

Moran	Romney	Warner
Mullin	Rosen	Warnock
Murkowski	Sanders	Warren
Murphy	Schatz	Welch
Murray	Schumer	Whitehouse
Ossoff	Sinema	Wicker
Padilla	Smith	Wyden
Peters	Stabenow	Young
Reed	Tillis	
Risch	Van Hollen	

## NAYS—29

Barrasso	Ernst	Rounds
Blackburn	Fischer	Rubio
Boozman	Grassley	Schmitt
Braun	Hyde-Smith	Scott (FL)
Britt	Johnson	Scott (SC)
Budd	Kennedy	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tuberville
Cruz	Paul	Vance
Daines	Ricketts	

## NOT VOTING—7

Booker	Hawley	Tester
Hagerty	Menendez	
Hassan	Shaheen	

The PRESIDING OFFICER. On this vote, the yeas are 64, the nays are 29.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Angela M. Martinez, of Arizona, to be United States District Judge for the District of Arizona.

The PRESIDING OFFICER. The Senator from Minnesota.

## UNANIMOUS CONSENT AGREEMENT

Ms. SMITH. Mr. President, I ask unanimous consent that the confirmation vote on the Martinez nomination occur at 11:30 a.m. on Wednesday, May 22, 2024, and that the cloture motions filed during yesterday's session ripen upon disposition of the Martinez nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## UNANIMOUS CONSENT AGREEMENT

Ms. SMITH. Mr. President, I ask unanimous consent that if a motion to proceed to S.J. Res. 58 is made, the motion to proceed be agreed to and that at 6 p.m., the joint resolution be considered read a third time and the Senate vote on passage of the joint resolution, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## LEGISLATIVE SESSION

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

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

The Senator from Minnesota.

## RURAL PROSPERITY AND FOOD SECURITY ACT

Ms. SMITH. Mr. President, I rise today to voice my support for the Rural Prosperity and Food Security Act, which is the strong, bipartisan farm bill proposal that has been put

forward by our colleague from Michigan, Senator STABENOW, chair of the Agriculture Committee.

Chair STABENOW's framework reflects more than 2 years of work and outreach and contains more than 100 bipartisan bills, and it puts the 2024 farm bill back on track for being signed into law this year. As Chair STABENOW says, this farm bill is designed to keep farmers farming, families fed, and rural communities strong.

The farm bill touches nearly every aspect of life, and it touches the life of nearly every American. It is a big, complicated piece of legislation, but at its core, it does three things.

The first is that it governs how nutrition assistance, like SNAP, works for 42 million Americans, including 2.5 million rural residents.

The second thing is that it sets the rules for how farm and forestry programs work, including conservation and risk management tools like crop insurance, animal health, research and education, and forestry and timber.

Third, it drives rural development by supporting rural broadband, housing, childcare, and rural energy so that rural America can be strong, prosperous, and competitive.

For many years, the farm bill has bucked the tide of partisanship in Congress by finding common ground, providing stability and predictability to farmers, ranchers, and rural communities, and by sustaining nearly 23 million jobs across the country.

And why does it pass with such broad bipartisan support? Because we have all agreed in Congress to support what I think of as the three pillars of the farm bill: nutrition assistance, farm and conservation programs, and rural development.

This has been the grand bargain of Congress—that we agree together to keep each of these pillars strong, and then you can pass the bill. If you weaken any of these pillars, then a bipartisan farm bill just doesn't stand.

Colleagues, this grand bargain will be the recipe for success for the 2024 farm bill as well. So I want to spend a few minutes talking about where we have agreement and what more we need to do to pass a strong bipartisan bill.

Chair STABENOW released her proposal in early May, and, just this week, the House Agriculture Committee will mark up Chair THOMPSON's farm bill proposal. While Chair THOMPSON should be commended for including many proposals with broad bipartisan support, his bill significantly weakens nutrition and conservation programs. This undermines the grand bargain that is necessary to pass a bipartisan bill.

Here is what I am talking about when it comes to nutrition programs: Almost 45 million Americans live in homes that don't have regular access to affordable food. Almost all of these households are working families or seniors or people who are living with disabilities. This is interestingly and especially a rural issue. Households in

rural areas are even more affected. Of the top 10 counties facing the greatest food insecurity in this country, 9 are primarily in rural areas.

So Chair STABENOW's proposal, which I support, strengthens nutrition assistance. It makes certain that nutrition assistance now and into the future is going to meet the needs of Americans by making sure that monthly stipends are enough so that families can afford the food that they need.

I want to just note that it is not as if people are getting lots and lots of money here. I think the average cost for a family—the average benefit of a family—is somewhere in the neighborhood of \$6 a day. So we are not talking about a lot of money per person.

In contrast, the House Republicans' proposal prevents nutrition assistance from keeping pace with food costs. What does that mean for a family that is relying on SNAP benefits, for example? The Congressional Budget Office estimates that the House Republicans' farm bill could result in a \$30 billion cut to SNAP over the next decade. This is going to hurt people. It is not going to help them. It won't work, and it won't pass with bipartisan support.

Simply put, any farm bill proposal that weakens nutrition assistance now or in the future can't pass Congress.

The foundational farm bill risk management, research, and conservation programs—those foundational programs—are also incredibly important. They should be strengthened and not weakened in the next farm bill.

To that end, Chair STABENOW's farm bill includes many bipartisan provisions that I have fought for, along with many of my colleagues on both sides of the aisle. It updates and improves crop insurance and other USDA programs so that they work better, especially for small and beginning farmers and farmers from more diverse backgrounds. I am thinking, in Minnesota, of Native farmers, of Black, Hmong, and Latino farmers, and of farmers who are recent African immigrants.

It is interesting that, across the country and in Minnesota, the average age of farmers and ranchers in America is 58 to 60 years old. So it is essential for the future of our food system and for agriculture and farming that crop insurance is going to work for the next generation of farmers taking over, and that is what Chair STABENOW's bill does.

I want to also note that Senator STABENOW's farm bill maintains the sugar program, which is so important to Minnesota's sugar beet farmers. The U.S. sugar policy runs at zero cost to taxpayers. What it does is to just simply make sure that American farmers can compete on a fair playing field against subsidized foreign sugar.

Senator STABENOW's farm bill also includes updates to the Dairy Margin Coverage Program that we established in the 2018 bill. I expect this is important to the Vermont dairy farmers, as it is important to Minnesota's dairy

farmers. It basically provides them with an additional tool to help them manage the inevitable ups and downs in the sector in which they are competing.

When it comes to what we need to do around conservation, Senator STABENOW's farm bill also protects the transformational conservation and climate-smart laws that we passed in the Inflation Reduction Act.

Now, you don't need to tell Minnesota farmers that climate change is real. They see it every day in the growing intensity of the storms and droughts and fires and floods that they contend with. They also appreciate that better support for conservation programs for working farm and ranch land is good for their bottom line and improves their resilience. American family farmers are good stewards of their land, and Federal conservation programs need to support them.

Climate-smart conservation means healthier soil and less need for expensive inputs. It is a win for farmers, for rural communities, and it is a win for the fight against climate change. It is also true that we need to get a better understanding of and be able to measure better how farming and ranching practices are working to sequester carbon and improve soil health.

So I appreciate Chair STABENOW's work to include ideas from my bipartisan bill with Senator YOUNG of Indiana to work on this and to help farmers identify best practices to make their farms more resilient and to combat climate change at the same time.

Now is not the time to dismantle or weaken conservation and climate-smart agriculture efforts. This is why proposals in Chair THOMPSON's bill in the House to strip out the climate-smart guardrails within our conservation programs—I mean, that just won't work, and it will not get the bipartisan support that the farm bill needs.

Both Republicans and Democrats, I know, appreciate the importance of a strong rural development title in the farm bill. I want to touch on that for a minute as well.

Small towns and rural places are creative. They are entrepreneurial. They are diverse, wonderful places to live and to raise a family. They produce our food and our energy. They are hubs of manufacturing, small business, education, healthcare, the arts, and culture. The farm bill needs to support them, and that is what Chair STABENOW's framework accomplishes.

This farm bill has a strong energy title, including reauthorizing REAP. That is the Rural Energy for America Program, which helps ag producers and small businesses design and build projects to improve energy efficiency and to build out new renewable energy sources. This is good, of course. It creates jobs, it reduces energy bills, and it cuts greenhouse gas emissions.

So I am glad that improvements and updates I pushed for are included in the chair's framework. I am also glad to

see included proposals that I support and have worked on to increase childcare options and to improve broadband. People living in rural areas and in Tribal communities should not be stuck with slow internet speeds that folks in the cities would never put up with. This farm bill mandates faster minimum speeds for USDA broadband programs. That is what I pushed for in the work that I have done as well.

Over the last several years, many individuals and groups have done excellent work to develop a strong farm bill, so as I conclude, I want to particularly note the excellent work and advocacy of the Native Farm Bill Coalition. This is over 170 Tribes and Native groups that have worked together to improve how USDA and farm programs work with Tribal governments and Native producers, from farming and ranching to nutrition programs, rural development, and forestry.

This is incredibly important work, especially because, too often, Native voices have not been heard in this policy development. In 2018, the farm bill changed that. Under Chair STABENOW's leadership, the 2018 farm bill included over 60 provisions that benefited Indian Country. This was a huge success, and we learned a lot from that. This next farm bill has to continue that progress.

Members of the Native Farm Bill Coalition are visiting Washington just this week to testify to our responsibility in Congress, as defined in our treaty and trust obligations, to include Native farmers and Tribal governments in decisions about agriculture and forestry. We need to listen to them. It is actually our obligation to listen to them and to right the wrongs that have been perpetrated since the beginning of Federal farm and nutrition policy and long before.

Tribal self-governance is an essential step here. Self-governance—what it does is it recognizes that Tribal nations' authority to administer Federal programs—they have that authority within their own communities, and it recognizes that. This is not a new idea; it has worked successfully for over 30 years and is widely seen as one of the most successful Federal Indian policies that we have moved forward. It works because it recognizes that Tribal governments are in the best position to know what their communities need, and they know best how to deliver for them.

This is called 638 authority. Folks may have seen this on the buttons of people walking around the hallway talking about 638 authority. What it comes from is the Indian Self-Determination and Education Assistance Act. It says that Tribes can have the authority to plan and conduct and administer Federal programs.

The 2018 farm bill created several self-governance pilot projects in forestry and in nutrition programs. These were very successful, and they should be made permanent. Chair STABENOW's bill does this, along with also including

many other provisions to recognize and respect the role of Tribal governments and Native producers.

We can do more, and we should. With expanded self-governance authority, Tribal nations will be able to build food systems that address food insecurity. They will be able to increase access to indigenous foods and to use indigenous knowledge for forest management and to support strong Tribal economies. Tribal leaders often say "Nothing about us without us." This value must guide us as we pass a 2024 farm bill.

I will continue to stand with Native leaders so that we can continue to make progress and pass the very best farm bill possible—one that respects our responsibilities to Tribes and to Native people; one that keeps farmers farming, families fed, and rural and Tribal communities strong.

We have a lot more work to do, but we have made progress, and I am ready to keep up the work with my Democratic and Republican colleagues to pass a farm bill that delivers on this promise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

UNANIMOUS CONSENT REQUEST—H.R. 2

Mr. CRUZ. Mr. President, this week, Majority Leader CHUCK SCHUMER is bringing up the failed border bill that the Senate already rejected in February, all on a political ploy to give vulnerable Democrat Senators up for reelection camouflage to hide their real views on the border.

That failed border bill is nothing but a fig leaf that pretends to do something about border security but wouldn't actually secure the border. In fact, if it became law, it would make the problem worse.

This Democrat bill would codify catch-and-release. It would put into Federal law Joe Biden's policy of releasing illegal aliens into this country. That is the cause of the open border crisis we have right now. It would normalize 5,000 illegal immigrants a day. That works out to 1.8 million illegal immigrants a year every year, year after year, forever. It would provide immediate work permits to illegal aliens when they cross the border illegally, and it would provide many of them with taxpayer-funded lawyers.

Not only is the bill by design utterly ineffective at securing the border, it is designed to fail. In fact, we can quantify mathematically the chances this bill has of passing the House of Representatives, and those chances are 0.00 percent.

There is, however, a bill that we know would actually secure the border and would do so right now. It would put real penalties in place to end catch-and-release and to defund the NGOs that are a critical part of the human trafficking network. That bill is H.R. 2. H.R. 2 has already passed the House of Representatives. I am proud to lead H.R. 2 here in the Senate.

If the Democrats want to do the responsible thing that would actually secure the border, we would pass H.R. 2, but instead the Democrats deliberately want this border crisis to continue—every single Democrat Member of this body. We know this because every one of them has voted over and over and over again against policies to actually secure the border.

When Joe Biden came into office, he inherited the lowest rate of illegal immigration in 45 years. All President Biden had to do was nothing—just don't screw it up—but instead he deliberately broke the system.

He made three decisions his first week in office that caused this crisis:

No. 1, he immediately halted construction of the border wall.

No. 2, he reinstated the disastrous policy of catch-and-release—the policy the Democrats now want to put into Federal law.

No. 3, he pulled out of the incredibly successful “Remain in Mexico” agreement. The “Remain in Mexico” agreement is what had produced the lowest rate of illegal immigration in 45 years.

And what happened? We went from incredible success of securing the border to immediately the worst illegal immigration in our Nation's history. Over 11 million illegal immigrants have come into this country under Joe Biden and the Democrats. It is an invasion. It is larger than the population of more than half of our States.

Now, why on Earth would the Democrats turn a blind eye to the people who are suffering and dying? Why would they turn a blind eye to the body bags, to the 853 migrants who died last year crossing illegally? Why would they turn a blind eye to the children being brutalized by human traffickers? Why would they turn a blind eye to the women being sexually assaulted by human traffickers? Why would they turn a blind eye to the more than 100,000 Americans who died last year of drug overdoses? Why would the Democrats turn a blind eye to the families, to the children being murdered by illegal immigrants whom Joe Biden is releasing? The answer, sadly, is that they see every one of these 11 million illegal immigrants as future Democrat voters. It is a cynical decision that in order to stay in power, it is fine for people to suffer and die.

In just a moment, I am going to propound a unanimous consent request to take up and pass H.R. 2. When I do so, we will have a moment of decision. All the Democrats have to do for this to pass is nothing—just like Joe Biden. All Joe Biden had to do at the beginning of his Presidency to not break the border was nothing, just keep in place the policies that were working.

When I ask for unanimous consent to pass this bill, if the Democrats do nothing, it will pass the Senate and go immediately to President Biden's desk, and he can sign it into law.

I am going to predict right now we are going to hear two magic words

from the Democrats. We are going to hear the words “I object” because they object to securing the border. They object to stopping this invasion. They object to standing up to the cartels. They object to protecting the American people.

But before I do that, I want to yield to my colleague from Kansas, Senator MARSHALL.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Mr. President, I want to thank the Senator from Texas for leading the charge up here to secure our border.

Since day one, Joe Biden has allowed the cartels to have operational control of our Nation's border, exploiting every weakness and pushing deadly fentanyl into our communities, killing over 300 Americans every day.

I rise today to join my colleague in calling for unanimous consent for H.R. 2, the Secure the Border Act, which the House passed over a year ago and has sat languishing here on this side of the Capitol, waiting for a hearing, waiting for a vote.

Time after time, the President and his administration have shown us that our national security is an afterthought. We are facing unprecedented times.

Under this President's watch, over 11 million illegal aliens are here now on U.S. soil, and instead of taking any real measures to address the crisis, he is doubling down.

With just 6 months until the election now, the left wants you to believe they have suddenly stumbled upon a solution to the border crisis they created. In the news this week, we will see the Democrats' bait-and-switch tactics. And I want to remind the American people to watch what the majority leader and this administration do, not what they say. They have no serious solution. They know it. That is why it is painfully obvious that the stunts being pulled here this week are politically motivated.

Americans across the heartland are feeling unsafe due to Joe Biden's worsening border crisis. Even a State like Kansas is now a border State. Fentanyl is flooding into our communities across the State, claiming a life most every day and now is the leading cause of death among young adults in America.

Joe Biden's border crisis has resulted in over 300 known terrorists being apprehended in the past year for attempting to cross the southern border. Additionally, over 35,000 Chinese nationals and thousands of individuals from countries like Afghanistan, Iran, Iraq, and Syria have crossed through our southern border.

We are in a sad state of affairs when our foreign adversaries are paying closer attention to our vulnerabilities at our borders than the President of the United States. Even our own FBI is sounding the alarm, now warning that because of this invasion, we are on high alert for a terrorist attack in the coming months.

I stand today with a clear message for this Chamber: It is time to do what is right for the American people, not politically motivated messaging stunts that aren't serious or sincere to the people who have been victims of the Biden administration's lawlessness.

We have a solution to secure our borders, a proposal that could go to the President's desk today. Let's pass the Secure the Border Act, H.R. 2. This legislation tightens asylum standards. It builds a wall. It increases Border Patrol agents. And it ends catch-and-release. It passed over in the House over a year ago, but the majority leader refuses us to take a vote in the Senate.

If Senate Democrats were truly serious about securing our borders, enforcing the rule of law, and protecting our Nation's sovereignty, they would stop wasting time and take up H.R. 2 today.

Without secure borders, we cannot ensure our Nation's safety. This national security crisis is unprecedented, and we have thoughtful, real solutions to address it immediately. Americans deserve to feel safe in their own homes. This half-baked, so-called border bill is an insult to Laken Riley and her family and every other American citizen who has been victimized by crimes committed by someone who should not be in this country.

Even the lead Democrat architect of the so-called border bill has said flat out this legislation does not close the border. You can quote him. It does not close the border. That is all the American people need to hear to see how fast and loose the Democrat Party is willing to play with our national security.

This is a campaign stunt for the candidates you have in battleground States who are on political life support, and no grandstanding in Washington this week will change that fact.

I would like to yield back to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, now is the moment when we will discover whether or not the Senate will pass real and strong legislation to secure the border. Again, all the Democrats have to do to send H.R. 2 to the President's desk to be able to be signed today is nothing. And so let's listen for those magic words. The two magic words that would kill this bill are “I object.” Let's hear if that is what the Democrats have to say.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 71, H.R. 2; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The majority whip.

Mr. DURBIN. Mr. President, reserving the right to object—now, for the rest of the story.

Last October, President Biden had a major piece of legislation that provided

assistance to Ukraine in its battle against Vladimir Putin. It provided assistance to Israel, assistance to Taiwan, and a massive amount of humanitarian aid. It was bipartisan, we thought.

Then the Republicans, particularly in the Senate, stepped up and said: We are not going to consider any bill like that unless you attach something to deal with our border, border security.

Well, we said: How are we going to achieve that? They gave us a formula that they wanted. They wanted to have their lead negotiator, the Senate Republicans did, one of our colleagues, Senator JAMES LANKFORD of Oklahoma. JAMES LANKFORD is a certified conservative—I am sure he would be happy to be called that—and a person I respect a great deal. He is a man of principle, and he was in charge of negotiating on the Republican side.

So they asked us: Whom do you want—the Democrats—to negotiate? We said: CHRIS MURPHY of Connecticut and KYRSTEN SINEMA, an Independent Democrat from Arizona. The three of them went to work in October of last year, and they worked on this for weeks, months. It went back and forth, and it looked many times like it was hopeless; we couldn't reach an agreement.

Lo and behold, they did. They came up with a bill, a bill that massively changed the way we manage the border. They brought it to the White House, this bipartisan bill, and they said to Joe Biden: This bipartisan bill, will you support it? He said: I will.

So we had a perfect formula: a bipartisan bill and a Congress with a Democratic Senate and a Republican House and a President of the United States who says: I will sign it.

So what happened next? That is the best part. Many of the Republicans didn't take yes for an answer because we had this bipartisan bill, the architect being the Republican Senator of their choice. They decided to ask one man whether they should go forward. Want to guess who it was? Donald Trump.

Donald Trump said: No. I am sorry. I don't want to see this issue go away. I want to be able to work on this issue as part of my Presidential campaign in the year 2024. So I am telling you right now, stop that bill; stop that bipartisan bill. Don't vote for it. And he said: If you want to know, you can blame me. Go ahead and blame me for stopping the bill.

That is what he said. That is a quote. It is on the record. I saw him say it. And in fact, most of the Republicans, except for a handful on the other side of the aisle, then decided that the Lankford bipartisan bill was no longer acceptable because Trump said it was unacceptable.

And that is what happened. And so that bill died and didn't go forward. And, unfortunately, we know the reality, as I mentioned earlier, is that any immigration bill that has a ghost of a chance needs to be bipartisan.

This bill would prohibit funding for processing individuals who arrive at our border between ports of entry. Think about that. The bill would prohibit funding for processing individuals who arrive at our border between ports of entry. This would prevent Border Patrol agents from executing their duties and essentially create an open border in between ports of entry.

This bill would also dramatically limit the use of parole programs that the Biden administration and prior administrations—Republicans and Democrats—have relied on for emergencies.

I am proud to represent the city of Chicago. There is a section of that city called Ukrainian Village. It is in the Near North. I have been there many times. I have been to their churches. I have been to their schools. I have been to their bakeries, as you can tell. I really like that section of Chicago, and a lot of Ukrainian Americans live there.

When we decided to help the refugees from the Ukrainian war, under President Biden and others, we said that we would give them an opportunity to come to the safety of the United States while the war was pending. In the city of Chicago, we estimate that 36,000 Ukrainians came to Chicago. We basically said to them: If you can find a family to sponsor you, we will give you a work permit, and you can stay here while the conflict continues in your country.

They were absorbed into the Chicago and Illinois and the Midwest economy without a ripple. They are hard-working people, good people. They were accepted in the churches and the schools—their kids went to school there—and they really contributed to the Chicago scene. They have done a great job.

Well, the authority of a President like Biden to make that decision for Ukrainian refugees is removed by this bill. This authority has been relied on by the executive branch for decades in emergency situations. The evacuation of hundreds of thousands of Vietnamese allies in the 1970s and the evacuation of thousands of Iraqi Kurds in the 1990s would be eliminated by this bill.

This partisan legislation only received Republican votes—not a single Democratic vote. This partisan legislation also includes many provisions that are completely unrelated to border security; for example—listen to this one. How about this. Want to put this in a comprehensive border bill? It would prohibit funds from being used by the Department of Homeland Security to purchase electric vehicles for the Agency's law enforcement agents. What in the heck is that all about?

This bill would also impose mandatory electronic employment verification, known as E-Verify, on every sector of the American economy.

I left a meeting in my office with a person representing farmworkers in the State of North Carolina. Do you know

what percentage of farmworkers in America working today, going out and harvesting the crops and fruits and vegetables, are undocumented? Fifty percent. Fifty percent are undocumented today. So this bill would impose mandatory E-Verify and would include the agriculture industry and these undocumented workers. Fifty percent of agriculture workers would be unable to work.

What would that do to our food supply chain? I can tell you, it would come to a grinding halt, and it would dramatically increase food prices. Hear that, America? This provision by the junior Senator from Texas would raise food prices on its own. Massive consequences for American families.

This bill is so extreme, there was a bipartisan opposition to it in the House of Representatives. Under close scrutiny, this bill is simply not a serious effort to secure our border. It would harm our economy and make our country less safe and less secure.

The bipartisan bill which Donald Trump and many of the Senate Republicans killed would have worked to move us in the right direction. We earlier had an opportunity to vote on this legislation that would have actually helped us on the border. Though I had some concerns about it, I thought it was a genuine bipartisan effort I could support.

I was disappointed but hardly surprised that the vast majority of my Republican colleagues, including the junior Senator from Texas, who is making this motion today, voted against it—this bipartisan bill, with JAMES LANKFORD's leadership on the Republican side, rejected out of hand by Republicans in the Senate.

It is no surprise to me the junior Senator did that. The only time we brought a bipartisan, comprehensive immigration bill to the floor, he voted against that too. It is no surprise.

This bill, written by the Senate Republicans' designated negotiator, Senator LANKFORD of Oklahoma, endorsed by the National Border Patrol Council, the union that represents Border Patrol agents—the Speaker of the House declared it dead on arrival in the House before the text was even released.

We can only fix our broken immigration system if we do it on a bipartisan basis. Nobody gets their way around here. You have to work for compromise. It is clear that the House Republicans are unwilling to help secure the border under those terms. Instead, they want to maintain the crisis at the border to help score political points for their favorite candidate for President.

Instead of a symbolic and failed effort to pass bipartisan bills that won't actually address challenges, let's work together on a bipartisan basis. Let's start with the Lankford bill. That is where the opportunity will be on the floor. If you want to change it, let's amend it. For goodness' sake, let's start with a bill that we agreed was going to be the starting point not too

long ago, before Donald Trump made his pronouncement, one that supports our frontline law enforcement officials, addresses the needs of the economy, provides a path to citizenship for Dreamers and immigrant farmworkers, and lives up to our Nation's legacy of providing safe harbor to refugees fleeing for their lives.

The American people are tired of partisan bickering over immigration. They want us to work together to secure our border, support our economy, and stand by America's fundamental principles.

Proudly, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Mr. President, well, I would like to say I am surprised, but I am not. It is worth, though, pausing to reflect both on what the Senator from Illinois said and what he didn't say.

What he didn't say: He didn't dispute the point I made about this Democrat bill they are having a show vote on later this week. He didn't dispute that this bill codifies catch-and-release; that it puts into Federal statute Joe Biden's lawless practice of releasing illegal immigrants when they are apprehended. He didn't dispute that.

He didn't dispute that this bill would normalize 5,000 illegal immigrants a day, 1.8 million illegal immigrants a year, every year, forever. He didn't dispute that either.

He didn't dispute that this bill would give illegal immigrants who are apprehended immediate work permits. He didn't dispute that. He didn't dispute that this bill would give many of them taxpayer-funded lawyers. And he also didn't dispute a point I have made many other times, though I didn't just make it, that it would give billions of dollars to the NGOs that are part of the human trafficking network; that it would fund the people trafficking millions into this country.

He didn't dispute any of that. Instead, he said the standard Democrat line, which is: Trump, Trump, Trump. Trump is the bad guy. It is all Trump's fault.

And I get that, in Democrat circles, Trump is the bogeyman. But there is a simple fact. When Donald Trump was in the White House and when he was actually working to secure the border, we had the lowest rate of illegal immigration in 45 years. When Joe Biden and the Democrats are in charge, we have the highest rate of illegal immigration in American history. That is a fact. And all the political smoke and mirrors from the Democrats can't hide that fact.

But it is also interesting what he did say. He gave these epic words about Chicago welcoming immigrants. And he is right. Our country was built by legal immigrants, by people following the law, coming here the right way. My father came as an immigrant from Cuba. There is a right way to come following the rules.

I found it striking, though, that when he was saying how much Chicago loves illegal immigrants, that he somehow omitted that the mayor of Chicago has declared an emergency because of the crisis of illegal immigrants flooding into the city of Chicago; illegal immigrants taking resources from the residents of Chicago; being housed in Chicago O'Hare Airport.

We are seeing illegal immigrants in places like New York City being put in public schools and throwing Americans out of their facilities. The mayor of New York City—again, a liberal Democrat like the mayor of Chicago—has said illegal immigration is a crisis that is destroying New York City. And yet Senator DURBIN told us, in essence, the Democrats are the party of open borders.

He said farmworkers—we can't get anyone to work on the farm unless we have those open borders. Apparently, in the Democrats' view, Americans are lazy and don't want to work and the only way to grow our food is to open our borders to a full-on invasion. Listen, if some people have to die, if people have to get murdered by criminals and gangbangers released by Democrats day after day after day, that is an acceptable price to the Democrats.

Because, if you listen to his criticism of H.R. 2, you know what he said? Well, the people who are here illegally, they wouldn't be able to work. My God, it would stop illegal immigration. That is his objection. That is the Democrats' objection. They object to this bill because it would do what they say they want to do. And the truth is, they don't want to do that.

Joe Biden could secure the border today. He broke the border by unilateral action. Nothing prevents him from reversing those three decisions, from ending catch-and-release today. He won't do it. He doesn't want to do it. And every Democrat in this Chamber supports those open border policies.

(Mr. MARKEY assumed the Chair.)

I am going to close by observing the very real victims of the Democrats' open border policies. There are some Democrat policies that are victimless. This is not one of them.

We have heard a lot about Laken Riley, but it is worth reflecting on what exactly happened to her, because the murderer who murdered her came from Venezuela illegally, and we caught him. We had him. He was apprehended in El Paso, TX. All Joe Biden had to do was follow the law. If he followed the law, what would he have done with an illegal immigrant from Venezuela? He would have put him on a plane and flown him back. But he didn't do that because Joe Biden and the Democrats have decided they want open borders. Instead, they released this illegal immigrant. They let him go. Now, what did he do? He went to New York City, and we caught him again. He committed another crime. This time, he endangered the safety of a child. New York City caught him.

They arrested him. And what did New York have to do? All they had to do was follow the law and put him in jail. You know what, if they had done that, Laken Riley would still be alive. By the way, if Joe Biden and the Democrats had followed the law, Laken Riley would still be alive. But New York City is a sanctuary city, so they let him go again.

The murderer came down to Georgia, and Laken Riley—a beautiful 22-year-old woman, a nursing student—she went out jogging for what she thought was going to be a beautiful day and this murderer, this illegal immigrant the Democrats had released over and over again, picked up a brick and beat her to death. Mr. President, that is happening every week.

Another name you don't hear Democrats say is Jeremy Caceres. Jeremy Caceres is a beautiful 2-year-old boy. He was murdered in Prince George's County, MD, just a few miles from where we are now, by another illegal immigrant who Joe Biden and the Democrats released.

Mr. President, I want to finally point to a 15-year-old girl in your home State, in Boston, MA. Not only is the Biden administration allowing a completely open border and releasing illegal immigrants that are apprehended, but they are flying hundreds of thousands of illegal immigrants directly from their home countries into America.

In this case, the Biden administration flew an illegal immigrant from Haiti to Boston, MA. He didn't try to cross illegally. The Biden administration said: Come on, get on an airplane. We will bring you to Boston. You know what he did in Boston? He has been arrested now for violently raping a 15-year-old girl with severe mental disabilities.

This is sick. This is grotesque. And this is happening day after day after day. And we have a bill right now we could pass that would stop it. And the Democrats' answer is "I object." And another American is going to be killed next week and the week after and the week after and the Democrats—all in the name of power—are perfectly fine with this.

The good news is, an election is coming. In January 2025, with a new administration, we will solve this problem. We will secure the border. We will stop this invasion. And we will protect the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. 685

Mr. LEE. Mr. President, if my Democratic colleagues were really serious about addressing the crisis unfolding on our border, they would demand Senator SCHUMER immediately take up H.R. 2 instead of this counterproductive and excessively, at best, weak bill that would, if anything, only make matters worse along the border.

Sadly, they are not. We know that by their actions—their actions today—actions we have seen just moments ago. We are still encountering close to 180,000 illegal immigrants at our southern border each and every month. Since President Biden took office, there have been over 9.5 million illegal immigrant encounters nationwide. Those are just the ones we know about. The actual estimates put it 12 to 13 million that may have crossed illegally. Over 350 individuals on the terrorist watchlist have been stopped while trying to cross the southern border. Over 27,583 citizens of communist China have been encountered at the southwest border in the last year alone.

By any metric, this administration has no interest in securing our border. In fact, quite to the contrary. The data suggests this administration wants as many illegal immigrants to enter the country as possible. My Democratic colleagues want us to pretend Republicans are somehow responsible for creating or prolonging the crisis. Why? Because we were unwilling to pass a bad immigration bill masquerading as a border security bill; a bill that would have normalized thousands of illegal entries at our border each month.

I continue to believe that H.R. 2 would solve most of our most vexing problems at our southern border. It is not that you have to have new legislation to fix it, but this would fix it. It would fix it because it would cabin President Biden's authority to allow this to continue to happen. He doesn't need legislation. He could do this all on his own.

But back to the point. If the Democrats were serious here, that is what Democrats would allow us to do is to take up and pass H.R. 2. Sadly, that offer was rejected moments ago. And so trying to find something that will work, I am offering a smaller, narrower bill; a bill that doesn't contain all the same provisions, but that would help alleviate the crisis by closing some of the most gaping loopholes in the law that are allowing this thing to continue. Again, cabining the President's discretion, forcing his hand so as to make it more difficult for him to perpetuate this cycle of illegal border crossings.

To be clear, this isn't the entire answer. But if my Democratic colleagues can't agree to those commonsense reforms found in H.R. 2, then if they can't agree to consider these reforms that are narrower than I am offering, how, honestly, can we take their concern about the border crisis seriously?

The Stopping Border Surges Act would address loopholes in our immigration laws which create some of the perverse incentives for illegal immigration. It would clarify that an adult cannot bring a child into this country expecting that child to be his or her ticket to avoid detention. This bill would help eliminate the disturbing recycling of children and babies by

coyotes and by international drug cartels. It would allow all unaccompanied children to be returned to their home countries, thus ending the incentive for parents to send their young children here alone.

Sadly, we see what is happening to those children under the supervision of the Biden administration and Secretary Mayorkas. They are trafficked either into child slavery, sex slavery, as drug mules, or some combination of the above.

My bill would require the Department of Health and Human Services to provide the Department of Homeland Security with biographical information about the persons to whom children are released. It would require asylum seekers to apply for and be denied asylum in at least one safe country on their route to the United States. It would combat the Biden administration's obliteration of the credible fear standard by tightening that standard back to where it should be. The correct application of this standard is pivotal to operation of our asylum system; for it to be there for those who need it and are entitled to it while protecting it from being abused as it has been. It has been corrupted over the last 3½ years. More recently, it has gotten much, much worse. In fact, the Biden administration has, you might say, destroyed it entirely. We must fix it. We have an obligation to do so.

This Stopping Border Surges Act would also close loopholes and restrict asylum to aliens who present themselves at an official port of entry. We must eliminate the loopholes, not allow this administration to continue to expand them and, indeed, to make more of them.

Congress must take back the authority to establish law. We can start that today with the Stopping Borders Surges Act. Ending the ambiguities in our current law will help mitigate the situation at the border and prevent unaccountable bureaucrats from acting with impunity as the despots in miniature that they have become to enforce their own policy preferences at their own will and whim.

So I urge my colleagues to support what I am about to do here, which is to ask that we consider this bill. Keep in mind, just a moment ago, I had colleagues offer up to pass by unanimous consent H.R. 2. I am offering a narrower, more targeted fix and I am asking unanimous consent, not that it be passed right now, but just we be allowed to consider it. We bring it up, we debate it and discuss it, and dispose of it with votes.

To that end, Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 685 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Recapping, we have a bipartisan bill. Republicans in the Senate said: We have a negotiator here. Don't bring anybody new to the table. His name is JAMES LANKFORD. He is a conservative Senator from the State of Oklahoma.

I respect him and I like him, and he headed up there to negotiate.

On our side, we had CHRIS MURPHY, Senator from Connecticut, and KYRSTEN SINEMA, Senator from Arizona, Independent Democratic. The three worked, not for weeks, but months to put together a bipartisan bill.

The bill that they put together was endorsed by the National Border Patrol Council. When I heard the stories said by the junior Senator from Texas about the terrible things that would occur if that bill would pass, I wondered: Did he consider stopping to talk to the Border Patrol agents who endorsed the bill and thought from a law enforcement perspective at the border that it made sense?

We were ready to go. We were getting a bipartisan bill and it was the beginning of negotiations to do something about the border. We need to do something about the border.

Then what happened? And this is a matter of record. Everyone has seen it, all the clips on television. They went to the punitive—I guess that is the word—Republican candidate for President of the United States, Donald Trump, and said: We have a bill, a bipartisan bill to consider in the Senate. He said: Kill it. Stop the bill. Don't vote for it. I would rather have the issue, and I don't want to give Joe Biden any credit for anything. Even though we endorsed this bipartisan bill, we are going to be against it, and everybody who is loyal to me needs to vote no. Guess what? Virtually all the Republican Senators voted no.

That was the end of the bipartisan conversation about the border.

Take a look at what is being proposed by my colleague and friend Senator LEE from Utah. This bill targets the most vulnerable people seeking safety and protection in the United States: children traveling to the United States without a parent or guardian, families with minor children, and asylum seekers fleeing persecution.

This bill would strip away protections for unaccompanied children. It would deport many of these kids back into the hands of smugglers who exploit them, keep others in detention up to 1 month. Do you know what detention on the border is for a child? It is a cage. I have seen them. That is exactly what would happen. They would sit in these cages for a month, keep them separated from adults who would care for them.

This bill would require families to be detained—"detained" is a nice word for "incarcerated"—a failed policy that



has disastrous effects on kids and doesn't make the border more secure.

This bill would impose multiple new restrictions on asylum, undermining our longstanding, bipartisan commitment to refugees seeking safety.

The Biden administration is doing what it can do now to secure the border under our outdated immigration laws. The Biden administration endorsed the bipartisan bill, which these Republican Senators all voted against. The administration has dramatically increased deportations of those who are not eligible, made tough changes to our asylum system, and improved access to lawful pathways to deter illegal immigration.

But, ultimately, do you know whose responsibility it is to write this bill? Congress's. Do you know what the best starting point is? The bipartisan Lankford bill that came to the floor of the Senate. That is what we are going to offer on the floor. If you want to negotiate from there, if you want to offer amendments to that, be my guest. That is what the Senate is all about. But the notion by the Senator from Utah that this ought to be the starting point I think is a bad idea.

Recently, a bipartisan group of Senators and the White House negotiated a good starting point. It was written by their negotiator. I respect him, and I think all Members of the Senate should. Yet, when it came to a vote, the vast majority of Republicans wouldn't support it.

I just want to close by saying this: This is an issue I have worked on for my entire career in the Senate. I introduced the DREAM Act over 20 years ago. I really believe this is a challenge which we can only solve on a bipartisan basis. I think that the Lankford bill is a good starting point.

Let's come together and work together on a bipartisan starting point, ignore Donald Trump, who says he doesn't want this to move forward, and let's do something the American people really want. To aspire to that goal, I object to this approach to it.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, this is unfortunate. Keep in mind what just happened here. I asked not that we pass this bill but that we move to its consideration, that we be allowed to debate it, discuss it, and ultimately dispose of it through votes after having an opportunity to review its merits and to consider amendments. That, too, drew an objection even though this would allow the body to work its will through amendments, and we could get to a point where perhaps we could agree on something.

Instead, we see absolute fealty pledged to this bill, what is being referred to as the bipartisan bill. Now, with all due respect to those who negotiated it, keep in mind, Senators in the room were two Members of the Democratic caucus and one Republican, and then you add to that the White House—

a significant player even if you don't weight the White House as more than just one Senator equivalent. Putting it generously, this is a 3-to-1 negotiation. Yet this negotiation went on for many months. During most of that time, most of us were unaware of what was being discussed. As soon as the details started to leak out, as soon as we started to become aware of them, many of us started publicly and privately expressing our concerns, first in private and then in public.

Look, separate and apart from what the 45th President of the United States had to say about it, many—I would say most of us in the Senate Republican conference had already formed our opinions and decided to oppose the bill based on its own terms long before the 45th President of the United States weighed in on it. Long before Donald Trump said a word about this, we were concerned. We always would have been concerned even had he not weighed in, based on the merits of the bill.

Look, the bill itself didn't do what it was supposed to do, and it kept referring to one of my colleagues as the designated authorized representative. Well, when you are authorized and designated as a representative of one or more individuals—in this case, 49 individuals—that still presupposes that you are negotiating something consistent with their express desires and subject to their approval.

When at last we became aware of the details of it, we decided this is not nearly what we talked about, not what we ordered, and so we rejected it. Again, this was underway long before President Trump ever said a word about it. So it isn't accurate to describe this bipartisan bill—which, by the way, at the end of the day, received only 4 out of 49 Senate Republicans supporting it on the Senate floor. I believe it would probably receive less than that even today. It is minimally bipartisan at best.

Now, as to the suggestion that my bill, the Stopping Border Surges Act, and bare consideration of it—not just that it be passed into law but that we be allowed to even consider it—he says that it somehow targets vulnerable people, including children, for inhumane treatment. Do you know what is inhumane? What is inhumane is perpetuating a system that incentivizes the kidnapping, the renting, the borrowing, the leasing, the recycling of children for the purpose of creating a ruse by which adults can avoid detention, sometimes sending the same kids back through the system over and over and over again as if they were poker chips or something like that. Look, children are not props. Children certainly are not there as currency to facilitate illegal immigration.

Are there human rights violations? Yes. Constantly, incessantly, directly as a result of this. Somewhere between, I don't know, 35 percent at the low end and 65 percent at the high end of the women and girls who are trafficked

into this country by the drug cartels—which are making tens of billions of dollars a year under the Biden administration's deliberately lax policy—are subjected to rape, to sexual assault, in many cases, to sex slavery.

In many instances, people can't afford the many thousands of dollars they have to pay to the cartels in order to be trafficked, so what do they do? Well, they work it off. How do they work it off? They do what they can, what they are told to. In many circumstances, we know exactly what that means.

So don't talk to me about this being an inhumane bill. This is a bill that would stop the inhumanity. This is a bill that would tighten the restrictions so that this doesn't happen anymore, so that kids aren't recycled, so that they are not kidnapped, sold, borrowed, rented, and recycled as props to facilitate illegal immigration.

Anyone who suggests this is humane isn't looking at the reality of the circumstances and at the lives lost even before you get to the Americans whose lives have been ended or have ended in tragedy or met with tragedy unnecessarily by people who should never have been in this country to begin with and then carry out crimes—some too heinous to describe on the Senate floor. Even before you get to those Americans who have met tragically with fate in those ways, just look at the inhumane treatment received by those who are being trafficked.

The humane thing to do here is not to perpetuate this cycle. There is nothing humane about allowing human beings to be trafficked on this scale, enriching international drug cartels whose object is lucre and whose means inevitably involve violence. Shame on all of us if we don't do this. Shame on the Senate for not being willing. Shame on the Senate Democrats not being willing today even to consider a bill that would bring that to an end.

The PRESIDING OFFICER. The Senator from Kansas.

UNANIMOUS CONSENT REQUEST—S. 4225

Mr. MARSHALL. Mr. President, I rise today to ask this body to immediately consider the Demanding Citizenship in D.C. Elections Act. Right now, we have over 11 million illegal immigrants here on U.S. soil. That is enough to replace the entire population of 36 States, including the population of Kansas, almost 4 times over.

When I am back home, I often get asked: Why does Joe Biden allow 5- to 10,000 people to cross our border illegally every day? Why would the Democrats rush millions of people—many unvetted—into our country over the past 3½ years? Why is our national security an afterthought? How can the President hear Laken Riley's story and the story of so many others who have died or been assaulted by the impacts of this border crisis and not do anything? How does he sleep at night?

When I think about his reaction to these questions, it becomes very clear

what is happening. The President is worried about the next election, not the next generation and not our national security.

Look, this White House has created the worst border crisis in our Nation's history and has incentivized the unlawful crossings at our southern border in hopes that these migrants will be future Democrat voters, with the expectation that the census, which is based upon population, will bring in more Democrat seats in Congress, with hopes of cooking the books for elections to come.

This is election interference by design, with the ultimate goal being the unravelling of our free and fair elections by engineering the largest scale invasion of our country and turning those people out at the ballot box. The Democrats are courting these 11 million people, including terrorists, dangerous drug cartels, and Chinese nationalists, as future voters. They are giving them free healthcare, pricey hotel stays, flights, cell phones, and more, and reminding them to pay it back. Where? At the ballot box.

If you don't believe me, look no further than what is happening right here in our Nation's Capital, in Washington, DC. Illegal aliens are now voting in local elections. Let me say that again. You can't make this up. Illegal aliens are now voting in local elections in our Nation's Capital.

Folks, this is just the beginning for the DNC and serves as the roadmap that they are building to tip the balance and dismantle the integrity of our electoral process across the entire country, and that is why I am asking this body to consider the Demanding Citizenship in D.C. Elections Act immediately.

Washington, DC, as we all know, falls under the jurisdiction of Congress. The intent of our Founding Fathers was to prevent any single State from gaining undue power by hosting the Federal Government. With the oversight powers bestowed on us here in Congress, it is our obligation and duty to stop this election interference.

The American people want free and fair elections. They want to trust that their vote won't be superseded by the millions of illegal aliens that have been transported across the United States. So I rise today to give my colleagues across the aisle the opportunity to show the American people that the Democratic Party believes in election integrity and our democratic electoral process. If they do, then they should have no problem supporting our legislation that explicitly states that illegal aliens cannot vote in DC elections.

Now, some of my colleagues across the aisle continue to deny that illegal aliens are voting in our elections. For the sake of this argument, let's take them at our word. If they say illegals are not voting in our elections, then what is the harm in passing legislation to ensure that it never happens? Let's

assure the American people that we have the same goal of citizen-only representation in our electoral process. Now, unfortunately, the left won't do this because they know it is factually incorrect, and they need those votes.

This is election interference by design, with the ultimate goal being the unravelling of our free and fair elections by engineering the largest scale invasion of our country and turning them out at the ballot box.

Unfortunately, when my colleagues across the aisle block this legislation today, they are showing their cards—that, for Democrats, the border crisis is not a crisis at all; it is their campaign trail to victory. This is the Democrats' playbook. If this call for unanimous consent fails, the American people will know the Democrats' true motivation for this border crisis.

We the people must fight back. Too much is at stake. Our democracy as we know it is under attack by this administration. This legislation is a good start on ensuring the integrity of our elections.

Mr. President, I would like to ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of S. 4225 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection?

The Senator from Vermont.

Mr. WELCH. Reserving the right to object, the question here is about the control by Congress over the District of Columbia governance and the right to self-govern.

There has been a tendency in this Congress, and there is debate in this Congress, about whether there should be home rule for Washington. I believe there should be. Many of my colleagues don't. And this Congress does have authority.

But what is really at stake here is the question of whether a law passed by the city council of the District of Columbia should be allowed to go into effect or overwritten by action here. My view is that the elected representatives have the right and the responsibility to pass laws that go with being a self-governing city council.

The question of the Local Resident Voting Rights Amendment Act—that is what we are talking about—was passed by the city council. It is the will of the representatives of the people of this city, through their representatives, to allow this to happen.

This initiative has been something that has been taken up by other local governments in other States, where the prerogative is to make their own laws with respect to voting. And I believe that the District of Columbia should have that ability to pass these laws without interference from Congress.

Now, this was challenged in court. In March, the U.S. District Court for DC dismissed a constitutional challenge to the Local Resident Voting Rights Amendment Act of 2022.

Also, as a practical matter, voting has already begun in DC's 2024 primary elections. Senator MARSHALL's bill would absolutely cause chaos in the ongoing election.

So while folks can disagree on the policy, at the end of the day, this is settled local policy matter.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kansas.

Mr. MARSHALL. Mr. President, I appreciate my colleague's comments on this issue. I will point out a couple of important facts.

The Constitution clearly gives the U.S. Congress the power to govern Washington, DC. Washington, DC is not a State. It is a Federal district. Our Founding Fathers wanted it that way. They didn't want one State to have more control over the Federal Government than another.

And we think about the issues going on in Washington, DC, right now. This Federal district has turned into a war zone. It is no longer safe for our staff to walk to and from their jobs. Almost every week, we are seeing somebody physically assaulted, carjackings, stabbings. It is to the point where I am afraid for folks from back home to come visit us, and our folks from back home deserve the right to safely petition their government.

Look, the city council, the Mayor of Washington, DC, have blown it. They have not taken their responsibilities seriously, and that is why we need to usurp that power back. We need to do what the Constitution says. And we certainly don't want illegal aliens promoting this cashless bail, defund-the-police program. We need more security in Washington, DC, not less.

The PRESIDING OFFICER. The Senator from Vermont.

S.J. RES. 58

Mr. WELCH. Mr. President, I would like to speak in support of the Biden-Harris administration's finalized furnace efficiency standards and against S.J. Res. 58.

The Department of Energy's finalized rule has been a long time coming, and we have not meaningfully updated the standards since the 1990s. Technology has advanced, but our regulations haven't kept up.

Now, let me just talk, first of all, about the importance of efficiency in the role that regulations can play in allowing efficiency to benefit consumers and our environment. When we have standards, it means that the manufacturers compete with the production of products that meet those standards. It is not a race to the bottom. It is a level playing field for those in the manufacturing industry that want to sell their products to consumers.

Having standards that are reasonable—and these are very reasonable—then allows these better products to be sold, and the competition is a restraint on the price that is charged.

So efficiency has always been something that can help us do the following:



No. 1, reduce carbon emissions. The less energy that is used, the less carbon emissions are created.

No. 2, it saves money. At the end of the day, you have a more efficient appliance. It is going to use less energy by whatever means that energy has been produced.

No. 3, it tends to create jobs. The folks who manufacture these have workers. They have good jobs, and it is really important.

In Vermont, we face very high heating bills, and one of the reasons we want and fully support more efficient furnaces is to get those bills down. With a furnace that isn't up to the new standard, a family can face \$600 in additional heating bills annually, and that is a lot of money for a lot of Vermonters.

The efficiency rule here has the potential to reduce the average household energy cost by \$50 a year and \$350 over the lifetime.

Many of the policies that we have worked on to pass through the Inflation Reduction Act will also help mitigate the costs. When you are doing an upgrade for some of your home appliances under the HOMES Act, you can get a taxpayer rebate, reducing the cost of what this will be.

These standards can also be especially helpful for lower income folks who rent their homes and, also, often face very high energy bills, largely because there is not an incentive for the landlord to provide a more efficient furnace.

By the way, the standards will make a major impact in our carbon emissions, cutting 332 metric tons over the next 30 years. And that is equivalent to the annual emissions from 34 percent of U.S. households.

So, for over a decade, Canada has had very similar furnace efficiency standards and has seen that there have not been significant issues with implementation. We should follow suit and implement the Department of Energy's standards to realize all of the important benefits I just mentioned.

I urge my colleagues to vote against S.J. Res. 58 and show strong support for the efficiency policy.

I yield the floor.

The PRESIDING OFFICER (Mr. WELCH). The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I rise today to speak in opposition to the Congressional Review Act resolution, which would overturn the Department of Energy's furnace efficiency standard. A vote for this resolution is a vote for higher costs for American families, a vote for higher temperatures for future generations, and a vote for scare-mongering over science.

What you have just said on the Senate floor, Senator WELCH, is a complete reflection of my own views about this issue.

Families face high energy bills. They are afraid of climate chaos. But instead of tackling those problems head-on, we

are instead burying our heads in the sand. By attacking a commonsense upgrade to energy efficiency standards, this resolution seems to have come straight from the American Gas Association's playbook: Use more natural gas. That is their plan: Send greenhouse gases up into the atmosphere to dangerously warm our planet. That is the plan of the American Gas Association.

I am the House author of the National Appliance Energy Conservation Act, which was passed in 1987 and authorized the Department of Energy to set binding standards for appliance energy efficiency. And so that set the minimum standard of energy efficiency for 13 types of appliances: air conditioners, refrigerators, freezers, washers, dryers, gas furnaces.

And that law has been updated many times over the years and now covers about 60 products. And it is estimated that my appliance efficiency act, which became law over 3½ decades ago, has done more to save energy than any other Federal policy in buildings in our country's history.

And what is the central premise? It is just working smarter, not harder; using less electricity, using less energy—working smarter, not harder.

My mother always said to me: EDDIE, you have to learn how to work that way—that was before she would say that she was going to donate my brain to Harvard Medical School as a completely unused human organ—because if you don't work smarter, you are going to work harder.

That is what the American Gas Association wants. It wants to "drill, baby, drill." But it is drilling into the pockets of consumers. It is the result in greenhouse gases going up into the atmosphere, which, ultimately, are going to cause incredible storms, incredible climate consequences, when we could just reduce the amount of energy which we are consuming. How hard is that?

During the Trump era, the Department of Energy missed its 28 deadlines to update the appliance standards, as they are supposed to do by law every single 6-year period, and they left the backlog to President Biden. And the Biden administration has been making up for lost time, already completing 24 rules with about a dozen left in front of them this year, which, when finalized, will save consumers nearly \$1 trillion and 2.5 billion metric tons of carbon emissions over 30 years.

That is working smarter, not harder. You save money, and you reduce greenhouse gases.

Gas furnaces, as the Senator from Vermont was mentioning, have an outsized impact on household bills, as residential heating is the largest source of energy consumption for most families. And when a furnace is installed in a household, it lasts a very long time.

This resolution is directly at odds with the welfare of working-class families and renters, who often spend a dis-

proportionate amount of their income on energy bills. And renters don't even get to pick their furnace, just pay the bills for it.

Winter heating bills are a huge burden for families, with some forced to make impossible choices, nearly every month, between paying for food, medicine, and basic necessities like heat.

Before this new rule that the gas lobby—the natural gas lobby—would so desperately like to go up in smoke, we haven't seen any meaningful update on gas furnace efficiency standards since Congress first set them in my bill in 1987. That is the American Gas Association at work.

As much as it might be helpful for climate change, public health, and national security, the Department of Energy's standards do not phase out gas furnaces. The rule getting targeted by this resolution doesn't even address existing gas furnaces, nor is the rule effective immediately. Instead, this rule we are debating today will ensure that all new gas furnaces meet a 95-percent fuel efficiency threshold starting in 2028—plenty of running room for the industry, plenty of notice, but plenty of benefits, ultimately, for consumers in their home heating bills and a reduction in greenhouse gases for the next generation of Americans who are afraid that they are going to be left paying the bill for all of the consequences of out-of-control climate change, which these furnaces contribute to in a major way.

This provides for a slow phaseout of older, less efficient furnaces while leaving more efficient furnaces on the market that already make up nearly half of all current models. The furnace efficiency standards alone will cut 332 million metric tons of carbon dioxide emissions from furnaces over 30 years as well as other pollutants like methane and nitrous oxides. That is equal to taking 79 million gas-powered cars off the roads or cutting the annual emissions of 85 coal-fired powerplants. They won't be needed. The 85 coal-burning plants won't be needed because the electricity won't be needed because the furnaces will be so much more efficient.

Furnace manufacturers like this rule because it spurs innovation. Customers like this rule because it will save them money. Families like this rule because it would reduce the amount of toxic gas they are inhaling on a daily basis, reducing risks of asthma, heart disease, and premature deaths. The more you inhale, the more dangerous it is for the children in the house and for pregnant women in the house. Scientists like this rule because it will cut how much climate change-causing pollution we are sending up into the atmosphere.

The American Gas Association, which filed a legal challenge that is oddly similar to my colleague's CRA language, does not like this rule because it will cut how many customers are dependent on their product. It will eat into their already astronomical

profits. It is the wealthiest industry in the history of the world, but they want more even if consumers could save. They want the hot and toxic status quo to remain in place. They are afraid that our country will become ever more efficient or even decarbonized and continue on without them, so they are acting out of corporate fear to destroy our chance at a livable future. Repealing the standards would saddle millions of Americans with unnecessarily high heating bills for decades to come.

Let me be clear. Energy poverty is a racial justice issue. It is an economic justice issue. It is an environmental justice issue. We must take steps today to remedy this injustice.

Even though an efficient furnace may cost slightly more on the market today, costs will continue to fall, and households will be more than paid back in lower energy bills year after year after year. They will have much lower emissions that are being sent out. They will have more innovation. They will have more healthcare benefits. All of that will flow to ordinary Americans unless the American Gas Association has its way with this U.S. Senate.

So my colleagues will rant and rave about the need to constantly drill, baby, drill to get enough fossil fuels to keep our grid running. They love to fearmonger about reliability issues and how we can keep the lights on. But the cleanest, cheapest, and most reliable megawatt of energy is the one we never have to use. That is why everyone who supports a reliable grid should support energy efficiency standards—working smarter and not harder.

We shouldn't sacrifice savings, our grid, our health, and our climate on the altar of the American Gas Association. A moderate increase in energy efficiency for furnaces just makes sense. This radical proposal to reverse this energy efficiency standard should be rejected, and I urge my colleagues to vote no.

This today will be a vote for the future. It will be a vote for future generations. It will be a vote to say that finally the Senate is serious about dealing with this crisis that is affecting our planet and the next generation of children in our country.

I thank the Presiding Officer for his leadership on this issue, and I urge a rejection of this proposal coming from the American Gas Association.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I rise today to discuss my resolution to disapprove of the Biden Department of Energy's final rule targeting gas furnaces.

In October of last year, the Biden Department of Energy announced a final rule on energy efficiency standards for gas furnaces, and in December, the Agency published the final rule mandating that gas furnaces achieve an efficiency standard of 95 percent when right now, residential gas furnaces

only require an efficiency standard of 80 percent.

This rule would remove up to 60 percent of current residential furnaces from the market and would impact 55 percent of American households. It would have a terrible, negative effect on families who are already struggling with historic inflation numbers under the Biden administration, and it would force consumers to spend thousands of dollars they don't have on renovations to accommodate a new gas furnace or to switch to an electric appliance, which could mean higher monthly utility bills for families.

In Texas, 25 percent of households have a natural gas furnace, and of those, over 45 percent would be negatively impacted, meaning they would spend more to retrofit their homes and to purchase and install a furnace than they would save over the life of the appliance.

Now, in every State and in the State of Texas, some Texans may choose to move to an electric appliance for a variety of reasons, and some may decide they would like to stick with a gas furnace, but with this Biden rule in effect, Texans won't have a choice, and neither will the residents of the other 49 States. The Biden administration will have made the decision for them.

Texans aren't alone in this. Other States are in a similar situation. For example, 39 percent of Arizonans with a natural gas furnace would lose money from this rule. Let me give you some percentages from some other States picked almost at random. These are the percentages of households with natural gas furnaces that would be negatively impacted in the following States: in Pennsylvania, 33 percent; in West Virginia, 47 percent; in Montana, 36 percent; in Wisconsin, 16 percent; in Michigan, 35 percent; in Nevada, a staggering 63 percent negatively impacted; in Maryland, 57 percent; and in the State of Ohio, 47 percent of those households would be negatively impacted.

This rule is a continuation of the Biden administration's capitulation to environmental radicals, who value following climate dogma more than helping families actually provide for their kids and save for the future.

Joe Biden, when he campaigned in 2020, told voters that if they elected him, he would halt drilling onshore and offshore in the United States. In his first week in office, he shut down the Keystone Pipeline and destroyed 11,000 jobs with a stroke of a pen, including 8,000 union jobs.

Joe Biden shut down all new leases on Federal land, onshore and offshore.

He shut down development in ANWR, putting in place banking regulators and SEC regulators to cut off debt financing and to cut off equity financing for energy exploration and development.

He put a tax—yes, a tax—on natural gas production despite the cost-of-living crisis many Americans are facing because of failed Democrat policies.

That is why I introduced this Congressional Review Act—to help alleviate the unending assault on American families from President Biden and the Democrats' radical energy agenda.

The average household in Texas has spent \$5,113 more on energy due to inflation since January 2021, and \$5,113 is a lot of money for a lot of families. This administration's answer to those struggling is that it is more important to appease the environmental radicals than to allow you to pay your rent or pay your mortgage or to save for your family or to put money away for your kids in a college fund.

What is maddening is that this is done, they say, to reduce carbon emissions and to help the environment, but why would Americans take them at their word on this? This is the same administration that has no problem burdening U.S. oil and gas producers, who maintain the highest environmental standards in the world, but refused to crack down on Iran for shipping 2 million barrels of oil a day all around the world. It is the same administration that in one breath wants to reduce emissions globally but will then ban new U.S. permits to ship liquid natural gas overseas, leaving our allies to fend for themselves and driving them to burn dirtier coal, emit more carbon, and pollute the environment even more.

So if you care about reducing emissions, this administration has been an abject failure. Instead of delivering actual solutions, it is their belief that putting a de facto ban on your gas furnace is more important than addressing record coal consumption in China—the biggest polluter on the face of the planet.

According to the Department of Energy's own estimate, 91 to 95 percent of furnace replacements will be at an annual fuel utilization efficiency rate of 92 percent or higher by 2028. So according to the Department of Energy's own estimate, this rule is unnecessary.

The folks who can already afford the higher cost of a new gas furnace can buy one, but Americans who can least afford another price shock after suffering under Bidenflation for years will be hurt the most.

I want the Presiding Officer to listen to these data. According to some estimates, the Department of Energy rule will lead to higher prices for 30 percent of senior citizen households, for 27 percent of small businesses, and for 26 percent of low-income households.

This rule represents the fundamental transformation of the Democratic Party. There was a time the Democratic Party called itself the party of the working class. That is no longer the case. Today's Democratic Party cares more about the money from California environmentalist billionaires than they do about the jobs or the monthly budgets of hard-working families in America.

Today, the blue-collar family in America is the Republican Party because the Democratic Party looked at

their union brethren and said: We don't care about you anymore. We are chasing the money.

That is why groups like the National Federation of Independent Business, which represents 300,000 small businesses across the country, strongly support this CRA.

Perhaps it should come as no surprise that the Biden administration is being sued for this illegal rule. The law that empowers the Department of Energy to set efficiency standards was passed during the energy scarcity of the 1970s, but the law also contains a prohibition against weaponizing efficiency standards to eliminate entire product categories like this rule seeks to do.

The American people are required to comply with Joe Biden's rule effectively banning affordable gas furnaces on December 18, 2028. Congress should come together and vote for the resolution to stop this rule. Doing so would save American families and American seniors thousands and thousands of dollars as well as save American jobs. We should do this without delay.

**PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE DEPARTMENT OF ENERGY RELATING TO "ENERGY CONSERVATION PROGRAM: ENERGY CONSERVATION STANDARDS FOR CONSUMER FURNACES"**

Mr. CRUZ. Mr. President, I move to proceed to Calendar No. 399, S.J. Res. 58.

The PRESIDING OFFICER (Mr. MARKEY). Under the previous order, the motion to proceed is agreed to.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 58) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Energy relating to "Energy Conservation Program: Energy Conservation Standards for Consumer Furnaces".

VOTE ON S.J. RES. 58

The ACTING PRESIDENT pro tempore. Under the previous order, the joint resolution is considered read the third time.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. CRUZ. 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. HAGERTY), the Senator from Missouri (Mr. HAWLEY), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted "yea."

The result was announced—yeas 50, nays 45, as follows:

[Rollcall Vote No. 176 Leg.]

YEAS—50

Barrasso	Ernst	Paul
Blackburn	Fischer	Ricketts
Boozman	Graham	Risch
Braun	Grassley	Romney
Britt	Hoeven	Rounds
Brown	Hyde-Smith	Rubio
Budd	Johnson	Schmitt
Capito	Kennedy	Scott (FL)
Casey	Lankford	Scott (SC)
Cassidy	Lee	Sinema
Collins	Lummis	Sullivan
Cornyn	Manchin	Thune
Cotton	Marshall	Tuberville
Cramer	McConnell	Vance
Crapo	Moran	Wicker
Cruz	Mullin	Young
Daines	Murkowski	

NAYS—45

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Butler	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Smith
Carper	Lujan	Stabenow
Coons	Markey	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Fetterman	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden

NOT VOTING—5

Hagerty	Menendez	Tillis
Hawley	Tester	

The joint resolution (S.J. Res. 58) was passed as follows:

S.J. RES. 58

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress disapproves the rule submitted by the Department of Energy relating to "Energy Conservation Program: Energy Conservation Standards for Consumer Furnaces" (88 Fed. Reg. 87502 (December 18, 2023)), and such rule shall have no force or effect.

## APPOINTMENT

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Vice President, pursuant to the provisions of S. Con. Res. 34 (118th Congress), appoints the following Senators to the Joint Congressional Committee on Inaugural Ceremonies: the Honorable CHARLES E. SCHUMER of New York; the Honorable AMY KLOBUCHAR of Minnesota; and the Honorable DEB FISCHER of Nebraska.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

MEASURE READ THE FIRST TIME—S. 4381

Ms. HASSAN. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

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

The senior assistant legislative clerk read as follows:

A bill (S. 4381) to protect an individual's ability to access contraceptives and to engage in contraception and to protect a health care provider's ability to provide contraceptives, contraception, and information related to contraception.

Ms. HASSAN. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, MAY 22, 2024

Ms. HASSAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, May 22; 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; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Martinez nomination, postcloture; further, that if cloture has been invoked on the Coggins nomination, all time be considered expired at 3:15 p.m.; further, that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ORDER FOR ADJOURNMENT

Ms. HASSAN. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order following the remarks of Senators LANKFORD and SANDERS.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. KELLY). The Senator from Oklahoma.

## BORDER ACT

Mr. LANKFORD. Mr. President, so far this year, 1,624,790 people have illegally crossed our southwest border—1,624,790 so far. We have at least 1.6