

higher in April than it was in March. The crisis is still growing. Encounters with single adults on the border were 613 percent higher last month versus April of last year, when the Trump administration put emergency measures in place. Encounters with unaccompanied children were up 2,217 percent year over year. Let me say that one more time: 2,217 percent more kids, without parents, at our border on President Biden's watch.

The administration has tried to boast that the number of unaccompanied kids in the custody of the Department of Homeland Security has gone down. It has. It is because they have transferred large numbers of kids from DHS to HHS. There are now more than 19,000 children in the custody of Health and Human Services, and hundreds more are arriving every single day.

We know why all of this is happening. When Washington Democrats spent years reciting the mantra "Abolish ICE; abolish ICE," people listened. When our new President spent his campaign signaling he would support a weaker border when he expressed that he supported providing government healthcare to people here illegally, people actually took note. Now the Democrats cannot get control of the crisis that they have stoked.

The Vice President—supposedly, the point person to fix illegal immigration—has yet to even visit the southern border.

Apparently, Secretary Becerra's operation at HHS has, in some instances, left migrant children stranded on buses for multiple days—exactly the kind of unacceptable mismanagement that Senate Republicans feared we might see under an HHS Secretary without relevant healthcare or management experience. Last week, HHS announced it would be taking money that was meant to replenish the Strategic National Stockpile—money to fight this pandemic and future pandemics—to help with the migrant crisis.

Well, today, the Senate will consider another amendment from the senior Senator from Wisconsin. It would stop the Biden administration from canceling contracts that are already in place to build a wall on our southern border. Perhaps our Democratic colleagues will help us begin to address the border crisis this administration has caused.

FOR THE PEOPLE ACT OF 2021

Mr. MCCONNELL. Now, Mr. President, on a completely different matter, as Democrats have pushed their massive political takeover bill, S. 1, Americans' First Amendment rights and privacy rights have been thrust into center stage. The legislation contains multiple elements that would chill Americans' exercise of free speech and let Washington bureaucrats hoard more of citizens' private information without cause. We know exactly how this could go wrong.

Remember President Obama's IRS scandal? Unelected bureaucrats treated organizations differently and subjected Americans to unequal scrutiny depending on their beliefs. Nonprofits with a whiff—just a whiff—of conservative beliefs were slow-walked and singled out for unfair treatment. Or think back to 2014. The Obama administration had to reach a settlement after a government worker leaked confidential information about a conservative group, which was in violation of Federal law. Unsurprisingly, those private details found their way to a liberal group that had plenty of ideas about what to do with them.

Courts have found that the State of California has repeatedly leaked or inappropriately released confidential information about nonprofits' donors. Last year, in remembering all of these incidents, the Treasury Department finalized action on a basic, commonsense principle: If there is no legitimate reason for the IRS to have certain information, then the IRS shouldn't collect it.

It makes sense.

The prior administration had the IRS stop the blanket collection of non-public information about citizens who make non—I repeat, non—tax-deductible contributions to certain organizations. Contributions to 501(c)(4) organizations are not tax deductible. The IRS doesn't need these details just for kicks and giggles, but now the Democrats' political takeover bills would roll back this step and open new fronts in the far-left war on privacy and free speech.

S. 1 would narrow the protections of the First Amendment. It would empower the Feds with new authority to track and police the speech of Americans. This is the same bill that would essentially make Washington Democrats the board of elections for every county and State in America. I guess, somehow, maybe, that wasn't enough.

Well, I have worked with my colleague from Indiana, Senator BRAUN, on legislation to nip one part of this nonsense right in the bud. Our bill would codify the rule issued by the last administration. Americans would remain free from a Federal dragnet collecting private information that it neither needs nor uses for legitimate law enforcement purposes—information that can be mishandled or, worse, used to target and harass Americans based on their views.

So I am proud to stand with Senator BRAUN, with 39 Republican cosponsors, and with citizens across America, across the political spectrum, who don't need the IRS peering into their First Amendment activities any more than is strictly necessary. I would certainly urge all of our colleagues to support our simple bill.

TRIBUTE TO KEVIN GROUT

Mr. MCCONNELL. Mr. President, on one final matter, my Senate office is

losing a talented and dedicated young staffer this week. Fortunately, he has just been on loan from his home State—our home State—all along, and he is now heading back to the Bluegrass.

Kevin Grout started with me 5 years ago. This bright, sharp, and cheerful, young McConnell Scholar from the University of Louisville began as a staff assistant in the mailroom or, you might say, as sort of my "body man." But in this line of work, talent attracts responsibility. Before long, Kevin had graduated to serve as the speechwriter in my personal office. In 4½ years, he has helped me craft more remarks, op-eds, and written statements than any of us could possibly count—almost all focused on issues that matter most to Kentuckians.

We are sorry to lose Kevin's talents here on the team, but Kevin and his wife Addie are taking their careers and their young son Henry and putting down roots where it all began. Washington will be sorry to see them go, but it will be Kentucky's good fortune to welcome him back.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

ENDLESS FRONTIER ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1260, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1260) to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

Pending:

Schumer amendment No. 1502, in the nature of a substitute.

Cantwell amendment No. 1527 (to amendment No. 1502), of a perfecting nature.

AMENDMENT NOS. 1523 AND 1518

The PRESIDING OFFICER. Under the previous order, the clerk will report the following amendments by number.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 1523.

The amendment is as follows:

AMENDMENT NO. 1523

(Purpose: To express the sense of the Senate and establish points of order to ensure the United States adequately funds national defense with a whole-of-government investment plan for strategic competition with the People's Republic of China)

At the appropriate place, insert the following:

SEC. ____ . POINT OF ORDER TO ENSURE UNITED STATES ADEQUATELY FUNDS NATIONAL DEFENSE.

(a) FINDINGS.—The Senate makes the following findings:

(1) Relative to the February 2021 Congressional Budget Office spending baseline, President Joseph R. Biden has proposed more than \$6,000,000,000,000 in nondefense spending outside the annual appropriations process.

(2) President Biden's fiscal year 2022 budget request proposes to increase spending in the nondefense discretionary category by almost 20 percent while cutting the United States defense budget in real terms.

(3) This Act contains more than \$100,000,000,000 of authorizations of appropriations without a single additional dollar authorized to be appropriated for the Department of Defense.

(4) The United States Armed Forces has lost \$400,000,000,000 relative to inflation since 2011.

(5) The People's Liberation Army has experienced real budget growth for more than two decades, including 6.8 percent growth in 2021.

(6) A July 22, 2019, statement by Speaker of the House of Representatives Nancy Pelosi and Senator Chuck Schumer stated that "Democrats have always insisted on parity in increases between defense and non-defense".

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should adequately fund national defense with a whole-of-government investment plan for strategic competition with the People's Republic of China, including by adhering to the principle of parity between increases for defense and nondefense spending, which would result in significant real growth for the defense budget.

(c) POINT OF ORDER FOR FISCAL YEAR 2022.—It shall not be in order in the Senate to consider—

(1) a concurrent resolution on the budget, or an amendment to, conference report on, amendment between the Houses in relation to, or a motion on a concurrent resolution on the budget, that determines and declares as the appropriate level of new discretionary budget authority for major functional category 050 (National Defense) for fiscal year 2022 an amount that is less than the total amount of the appropriate level of new discretionary budget authority determined and declared for all major functional categories other than major functional category 050 for fiscal year 2022;

(2) a bill or joint resolution reported pursuant to section 310 of the Congressional Budget Act of 1974 (2 U.S.C. 641), or an amendment to, conference report on, amendment between the Houses in relation to, or motion on such a bill or joint resolution, that appropriates amounts for 1 or more major functional categories other than major functional category 050 for fiscal year 2022 and does not appropriate amounts for major functional category 050 for fiscal year 2022 in an amount that is not less than the amount appropriated under that measure for all major functional categories other than major functional category 050 for fiscal year 2022; or

(3) a bill or joint resolution making appropriations for fiscal year 2022, or an amendment to, conference report on, amendment between the Houses in relation to, or motion on such a bill or joint resolution, that would cause the total amount of appropriations for the revised nonsecurity category for fiscal year 2022 to exceed the total amount of appropriations for the revised security category for fiscal year 2022.

(d) WAIVER AND APPEAL.—Subsection (c) may be waived or suspended in the Senate

only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(e) DEFINITIONS.—In this section, the terms "revised nonsecurity category" and "revised security category" have the meanings given those terms in section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(4)).

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. JOHNSON] proposes an amendment numbered 1518.

The amendment is as follows:

AMENDMENT NO. 1518

(Purpose: To prohibit the cancellation of contracts for physical barriers and other border security measures for which funds already have been obligated and for which penalties will be incurred in the case of such cancellation and prohibiting the use of funds for payment of such penalties)

At the appropriate place in division D, insert the following:

SEC. 4 ____ . PROHIBITING THE CANCELLATION OF CERTAIN CONTRACTS FOR PHYSICAL BARRIERS AND OTHER BORDER SECURITY MEASURES.

Notwithstanding any other provision of law, the Secretary of Homeland Security and any other Federal official may not—

(1) cancel, invalidate, or breach any contract for the construction or improvement of any physical barrier along the United States border or for any other border security measures for which Federal funds have been obligated; or

(2) obligate the use of Federal funds to pay any penalty resulting from the cancellation of any contract described in paragraph (1).

The PRESIDING OFFICER. The Republican whip.

PIPELINES AND ENERGY INDEPENDENCE

Mr. THUNE. Mr. President, the recent Colonial Pipeline hack, which saw more than 15,000 gas stations run out of fuel and drove gas prices to their highest level in almost 7 years, was a timely reminder of the importance of cyber security.

In today's world, where almost everything we do has a cyber component, cyber security has to be a priority. Companies have to prioritize it to keep their systems, services, and customer information secure. State governments have to prioritize it, and the Federal Government has to prioritize it. Cyber security is a crucial part of our national defense, and it is vital that we keep security systems and data secure.

The Colonial Pipeline hack was also a timely reminder of something else, and that is the importance of maintaining our energy security via energy independence.

As Americans panicked over gas shortages from the Colonial shutdown, gas stations saw lines that harkened back to the 1970s, when conflict in the Middle East and an oil embargo resulted in serious shortages here at home.

Since then, the United States has, to a greater or lesser extent, worked to become energy independent; in other words, to make sure that we are able to rely almost entirely on North Amer-

ican energy sources instead of imports from overseas and to make sure that American consumers never have to question whether they will have reliable and affordable access to energy and fuel.

We have made a lot of progress on that front, but it requires continued commitment and investment. It also requires an "all of the above" energy policy that pursues investment in everything from oil and natural gas, to ethanol and other biofuels, to solar, wind, and hydropower. Unfortunately, Democrats are increasingly minimizing the oil and natural gas part of that equation.

I am a longtime advocate of clean energy and clean fuels, but the fact is that our economy is still going to need traditional sources of energy—namely, oil and natural gas—for a long time to come. I don't expect airplanes or freight trains to be running on electricity or solar power anytime in the near future. Fortunately, as technology has advanced, it has become easier and easier to explore for, extract, and transport oil and natural gas in an environmentally responsible way.

It is vital that we continue to develop domestic oil and gas resources so that, down the road, we don't find ourselves again relying on oil from the Middle East, Venezuela, or other unstable areas of the world. That is why it was so disappointing that one of President Biden's first actions as President was to pause new leases for oil and gas production on Federal lands and offshore.

Oil and gas production on public lands and offshore is an essential part of the U.S. domestic energy supply, accounting for 22 percent of domestic oil production and 12 percent of domestic gas production in 2019. Only a tiny percentage of public land is used for production, but the resulting oil and natural gas is significant.

Halting new oil and gas drilling could jeopardize the stability of our affordable energy supply, and it would definitely jeopardize the hundreds of thousands of American jobs that are supported by this industry, not to mention the billions of dollars of revenue that oil and gas development disburses to States and to Federal programs like the Land and Water Conservation Fund.

Another early and discouraging sign of President Biden's hostility to affordable and reliable energy security came when he halted construction of the Keystone XL Pipeline on the first day of his Presidency. That one hit particularly close to home since the pipeline would have run through nine counties in South Dakota and brought economic growth to small towns like Philip and Murdo.

The Keystone XL Pipeline has to be the most studied project, literally, in the history of our Nation, probably in the history of the world, and it has been pretty conclusively demonstrated that the pipeline would provide an environmentally responsible way of

transporting oil from Canada and the Bakken oilfields in Montana and North Dakota to refineries on the gulf coast.

The Obama administration—that is right, the Obama administration—concluded that the pipeline provided the most environmentally sensitive way of transporting the oil. Canadian Prime Minister Justin Trudeau, a staunch liberal, included the pipeline in Canada's clean energy plan. On top of all that, the pipeline's owner committed to offsetting the pipeline's operations with \$1.7 billion in renewable energy investment.

But none of that mattered to leftist environmentalists, who fixed on Keystone XL as a proxy for their opposition to oil. It is difficult to think of a more counterproductive crusade. Thanks to their efforts, oil that would have been transported via the pipeline will now be transported by rail or truck—more environmentally hazardous methods of travel, which, incidentally, will also produce far more emissions—emissions that will likely not be offset by a renewable energy investment.

I haven't even mentioned the cost to people's livelihoods. The cancellation of the pipeline will end up costing 11,000 American jobs, most of them those good union jobs the President keeps talking about. It also means that Americans will not see lower prices at the pump as a result of the efficiencies of the pipeline, which is particularly frustrating at a time when prices are rising. But when you are pursuing an ideological crusade, I guess all that doesn't matter.

I find it particularly fascinating—or maybe more accurately, troubling—that the President canceled the Keystone XL Pipeline and its 11,000 American jobs yet is conceding to Russia—Russia—on the construction of a Russian pipeline, Nord Stream 2, by waiving sanctions against the Russian company constructing the pipeline. Think about that. The irony. Of course, the President has more direct authority over pipelines here in the United States, but the President is taking a notably new position.

The successful construction of Nord Stream 2 will further isolate Ukraine and deny the country billions in revenue as it defends against Russian aggression, and it will make our allies more dependent on Russia's energy monopoly for their energy supplies.

The President has talked aggressively about countering Putin and Russian aggression, and his Secretary of State has talked explicitly about the importance of halting the construction of Nord Stream 2. But now, with a chance to do something about halting the construction of the pipeline, the President is taking the pressure off, even though the President himself has correctly called the pipeline “a fundamentally bad deal” for Europe.

It is deeply troubling that our European allies may soon be relying on Russia for an increased portion of their en-

ergy needs. Yet it is another reminder of the need to make sure that the United States is not dependent on bad actors anywhere in the world for our oil or any other energy resource.

I hope the Biden administration will end its embargo on new oil and gas leases and think about pursuing an energy policy that embraces not only environmentalists' pet energy projects but all—all—important energy sources. It is no exaggeration to say that our very national security depends on it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

NATIONAL FLOOD INSURANCE

Mr. KENNEDY. Mr. President, I think I am like you in one respect. You know, I don't hate anybody, and I try to look for grace everywhere I can find it. I have always believed there is always something to be thankful for.

I came today to thank the Biden administration but also to ask for its help.

First, I want to thank the President for encouraging everybody to take the vaccine. I don't think anybody should be required to take the vaccine, and I am not saying President Biden does, but he and his team have been very aggressive in encouraging Americans to take the vaccine, and I think that is the proper approach.

Do you have polio, Mr. President? I know you don't. I don't either. Thank you, science. The vaccine, I think, works. And once again, we are not telling anybody they have to take it, but I wish people would stop and reflect on it and weigh the pros and the cons, and I think they will see the pros outweigh the cons. I want to thank President Biden for his efforts in that regard.

Here is my criticism: President Biden, at the worst possible time, is about to raise the insurance premiums for every flood insurance policyholder in America or almost all of them. So much for not hurting the middle class. So much for not taxing the working people.

As you know, the National Flood Insurance Program, which is administered by FEMA, began in 1968. Many people don't know this, but if we own a home and we have homeowners insurance, our homeowners insurance doesn't cover flooding. If we do want flood coverage and we call our agent and ask them to place our flood coverage with a private company, they are very difficult to find.

Almost no private companies offer flood insurance. So in 1968, the U.S. Congress decided to form the National Flood Insurance Program and have FEMA administer it. We insure, through our National Flood Insurance Program—which, once again, is the almost exclusive source of flood insurance for the American people—we insure about 5 million people. About 500,000 of those people are in my State, Louisiana, but we are not alone. I am sure we have people in Colorado. I know we have people in New Jersey

and New York, in most of the coastal States and in many of the inland States, who have flood insurance.

Now, FEMA has decided to implement a new program called Risk Rating 2.0. They always come up with a fancy name when they are going to screw you. Risk Rating 2.0. If you ask FEMA about it—you say: Well, what does this do, FEMA? Well, they try not to answer your question first, and they dodge and they bob and weave, but if you pin them down and read their literature, they will say: Well, with Risk Rating 2.0, we no longer are going to assess premiums on the basis of area; we are going to look at every specific home and assess its risk and assign a premium. We are also going to consider the future of climate change, what things are going to be like 15, 20, 30 years from now.

I didn't come to debate climate change. I will save that for another day. There is a lot not to debate about. There is a lot we agree about. But this is coming from so-called experts. They are going to be able to predict things 30, 40, 50, 100 years from now, when they can't tell us if it is going to rain on Friday.

This is all a very clever way to raise everybody's premiums. As best I can tell, about 80 percent of the people in my State who have to have flood insurance are going to see their rates go up. FEMA is probably going to start by doing a little bit the first year. They are going to say: See, we told you that wasn't going to hurt. But then they are going to do it the second year and third year and fourth year and fifth year and sixth year.

Some of FEMA's minions who are advocating this say: Well, Kennedy, it is not right for the American people to be subsidizing wealthy people who have two or three homes and one of which is on the beach.

I agree with that. Those are not my people. Those are not my people. My people who have flood insurance get up every day, go to work, obey the law, pay their taxes, try to do the right thing by their kids, try to save a little money for retirement, and their biggest financial asset is their home. Through Risk Rating 2.0 or whatever clever name they call it, when they start raising premiums, a lot of my people can't afford it, and it is going to impact the value of their home. They are going to lose equity in their most valuable asset, and they are not going to be able to sell it. And you don't have to be Einstein's cousin to figure this out. FEMA knows what it is doing.

This is the most dramatic transformation and change to the National Flood Insurance Program since 1968. You would think that Congress would have something to do with it. Wrong. FEMA is doing this on their own. The first increases for new policyholders are going to take effect in October; for everybody else, in April 2022.

You go to FEMA and say: Can we talk about this?

No. Read our pamphlet.

They haven't had any public hearings. They haven't allowed the public to comment. They hired a very expensive consultant. They love expensive consultants at FEMA—the more expensive, the better; the more expensive the lawyers are, the better. They have hired a consultant to try to cover their tracks on what they are doing here. This is just a flat-out rate increase.

Insurance companies help FEMA administer the program. FEMA has told, we found out, the insurance companies: We can't tell you about the new program unless you sign a nondisclosure agreement because we don't want you to tell anybody.

I mean, President Biden's FEMA is just going to drop this on us. And it is not just Louisiana. Look, this does involve Louisiana. I mean, last year, my people, we got hit by two major storms. We got hit, like a lot of States, by an ice storm. Right now, South Louisiana, or a big portion of it, is underwater. We just got hit with between 8 and 20 inches of rain, and we have people who are flooding who are not even near a body of water.

I promise you, if you get 8 to 20 inches of rain in a short period of time, you are going to flood—I don't care if you are in the desert. I don't care if you are on Pikes Peak—you are going to flood. The water has to go somewhere.

So, yes, this impacts Louisiana, but do you know who else it impacts? New York. New Jersey. They are going to get devastated.

Chairman BROWN, the chairman of our Banking Committee, very generously held a hearing the other day on Risk Rating 2.0. We had some really smart people come and testify about it. Of course FEMA wasn't there. You can't find FEMA with a search party. You can't find FEMA with Google. They are nowhere to be found. They don't want to answer questions.

But we had a very intelligent, impressive lady from New York—I am sorry, I have forgotten her name—who testified very eloquently about how this rating increase across the board, willy-nilly, arbitrary, capricious—we don't have any input—is going to devastate New York.

I am just very disappointed, and I am asking President Biden today to pick up the telephone and call his new FEMA Director and say: Slow down. At a minimum, don't treat the American people like morons. Sit down and talk to them and explain what you are proposing to do and why you are doing it, and let them have input.

The second thing I wish the President would do is pick up the phone and call his FEMA Director and say: Would you please consult Congress and talk to Congress about it and let Congress have a little input? Because last time I checked, there are three branches of government, and this is unilateral action by one Federal Agency.

This is serious stuff. This is going to impact a lot of people. I said this be-

fore, and I don't mean to overuse it. I try to save it for really serious situations. But this is as serious as four heart attacks and a stroke, and it is going to happen out of the blue come October.

I would just like to ask President Biden to consider asking his FEMA Director to please slow down and let us think this through.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Vermont.

AMENDMENT NO. 1523

Mr. LEAHY. Mr. President, I am opposing this amendment before us. I just thought I would mention some of the pragmatic reasons for that. A mandate to offer dollar-for-dollar parity between defense and nondefense programs unless there are 60 votes to overcome the point of order is not limited to discretionary spending, which would be in the fiscal year 2022 appropriations bills, but in all Federal spending.

Let me tell you what that means. It may make people feel good, but let me tell you what it does. If you provide a dollar to the Defense Department for every dollar of nondefense spending, well, it is simply arbitrary.

These are some of the absurd results. Under this amendment, if we pass an infrastructure bill through reconciliation—and we know that in the States represented by all 100 of us, we have roads, bridges, water systems, everything else breaking down and deteriorating and has to be fixed. If we don't do it now, it is going to cost us a heck of a lot more in the future.

So let's say we have \$2 trillion to rebuild our bridges, our roads, our water systems, broadband, and so on, but then we would have to automatically provide \$2 trillion more for defense, nearly tripling the defense budget and spending more on defense than the rest of the world put together. And the Department of Defense says very frankly that there is no way they could spend that kind of money—unless we have 60 votes, a supermajority. Now, come on.

I will give another example. This can get really weird. Suppose a hurricane hits somewhere in the South. We have seen that happen—hurricanes, tornadoes, flooding—or you have massive fires that rage out in the West.

So as we have always come together in the past, Republicans and Democrats alike, to help those communities that have been destroyed—we are the United States of America—then let's say we provide \$10 billion, which we have in the past, to help communities recover and rebuild. Well, then, even though they don't want it, we have to provide \$10 billion to the Department of Defense.

And why are we spending that? Because they had a flood in Louisiana or a tornado in the Midwest or an earthquake in the West or a forest fire. Well, we have got to rebuild them, but we have got to spend an equal amount at the Department of Defense, whether they want it or not.

In another way, let's say we increase funding for veterans, which we should. Well, then, we would have to say: Well, wait a minute. The Department of Defense will have to have a dollar-for-dollar increase. I can go on and on with a whole lot of other examples.

We are going to have to obviously address the costs and the efforts that we went through here because of the riots on January 6. Do we do an equal amount for the Department of Defense if we repair the damage done to the Capitol?

Now, why don't I suggest that we do what we were taught to do, and I have seen the Senate do over the past 40-some-odd years, we actually have debate about appropriations? Have a debate about the defense level. Either vote up or down. Have a debate about nondefense spending in fiscal year 2022 and vote it up or down. Let's not start off with some arbitrary rules, which make no sense—an arbitrary rule that says we are probably going to have to hesitate to help out the communities that have been struck by a tornado because we have to spend twice as much money as it would cost to repair those communities because we have to put an equal amount into the defense budget, whether they want it or not.

Now, I can say this, as chairman of the Senate Appropriations Committee, I understand some annual increases in the Defense bill, but that should be considered as the Defense bill, just as we should consider our healthcare bills, just as we should consider infrastructure bills, education, and all those. We can easily do each part of these appropriations bills that make some sense to the American people.

In the past, many times we have been able to get bipartisan agreement. Let's do that. Let's stop playing like children or some arbitrary “You give me this; I will give you that” kind of rule. We are U.S. Senators. We should be above that. We should be the conscience of the Nation. There are only 100 of us. The country looks at us. We ought to respond to the country.

JANUARY 6 COMMISSION

I note that no one is seeking recognition at the moment. I just had another thing. The House of Representatives did the right thing. They passed a bipartisan vote to have an independent Commission to find out what happened on January 6—what sparked it; who was involved; how many crimes were committed; why did police officers who protect the Capitol lose their lives; why did others lose their lives; why did we have such a huge amount of damage; why did we end up spending hundreds of millions of dollars; why were the lives of Republican and Democratic

Members of Congress put at risk? Why not have, as we did after 9/11 and other major things in our country, a bipartisan committee to look at it?

That is what the House voted on last night. I am disturbed when I hear Republican leaders, both in the House and the Senate, say: We don't want to have any kind of a hearing. We don't want to know what happened. We don't want anybody to ask a question.

Well, I don't know about your State, but I can imagine you probably heard a lot of questions from the people in your State. I heard a lot of questions from Republicans and Democrats alike in my State who basically said: What in heaven's name has happened? We are the greatest country on Earth, and we are seeing our symbol of democracy with a mob of people going in. People are dying. Property is being smashed. People are posing for selfies: Hey, I am breaking the law; don't I look great? There was a gallows with a noose and with the name of the Vice President of the United States on it put outside here.

Come on. We ought to find out what happened. We were shamed throughout the world by what happened. Let's not have that happen again. Let's have a real committee. Find out what happened and who was responsible and see what steps we take not to have that happen again.

I am proud of the U.S. Capitol. I have had the opportunity to serve here for decades. I remember coming through this body as a teenager with my parents and being awed by it. I looked at the Brumidi paintings with my Italian-American mother and the pride she felt looking at that. I looked at other things with my Irish-American father and the pride he had in the history. All of us did. I have taken Vermonters from both parties through here, enjoyed pointing it out, and everybody feeling the sense of history.

So what do we see now? A locked-down Capitol because of the insurrection. And we don't want to actually ask questions? What is this? What is this? Why don't we all just cower under our desks?

Well, we can't ask a question. I am going to hide down here. I see nothing. Oh, come on now. The American people saw plenty. Let's have that committee. Let's have that Commission. Let's find out what happened and make sure, for God's sake, it never happens again.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

S. 1260

Mr. SHELBY. Mr. President, global hegemony is a Chinese Communist Party's ultimate aim—we all know that—and they have grown increasingly brazen in their power plays designed to seize that.

The bill before the Senate purports to counter Chinese ambition and aggression by accelerating, among other things, American investment in critical technologies, but I believe such in-

vestment will fail to meet the objective if we shortchange America's military. Unfortunately, that is just what President Biden plans to do.

Yes, amid all the tough talk about China, President Biden proposes increasing domestic spending by nearly 20 percent while holding defense spending basically flat. And that is on top of several trillion more he has proposed in off-budget spending to supercharge the far-left agenda here at home.

Meanwhile, China is headed in the opposite direction, increasing the budget for the People's Liberation Army by nearly 7 percent this year.

Don't think for a moment they aren't taking note of President Biden's plans and sensing weakness and opportunity here because they are. The Chinese Communist Party and the Chinese leadership, which is the same, understands and heeds only one thing: strength and power.

A respected and feared American military, I believe, is the bulwark against the rise of China and the power of China. That is why we must not shortchange defense spending—not now, not ever. And that is why I am pleased to join my Republican colleagues in offering this amendment to ensure parity between increases in defense and domestic spending.

I encourage my colleagues on the other side to join us here in putting America's security first. Projecting real strength to counter Chinese ambition and aggression should be a bipartisan objective. We will see if it is.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, China is a 360-degree threat. They are competing with us in every area—economics, technology, military, diplomacy, information warfare. You know, we operated for the better part of a decade under the idea that we should have parity in defense and nondefense increases. I mean, this is a bipartisan thing. This is Democrats and Republicans alike. We did this every year for—every 2 years as we did the Budget Control Act, and that was an agreement until all of a sudden, somehow, we are changing from that.

So what Senator SHELBY's and my amendment does is very simple. It says that for every dollar that we increase nondefense spending, we have the same amount of money that is going to increase defense spending. I talked about this yesterday at some length.

How can you justify changing that policy when the greatest threat that we are facing right now is China? You know, they are competing in every area, and to leave that out conspicuously is not reasonable at all. So I think that the—I remember that the majority leader and the Speaker of the House back in 2019 said: "Democrats have always insisted on parity in increases between defense and non-defense."

So why would they change now? And I don't think that they will change

now. So, again, I am unsure people understand what this is all about. This is a very simple thing. It says that—our amendment says that for every dollar we increase nondefense spending, we also increase defense spending by the same amount. It is called parity. We have lived with this right now for 8 years. We have been in agreement, and somehow this has changed, as if the threat that we are facing right now with economics, technology, diplomacy, information warfare are more important than military. Military is the No. 1 threat.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I want to commend the distinguished Senator from Oklahoma and the distinguished senior Senator from Alabama for this amendment. And it seems to me that this is a national security amendment that should get support on both sides of the aisle because the Senator from Oklahoma is absolutely correct. It has had bipartisan support in the past. And particularly at this moment, when we are talking about a bill to compete with China, we need to acknowledge that we will compete with China both in the R&D sphere, as this bill discusses, but also in terms of military might.

And it disturbs me, and I know it is of concern to my friends on the other side of the aisle, that the Biden administration just this week announced that they would cut four ships from the most recent shipbuilding plan, which was established by our military experts, by the admirals and generals who told us what we need. To cut four ships from the shipbuilding plan, I think, would send exactly the opposite signal to China that we are trying to send through this bill. And I know I have friends on the other side of the aisle, as well as on this side of the aisle, who have signed the SHIPYARD Act, which makes the statement, on a bipartisan basis, that we need to be preparing our Navy for competition in the Pacific that will come from China, and I think it is a way to preserve peace in the Asia-Pacific region by having parity there.

So for that particular reason, on this particular week, this is a most timely and appropriate amendment, and I do hope we can get bipartisan support.

I yield the floor.

VOTE ON AMENDMENT NO. 1523

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to the Inhofe-Shelby amendment No. 1523.

Mr. INHOFE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the

Senator from Kansas (Mr. MARSHALL), and the Senator from Alaska (Ms. MURKOWSKI).

Further, if present and voting, the Senator from Kansas (Mr. MARSHALL) would have voted “yea”.

The result was announced—yeas 44, nays 53, as follows:

[Rollcall Vote No. 198 Leg.]

YEAS—44

Barrasso	Ernst	Romney
Blackburn	Fischer	Rounds
Blunt	Hagerty	Rubio
Boozman	Hawley	Sasse
Braun	Hoeven	Scott (FL)
Burr	Hyde-Smith	Scott (SC)
Capito	Inhofe	Shelby
Cassidy	Johnson	Sullivan
Collins	Kennedy	Thune
Cornyn	Lankford	Tillis
Cotton	Lummis	Toomey
Cramer	McConnell	Tuberville
Crapo	Moran	Wicker
Cruz	Portman	Young
Daines	Risch	

NAYS—53

Baldwin	Hickenlooper	Peters
Bennet	Hirono	Reed
Blumenthal	Kaine	Rosen
Booker	Kelly	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Lee	Sinema
Casey	Lujan	Smith
Coons	Manchin	Stabenow
Cortez Masto	Markey	Tester
Duckworth	Menendez	Van Hollen
Durbin	Merkley	Warner
Feinstein	Murphy	Warnock
Gillibrand	Murray	Warren
Grassley	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Paul	

NOT VOTING—3

Graham	Marshall	Murkowski
--------	----------	-----------

The PRESIDING OFFICER (Mr. SCHATZ). On this vote, the yeas are 44, the nays are 53.

Under the previous order requiring 60 votes for the adoption of this amendment, it is not agreed to.

The amendment (No. 1523) was rejected.

The PRESIDING OFFICER. The Senator from Iowa.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 1724 are printed in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

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

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

AMENDMENT NO. 1518

Mr. JOHNSON. Mr. President, there was a time—and it really wasn't all that long ago—when securing the border had bipartisan support. It was actually a bipartisan goal—now, I think that made a lot of sense—but it is not now.

It also wasn't all that long ago that, in 2006, Congress passed something

called the Secure Fence Act of 2006. What that piece of legislation did was to authorize 700 miles of what was supposed to be double-layered fencing. In the end, only 36 miles of actual double-layered fencing was constructed. Another 613 miles that consisted of about 299 miles of vehicle fencing—in other words, people could just walk right through it—and another 314 miles of single-layered pedestrian barrier fencing were actually built. I think we have seen that unfortunately the fencing did not fulfill the requirements of the Secure Fence Act of 2006, and it also didn't work.

What is interesting to know about the passage of the Secure Fence Act is that it passed overwhelmingly in this Chamber by a vote of 80 to 19. There were 26 Democratic Senators who joined 54 Republicans in voting yes. It also passed the House by a pretty overwhelming margin as well—283 to 138—with 64 Democrats joining the Republicans. So the total count in Congress was 363 votes to build a fence and secure the border versus 157 people who, apparently, didn't have an interest. In other words, 70 percent of the Members of Congress who voted on the Secure Fence Act, who voted for border security, voted yes. Again, that was with the support of 90 Democrats.

By the way, some pretty notable Democrats voted to secure the border by building 700 miles of double-layered fence, including those who are current President Biden; former President Barack Obama; the current majority leader of the Senate, Senator SCHUMER; former Secretary of State Hillary Clinton; my chairman and ranking member of Homeland Security, Senator TOM CARPER; the chairwoman of the Judiciary in the past, Senator FEINSTEIN; the current chairman of the Finance Committee, Senator WYDEN. At the time, the Senator from Ohio, Mr. Brown, was a Member of the House, and he voted for it in the House. Again, that was only 14, 15 years ago when securing the border was actually a bipartisan goal.

What happened? Why isn't that the case now? Why has securing the border become a partisan issue?

Well, politics happened.

I wasn't here between 2006 and 2011, but I know there were multiple good-faith efforts to pass an immigration bill. They often referred to it as “comprehensive immigration reform.” I remember, when I got here, that this effort was still going on, and we actually passed, in this body, a comprehensive immigration bill. I remember talking to Senator McCain, who was one of the leading proponents. I did suggest that I would stop using the word “comprehensive” and that I didn't think we did a very good job with things comprehensively here and that we ought to take a step-by-step approach. Senator McCain was not really happy with my comment, but I made it anyway. I still think, quite honestly, that the test of time has probably proven me right.

Bipartisanship pretty well ended the efforts when that effort failed in the

House. It didn't move it any further. We had a split Chamber. So the Obama administration got impatient. I understand the frustration. I certainly want to fix the problem. I want to take care of—now they are probably adults—those who came here as children through no fault of their own, the DACA kids. I think most Members of the Chamber want to do that, but you have to do it in a legal way, and you have to do it in a step-by-step approach, starting with securing our border.

I will talk about that a little bit further, but let me just talk about what the effect the Deferred Action for Childhood Arrivals had.

It is pretty obvious, by this chart, that you can see this goes back to 2007. The red bar is just talking about unaccompanied children apprehended at the southwest border. You can see, through 2011, that, at most, we had a little over 4,000 unaccompanied children coming across the border illegally and being apprehended. Then, obviously, as Americans, we have to take care of them because we are compassionate.

In June of 2012, the Obama administration issued the DACA memorandum. The result was almost immediate. It was a magnet. It was a pull factor. It was used by the coyotes in Central America. They would tell people who would want to come to America—and let's face it. Who wouldn't want to be in America? I am highly sympathetic with the people who want to come to America and take advantage of this land of opportunities. The coyotes would tell the migrants down in Central America: They changed their laws. Come with us. We will take you up to the border. We will get you across the border, and then you will get a slip, called a permit, which is really a notice to appear.

So they came. They came in such quantities that, in 2014, more than 51,000 unaccompanied children flooded our border, and President Obama rightly declared it a humanitarian crisis, and it was. That humanitarian crisis, at that point in time, entailed about 2,000 people coming and being apprehended at the border—2,000. You can see the result. There were some ups and downs.

Quite honestly, what ended up happening is the Obama administration started to detain families, for example. They put in a consequence, and it actually had an impact. I can show you this a little bit better on this chart that really just shows cause and effect. This chart picks up in 2012 with the passage of DACA. You can see that President Obama, in 2014, declared it a humanitarian crisis. That is, by the way, when they built that McAllen facility to which we went down as bipartisan Members of the Senate and sung CBC's praises for trying to deal with this crisis in such a humane fashion. Four and five years later, we have the same facility with the same conditions and a bigger crisis, but now that facility is

being referred to as keeping kids in cages.

You can see what ended up happening here. President Obama actually had a family detention policy that kept the families together, but then a court reinterpreted the Flores decision. It interpreted unaccompanied children within the Flores decision, in terms of how you treated children and how you had to hand them over to HHS in a short period of time, and applied that to accompanied children.

So now a tough decision had to be made: Do we actually separate the children so they can be handed over to HHS while we detain the parents who came here illegally?

The decision those in the Obama administration made—and I really can't blame them—was to keep the families together. What I blame them for is they dispersed them into America—most of them never to have an immigration hearing. When you don't have a hearing, you can't have your asylum claim adjudicated properly. We know that a very high percentage of the asylum seekers here do not qualify for asylum. Even as generous as our policies are, they still don't qualify. Of the claims that are adjudicated, the people come here, and they stay. Then they communicate with other people in Central America, and it feeds upon itself.

It takes a while. It takes a few years. It took until 2018, 2019 that the word really got out. When Donald Trump was elected President, he was dedicated to securing the border, and we were going to fix this problem. You could tell immigration really dropped off following his election. People really felt that he was serious about it. By the way, he was, but he had no cooperation either by Congress or the courts of enforcing our laws and securing our borders. So word got out over a couple of years, and we had an explosion of illegal immigration primarily fueled this time by families.

President Trump—again, with no help from Congress and no help from the courts—fixed the problem. You may agree or disagree with the Migrant Protection Protocols Program, otherwise known as “return to Mexico,” but there was a consequence. Because of that consequence, combined with the fact that we also made agreements with Mexico and Central America, people stopped coming. We had pretty well stopped the flow. We had reduced dramatically the flow of unaccompanied children and family members coming to the border. We pretty well had had this problem solved before COVID hit. Throw on COVID and the invocation of title 42, and we really had this problem solved until the Presidential debates, and you had all Democratic Presidential candidates say they were going to stop deportations and offer free healthcare.

You can see the number of adults. By the way, we have a colored chart. Gold is single adults. Blue is family units. Red is children.

So we had this enormous crisis, first of all, surging that began with single adults. Then, of course, on his first day in office, President Biden dismantled the Migrant Protection Program. He ended those agreements. He made good on his promise to end deportations until the court said he couldn't do that, but the word was out. The crisis came back with a vengeance. In the last 2 months, there have been, on an average basis—daily—almost 6,000 people per day being apprehended at the border.

This crisis is out of control, but this crisis is also manmade. It is a manmade crisis by President Biden's policies.

Last week we had a hearing with Secretary Mayorkas, Secretary of the Department of Homeland Security. It was actually surreal. First of all, they blamed this on President Trump, said this was an inherited crisis. No, it wasn't. It is the Democratic Presidential candidates who started the spike of single adults. It was President Biden's dismantling of President Trump's successful policies that sparked and was the catalyst for the renewed crisis of family units and unaccompanied children coming here illegally to exploit our very generous asylum laws.

So it was surreal to listen to the Secretary and, quite honestly, the chairman of our committee talking about that this was an inherited crisis but that things were improving. But the only reason they could claim things were improving is—and Secretary Mayorkas said this repeatedly—they are getting more efficient. “We are getting more efficient”—not at solving the problem; at processing and dispersing the illegal immigrants coming into this country. Guess what that is going to do. It is just going to cause more to come.

This crisis isn't going to end anytime soon until we return to having consequences and we actually have the goal of reducing or stopping the flow, and that is not happening right now.

I was disappointed. Under my chairmanship, we almost always had a second round of questions, but we were denied that. I am sure there were time constraints. But in a second round of questions, this is what I wanted to ask Secretary Mayorkas. I wanted to ask him whether he was aware that human traffickers sell children to adults so they can exploit our asylum laws by posing as a family unit.

Understand, these policies that are being instituted to be more humane do the exact opposite. It leads to all kinds of human degradations, all kinds of inhumanity. I knew it full well. We held hearings on this in 2018. Vice President Harris had to know as well; she was on my committee.

I wanted to ask Secretary Mayorkas whether he was aware that he heard testimony during my chairmanship that a child was sold for \$84.

I wanted to ask him whether he is aware that children are recycled, that

they are sent back over the border to be used by another adult to pose as a family unit and exploit our asylum laws.

I wanted to ask, are they verifying that a child actually belongs to an adult? Are they doing DNA tests? If so, what percentage of those are actual family units?

I wanted to know whether he was aware of the fact that human traffickers throw children out of rafts when they are interdicted by law enforcement.

I don't have the picture here. I honestly wouldn't even want to show it. I showed it in our committee hearing 3 or 4 years ago. It was hard enough showing it at that point in time. It was a father and his 2-year-old daughter who drowned in the Rio Grande.

I went down to the border with 18 of my Republican Senate colleagues. We saw a dead body floating in the Rio Grande the day after a 9-year-old girl drowned in the Rio Grande. I wanted to know whether Secretary Mayorkas, whether President Biden, whether Vice President Harris was aware of this.

I wanted to know whether the Secretary was aware of the fact that migrant girls are given birth control because they know that such a large percentage will be raped during the dangerous journey when they are put in the hands of these human traffickers.

I wanted to know whether the Secretary is aware of the kidnappings and the beatings, the abuse, the additional ransoms demanded by human traffickers.

I wanted to know whether he knows how much the human traffickers charge for their human prey and whether he is knowledgeable of how that debt is paid off. You realize the border is almost 100 percent secure on the Mexican side of the border. Nobody crosses into America without either paying the human traffickers or being indebted to them. I wanted to know whether the Secretary knew how they pay off those debts.

I wanted to know whether he knew how many young girls are forced into the sex trade and how many young men are forced into involuntary servitude, used to traffic drugs, or become part of gangs.

I wanted to know whether the Secretary—I would like to know whether the chairman of our committee is aware of the fact that President Biden's policies created this crisis, and they are facilitating the multibillion-dollar business model of probably some of the most evil people on the planet.

I wanted to know, but I didn't get a chance to ask those questions.

Beyond the human toll, beyond the human tragedy, from a standpoint of legislation, what is the real tragedy is that we were so close to taking that first step, that necessary step of making America confident that we are taking border security seriously, that we will secure our border, because until we do that, we really can't move on. Without creating greater incentives, we

can't move on to fix the problem of DACA; we can't set up a legal immigration system that works best for everyone.

You know, it is not good for Central America. I have been there. I have talked to their Presidents. They ask us to fix their laws. It is not good that their countries are being depleted of the people they need to rebuild their economies. It is not good for them. It is not good for us. It is certainly not good for the migrants who are put in the hands of the most evil people on the planet and left to their tender mercies.

We were so close. President Trump had stopped the flow, largely, of unaccompanied children, of family units, and he was doing the final step, which was complete the wall. Walls work.

Take a look at what happened here after January 6—double layers of fencing, concertina wire tipped. We obviously thought they worked here for us in Congress; they will work at the border as well.

What my amendment would do is simply complete the wall that President Trump started. He wanted to build 800 miles; he built 450. Two hundred and fifty miles of that wall has already been contracted for. It will be paid for whether it is built or not. About 100 miles wasn't contracted.

So, American taxpayer, you need to understand this: You will be on the hook for a couple billion dollars, you know, tens of thousands of tons of steel that has already been produced. All that waste—all that waste, and we won't even get the 250 miles of wall. Isn't that absurd? Isn't that ridiculous? All because securing the border has become a partisan issue, when it was not a partisan issue in 2006.

So my amendment, amendment 1518, is really pretty simple, just two pages. It is very common sense. It just says: Complete the wall that we have already contracted for, that we are going to have to pay for whether we build it or not.

Now, in a rational Senate in reasonable times, this ought to pass 100 to 0. I fear this is going to be decided strictly on party lines, and that is a real shame.

If there is one thing that we ought to be bipartisan about, it is about national security, it is about securing our homeland, and part and parcel of securing our homeland is having a secure border. One element of that, in addition to instituting consequences, like the Migrant Protection Protocol, like something I proposed with the Senator from Arizona, Senator SINEMA, Operation Safe Return, there has to be a consequence to reduce or stop this flow.

But we also need barriers. Technology alone is not going to work. We can't hire enough Border Patrol agents. They are already being dispirited. We are going to have a hard time hiring enough people just to come up to the quota levels we want to hire. We can't do it with personnel. We can't

do technology. We need the fence. We bought and paid for it; let's construct it.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 117.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Chiquita Brooks-LaSure, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 117, Chiquita Brooks-LaSure, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services.

Charles E. Schumer, Patty Murray, Alex Padilla, Sheldon Whitehouse, Jeff Merkley, Jack Reed, Debbie Stabenow, Benjamin L. Cardin, Patrick J. Leahy, Elizabeth Warren, Jacky Rosen, Richard Blumenthal, Tina Smith, John W. Hickenlooper, Michael F. Bennet, Tim Kaine, Brian Schatz.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 124.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Kristen M. Clarke, of the District of Columbia, to be an Assistant Attorney General.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 124, Kristen M. Clarke, of the District of Columbia, to be an Assistant Attorney General.

Charles E. Schumer, Patty Murray, Alex Padilla, Sheldon Whitehouse, Jeff Merkley, Jack Reed, Debbie Stabenow, Benjamin L. Cardin, Patrick J. Leahy, Elizabeth Warren, Jacky Rosen, Richard Blumenthal, Tina Smith, John W. Hickenlooper, Michael F. Bennet, Tim Kaine, Brian Schatz.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, May 20, be waived.

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

LEGISLATIVE SESSION

ENDLESS FRONTIER ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 1518

Mr. PETERS. Mr. President, I rise to speak in opposition to the Johnson amendment.

The amendment would force the continued payment of government contractors to build an ill-conceived border wall.

Most of these funds were never intended for this purpose. More than \$10 billion was redirected from the Department of Defense. These funds were intended for military missions and functions, such as schools for military families and National Guard equipment.

The Biden administration is conducting a comprehensive review of these contracts, led by the Departments of Defense and Homeland Security. These decisions will be guided by what is best for our national security, not well-connected government contractors profiting off of hard-earned taxpayer dollars.

We need to move forward with smart, bipartisan investments to improve border security that secure both our southern and our northern borders, not look backwards at the former administration's boondoggle.