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Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

Father in Heaven, hallowed be Your name. Today, give special energy, insight, and patience to the Members of this body. Strengthen them against relentless pressures from constituents, lobbyists, and special interests, as You give them wisdom to resolve their differences without rancor or bitterness. Lead them in the way of compromise that doesn't sacrifice principle or self-respect and that preserves timeless values, which serve the common good. May their consistent communion with You radiate on their faces, be expressed in their character, and be exuded in positive joy.

Lord, fill this Chamber with Your spirit and our Senators with Your strength, courage, and peace. We pray in Your gracious 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 (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 21, 2024.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

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

LEGISLATIVE SESSION

BORDER ACT OF 2024—MOTION TO PROCEED

Mr. SCHUMER. Mr. President, I move to proceed to Calendar No. 397, S. 4361.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 397, S. 4361, a bill making emergency supplemental appropriations for border security and combatting fentanyl for the fiscal year ending September 30, 2024, and for other purposes.

CLOTURE MOTION

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

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 motion to proceed to Calendar No. 397, S. 4361, a bill making emergency supplemental appropriations for border security and combatting fentanyl for the fiscal year ending September 30, 2024, and for other purposes.

Charles E. Schumer, Christopher Murphy, Richard J. Durbin, Tammy Duckworth, Tammy Baldwin, Catherine Cortez Masto, Brian Schatz, Mark R. Warner, Kirsten E. Gillibrand, Debbie Stabenow, Gary C. Peters, Margaret Wood Hassan, Jeanne Shaheen, Angus S. King, Jr., Benjamin L. Cardin, Christopher A. Coons, John W. Hickenlooper, Jack Reed.

MEASURE PLACED ON THE CALENDAR—H.R. 8369

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

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 8369) to provide for the expeditious delivery of defense articles and defense services for Israel and other matters.

Mr. SCHUMER. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceeding.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

BORDER ACT OF 2024

Mr. SCHUMER. Mr. President, for years, our Republican colleagues have insisted that the only real long-term solution to fixing the southern border was for Congress to pass legislation. We Democrats agree: Congress must

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



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act. We need to fix the border and reform immigration to make it fairer and more humane.

This week, Republicans will have an opportunity to join us in taking action. A few moments ago, I filed cloture on the motion to proceed to the bipartisan Border Act, the same bill negotiated 3 months ago by the bipartisan group of Senators MURPHY, SINEMA, and LANKFORD.

The Senate will vote on this bipartisan border bill on Thursday. Last night, the President called both Leader MCCONNELL and Speaker JOHNSON and urged them to go forward with our bill. All those who say we need to act on the border will get a chance this week to show they are serious about fixing the problem.

Unlike H.R. 2, the bipartisan Border Act was written explicitly to win support from both parties with input—significant input—from both sides. The Border Act is an exercise in legislating; H.R. 2 is not.

When Republicans pushed H.R. 2, it couldn't even get a single Democratic vote here in the Senate, much less all Senate Republicans, for that matter. That was not a serious bill. What we are voting on this week is serious.

It is the same bipartisan bill both sides negotiated for months last winter. It is the same bill endorsed by the National Border Patrol Council, a very conservative group; by the Chamber of Commerce; and by the very conservative Wall Street Journal editorial page.

By any objective measure, it is strong and realistic, and, most importantly, a bipartisan proposal. If our bipartisan bill was good enough to win the support of the union that represents border agents, why isn't it good enough for Senate Republicans? Are Senate Republicans saying they know better than our agents patrolling the border? I hope that is not true. I hope our Republican colleagues are ready to join us.

I will be clear: We don't expect every Democrat or every Republican to come out in favor of this bill. That is why, as I have said before, the only way to pass this bill or any border bill is with broad bipartisan support.

If you go by what Republicans said over the last few months, you would think they would leap at an opportunity like the one we have right now. In the words of Speaker JOHNSON, "The time to act on [the border] is yesterday." In the words of my colleague from Texas, "It makes no sense to me for us to do nothing when we might be able to make things better." And in the words of my colleague from South Carolina, "To those who think that if President Trump wins . . . that we can get a better deal—you won't." And he added, "This moment will pass. Do not let it pass."

Well, I wholeheartedly agree. We should not let this moment pass. Border legislation is just about the hardest thing Congress ever wrestles with. Bi-

partisan border bills are rare opportunities here in Congress. That is precisely why we have it in front of us this week. I urge everyone not to let the politics get in the way.

ABORTION

Mr. SCHUMER. Mr. President, now, on abortion, shortly, I will join Senators MURRAY, BALDWIN, KELLY, and some of the Nation's leading reproductive rights activists to highlight the terrible consequences of repealing the protections of *Roe v. Wade*.

The MAGA Supreme Court repealed *Roe* nearly 2 years ago. It will go down as one of the worst—if not the worst—Supreme Court decisions of modern American history. In one fell swoop, MAGA radicals on the Court made it so that our children and grandchildren will sadly grow up with fewer civil liberties than those who came before them.

Repealing *Roe* was tragic. It was alarming. It was outrageous, but it didn't happen in a vacuum. It happened because Senate Republicans packed our courts with hard-right judges, plucked right out of the Federalist Society checklist. It happened because Donald Trump appointed not one, not two, but three MAGA Justices, all who voted to overturn *Roe*. Remember what Donald Trump said a few weeks ago? He was "proud" to be the person who paved the way to overturn *Roe*.

And after *Roe* was eradicated, MAGA radicals opened the floodgates for draconian and cruel bans for women's choice across America. And we know this is just the beginning.

Does anyone seriously doubt that should Trump become President again, he won't try to add even more extreme jurists to the bench so he can continue his assault on women's reproductive freedoms? Of course, he will. And the Republican Senators, if past is prologue, are likely, unfortunately, to go along. If Donald Trump and MAGA Republicans get into power, the hard right will not rest until a national abortion ban becomes the law of the land. Mark my words, that is the direction that they will take America in.

House Republicans already included the national abortion ban in their recent Republican Study Committee budget. Remember, the Republican Study Committee includes a majority of House Republicans and their leadership.

Roe may be gone, but, sadly, the hard right's obsession with eliminating reproductive rights is not. Make no mistake, Republicans will have to answer for their anti-abortion records today, tomorrow, and at the ballot box in November.

GUN SAFETY

Mr. SCHUMER. Mr. President, on guns, 2 years ago, serious-minded Democrats and serious-minded Republicans came together to pass the most

significant bipartisan gun safety bill in 30 years. We passed several new, commonsense rules in our gun safety bill, including rules closing dangerous loopholes on background checks. And I salute so many of my colleagues—led by CHRIS MURPHY and KYRSTEN SINEMA—who helped make this happen.

Yesterday, those rules on background checks were supposed to go into effect, but, sadly, MAGA extremists had other plans. Instead, MAGA extremists exploited our justice system and put our background check reforms on ice. How did they do it? By taking their case to their favorite judge in the country, in the Northern District of Texas, to rubberstamp a nationwide injunction.

The decision out of Texas is terrible for America for two reasons: First, the decision out of Texas is another consequence of judge shopping, a deeply unfair practice which jaundices the whole fairness and support a judicial system has where radicals—rightwing MAGA radicals—all but guarantee a favorable outcome by going to a judge of their choice, often in jurisdictions where there is only one sitting judge in that local division, guaranteeing a favorable audience and guaranteeing a favorable outcome.

No one had any doubt when these rightwing anti-gun safety groups went to this one judge—the very same judge who knocked out mifepristone—no one had any doubt what decision they would receive.

Judge shopping jaundices our legal system like few other abuses do. I have introduced a bill to rein in judge shopping, and I hope both sides can work together on this legislation to restore fairness to the judicial system.

If not, we are going to see injustice after injustice, a slanted judicial system, leaning in favor of hard-right radicals imposing its will on the rest of the Nation. And the courts will have less and less respect because of it.

I urge the Judicial Conference—they agree judge shopping is bad, forum shopping is bad, but they are doing nothing to implement it. They should.

But second, maybe even worse, the decision out of Texas means MAGA radicals have temporarily succeeded in blocking commonsense gun safety measures and making our communities less safe. There were outrages in Uvalde, in Buffalo.

And, finally, the Congress, in a bipartisan way, enacted the strongest gun safety laws in decades, ever since probably I passed the Brady Law and assault weapons ban—those were my bills in the House—in 1994.

And now people are less safe—less safe—because people who shouldn't have guns, young people, are getting them. Closing loopholes on background checks help keep guns out of the hands of people who shouldn't have them.

Keeping dangerous weapons out of the hands of dangerous people should be something both sides can agree on. But, sadly, MAGA Republicans and the rightwing gun lobby thinks the opposite. And with forum shopping, they