Lack of funds to stand-up two F-16 training squadrons, reduced aircraft availability, and inability to grow the force (military and civilian) will further reduce pilot production, leaving the Air Force unable to train the number of pilots necessary for continued readiness recovery. Cancellation of exercises will further degrade pilot training and readiness.

Readiness and Maintenance: The impacts of a CR are felt immediately, and grow exponentially over time. Although maintenance impacts can be mitigated for some activities operating under a 3-month CR, in areas such as Navy Ship Depot Maintenance, funding shortfalls result in delays in Naval vessel availability, which may affect subsequent deployment rotations.

Under a CR, funding reductions will impact all major activities not related to deployed forces, including: depot maintenance, individual and collective training, and munitions procurement. Failure to properly fund readiness restoration initiatives in a stable and consistent manner will impede the recovery of our readiness, which has just begun to see tangible results, and may prove fatal in a future conflict with major-power adversaries. Furthermore, a ready force requires continued and stable investment in our munitions inventory and a CR will not provide the Services the necessary flexibility to procure and develop weapons, nor build sufficient infrastructure to align with the Department’s readiness recovery efforts.

Navy will delay the induction of 11 ships, which will exacerbate the planned ship maintenance in FY18, and will slip ship availabilities into FY19, further impacting that plan. FY18 Ship availabilities considered for schedule slip:

Ship	Planned Start	Location
KIDD DDG-100	19 Nov	Puget Sound
PINCKNEY DDG-91	04 Dec	San Diego
CORONADO LCS-4	15 Dec	San Diego
PORT ROYAL CG-73	22 Dec	Hawaii
PRINCETON CG-59	25 Dec	San Diego
SAN DIEGO LPD-22	31 Dec	San Diego
CARTER HALL LSD-50	22 Jan	Virginia
OSCAR AUSTIN DDG-79	02 Feb	Virginia
VELLA GULF CG-72	19 Feb	Virginia
JAMES E WILLIAMS DDG-95	19 Feb	Virginia
MAHAN DDG-72	19 Feb	Virginia

Under a 90-Day CR, all listed ship inductions will be delayed, as the shipyards’ capacity is not capable of fully “catching-up” lost work, thus the entire schedule slips to the right. This means that even a relatively short CR creates delays in ship depot maintenance, thus deployment timelines, into subsequent years.

Under a 3 month CR, Army will defer supply transactions, and then later have to pay more to get parts fabricated or shipped quickly, in order to keep up with maintenance timelines. Under a 6 month CR, Army will order parts from sources outside the DoD supply system, just to keep up with operational demand. These external transactions will cost more and fail to leverage the efficiencies built into the centralized supply system.

Under a CR, the Army will have about \$400 million per month less in their operating accounts. Beginning in a 3 month CR, it will be forced to restrict home station training

Immediately under a CR, Army will postpone all non-critical maintenance work orders until later in the year.

Within the first 3 months of CR, Navy will reduce flying hours and steaming days for those units not deployed or next to deploy. It will delay the replenishment of spares and repair parts on supply shelves in our ships, submarines, and aircraft carriers across the non-deployed Fleet.

The Military Departments will limit execution of infrastructure funding by prioritizing life, health and safety requirements. For the Air Force, this will affect 79 major installations worldwide and negatively impact aircraft bed-downs and mission generation.

The lack of a National Defense Authorization Act, the legal requirement for specific appropriations for major military construction projects, and new start restrictions within the CR combine to mean that no new major military construction projects can be initiated using CR funds, with an inevitable delay in project schedules and potential increased costs. For the Navy this will impact 37 projects; the Air Force has 16 projects; the Army has 38 projects.

Personnel: The uncertainty imposed during a 3-month CR causes most hiring actions and recruitment to be curtailed, and vacancies to then be re-announced once an appropriation is enacted. This disruption leaves critical gaps in the workforce skill set and causes unnecessary angst among military and civil servants, making the Government a far less attractive option to the highest-skilled potential candidates.

Both Congress and the President agree need exists to add military personnel to meet critical skill gaps such as pilots, maintainers, cyber experts, and nuclear trained personnel. A CR will delay the accession process, with the consequence that units and organizations will continue to lack the full complement of personnel they need to be effective.

Professional development and training for both military and civilians will be delayed.

Non-critical travel, which includes PCS moves for civilians and military members and their families, will be curtailed. This often results in missed hiring opportunities as potential employees pursue other options. It creates unnecessary turmoil for families who had otherwise planned to relocate, whose orders are delayed; and may then result in missed schoolyear timing for dependent spouses and children.

Adverse outcomes for medical beneficiaries experiencing potentially life threatening illnesses due to delays in receiving the required treatment. Beneficiary health care is an entitlement and there is no mechanism to slow down or reduce the demand for services.

Payments to medical care providers for services rendered for patients will be delayed. This results in a potential reduction in future access to private sector health care for DoD beneficiaries, as a result of providers discontinuing services to patients paid by TRICARE.

Contracting: The impacts of a CR on DoD contracting efforts are significant and begin within the first 30 days of each CR. Every contract that has to be re-competed represents additional work for the already-pressed DoD acquisition workforce. In addition to these increased administrative costs, new start rules and funding constraints carried forward under each CR extension combine to increase the likelihood that costs of material and labor in the contracts themselves will also grow. To the vendors and manufacturers, the Government becomes a less reliable, higher-risk customer.

As is the case in the private sector, DoD saves money by buying in quantity. When we are forced to sever contracts and renegotiate terms with each CR, our costs grow to offset the increased risks and delays; we offer vendors less stability and predictability, and pay accordingly.

Acquisition programs are forced to use incremental contract actions to preserve efforts and schedules, which inevitably results in higher program costs and schedule delays. Each iteration of contract rework further taxes the DoD Contracting community, doubling or tripling their workload annually.

Under a CR, there are generally no new starts, and no production rate increases for acquisition programs with budgetary program quantities of record.

In FY18:

In the first 3 months under a CR, the Army has 18 new starts and 8 production rate increases that would be impacted. These include the Paladin Integration Management Improvement, Interim Combat Service rifle, Multi-role Anti-armor Anti-personnel Weapon System, Lightweight 30mm cannon and the Armored Multi-purpose Vehicle. Rate increases are planned for handguns, TOW2 missiles, M240L medium machine gun and the Advanced Tactical Parachute system.

Beyond three months (4–12 months), the Army would have 24 additional new starts and 7 additional production rate increases. The new starts include the Udairi Range Target Lifters, Heavy Equipment Transporter System, and the Modular Catastrophic Recovery System. Production rate increases include modifications to Stinger and Avenger, Guided Multiple Launch Rocket System, and the Reduced Range Practice Rocket.

The Navy has 7 procurement contracts that will be delayed by a 6-month CR due to the new start restrictions. It also has 12 planned production rate increases that will be deferred and 3 research and development new starts.

The Air Force has a total of 6 new starts that would be impacted by a 6-month CR. These include multiple F-15C and F-16 upgrades and the Joint Space Operations Center Mission system.

Funding limitations for all research and development will result in the Services assessing the relative priorities of their programs, resulting in providing only minimum sustaining funding to the selected programs.

Mr. BLUMENTHAL. Mr. President, Secretary Mattis informed Congress:

Long term CRs impact the readiness of our forces and their equipment at a time when security threats are extraordinarily high. The longer the CR, the greater the consequences for our force.

So my Republican colleagues should take no solace in the harmful CR—whether it is 3 weeks or 4 weeks—that they are continuing to insist that the U.S. Senate approve.

In fact, I believe we can fully fund our government today without requiring the mass draconian deportation of children in March, without abandoning our commitment to opioid treatment programs, without ending the Children's Health Insurance Program, without forgoing community health centers, and without forgoing pensions our veterans need. We can do all of it. We must do all of it. The elements of consensus are there. There is bipartisan support for every one of these programs.

Opioid treatment and addiction were supported in the Cures Act, as well as other measures, by overwhelming bipartisan consensus. We all support opioid treatment programs.

We support addressing the pension needs of veterans of this Nation and their challenges. We cannot abandon them.

We support making sure there is disaster relief for Puerto Rico, Texas, and Florida.

We support measures that will preserve the Children's Health Insurance Program and the community health centers.

These measures should not be options, luxuries, or choices. We have an

obligation. We are a nation strong enough in the courage of our convictions to do all of it and to meet the obligation.

It is a moral obligation and an economic obligation to provide a path to citizenship for the Dreamers. We have a moral obligation because we made a promise—great nations keep their promises—to those 800,000 young people brought to this country as infants and children without any choice of their own. There is a bipartisan consensus to give them that path to citizenship.

There is growing acceptance of the funding that the minority leader, Senator SCHUMER, put on the table to build a wall, if that is what is necessary to achieve a compromise. It is a compromise on our part, but that is what an agreement is. Each side must give something.

There is bipartisan consensus for every one of these elements, and every one of them should be part of a full budget. A full budget is what is necessary.

Most Americans want their government open. Most Americans want bipartisan agreement that will keep their friends—coworkers, neighbors who were brought to this country as children—safe from arbitrary seizure and deportation from the only home they have ever known. Most Americans recognize that moral obligation, and most Americans recognize the economic advantages. According to the Joint Committee on Taxation, half a trillion dollars would be lost in economic activity and in workforce contribution if there were these mass deportations.

Most Americans want us to face our national opioid addiction epidemic. Americans want community health centers and a host of our pressing priorities that were all pushed aside, delayed, and denied in the mad dash by our Republican colleagues for a tax bill that benefits mainly the rich.

The Republicans who have spoken today seem to imply we have to make a choice. They want to falsely blame or frame this debate as if we must choose between the Dreamers and our troops. That is a false choice. It is an unnecessary and, in fact, irrelevant choice. There is no such choice that has to be made. We can do both.

A great nation can be strong militarily and also be a nation that keeps its promises. In fact, the two go together.

We are a nation of immigrants. Our strength is our diversity, and we have made a promise to the Dreamers, and that promise is one that we must keep.

The senior Senator from Missouri, Mrs. McCASKILL, came to the floor to pass a simple measure, one that seems to be a matter of common sense. The Pay Our Military Act would have protected our military and their families during this Trump shutdown, but Senator MCCONNELL, unfortunately, blocked that effort. Democrats are united in ensuring that our troops and

their families are spared any needless suffering or sacrifice during the shutdown.

Today we are back to continue the fight for each and every American—our troops, our children, our friends, our families—and we will be there each and every day until we accomplish that task. That includes the Pay Our Military Act. I still hope our Republican friends will agree to it for even the short term.

We hope that the shutdown continues for a very short time. We all hope it will end tonight, tomorrow, or as soon as possible. But even in that short timeframe, military men and women should be guaranteed that they are paid without question and without doubt.

Republicans are in charge of both Houses of Congress, and they have the White House. They own this shutdown. It is a Trump shutdown. But there is no satisfaction for anyone on this side of the aisle in that essential truth.

They control the floor schedule. They control what bills will be voted on and when. They control the schedule of our votes here.

They could have funded CHIP months before it expired in September. In the State of Connecticut, those funds will expire shortly, as with many other States. They could have funded community health centers long ago.

They could have enabled us to solve the Dreamer challenge months ago, in fact, in September when the President first announced that he would end the program.

We have been constrained in this debate by finger pointing, by blaming, by the failure to move forward. We must now come together.

Today, we can no longer wait to solve the mounting problems facing our Nation. Now is the moment to permanently fund health insurance for 9 million children in America. Now is the time to protect the Dreamers from deportation. Now is the time to provide disaster relief for Puerto Rico, Texas, and Florida. Now is the time for full funding for the opioid programs.

Now is past time for the tweets and the renegeing that have characterized the White House response. We have an obligation to be the responsible leaders in the absence of that leadership in the White House.

We are here today, and all of us will be here until we solve this problem. We can do it on a bipartisan basis.

Congress must do its job. The American people expect no less. They deserve no less, and we owe them much more.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, tonight I wish to talk about our responsibility in the U.S. Senate to reopen the government, to get back to work solving real problems, and to fix the system around here so we aren't tempted

to play political games with government shutdowns in the future.

We are now in the second day of what I think is kind of a senseless shutdown. It is not helping anybody. There is a lot of disruption, dislocation, and dysfunction for no reason. It is a situation which was perhaps best described by Democratic leader CHUCK SCHUMER in 2013 when he said: "I believe in immigration reform. What if I persuaded my caucus to say I'm going to shut the government down, I'm not going to pay our bills unless I get my way. It's politics of idiocy, of confrontation, of paralysis."

I think CHUCK SCHUMER was right. I think the lesson of 2013 in that shutdown is, they don't work. I think they are a bad idea. They are unnecessary disruptions. They hurt our economy. They hurt families. They hurt our troops. By the way, they ultimately also cost the taxpayers more money, not less. That has been the history.

That is why, for 6 years now, I have been fighting to pass legislation called the End Government Shutdowns Act. It is a very simple piece of legislation. By the way, my efforts in that have spanned Presidents of both parties and majorities in the Senate of both parties. It is not a political issue. We should end government shutdowns.

More on that in a minute, but let's take a look at the real-world impact of a shutdown. In my home State of Ohio, nearly 50,000 Federal workers are seeing their paychecks halted through no fault of their own. This includes rangers at parks across the State, like Cuyahoga Valley National Park. It includes 3,000 employees at NASA Glenn. It includes thousands of civilian employees at Wright-Patterson Air Force Base, and thousands of other employees around the Buckeye State who are going to be hurt. Why? Because of the shutdown here in Washington, DC. By the way, Federal contractors are being told they can't go to work. Yet they are going to get paid after the fact. How does that help taxpayers?

How did we get here? Well, spending goes through Congress. The Constitution says Congress alone has the power of the purse, so every dime that is appropriated for spending has to go through this Congress.

Unfortunately, since the fiscal year ended on September 30, Democrats and Republicans in Congress have been unable to agree on an overall budget plan that allows us to fund our 12 annual spending bills. Since then, we have passed three of these so-called continuing resolutions. They are also called CRs. They provide short-term funding for the government; basically, a continuation of the spending from last year, just to keep the government from shutting down. That is what CRs do. They don't include any policies, typically, or any spending levels for the next fiscal year. It is just to keep things going and keep government operating. Nobody likes them. I don't like continuing resolutions. Who

would? But the alternative is either come to an agreement on these 12 annual spending bills we have talked about or have a government shutdown.

That was considered unthinkable over the last 4 months, when these continuing resolutions were passed by big bipartisan majorities of both the House and the Senate.

By the way, 8 of these 12 annual spending bills I was talking about actually passed out of committee with big bipartisan votes. So 8 of the 12 actually have been passed. They are ready to come to the Senate floor, but they haven't come to the Senate floor because they require 60 votes out of 100 to be brought up, and Democrats, not having a solution to what the overall spending levels will be, have not cooperated to bring those individual spending bills to the floor.

That is obviously the best way to do this; that is, to have the 12 spending bills come to the floor, have the debate, put the best policies in place, and have the right levels of spending for this fiscal year. That hasn't happened so we have these short-term continuing resolutions.

One might ask: How can the continuing resolutions pass? Because they don't seem to be very popular. Well, but they are better than a shutdown. By the way, they also require 60 votes, but, again, it is the one thing we have been able to pass over the past 4 months to avoid shutdowns while we negotiate our differences over the level of spending, over the policies that are going to be in place between now and the rest of the fiscal year. They have always passed, again, on a broad bipartisan basis.

Some Democrats have voted with us to keep our government open in the past because, as the Democratic leader has said, shutting down the government just doesn't make any sense. In order to pass a CR—a continuing resolution—only 39 Senators can vote no because, again, we have to get 60 votes. On Friday night, 44 Democrats chose to vote down the latest CR, even though almost nothing of substance has changed in the continuing resolution since the last continuing resolution that was voted on, again, by big majorities.

The only thing that has changed is, there was added a very popular and urgent extension of a healthcare program called the CHIP program, Children's Health Insurance Program. It is absolutely critical that we pass that because in the next couple of weeks we are told some States will begin to run out of money. CHIP actually expired back in September, and it has had short-term fixes since then, in this continuing resolution, the same as the last continuing resolutions, basically.

Nobody really objects to what is in the continuing resolution, but the addition has been this really important program; CHIP is reauthorized. By the way, it is reauthorized for its longest reauthorization ever in the history of

the program—a 6-year reauthorization. I strongly support it, and I think my colleagues do across the board. If we don't deal with CHIP, again, this is urgent enough that some States are actually going to run out of money.

Some are choosing to shut down the government, even though they can't point to anything in the short-term continuing resolution they disagree with and even though it endangers the healthcare of children and families around the country. That is where we are. The main reason we have heard from Democrats who oppose an otherwise acceptable continuing resolution—and we just heard here tonight from my colleagues on the other side, including colleagues I work with a lot on other issues, and I respect them, but they said this is about something else. It is not the spending bill, but it is about how we deal with DACA and broader immigration reform.

I want to resolve DACA, too, and I believe most of the Members of this body sincerely want to resolve DACA. It is an administrative program that is appropriate to being legislated. The President gave us until March to deal with it, and we must and should deal with it. There is an ongoing, good-faith effort to resolve the DACA issue as well as broader immigration issues, like border security, and to do all that before DACA expires on March 5, which is 6 weeks away.

There has been a lot of finger-pointing—and there is always plenty of room for that around here, let's face it—but the situation is clear: We are in day 2 of a shutdown because my Democratic colleagues are holding hostage the entire Federal Government and children in need of healthcare through CHIP for a nonspending issue that is being worked on. We all know it expires on March 5, and we need to deal with it.

Without a spending bill or a continuing resolution to keep the government open short term, while we come to an agreement on larger issues, there are a bunch of Federal workers who are going to wake up tomorrow morning and find themselves furloughed. Many will not be able to go to work because their offices are closed. Some will, I am told, have to report to work, but they are not going to get paid, at least until the government reopens. Again, the taxpayer always ends up getting the short end of the stick on this.

I just think it is crazy that we are allowing this to happen. It doesn't make any sense. I don't get it. Yes, there are some larger issues we have to come together on and solve in a bipartisan way, but we should agree to a short-term funding deal to just get the government up and running and then work to solve those problems. We are not working on them now, I can tell you, because everybody is distracted by this issue—a government shutdown.

My understanding is, we are going to vote on a new proposal tonight to reopen the government. It is shorter

term. Why? Because a number of Democrats have said they think the previous continuing resolution, which was for 4 weeks, was too long, so this one will be just 2½ weeks, until February 8. That is fine with me. I think that gives us enough time to resolve these issues and enough time to actually put the changes into legislation—2½ weeks. That would be pretty fast by congressional time.

I understand the new CR proposal will also be coupled with these important CHIP funding proposals; in other words, the long-term extension of the Children's Health Insurance Program, which is important, and a commitment to continue the negotiations to address all of the outstanding issues, including DACA, including defense spending, including disaster relief.

Let's support it. Let's get this behind us. Let's be sure people don't wake up on Monday morning to find they are furloughed, and then let's get back to these hard issues we were hired to resolve.

I know it is a lot harder dealing with those substantive issues than dealing with those political issues. It is easy to shut down government. That doesn't take any ingenuity or imagination. That is easy. It is harder to deal with these tough issues, but that is what we have to do. Shutdowns aren't the answer.

The situation tonight is a reminder that we should end government shutdowns for good. Again, that is why I have introduced the bipartisan legislation I mentioned earlier called the End Government Shutdowns Act, to avoid these types of unnecessary disruptions that are unproductive and unfair to our constituents. The bill would simply continue spending from the previous year for 120 days if any appropriations bill or any CR is not agreed to by the established deadline. Then it would gradually decline that funding by 1 percent, and then 1 percent, to give lawmakers the incentive that is needed around here to actually come together on a funding agreement. I think it is sensible. I think it is common sense. It has always been bipartisan in the past, so we can get it done.

By the way, I first introduced this bill in 2012 with my Democratic colleague JON TESTER from Montana, when a Democratic President, President Obama, was in the White House and Democrats controlled the Senate. So this is a commonsense solution that benefits the country, not one political party over another. It is what is best for our country.

If this bill were law, we wouldn't be in this situation. Instead, we would be talking about the substantive issues—how we resolve DACA, how we resolve defense spending. We have had 18 shutdowns in our country's history, and none of them would have happened if this was law.

There would be no last-minute political brinkmanship over issues unrelated to funding our government. Our

constituents, including Federal employees, would not have their lives disrupted, taxpayers wouldn't get fleeced by shutdowns and the backpay that happens and the inefficiencies. Our legislation is bipartisan, but frankly we need a lot more Members to support it and help us put in place a long-term solution to make sure these shutdowns don't continue to happen.

I urge my colleagues tonight, and any staff who might be watching, please sign on to this legislation. We need your help. It is common sense. It is a time in which I hope we all realize these shutdowns don't make sense, and we have an alternative. A shutdown isn't helping anyone. It isn't helping Americans who need access to vital government services. It isn't helping Federal employees who instead should be working and not being furloughed, and it sure isn't helping the 9 million children who are facing losing needed healthcare services under CHIP.

There are bipartisan discussions going on right now. I have spoken to colleagues on both sides of the aisle this afternoon and this evening. I think those discussions have been productive. Let's hope they are successful. Let's hope we can resolve this tonight. Let's hope we can have a vote to give the American people the certainty and predictability they are looking for. Let's reopen government, and let's get back to work.

I hope all of my colleagues will join me in doing that tonight.

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

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

MR. THUNE. Mr. President, I hope that later this evening we will be able to have a vote that would allow us to open the government back up and commence negotiations on immigration and a whole range of other issues that are currently of concern to Members here and, I think, of concern, fairly, to the American people. So I hope we will have the 60 votes that are necessary to do that when we have that vote later today.

In fact, what we will be voting on later today has been modified from what was originally sent over from the House, which was a 4-week continuing resolution. This, I believe, will be a 3-week continuing resolution, modified at the request of some Democrats here in the Senate. I hope we can get the government up and functioning again. It is really important, in my view, that we do that.

There has been a lot of discussion throughout the course of the afternoon here on the floor and in the previous days leading up to this about who is to blame and all that sort of thing. I don't

think the American people, frankly, care much. They just want to see their elected officials work together to get results.

The one thing I will point out—because a number of my colleagues here on the Democratic side have spoken earlier today and consistently said that this is President Trump's fault somehow—is that the President of the United States doesn't appropriate a single dime. That is not his authority under the Constitution. That is the authority of the Congress. That is our article I power. Congress has the ability to appropriate funds. The President of the United States—let me repeat—cannot appropriate a single dime. So the idea that this is somehow the President's fault is completely missing the point and is simply an attempt to try and dodge responsibility.

I would also point out, as many of our colleagues have come down here today and tried to blame the President and tried to blame Republicans, or whatever, that I think the American people get this, and it seems like the news media seems to get it. These are headlines.

This is from the Associated Press: "Senate Democrats derail bill to avert shutdown."

New York Times: Senate Democrats blocked passage of a stopgap spending bill to keep the government open.

Bloomberg: Senate Democrats block GOP funding plan as shutdown kicks in.

Those are just a few of the coverages of this by the media.

The point I would make is that I think it is not being lost on people outside this Chamber what is happening here. This is purely an attempt to hijack the Senate over a debate on an issue which, frankly, doesn't have an urgent deadline. There is nothing that says we have to have the issue of DACA solved tomorrow, or even the day after that. There is a deadline in March, and there were good-faith negotiations under way between Republicans and Democrats in the House and in the Senate to resolve that issue, and it is an issue which, frankly, needs to be resolved. There is great sympathy on both sides of the aisle here in the Senate for how to deal with those young people who were brought into this country illegally, through no fault of their own—a tremendous amount of sympathy, I would say. The President has said he wants to see that issue resolved, which is why those negotiations and discussions were under way—the House of Representatives and the Senate, Republicans and Democrats. Bicameral, bipartisan negotiations were under way to address that issue.

The other thing that was included in the funding resolution, of course, was an extension—a reauthorization—of the Children's Health Insurance Program, which I think pretty much everybody here supports. There may be some who would vote against that, but I doubt it. I think it enjoys broad bi-

partisan support. It is a 6-year extension. That is something we needed to get done as well. That is included in this funding resolution that the Democrats are objecting to.

Now, one of the reasons for objecting, interestingly enough, as I listened this afternoon, was that it should have been done last year. Yes, OK, so does that mean we can't vote for it now? We have a fix in place. We have a solution in place, a 6-year reauthorization of the CHIP program. I serve on the Senate Finance Committee. When we reported it out, it was 5 years. So it has added an additional year. There is a 6-year reauthorization of CHIP, and all of a sudden now, Democrats say: We can't. I don't know why we are voting on it now; we should have voted on it last year.

When does it become too late in the game to solve a problem that needs to be solved?

I think, notwithstanding their assertions this afternoon on the floor—that somehow that ought to prevent us from moving forward with that legislation or give them an excuse to vote to shut down the government—that that is just beyond me. I find it incredibly hard to believe.

The other thing that was pointed out, which the Democrats have said, is that they have made this about DACA, which I get. It is an issue that they are very passionate about and, as I said before, there is passion on both sides about that issue, and there is a real desire to find a solution. But I am not sure that you are in the best position to find that solution in the middle of a government shutdown.

I want to point out what Senator SCHUMER, the Democratic leader, said back in 2013. This was on a Sunday morning talk show, ABC's "This Week," in the context of the 2013 shutdown. Senator SCHUMER said then:

Basically, it's sort of like this. Someone goes into your house, takes your wife and children hostage and then, says, let's negotiate over the price of your house. You know, we could do the same thing on immigration. We believe strongly in immigration reform. We could say we're shutting down the government, we're not gonna raise the debt ceiling, until you pass immigration reform. . . . It would be governmental chaos.

It was governmental chaos in 2013, according to Senator SCHUMER then, now the Democratic leader—governmental chaos to shut the government down or hold the government hostage and try to get another issue addressed. Interestingly enough—it is almost prescient here—he made that same argument about immigration. He went on to say that there are Democrats here.

We could do the same thing on immigration. We believe strongly in immigration reform.

Of course, at the time that the shutdown happened in 2013, it had to do with ObamaCare, and, in fact, the roles were reversed or flipped in that situation. It was the Republicans, and, frankly, President Obama at the time did a fairly effective job of pointing

out, as I am pointing out right now, that he can't appropriate money. That is the role of the Congress.

But the point is, at that time, the Democratic leader thought it would create governmental chaos to shut the government down, and it should not be done to try to solve some other unrelated issue. Yet here we are, 2 days into a government shutdown that could have been totally avoided. We had a vote a couple of nights ago—a bipartisan vote, I might add—to keep the government open.

So what do we have so far? The House of Representatives has sent a resolution to fund the government, to keep the government open, and to give us some additional time now to resolve some of these outstanding issues, including the DACA issue. The President of the United States has expressed support for that funding resolution to keep the government open. He has made it very clear that he wants the government to stay open. He has also made it very clear that he wants a solution on DACA and is willing to engage in conversations and discussions about how to resolve that issue.

Then, we had a vote in the Senate, which was bipartisan—a bipartisan majority in the Senate. Five Democrats joined Republicans here in the Senate on a resolution to keep the government open and functioning, and to keep it from shutting down.

So we have bipartisan support in the Senate for that—majority support—and the House of Representatives and the President are all on record. The only thing right now preventing us from opening up the government and getting back to where we were, discussing and debating those issues, and to extending health insurance coverage to 9 million children in this country—the only thing standing in the way of that—is the Senate Democrats.

So I am hopeful that this evening, when the time comes to vote, we will have a sufficient number of Democrats here in the Senate who will join with Republicans. We had a bipartisan majority, as I said, Friday night on the vote, but we didn't have the 60-vote threshold necessary to keep the government from shutting down. Now it is going to take 60 votes to open it back up. I am hoping there will be Democrats who will find their way to see that this does create, as Senator SCHUMER described, governmental chaos—a situation in which it is very difficult for people to see clearly and to have a fair, reasonable, thoughtful discussion about how to solve big issues like DACA—a discussion, which, as I pointed out, is already under way.

It is pretty clear what is going on here. The media understands it. The American people, I think, understand it. And attempts by our colleagues on the other side to obfuscate it or try to dodge it or try to run away from it or deflect it or create some other shiny object for people to look at just aren't going to work. It is clear. It is a matter

of record. It is a vote. We had the vote once on Friday. We will have another vote tonight, another opportunity for Senate Democrats to go on the record and say: We aren't going to shut this government down; we are not going to keep this government shut down, and we are going to move forward in a reasonable way to deal with the issues that we think need to be dealt with on behalf of the American people—not in the middle of a crisis mode or, as described by Senator SCHUMER, in the middle of governmental chaos.

Let's get on with that. Let's have the vote, and let's hope that we have a bipartisan 60-vote threshold that will allow us to get this government back open and get these discussions and negotiations back on track.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, here we are on a Sunday evening with the government technically already shut down, a year basically after President Trump said: What we need is "a good shutdown." I didn't say that. My colleagues in the Democratic caucus didn't say that. President Trump said that: What we need is "a good shutdown."

So a year later, I would just simply say that Republicans, who control the House of Representatives and the Senate, listened to President Trump and they gave him a shutdown because of their unwillingness to compromise. Now, there is no such thing as a good shutdown. I think we universally recognize that.

I know that my colleague who just spoke before me suggested that it is not the President who appropriates. That is true. He is very right, but what is true is that it is the President who has to sign something. While he doesn't tell you what he is for, it is very difficult to figure out what you are going to send him that he will sign. That is why I have heard the majority leader in some interviews say: Well, when we know what President Trump is for, speaking about one topic, then we will figure out what we can send him.

That is part of the problem. The President is intimately involved in this process, and to suggest that he isn't goes against even his own views.

How many short-term extensions—that is what we are talking about here. People at home may hear "continuing resolution." That is basically a short-term extension of what Republicans ask for before they sit down and do the homework that is necessary—the hard work, the tough decisions. This is government on life support, lurching from one short-term continuation of money to another short-term continuation of money, to another short-term continuation of money.

When I hear my colleagues speak, I guess they miss the fact that not one, not two, not three, but four Republican Senators also voted not to continue the

short-term funding resolutions because they understand that we need to get the hard work of the Nation done. Four Republican Senators joined with the Democrats to say enough is enough.

It is a bipartisan view that enough is enough. Let's remember how we got here. If you understand how we got here, then maybe you can figure out how we move forward. Funding for the Federal Government lapsed at the end of last September. By October 1, we should have had this in place. But instead of performing their basic responsibility to govern, my Republican colleagues spent the fall of 2017 gorging on tax cuts for the wealthy. That is right. The Republican majority in both Houses of Congress spent October, November, and December on a joyride of pure ecstasy, showering giant corporations with trillion-dollar tax cuts, lowering rates for wealthy CEOs, and saddling working families with permanent tax increases.

Now Republicans are finally coming down off their high and realizing they forgot to do the hard work of governing, of having the appropriations for the government on a long-term basis. But governing requires making tough decisions. It requires long-term planning. It requires making compromises in service of the greater good. But instead of charting a real course forward, for our military, for our veterans, for our health centers, for our disaster-stricken communities—I believe, when we say "This is the United States of America," that I vote for funding for States and communities far outside of New Jersey because we are all in this together. Yet that hasn't been done. Yes, for Dreamers as well.

What they keep asking for is a short-term extension after a short-term extension. Any school district, any city, any agency or business in America would run itself into ruin if it effectively tried 2-, 3-, or 4-week increments.

This is not the first continuing resolution to keep the government open. It is not the second one. I voted for the first two because I said: Well, you know, let's give them some time.

It is not the third one. We are looking at the fourth one. They have the gall to accuse Democrats—who don't control the House, don't control the Senate, don't control the White House—of shutting down the government. I have been in Congress a long time now, and only in Washington, when one party has control of both Chambers and the President of the United States and they fail to do their jobs, can you suggest that it is the minority party that is responsible. It boggles the imagination.

Yes, there is a 60-vote requirement here. But if you know you don't have the 60 votes, including the four Republican Senators who voted with many of us who want to have a full funding of the government, then you come and you negotiate so that we can get to a point where we can have that full fund-

ing. But, no, you just want to stick on the floor whatever you want and jam it, and then say: You either vote for this or you are going to be responsible for closing down the government.

That is not democracy. The last time I checked, this is not Cuba; it is the United States of America. The American people aren't stupid. They know it is no coincidence that the Federal Government has shut down after they spent a year watching in horror as this undisciplined, dysfunctional White House tarnishes the image of the United States globally. They know, as Harry Truman once said, that the buck stops with the President.

They know that the buck stops with President Trump today. As a matter of fact, it was President Trump, as a private citizen, when he was commenting about the last time the government had this challenge, who said that it was President Obama who was responsible, that he was the leader and should have brought everyone into the Oval Office, sat them down, and worked it out. Well, where is he? He has been hiding. He certainly hasn't called everyone in to work it out.

Now, in the face of this entirely predictable situation, the majority is presenting us with another short-term sham of kicking the ball down the road, so they can kick the can even further down the road and refuse to make a real commitment to America's military, America's health centers, America's disaster-stricken communities, America's children, and, yes, America's Dreamers.

I can't believe that they would accuse Democrats of playing politics with healthcare for 9 million children, when back in September—September of last year—the Senate Finance Committee passed unanimously my bipartisan bill, with Chairman HATCH and Ranking Member BROWN, to fully fund the Children's Health Insurance Program for 5 years. There are those of us who wanted a much longer extension. There are clear studies which say that if we reauthorize the Children's Health Insurance Program for a decade, we could save tens of millions of dollars in doing so. But we went for the 5 years.

The Children's Health Insurance Program—that is exactly what CHIP is all about. It is "Children's Health Insurance Program," which doesn't stand for a bargaining chip. But that is exactly what Republicans have used it for, ever since its funding lapsed last September. We could have had CHIP passed last September. But, no, they were too busy doing tax cuts—no budget, no appropriations, no children's health insurance.

Do my colleagues in the majority realize how transparent they have made their motives? They didn't want to give the Children's Health Insurance Program an up-or-down vote on the floor because they wanted to save it as a bargaining chip to get Democratic votes for another short-term sham.

Keep in mind, this short-term continuing resolution neglects other major

priorities, like disaster relief for Puerto Rico, Florida, Texas, and California. I keep hearing Leader MCCONNELL talk about reopening the government to serve all Americans, but this short-term CR doesn't do squat for the 3½ million American citizens living in Puerto Rico who are crying out for help. None of us would have accepted what they are in the midst of. Many still are without lights, still without electricity months after.

Nor does this short-term sham provide any long-term certainty for the Pentagon—for the Nation's defense—which needs to be able to commit to contracts and purchase the equipment our men and women in uniform depend on to protect this country from those who would do us harm. Our military leaders agree, we cannot protect the Nation on a week-to-week or month-to-month basis. It is insane.

Let's reopen the government right now with a short-term continuing resolution that keeps everyone here in Washington—the President, the leadership, both parties of both Houses, and Members to get the job done—so we can actually do our jobs and hash out a plan to keep our Armed Forces fully funded and prepare for today's challenges.

In fact, it was Dana White, the spokesperson for the U.S. Department of Defense, who recently called these short-term CRs "wasteful and destructive." She went on to say: "We need a fully-funded FY18 budget or face ramifications on our military." That is the chief spokesperson for the Secretary of Defense.

I think it is worth pointing out that I voted against the ridiculous sequestration that Republicans forced upon President Obama in 2011, after threatening to default on the full faith and credit of the United States, which has us in this predicament. The predicament that I constantly hear about our defense budget being under this sword, this limitation, was created by something Republicans pushed—to sequester funds from going beyond a certain cap. I voted against that because I knew that arbitrary caps on government spending and military readiness would not do justice to this country or the priorities of the American people. Yet some of my Republican colleagues are demanding a repeal of sequestration only for our defense agencies.

I am all in for a strong national defense but not at the expense of what makes this Nation worthy of fighting for and dying for—like the lifesaving research underway at the National Institutes of Health, which is seeking groundbreaking discoveries to cure the diseases that many of our families face, the Alzheimer's that took my mother's life, the Parkinson's of my neighbor, the challenges of cancer that so many of our families have, the protection provided by the Centers for Disease Control and Prevention, the education funding we provide to public schools throughout the country, the beautiful

national parks that are the envy of the world and the national treasure of the United States. Congress has a responsibility to make smart investments in our people and our communities, like funding for our community health centers that so many hard-working people across the country depend on for access to care.

I know that some of my far-right Republican colleagues are offended by the mere concept of publicly funded community centers. They don't see the critical value of these health centers offered to our communities. These are places where doctors and health providers serve every patient who walks through the door, regardless of whether they have private insurance, Medicare, Medicaid, or no coverage at all—all takers, providing quality healthcare. That doesn't change the reality that our communities depend on these health centers, and, therefore, they depend on us to provide the funding. That is not in this CR.

I would also like to remind my Republican colleagues and President Trump to own up to the rotten reality that they are all talk and no action on the opioid crisis that has claimed the lives of thousands of Americans in recent years. They want to gut Medicaid, and they have even—some, not all—but some have even gone so far as to blame Medicaid—blame Medicaid—for the opioid crisis, as if that makes any sense.

I invite my Republican colleagues to come home to New Jersey with me and meet some of the Americans who credit Medicaid with getting their lives back on track and addiction-free. Again, whether we are talking about community health centers or the opioid crisis or the pensions of our workers—people who have worked a lifetime, worked really hard, and through no actions of their own, find their pensions in jeopardy after having worked a lifetime—this doesn't do anything to help them in that regard. That is one of the reasons we want a full funding of the government, to meet that challenge, as well.

Instead of dealing with the challenges that face Americans in their lives every day, whether they are wondering about the state of their pensions while trying to pay for their kids' soaring tuition bills, struggling to make ends meet with staggering paychecks that have barely budged in decades, helping ailing parents who need long-term care, caring for their young children when their employers provide no family leave—I can go on and on, but the bottom line is, none of these challenges get any attention from my Republican colleagues here in the House and the Senate, in terms of this budget.

They spent the first half of 2017—last year—in a relentless effort to strip millions of Americans of their healthcare coverage. It was relentless. Then, when the American people spoke out and beat back Republican efforts to repeal

the Affordable Care Act, they gave up, and they set their sights on corporate tax cuts. They let funding for the Federal Government lapse in September and decided not to do anything about it. They had bigger fish to fry in their borrowing trillions from China and padding the pockets of a bunch of corporate fat cats. That is where they spent their time and energy—tax cuts for the wealthiest 1 percent.

Guess what President Trump's strategy is to distract the American people from his party's failure to govern. It is by fanning the flames of fear and bigotry.

I was incredibly disappointed to see the ad released by the President's reelection campaign yesterday that accused the Democrats of sympathizing with violent criminals, but I cannot say I am surprised. The fact is, whenever President Trump's own failures of leadership reflect negatively on him, he responds in the same way—with more racism, more xenophobia, more White nationalism.

I am not here to politicize the grief victims of violent crimes and their families have endured. We shouldn't let ourselves fall into the same traps of fear and division he seeks to set. Instead of that, we should be having an honest and bipartisan conversation about how we protect the 800,000 Dreamers who are lawfully living across this Nation.

Let's remember who created this crisis. It was President Trump who shut down DACA for no reason other than for political retribution. It is up to Congress to fix the problem, but Republicans didn't let us fix it in October or November or December of last year. Now it is nearly February, and DACA ends on March 4. When I hear Leader MCCONNELL say there is no rush, no urgency—that it doesn't expire until March 4—tell that to the 16,000 young people who have lost their status already. Tell that to the 122 Dreamers who lose their status each and every day. Tell that to the thousands of American children who are now living with the fear that their parents will be taken away. That is right. Nearly 25 percent of DACA recipients have started families of their own.

Is this the party of family values that refuses to take action to keep families together? That is what I thought was their core element—keeping families together.

We presented the President with a real bipartisan compromise that protected the 800,000 Dreamers from deportation, embraced the call for more merit-based immigration, and gave billions of dollars to the President's border security priorities. They are hard choices. I didn't like some of them, but I agreed to them. It was what the President asked for.

Yet how can we strike a deal with someone who will not take yes for an answer, who continues to betray his own instincts in order to satisfy the most far-right elements of his party?

How are we supposed to believe the Republicans who say they want to do right by America's Dreamers when, with every chance they have to do something about it, they don't?

Likewise, how are we supposed to believe they are going to start treating their responsibility to govern seriously when they cannot keep the government's lights on for more than a couple of weeks at a time?

The Republicans keep asking for short-term extensions when they have had months to chart a real course forward for our domestic and defense spending priorities. The majority has spent all of its time trying to strip healthcare away, then saddling our grandchildren with debt and padding the pockets of the rich and powerful.

Make no mistake, the Democrats are willing to work across the aisle. I have on many occasions—on foreign policy; on the children's health insurance, which is legislation that passed the Finance Committee and had seven Republicans on it; and on many other things, including immigration. I was part of the Gang of 8—four Republicans, four Democrats. I was part of the Gang of 6—three Republicans, three Democrats. We are ready to help our colleagues in the Republican majority finally answer the hard questions and come up with solutions that fully fund the U.S. Government.

What we don't want is yet another month in which the Congress perpetuates the mindless sequestration caps that hamper our military readiness and our long-term success. We don't want yet another month in which we fail to deliver relief to our communities that are struggling with addiction amidst the opioid crisis. We don't want another month of kicking the can down the road on disaster relief that Americans in California, in Florida, in Texas, and Puerto Rico deserve so desperately. We don't want another month without long-term commitments to our men and women in uniform, our veterans, our health centers, our workers, our children.

Simply put, we don't want the Trump shutdown. Let's reopen the government with a short CR that keeps everyone at the negotiating table in Washington working on a long-term bill that reflects the priorities of the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, as we all know, our government is now in its second full day of a shutdown. Public opinion is swinging against what is happening. As that occurs, it has been interesting to me to see that the talking points have changed on the part of the congressional Democrats. We have just seen an example of that on the Senate floor. Let's first look at a few uncontested facts.

Our government has been operating since September 30 of last year under a series of continuing resolutions—CRs.

In other words, Congress has passed a series of temporary funding bills instead of enacting appropriations for the full fiscal year. This is not an ideal practice—and there is plenty of blame to go around—but it is generally considered better than allowing funding to lapse and the government to shut down.

We have heard about generals and Pentagon officials decrying the practice of continuing resolutions. I can assure my colleagues that generals and defense officials like government shut-downs far less than temporary spending bills. So let's not say we are taking the advice of our military leaders in shutting down the government.

The last CR was adopted to run until midnight of January 19, this past Friday night. That was the date on which our Democratic colleagues decided not to extend temporary funding for the entire Federal Government for 1 more month. The specific reason the Democratic leadership gave for not agreeing to another CR was DACA—Deferred Action for Childhood Arrivals—a program designed to protect those young immigrants who were brought to America illegally through no fault of their own.

President Obama implemented this program through Executive order. President Trump, in believing it was better to handle this issue through legislation, decided to end the program in March of this year. In ending the DACA Executive order, President Trump has called on Congress to formulate a legislative, statutory fix for DACA recipients. We should bear in mind that Republicans and Democrats have been working on a DACA solution and will continue to do so.

There are other important immigration issues that I believe should be attached to the DACA issue, including the funding of a border wall and the replacement of chain migration. Chain migration, as we know, is the practice of allowing immigration lottery persons to bring in a host of relatives to the United States. The good news in this regard is negotiators have until March to reach a deal on DACA.

It is also a fact that this government shutdown is happening because an overwhelming majority of Senate Democrats voted no on a cloture motion to bring a new funding bill to a vote. Now, cloture votes take 60 votes, and my Democratic friends can say until they are blue in the face that the Republicans are in charge of the entire government—in charge of the Senate, in charge of the House, and in charge of the Presidency—but that does not take away from the fact that it takes bipartisan support to end a filibuster. It takes 60 votes. It takes Democrats and Republicans in the Senate to move to cloture on a new funding bill, and it is simply a fact that a majority of Democrats voted no. That is why we are in a shutdown.

Another undisputed fact is, the most recent CR would have run until mid-February and that the DACA Pro-

gram—this program for childhood arrivals—is not set to expire until March. How does it make any sense to shut down the government over a program that will last longer than the temporary funding bill? It doesn't. Yet that is exactly what our Democratic friends decided to do—shut down the government on an immigration issue.

Here is the front page of Friday's New York Times, which is not exactly known as a great friend to the Republican Party. It reads: "Senate Showdown Looms As Spending Bill Advances." This was the morning before the evening when our Democratic friends refused to fund the government. "House approves a stopgap measure while Democrats dig in on immigration." According to the New York Times, it was an immigration issue that caused the Democrats to dig in.

The Washington Post reported the same: "Shutdown looms despite House action." The subhead read that the Democrats tie Dreamers—another way to say the DACA recipients—to the passage of a budget deal. Again, that is the headline by not exactly the strongest Republican paper in the country—the Washington Post.

I find it interesting to hear the Democrats now talking about other reasons for their votes to shut down the Federal Government, reasons that are unrelated to the immigration issue, which was their real reason. We have seen it on the Senate floor tonight. We saw it yesterday on the Senate floor—a colloquy of distinguished Democratic Senators who talked extensively about the S-CHIP program for children's health as having somehow been inadequately treated in the CR they helped to defeat.

My colleague from South Dakota pointed out just a few moments ago that, in fact, the continuing resolution provided for a 6-year extension of the S-CHIP program for these 9 million Americans. Yet somehow that became a reason, and it was a reason listed by my good friend from New Jersey just a moment ago.

I tuned in to hear the House proceedings yesterday and heard the Democrats going on at length about community health centers all of a sudden and then about flood and hurricane relief. We heard on the floor tonight that a good reason to vote against the CR was that we have just done it too many times. Three times is OK, but four times is just too many. Of course, they proposed yet another fourth CR, but it was only a CR they had preferred to vote for. We hear them talk about tax cuts for the wealthy, the National Institutes of Health, and opioids. This Congress has done marvelous work on this pressing opioid problem. Medicaid has been mentioned. Medicaid is a mandatory program. It has nothing whatsoever to do with the year-to-year appropriations bills.

We have just heard every reason in the world other than the reason the national press has pointed out, which is

that this is an immigration dispute that doesn't even ripen until March, but our friends have refused to give us 60 votes to bring that to a close. I wonder why that is.

Could it be our Democratic friends are beginning to realize that shutting down the government over an immigration dispute is not turning out to be a winner for them?

It may be they have read the most recent CNN poll. That poll showed 56 percent of Americans saying that approving a budget to avoid a shutdown is more important than continuing the DACA Program. Let me repeat that: 56 percent of Americans said to approve a budget and avoid a shutdown. Only 34 percent chose DACA over a shutdown. Maybe that poll and other indications of public disapproval have caused those who voted for the shutdown to modify their reasons. I hope it causes 60 of us later on tonight to say yes to a solution that will get the government back open.

I say to my Democratic colleagues, it might have been nice or even desirable to include a DACA bill in the most recent CR proposal, but there is still at least a month and a half to resolve that issue. We have time to tend to the DACA issue, and we don't need to shut down the government over that issue.

What the people cannot understand is how it makes sense to force a shutdown over an issue that is completely unrelated to the temporary spending bill. My Democratic friends now seem to be searching for a figleaf of a solution so they can relent and allow the Federal Government to reopen and to function. I hope they find that reason. Maybe a 3-week CR is that vehicle.

If a solution is agreed to, it will take about that long to actually write the legislation, but something needs to give, and it needs to give tonight. The American people need this shutdown to end, our adversaries around the world need to see we can get our act together, and our military, our security personnel, and all of our public servants deserve the right to get back to the jobs they have signed on to do.

I thank the Presiding Officer.

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

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

UNANIMOUS CONSENT REQUEST—H.R. 1301

Mr. MURPHY. Mr. President, there are a lot of Americans who don't understand what is happening right now. Republicans asked for control of the U.S. Senate, they asked for control of the House of Representatives, and they asked for control of the White House. They got all three. They promised that by doing so, they would be able to more

effectively manage the affairs of state, and that is clearly not happening right now. There is a fundamental inability to govern, as we are now shut down for the second day.

Tomorrow is an important day because many of the functions that the people expect from the Federal Government will not be there on Monday morning, despite the fact that we have made some progress—first, on Friday night on this floor, and subsequent to that, in private discussions today—in order to reach an agreement that Republicans and Democrats can support.

So I am here with several of my colleagues to make some fairly simple requests of the U.S. Senate. It seems that if we were really adults, if we were really going to operate like grownups and we were going to be truly responsible stewards of the Federal Government, then we should be able to keep the government open for a very short period of time while we negotiate a way out of this.

As many folks know, we on the Democratic side, as well as some of our Republican colleagues, don't think it is wise to do another month-long continuing resolution, but why don't we just agree to keep the government open tomorrow? Why don't we all just get together and say that on Monday, people will be able to access the Federal Government, and we can hopefully get to an agreement on a budget that is permanent, that is long term, and that gives certainty to everybody who receives something from or gives something to the Federal Government, by the end of the day tomorrow? I think we can do that.

I am going to make a few more remarks, but before I do, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, H.R. 1301; that the amendment at the desk that would provide for a continuing resolution to fund the government through Monday, January 22, 2018, be considered and agreed to; that the bill, as amended, 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. TILLIS. Mr. President, I reserve the right to object.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, like the Senator from Connecticut, I don't understand why we are here this weekend myself. I don't understand why a continuing resolution—all the provisions in it have the broad support of both sides of the aisle—has actually gotten us to a point where we are putting so many people in jeopardy of not getting the critical services they need. I don't understand that at all.

I think a simple request of extending the government for 4 weeks and allowing the CHIP program to be authorized for 6 years makes a lot of sense while

we work through the issues we have on the DACA challenge. It is something that I personally invested in. It is something that I am really working very hard to come up with a solution to. But instead of spending time on providing a solution to that problem, we are playing these sorts of games, and now we are talking about funding the government for 24 hours. That is not the way to actually conduct the business of the U.S. Senate. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

Mr. MURPHY. Mr. President, let me make a few remarks. I am sorry that the Senator decided to object to this unanimous consent request which would simply keep the government open and operating for 24 hours so we can try to come to an agreement.

Let me address the central point the Senator just made because I have heard it repeated by many Members of the Republican leadership and other Members of the Republican Senate conference.

This idea that there is no controversy because Democrats agree to everything that is in the underlying continuing resolution is not true. It is not true. We have now passed three different continuing resolutions to just kick the can forward time and time again.

As we were considering this continuing resolution on Friday night, the Department of Defense made an unprecedented decision to contradict the views of the Commander in Chief by stating that they didn't want another continuing resolution because without real, long-term certainty for Department of Defense funding, we, the Members of the U.S. Congress, are putting our national security at risk.

So the Democrats do not agree with everything in the underlying continuing resolution because we don't think that it is—

Mr. TILLIS addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut has the floor.

Mr. MURPHY. We don't believe that it is right for this government to continue to kick the can down the road.

I will just say personally that there are other things in that continuing resolution that I object to as well. It is not just a straightforward continuing resolution. It includes the repeal of revenue that comes into the Federal Government to pay for the Affordable Care Act. So it is not a straightforward continuing resolution. There are other parts of that bill. One of them is a further attempt by the Republican majority to gut the Affordable Care Act and the money that is used to pay for it. There are other provisions in that bill—intelligence provisions, counterterrorism provisions—that many Members of the Senate have objections to as well. So it is simply not true to say that there is unanimous agreement about all of the provisions of the continuing resolution.

Further, this idea that no negotiation happens between the Republicans and Democrats and that Democrats are expected to vote for a large, expensive piece of legislation with no input makes no sense either. I understand you have to get 60 votes in order to pass it, but how the Senate works is that in order to get to 60 votes, there has to be a discussion between Republicans and Democrats. If I walked into a restaurant and the waiter brought me a meal that I didn't order and then told me that I had an obligation to pay for it, I might raise some objections because that is not how restaurants work. That is also not how the Senate works. The Republicans can't unilaterally write a piece of legislation and tell Democrats that they have to support it, especially when there are provisions in it that many of us do not support.

I am sorry that we can't come to a simple agreement to keep this government open on Monday so that we have the time and the space to put the pieces of a long-term agreement together, which I think is easier than many people think, while our constituents still have access to the services of this government.

I am sorry that we can't agree to this unanimous consent request. I hope we continue to work through the night and all through tomorrow to make sure we have a long-term budget agreement that makes sure that kids get their healthcare, that the community health centers stay open, and that the military gets the funding they need. I think we can get there.

The PRESIDING OFFICER. The Senator from Ohio.

UNANIMOUS CONSENT REQUEST—H.R. 1301

Mr. BROWN. Mr. President, Senator MURPHY is right. It is not just what is in the resolution that concerns a number of us, including funding for the Affordable Care Act. We remember debates here in this body—there are a whole lot of Members of Congress, who have insurance paid for by taxpayers, who are willing—by cuts in Medicaid and other repeals as far as the Affordable Care Act—who are willing to take insurance away from so many of our constituents. Constituents who make \$8, \$10, and \$12 an hour aren't lucky enough to have the health insurance we have, but we have provided for it through this bill. I am a Democrat, and I stood for months with my Republican Governor, John Kasich, in fighting for that.

As a number of people have pointed out, there is not what there ought to be for community health centers in this bill. I know that in North Carolina, as in my State, there are a number of rural hospitals. We have had two major hospitals announce their closure—one in Massillon and one in Dayton. The one in Massillon is a hospital that serves a town of slightly under 40,000 people. The closest hospital is 15, 20, 25 minutes away for emergency care in Canton. The hospital in the middle of Dayton has announced its closure,

partly because of what this body has done—the unevenness and the attacks on health insurance, what was in the tax reform law and what that will mean for insurance prices. We know it has made our healthcare system less stable. And we know how this bill has been written.

Down the hall about 100 feet, is the office of Senator MCCONNELL, the majority leader. The Affordable Care Act repeal was written in that office, behind closed doors, by insurance companies and Wall Street lobbyists. The tax reform bill, where 80 percent of the tax cuts went to the richest 1 percent of the people—that was written in Senator MCCONNELL's office by a bunch of Wall Street and tax lawyers. Now this resolution to “keep the government open” again was written down the hall in Senator MCCONNELL's office. There was no input from Democrats. There are 49 Democrats in this body. I believe we represent more than half of the population of this country. Yet we were not even included in this discussion.

This is the first time ever where one party controls the White House, the House, the Senate, and the Supreme Court, and yet they have not even included—one, they are not competent enough to run the government. They just do this “limp along one month at a time” resolution. This is the fourth resolution, the fourth temporary budget, the fourth continuing resolution just since September.

Mr. TILLIS. Mr. President, I ask that the Chair read rule XIX.

The PRESIDING OFFICER. For the information of Senators, rule XIX, paragraph 4 states:

If any Senator, in speaking or otherwise, in the opinion of the Presiding Officer transgress the rules of the Senate the Presiding Officer shall, either on his own motion or at the request of any other Senator, call him to order; and when a Senator shall be called to order he shall take his seat, and may not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate. Any Senator directed by the Presiding Officer to take his seat, and any Senator requesting the Presiding Officer to require a Senator to take his seat, may appeal from the ruling of the Chair, which appeal shall be open to debate.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Does that mean that what I said—that Senator MCCONNELL didn't have lobbyists in his office writing legislation, is that what the rule XIX means and what the Presiding Officer is now discussing with the Parliamentarian or that my friend from North Carolina is alleging?

The PRESIDING OFFICER. The Chair is merely reminding all Senators of the rule.

Mr. BROWN. Thank you, Mr. President. I am not impugning anybody's motive. I am just stating what I read in newspapers and what seems to be fact, but I am not impugning motives here.

I would add one other thing before making a motion, Mr. President. I appreciate the reminder from the Senator from North Carolina.

Secretary Mattis, the Secretary of Defense—I don't know if Secretary Mattis is a Democrat or Republican; I don't really care; he obviously was confirmed by the Senate and nominated by this President—came to the caucus and talked to our Democratic meeting and talked to us about the importance of giving us some permanence and predictability in the budget process. For us to continue to limp along one month at a time is not the way we should be governing this country.

The Air Force Under Secretary, Matt Donovan, said: What we are really concerned about is that the further along we go into the fiscal year with these short-term CRs, the more likely a full-year CR becomes. That is not a good thing for any of us. It will have damaging impacts on readiness and modernization.

The former Air Force Secretary, with whom I was having breakfast at the Pentagon a couple of years ago, explained all the costs, all the expenses every time the far rightwing of the tea party—the Republican Party in the House—threatened a government shutdown, every time we get close to it, the Air Force, the military has to spend money—taxpayer dollars—to prepare for what if, in fact, they shut the government down.

We can't run our government, 2 weeks, 3 weeks, 4 weeks at a time, and we don't have to.

My Republican colleague, my friend from Kansas, just joined again the Banking Committee. He said this week that people want to make sure we don't have a shutdown. People who want to resolve differences should know there are other options besides doing another short-term CR.

I was speaking to some people in Dayton today. Dayton is the home of the largest single-site employer in Ohio, the Wright-Patterson Air Force Base. The reason I am cochair of the Air Force Caucus is because of Wright-Patterson, in Springfield, Mansfield, and Youngstown and their Air Force employees in my State.

I don't want people to go to work tomorrow morning—whether they are inside the fence, civilians or military, or whether they work outside the fence, outside the gate—and find out the government is closed.

That is why we have another option. I am asking the Republican leader to reopen the government right now.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, H.R. 1301; that the amendment that would provide for a continuing resolution to fund the government through Wednesday, January 24—3 days—which is at the desk, be considered and agreed to; that the bill, as amended, 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?

The Senator from North Carolina.

Mr. TILLIS. Mr. President, reserving the right to object, I am glad to hear that the Senator from Ohio and the Senator from Connecticut all want to get the government funded. I also think Wright-Patterson is a great military installation.

I actually come from a State that is the home of the Global Response Force, the 82nd Airborne, down in Fort Bragg. When the President calls and they want to send somebody into harm's way, that is where they call first. It is also the home of 45 percent of all marines that serve in the Marine Corps. I worry a lot about the message we are sending our men and women in uniform when we can't get our act together here. Everybody in suits, everybody in the Senate, everybody here tonight is playing games with funding our government.

My colleague just asked for a 1-day CR. That didn't happen. Now you are asking for a 3-day CR. How about this? Why don't we stay here until we get this done? Why don't we realize that, look, the daylight is not going to come until about 8 or 9 hours. We can get this done before 9 o'clock tomorrow morning. Instead of asking for these half measures—a 1-day CR, a 3-day CR—why don't we get in a room tonight and solve our problems? Why are we actually kicking the can down the road a little bit—1 day, 3 days? We were trying to get 1 month done.

For that reason, Mr. President, I object.

Mr. SCHATZ. Regular order, please.

The PRESIDING OFFICER. Objection is heard.

The Senator from Hawaii.

Mr. SCHATZ. Mr. President, will the Senator from North Carolina yield for a question?

Mr. TILLIS. I yield.

Mr. SCHATZ. It sounds like you want to stay here all night and get this done.

Mr. TILLIS. I do.

Mr. SCHATZ. Would you be willing to work on a unanimous consent request to effectuate that?

Mr. TILLIS. Actually, what I want to work on is funding that goes at least for the next 4 weeks and maybe the next year. I want to get to regular order. I actually want to provide certainty to men and women in uniform who are out there fighting in harm's way, and we are sitting here.

Mr. SCHATZ. Regular order, please.

Mr. TILLIS. You have asked me a question, and I want to answer it. I actually want to provide the funding to the military, to the men and women who are working hard to protect this Nation, and that doesn't happen through procedural discussions. It happens through—

Mr. SCHATZ. Mr. President, regular order.

The PRESIDING OFFICER. The Senator from Hawaii has the floor.

Mr. SCHATZ. Mr. President, I thought I heard the Senator from North Carolina suggest that we stay in and get this done tonight. I think we still have a chance to get this done before 1 a.m.

Mr. TILLIS. I do.

Mr. SCHATZ. I still have the floor.

And if we don't get this done by 1 a.m., I personally don't think we should adjourn. I think this should be personally uncomfortable and physically uncomfortable. I think we should be embarrassed by this. I think you make a very good point. I think we should stay in until we get this done.

It is disappointing to me, when I hear all of that. Yet when I ask you if you would be willing to work on a unanimous consent request to effectuate what you have just said, the answer is no.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I agree with the senior Senator from Hawaii. Give us just a day. Go back to the Murphy continuing resolution. You don't need to have 3 days. Give us 1 day so we can reel in the government, so that if we don't finish by 6 or 7 or 8 o'clock tomorrow morning, the government is closed right now. We know that.

I would like to ask Senator TILLIS and the Presiding Officer and the Republican leadership if they would just give us that day or two to negotiate in earnest and fix this. All of us are willing to stay here all night. We stayed the weekend, and we will stay as long as we need to because I don't want the public to see "closed" signs on all of these government offices. I don't want to see Federal employees show up to work and be turned away. I don't want to see workers inside and outside the gate at Wright-Patterson Air Force Base find out that their lives have changed.

We can fix that by asking unanimous consent to open up the government now and give us a few days to do this.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, just to cool down the temperature, why don't we actually get back to what we tried to accomplish just a couple of days ago—a 4-week CR that funded our military, that funded our veterans, that funded CHIP for 6 years—and then get on to all the other things that we want to do.

I, for one, have a lot of passion for coming up with a solution for the DACA population. It is not going to happen tomorrow or the day after tomorrow, but I believe it is going to happen.

What I prefer to do is actually to get on to funding the government and then to get on to all of these other matters that are critically important to all of us.

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS CONSENT REQUEST—H.R. 1301

Mr. BOOKER. Mr. President, I think we have just witnessed here what the problem is. This should not be a situation where Americans are being hurt, and right now Americans are being hurt. We have heard it from the Senator from North Carolina. We have heard it from my colleagues from Connecticut, from Ohio, and from Hawaii. We all agree that Americans right now are getting hurt. We don't have to do that, but we have just heard one Senator—and I imagine other Republicans agree—reject a simple idea.

Let's not hurt folks. Let's stay here for 3 days and just extend the U.S. Senate. We can stay in our seats and get this work done and work something out. It is an easy way to go forward, and nobody gets hurt. That was objected to.

We said 1 day, a 24-hour period. Let's do 1 day. That was rejected.

The Senator from North Carolina made a suggestion that maybe we stand up straight. I love that suggestion. He suggested that we stay through the night instead of having people stressed and worried and some people missing work and missing paychecks. Let's stay here all night. Let's make everybody feel uncomfortable. I would work on that unanimous consent as well. But it seems the Senator from North Carolina has rejected his own idea.

This is what I don't understand, because I agree with the Senator from North Carolina, who keeps commenting about the military, when the military itself—the Secretary of DOD, through the spokesperson—has said a 4-week CR, if I remember the quote exactly, would be wasteful and disastrous. So military leaders are saying what we are doing is wrong.

Let's not kick the ball down the road for four weeks and instead stop hurting people and get the work of the Senate done. I am willing to stay here all night. It is not like the Senator from North Carolina is not willing to stay here all night.

So we stand together today to say: Let's minimize the damage of this. Let's do what we can to not hurt people.

That brings up the unanimous consent that I would like to propound. If 3 days is rejected, if 1 day is rejected, if just staying here through tonight and working on this as a Senate, facing discomfort, facing exhaustion is worth it, then let's take some of the worried people in the U.S. off the table.

That is why I have an amendment to permanently extend the Children's Health Insurance Program and provide funding for community health centers. The reason why I say this is because, somehow, our children—the most vulnerable children in our country—have been pushed into a political debate, which is a political debate because nobody denies that they are in favor of providing healthcare for our children.

This program expired 112 days ago. For those of you who think that this is

going to cost us money to provide health insurance for children, it doesn't cost any money. The CBO actually said it saves the government money. Why? Because it is something that every one of the 100 of us knows—that when you protect children, neonatal children, babies, when you give them healthcare, you actually save long-term healthcare costs.

So here is something that would provide millions and millions of dollars of savings and take vulnerable children and States who are worried about providing for those children and that anxiety out of this political debate. If we can't do something for our most vulnerable children, I don't know what that says about our body. This is a moral moment. It was 112 days ago that this bill expired and, somehow, suddenly, that has been put into a 4-week CR at a time of a political debate. It seems to me that we are trying to use our children as a political pawns.

There are so many kids that are being affected by this—9 million nationwide, 159,000 kids in New Jersey, about 47,000 in Hawaii, and about 197,000 in Ohio.

I believe this is something that is just common sense. It should be a matter of just conscience.

So I would like to make sure that the children in this political fight are not hurt. I would like to make sure that our community health centers in both rural spaces and urban spaces, all over our country—our community health centers that serve 25 million people nationwide, 300,000 veterans—are not hurt. We are concerned about the military, and we should also be concerned about our veterans, and 7.5 million children in our community health centers.

Let me say again that America's community health centers serve 7.5 million children. Let's fund them both, move them off the table, not inject them into a political debate to be used as pawns for leverage to do something that the U.S. military and the Department of Defense has criticized—what we are doing right now, what the proposal is, four weeks.

So I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, H.R. 1301; that the Stabenow-Casey-Brown amendment at the desk, providing for permanent extension of the Children's Health Insurance Program, a 5-year extension of the community health centers program, and extensions of other expired Medicaid, Medicare, and health extenders, be considered and agreed to; that the bill, as amended, 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 (Mr. ROUNDS). Is there objection?

The Senator from North Carolina.

Mr. TILLIS. Mr. President, reserving the right to object.

I agree with the Senator from New Jersey, we want to fund the CHIP program, which is exactly why we voted to try to extend it for 6 years just a couple of days ago. The Senator voted against it. I agree with him that the States are beginning to run out of money, and we need to come up with a reauthorization soon, but this looks more like a way to atone for a bad vote that was just made a couple of days ago on the part of people on the floor today. What we need to do is go back and fund the government.

I also care about the veterans who would have been covered by the continuing resolution the Senator from New Jersey voted against. I care about the military and military families who are affected by the CR.

I think, instead of doing these sorts of measures that give some level of cover or comfort to those who voted against these same things just a couple days ago, why don't we get back on funding the government, opening it back up, making the right decision, and resolving our differences but, at the end of the day, not through these half measures.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. BROWN. Mr. President, I have heard my colleagues talk about CHIP and take credit for CHIP and it is so great what they did. Of course, I am glad they now are actually for it, but I have worked on CHIP for a long time, for more than a decade. I am on the Finance Committee—I think the only one in this room right now who is on the committee that worked on this. We have been asking—CHIP expired September 30. Early September, we asked Chairman HATCH to move on CHIP. October, November, December, in the middle of the tax bill, we asked Chairman HATCH to move on CHIP. Finally, he did. It was a bipartisan vote. I will give both parties credit. The other Senator from Ohio, Mr. PORTMAN, voted for it. Only Senator TOOMEY opposed it in the whole committee, but then it sat there. It hasn't had a floor vote.

So it expired September 30. We went October, didn't do anything; November, didn't do anything; December, didn't do anything. Now, January 21, more than a year after President Trump was inaugurated, they seem to want to do something on CHIP. I appreciate that they do. Don't get me wrong. I care so much about this.

Mr. BOOKER. Will the Senator yield for a question?

Mr. BROWN. Of course.

Mr. BOOKER. The Republicans control the White House with Donald Trump, they control the Senate, and they have the majority of the House. You have had much more experience than I have. For 112 days, this program serving our children has lapsed—112 days since the month of September, since the program lapsed. States have had to take action. There have been crises. There have been problems.

I simply ask this. In your experience, if the Democrats were in control of this body, would that bill have come to the floor probably before 112 days?

Mr. BROWN. I thank the Senator from New Jersey, who has been a real leader on this issue too. The bill would have come to the floor before the clock started because it would have come to the floor in September, likely, before it even expired.

Think about it. We talk a lot about issues and talk a lot about numbers in this body, but think about this for a moment. You are a parent in the State of Virginia, 10 miles from here, and you are making \$9 an hour and your wife is making \$11 an hour and you qualify for CHIP because neither you nor your spouse has insurance. You qualify for CHIP—209,000 in my State, 100-and-some thousand in Virginia.

Do you know what happened to you in the last month? You got a letter from the State of Virginia probably around Christmas. I am not sure when the letters were sent. You got a letter saying: Sorry, your health insurance is about to expire for your children. Imagine. You go out to the mailbox, you pick up the mail, you tear an envelope open, you open this letter, and you see you are going to lose your health insurance. Why? Because the people in this body, who get government insurance, insurance paid by taxpayers—the 100 privileged Senators, the 435 privileged House Members. We have insurance, but we don't care enough to do this? Again, we had September, October, November, December, January. Now it is in this bill as a political thing instead of really genuinely caring about CHIP.

So say a lot of things on the other side of the aisle, but don't try to tell us they genuinely care about the 209,000 CHIP beneficiaries in my State, the 100-and-some thousand and another couple hundred thousand in Connecticut, New Jersey, and Hawaii because it just ain't so.

The PRESIDING OFFICER. The Senator from Hawaii.

UNANIMOUS CONSENT REQUEST—S. 2274

Mr. SCHATZ. Mr. President, so here is the state of play. There is a group of 19 to 22 U.S. Senators, a bipartisan group that is trying to find a pathway forward. Senators SCHUMER and MCCONNELL had a meeting. We don't know exactly how that went. There are some reasons to be encouraged. I think there are not that many reasons to be overly optimistic, but there is a pathway out of this. We can get out of this mess. I think lots of us understand, a lot of us having served in the legislature or at the executive level, actually at the county level as well. We all understand how insane this is to do four CRs in a row, and we all understand that we work very hard to get to the U.S. Senate. I am looking at all of you and thinking about how difficult everybody's race was just to arrive at the world's greatest deliberative body.

Forgetting, for the moment, someone's calculus about who has a temporary or even long-term partisan advantage in light of this shutdown, we all know shutdowns make this institution weaker, and we all know shutdowns make Senators weaker. We don't fight tooth and nail and go through that awful process—there are some joyful moments in a campaign, but nobody necessarily looks forward to it. It is a tough thing. You don't go through that so you can diminish the body in which you serve, and we are diminished by this process. General Mattis may have put it best when he said no enemy has done more harm to the readiness of the military than the combined impact of spending caps in 9 of the last 10 years operating under a CR.

Nobody wants to do this anymore. We can't do CRs forever, but right now we need one to keep everyone at the table without hurting the American people. That is the purpose of the Brown UC and the Murphy UC, which is to say: Whatever our disagreements are, we have an opportunity, by unanimous consent, to make sure we don't punish the American people for our inability to agree with each other. Why not keep the government open for 24 or 48 or 72 hours?

From my standpoint, looking at my constituents in the State of Hawaii, we have extraordinary National Oceanic and Atmospheric Administration workers; we have an incredible presence of the Department of Defense, civilian DOD employees as well as servicemembers; we have National Park Service people who do extraordinary work. We have lots of government employees, and it is not their fault. It is not their fault.

So I have a very simple unanimous consent request. It is a little different than the others. The others were to try to avoid this cataclysm, but should we be unable to avoid this cataclysm, I think we should keep our government workers whole because they didn't do this to us. We are doing this to them. So my UC request does a very simple thing. It just makes sure that whatever idiocy happens over the next 6 hours or 6 days or 6 weeks, that they are held harmless.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 290, S. 2274, to provide for compensation to Federal employees affected by lapses in appropriations; that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from North Carolina.

Mr. TILLIS. Mr. President, reserving the right to object.

First and foremost, I thank the Federal employees. I thank anybody who works for the Federal Government for all the hard work they do. I also apolo-

gize to them on behalf of the actions of some people in this body who voted not to fund the government just a couple of days ago. I hope we get to a point where we can fund the government and move on and resolve our differences on very important issues, the DACA issue being one that is very personally important to me.

As a practical matter, I think we will take care of the Federal employees because they work hard, and they deserve that. What I will tell you is the effect of these CRs—and something that I will say is one of the reasons why I hate these continuing resolutions. Here is what happens every time a CR is threatened to occur or a shutdown is threatened to occur.

One of the reasons the short-term CRs make no sense to me is because if you did a 1-day CR, then the good news is, everybody would come to work tomorrow, and then tomorrow afternoon, you say: You are probably not going to come back on Tuesday or the 3-day, where you say: The good news is you are going to be here on Wednesday, but the bad news is, we are going to have to furlough you again on Thursday.

At the end of the day, we need to fund the government. We need to fund our military, we need to fund our veterans, we need to extend the CHIP program for 6 years, based on the proposal which was voted down by my colleagues, and my colleague who is offering this particular motion. That is not the way to do it.

I want our leaders to get together, I want our Members to get together, and solve this problem. These are half measures that do not address the root problem. The root problem is getting people together, getting them in a room, and funding the government.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I just want to briefly respond to the Senator from North Carolina.

I actually agree it would be a half measure to open the government for 24 hours; it would be a half measure to pass just CHIP; it would be a half measure to open the government for 72 hours, but the alternative is that we are doing nothing.

Sure, it is a little goofy to keep the government open for 24 hours as we negotiate. It is absolutely goofy. It is embarrassing. It is less embarrassing than actually shutting down the government while we negotiate.

Opening the government for 72 hours, a little strange—not our highest watermark in terms of our legislative prowess. It is pretty embarrassing. What is more embarrassing? Shutting the government down. Passing CHIP after it has expired by consent, awful—not the world's greatest deliberative body's greatest moment. What is worse? Objecting to doing that.

We want to make sure our Federal employees are made whole. I agree

with the Senator from North Carolina, this is a half measure, but do you know what? If I am a Federal employee, I will take a half measure because right now we are giving them nothing.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I just want to reiterate to Federal employees that I fully believe that, just like these dramas in the past, we will fund the government; they will be paid; and I apologize on behalf of those who voted against the CR just a few days ago that they are being taken through this process.

I, for one, have been here for 3 years. I have never voted against a debt ceiling increase because I believe we need to pay the bills we have obligated ourselves to. I have not ever voted for a government shutdown because I believe we should do the work we are paid to do.

I will say, in closing, I also agree that Senator HELLER has a great idea. When we get into this mode and we can't actually fund the government, then why on Earth should we be paid for what we are doing?

I don't think any U.S. Senator should be paid a dime; I don't think any U.S. Senator should get healthcare every single day we fail to do our job, and that is something hopefully we can get unanimous consent tonight to put forth to say: Until we solve this problem, then maybe we shouldn't get paid; maybe we shouldn't get a dime; maybe we shouldn't get healthcare; maybe we should actually put our money where our mouth is. Then maybe we can get some things done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I appreciate the Senator from North Carolina offering apologies on behalf of other Members of this body, so let me return the favor.

Let me offer an apology on behalf of the Republican majority for the governance disaster that has occurred in the U.S. Congress over the last year.

Why are we here today? We are here today because last year Republicans spent all of their time and energy trying to steal health insurance from 30 million Americans, trying to rescind protections for people with preexisting conditions. They spent the first half of the year trying to take insurance away from 30 million people. They were not successful because the American people rose up and told this Congress that was a terrible idea.

They spent the second half of the year trying to push through—successfully this time—a massive tax cut for the wealthy; 80 percent of that tax cut going to the richest 1 percent of Americans, equally as unpopular as the healthcare repeal. That one was successful.

Meanwhile, during 2017, three disasters hit the United States—in Texas,

Florida, and Puerto Rico—and the Republican Congress forgot to pass the assistance package that is normally automatic after a disaster hits. Meanwhile, Republicans let the Children's Health Insurance Program expire, and millions of frightened parents got notifications that their toddlers' healthcare would cease to exist. Meanwhile, health centers in this country, which provide some of the most important care to the indigent, had their funding expire and all of a sudden had to make budget plans for 2018 with half as much money as they thought they were going to get. Meanwhile, Republicans didn't pass a budget, forgot to pass a single appropriations bill, and CRs after CRs were required.

I am sorry, on behalf of my Republican friends, that they didn't do their job in 2017. I am sorry that the American people gave control of the House and the Senate and Presidency to the Republican Party and they didn't pass a budget. They didn't pass disaster assistance. They didn't reauthorize the Children's Health Insurance Program. They didn't provide assistance to health centers.

We are trying to be the adults here and say that it is time to do our job. It is time to get assistance to these disaster areas. It is time to pass children's healthcare reauthorization for the long term and get the money the health centers need to keep their doors open. The Department of Defense needs a budget, not just for 4 months but for a full year.

We are not asking for much. We are just asking for Congress to do its job. At some point, somebody has to be the grownup. Somebody has to be the adult. We are saying: Let's keep the government open for 1 day, 3 days, as long as it takes for us to do our job. But to pass another monthlong continuing resolution with no hope in sight for the Department of Defense, which needs its money, the disaster areas, the kids, the health centers—that is not what we got elected to do.

This has been a governance disaster over the last year. This place has not been doing its job. We ought to start right now. I love the suggestion of staying all night. The Senator from North Carolina is right—we are not going to get an agreement on all of these complicated issues this evening, but, boy, we can try. Had we made the decision to at least keep the government open and operating for 1 day or 3 days, the pain at least would not be felt by the Americans who depend on these services, because of the governance disaster that has been visited upon this place over the past year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

UNANIMOUS CONSENT REQUEST—H.R. 1301

Mr. SCHATZ. Mr. President, I have one last unanimous consent request, and I appreciate the participation from the Senator from North Carolina. I appreciate our dialogue here. I think this is constructive and productive.

This last UC request is very simple. It is the same one, with a small modification that Senator MCCASKILL made on Friday night, and that is very simple. Every time we have done a shutdown—I have been involved in one. It was the "Green Eggs and Ham" Affordable Care Act shutdown. It was the worst period of time I ever spent in the Senate.

SHERROD BROWN always says: No whining on the yacht. Don't feel sorry for yourself for serving in the U.S. Senate. It is a privilege. It is a great job.

Shutdowns are miserable. But during that shutdown and during every other shutdown that I am aware of, we always took care of our servicemembers. Senator MCCASKILL on Friday night put that UC in so that we made sure everyone who is serving in harm's way or prepared to serve in harm's way, supports our military, gets paid.

Frankly, in the heat of the moment on Friday night, when there was still a lack of clarity whether we were going to get through it without a shutdown, I understand nobody wanted to allow a UC request of any sort to go through. But then Friday came, and it was not at all clear that we were going to move on this. And now we are into Sunday, and I don't know where we are with this, but I am getting increasingly worried. So it is really hard for me to understand why we wouldn't unanimously consent to pay our servicemembers.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, H.R. 1301; that the amendment at the desk, providing for continuing appropriations for pay and death benefits for members of the armed services, be considered and agreed to; that the bill, as amended, 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?

The Senator from North Carolina.

Mr. TILLIS. Mr. President, reserving the right to object, I want to go back and talk about the concept of doing our jobs. We have done a lot over the last 12 months. For people to say we haven't done anything—let's go back and talk about the 12 circuit judges, Neil Gorsuch on the Supreme Court, extraordinary regulatory reform—a number of very positive things.

I know that your perspective is different based on what side of the aisle you are on, but I am actually very proud of what we as a Congress have accomplished and what this President has accomplished.

UNANIMOUS CONSENT REQUEST—H.R. 1301

Reserving the right to object—I do object, but I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, H.R. 1301; that the amendment at the desk, which provides for full funding for authorized activities in the Na-

tional Defense Authorization Act, be considered and agreed to; that the bill, as amended, 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. Objection has been heard to the request from the Senator from Hawaii.

Is there objection to the request from the Senator from North Carolina?

Mr. SCHATZ. Mr. President, reserving the right to object, I am a member of the Defense Subcommittee of the Appropriations Committee. As the Senator from North Carolina knows, the way that we do Defense appropriations is with great care. We have markups. We find out what each service branch needs in terms of personnel, in terms of bases and installation, in terms of new acquisitions, and that process takes a fair amount of time. That markup is not done.

I would love to move on Defense appropriations, but from the standpoint of responsibly spending hundreds of billions of dollars, we are not there yet, and so, therefore, I object.

The PRESIDING OFFICER. Objection is heard.

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

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

Mr. HATCH. Mr. President, ensuring that America's kids have access to quality medical care is among my top priorities in the Senate. That is why, long ago, I reached across the aisle to create the revolutionary Children's Health Insurance Program, or CHIP.

I am proud to call CHIP my own. Teddy Kennedy and I faced an uphill battle to get this bill passed, but we were willing to take the heat because we knew it was the right thing to do—he came on board shortly after I filed this bill—and I have never regretted it.

For more than 20 years, CHIP has served as a literal lifeline for millions of children whose families could not have otherwise afforded health insurance. Without exaggeration, this groundbreaking program has saved thousands of young lives, and it has long stood as a symbol of what our two parties can accomplish when we look beyond the horizon of our differences to find common ground.

Sadly, in today's Washington, the bipartisan spirit that breathed life into CHIP has been all but snuffed out. As a case in point, the Democrats are now holding this healthcare program hostage to their own radical agenda, using it as a bargaining chip in a dangerous political game.

After months of hard work and good faith negotiation, the progressives

have, effectively, walked away from a once-in-a-generation deal to extend CHIP for 6 years—the longest extension in the program’s history and something I would like to do. Unless Republicans cave to their unreasonable demands, the Federal Government will remain shut down for—who knows how long?

Rather than holding CHIP for ransom, I implore my friends on the left to work with us not only to reauthorize this beloved program but also to approve a Federal funding package so that we can get the government back up and running.

Contrary to what the Senator from Ohio asserted just a few moments ago, the Republicans have been working diligently this whole past year to get CHIP across the finish line. We did not let CHIP funding lapse but worked continually to make sure that there were sufficient funds for the program even after the fiscal year.

Under no circumstances was I ever going to let CHIP expire without taking care of it. That is why Senator WYDEN and I engaged in a bipartisan process, following regular order, back in the summer. We came to an agreement together. We reported a CHIP bill out of committee on a voice vote, with plenty of time to pass it through both Chambers. Since that time, I have worked with leaders to ensure that the program has been sufficiently funded in the short term until we could bring up and pass our long-term extension.

Mr. President, the idea that we would have let funding lapse is absurd, and the Senator from Ohio knows it. Moreover, the accusation that Republicans have ignored CHIP is false on its face. Give me a break. Our work is on the record, and anyone who tells you otherwise is either severely misinformed or playing political games—something that is not unusual around here, especially now.

Speaking of political games, Democrats are now saying that both CHIP and DACA are a package deal, and there is no fixing one without the other. Sounds like real support, doesn’t it? But that simply isn’t true. We are imposing imaginary deadlines on ourselves that will leave everyone worse off, both CHIP recipients and Dreamers alike. The truth is, we can secure CHIP funding tonight, ensuring that the 9 million kids who depend on this critical program will wake up tomorrow with the promise of continued medical care. Resolving the CHIP crisis now will then give us the breathing room we need to find a lasting solution on the DACA issue.

Let’s not pretend that right now is the do-or-die moment on immigration reform. We have until March to resolve the issue, and we are going to need all of that time to make sure this gets done right.

Quite frankly, I have had enough of the Democrats’ arbitrary deadlines, and I am offended by those who say that lawmakers who want to spend

more time to resolve the DACA issue don’t care about Dreamers and their families. I have stuck my neck out on immigration issues year after year, and I have more to show for it than most. So the idea that I don’t care because I would rather do this right than simply do it now is ridiculous.

As anyone who has served more than a single term in this body can tell you, immigration is an incredibly complex issue filled with pitfalls and surprises at every turn. An issue of this sensitivity needs to be negotiated in good faith, not in the middle of a government shutdown with a gun to our heads.

On the subject of immigration reform, I am bewildered by my Democratic colleagues who insist on poisoning the well with an unnecessary government shutdown. There is no reason for my colleagues to pit their righteous crusade on immigration against their righteous crusade for CHIP. This is simply a matter of priorities.

As it turns out, the American people agree with me. In fact, a CNN poll released on Friday showed that a majority of Americans feel that funding the government is more important than finding an immediate solution to the DACA Program. We were extremely close to doing exactly what the American people wanted. Bipartisan majorities in both the House and Senate supported a noncontroversial bill to keep the government funded. But Democrats filibustered this bill, voting instead to shut down the government and block funding for CHIP. They own this mess. Now we need to work together to clean it up. We won’t make any progress by continuing to invent imaginary deadlines.

Now is not the time for political brinksmanship but for responsible governance. Millions are depending on us to do the right thing—and we cannot let them down. So let’s get this done, and let’s get it done right.

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. 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.

Mr. MCCONNELL. Mr. President, I wanted to give all of our colleagues an update on where we are. I want to start by particularly thanking Senator GRAHAM, Senator FLAKE, Senator COLLINS, and many others who have been working across the aisle to help resolve the impasse we find ourselves in.

When the Democratic filibuster of the government funding bill comes to an end, the serious, bipartisan negotiations that have been going on for months now to resolve our unfinished business—military spending, disaster relief, healthcare, immigration, and border security—will continue.

It would be my intention to resolve these issues as quickly as possible so that we can move on to other business that is important to our country.

However, should these issues not be resolved by the time the funding bill before us expires on February 8, 2018, assuming that the government remains open, it would be my intention to proceed to legislation that would address DACA, border security, and related issues.

It is also my intention to take up legislation regarding increased defense spending, disaster relief, and other important matters.

Importantly, when I proceed to the immigration debate, it will have an amendment process that is fair to all sides. I would hope there would be cooperation on these matters in advance of yet another funding deadline.

There is a bipartisan, bicameral group that will continue its negotiations and I look forward to the completion of their work. It would be my strong preference for the Senate to consider a bipartisan, bicameral proposal that can be signed into law. But the first step in any of this is reopening the government and preventing any further delay.

The shutdown should stop today. We will soon have a vote that will allow us to do exactly that.

Let’s step back from the brink. Let’s stop victimizing the American people and get back to work on their behalf.

Mr. President, in that regard, I ask unanimous consent that, notwithstanding rule XXII, the Senate vote at 10 p.m. tonight on the motion to invoke cloture on the motion to concur with amendment; further, that if cloture is invoked, all postcloture time be considered expired and the Senate immediately vote on the motion to concur with further amendment with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Reserving the right to object, Mr. President, I am happy to continue my discussion with the majority leader about reopening the government. We have had several conversations, and talks will continue, but we have yet to reach an agreement on a path forward that would be acceptable for both sides.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Therefore, Mr. President, I ask unanimous consent that, notwithstanding rule XXII, the Senate vote at 12 noon tomorrow on the motion to invoke cloture on the motion to concur with amendment.

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

The Senator from Arizona.

Mr. FLAKE. Mr. President, on Friday, I voted with many of my colleagues not to accept the deal that was offered at that time, the CR to go for 4 weeks. I felt that was unnecessarily long.

Also, I voted against it because I felt, like a lot of my Democratic colleagues and some of my Republican colleagues, that we need to deal with this situation on immigration and that we shouldn't wait for the White House to indicate its preference.

I felt that we could have an agreement to move forward, so I voted against the proposal at that time. In the intervening time, we have worked with the majority leader to, No. 1, have a shorter timeframe, which now has been offered, that of February 8. That is longer than I would like, but it is shorter than a 4-week CR.

Also, we had an agreement, which the majority leader has just announced, that if an agreement on immigration has not been reached by that time, the majority leader, using his discretion and his authority as majority leader, will move to immigration, and at that time, we can deal with the DACA issue and broader immigration issues generally; that moving to immigration, my understanding—and I believe the commitment—is not to prejudice one bill over another, but anyone can bring forward their bill.

There are several of us who have been working on a bipartisan bill. I believe we have seven Republicans and seven Democrats on that effort right now. That legislation certainly will be considered, as will other legislation, as it should be. I think the Senate should act like the Senate.

I just want to say that there has been a lot of rhetoric over the last couple of days about whose shutdown this is—who should have the blame. There is enough blame to go around. I hope we can move away from that and find a way to open the government back up, move about our business, and let the Senate legislate as it should.

I will add my vote for this agreement, as the majority leader has simply outlined, that we have a CR that runs through February 8, and we seek to have an agreement on immigration before that time, as well as the other outstanding issues. If an agreement has not been reached by February 8, then we move to immigration, and the Senate deals with it as the Senate should, without relying on the White House or other bodies, other Chambers, to dictate what we do here, and we deal with this issue as we have dealt with it in the past, by debating it, by amending legislation, and by moving forward.

With that, I yield the floor.

MORNING BUSINESS

ADDITIONAL COSPONSORS

S. 2274

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2274, a bill to provide for the

compensation of Federal employees affected by lapses in appropriations.

The PRESIDING OFFICER. The majority leader.

ORDERS FOR MONDAY, JANUARY 22, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Monday, January 22; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of the House message to accompany H.R. 195.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 9:24 p.m., adjourned until Monday, January 22, 2018, at 10 a.m.