

Drugs, gangs, and even terrorists are flooding—are flooding—our border. We don't know who they are. Can there be any doubt that the Founding Fathers would consider this an invasion?

The population of our country at the founding was about 4 million people, at the beginning, 248 years ago. The population has grown, obviously. We have had more than 8 million illegal crossings since Joe Biden took office—8 million. The sheer scale of this is unlike anything that any of us have ever seen.

So it should be clear. The facts and the Constitution are both on the State of Texas's side, and Texas has every right to protect the people in its State and our country.

I am confident that the Supreme Court will uphold the Constitution on this ruling, but the real solution is not relying on a court ruling. The real solution is for President Joe Biden to stop destroying the border and put a stop to what is happening.

Stop cutting the wire. Stop suing our border States. Stop selling off the wall. Stop pretending to want a border bill that we know won't work. Stop encouraging. Stop encouraging the invasion. He is personally doing that from the White House. Stop encouraging the invasion of our country, which is costing American lives every single day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Missouri.

UNANIMOUS CONSENT REQUEST—S. 1199

Mr. HAWLEY. Mr. President, last week, the executives of some of the largest tech companies in the United States came before the U.S. Senate. And the world got to see, with all too vivid detail, just what these companies and these executives are doing to our children. And I say "children" advisedly. I am talking about 12- and 13- and 14- and 15-year-old kids on these platforms—on Facebook, on Instagram, on SNAP—who are exposed to the most outrageous, unbelievable, grotesque, and vivid child sex abuse material known to mankind: images of exploitation, solicitations by pedophiles.

It is unbelievable, indescribable material. And these platforms are absolutely awash with it. And we saw it last week. We heard the testimony. It was so bad that Mark Zuckerberg, the founder and CEO of Meta, actually felt forced to apologize to the parents there in the room and the parents across this country who have lost their children to suicide, whose children have suffered extraordinary harm because of the sex

abuse material, the exploitative content that is all over Meta, that is all over these platforms.

And oh, by the way, they are making an astounding profit. These companies are the most profitable companies in the world. They are the biggest companies in the history of the world. Facebook's share prices actually went up the day after Zuckerberg's testimony. It is unbelievable. Here they are making money hand over fist on destroying America's children.

The numbers tell the tale. Think of this: In 2014, there were 1.1 million reports of child sex abuse material online that year. That in itself is an incredible number—a million reports—but look at this: By 2022, that number had risen to 32 million reports of child sex abuse material—child porn, child exploitation, solicitations. In just in 1 year, there were 32 million reports. That is just the images that are actually being reported. Those are just the ones we know about. We know from the testimony of the tech executives, we know from the reporting of news agencies, we know from the investigations that have been done, we know from the parents, that these platforms are absolutely littered with, awash with, overrun with this material, and because of that, children are literally dying.

Is it any coincidence that since the introduction of the smartphone and the ubiquity of these platforms in the hands of young people, that suicide rates and mental health crises have skyrocketed in this country?

Oh, the platforms know, by the way. They absolutely know. A whistleblower testified before the U.S. Senate committee earlier this past year. He worked as a senior executive at Meta—that is Facebook. He knows Mark Zuckerberg personally. He was hired by Zuckerberg personally. He reported in part to Zuckerberg. Here is the thing, though: He had a teenage daughter. Yes, he had a teenage daughter who created an Instagram account, went online, and then told her father, this executive: Dad, you won't believe what I am seeing online. You won't believe what is happening to me online.

So he looked into it, as any father would, and then he began to compile the data that he could find based on Instagram's own internal metrics, based on their user data and information. Here is a piece, just a piece, of what he found: that 37 percent of Instagram users between the ages of 13 and 15—let me say that again—37 percent of Instagram users between the ages of 13 and 15 had experienced unwanted nudity on the platform in the past 7 days.

Let me just spell this out for you. It is largely, overwhelmingly young, teenage girls, young women, who are bombarded with—bombarded with—the most unbelievable pictures, content, conduct as soon as they get onto these platforms.

Twenty-four percent of Instagram users between the ages of 13 and 15 had

received unwanted sexual advances in just the last 7 days, had been propositioned in 7 days.

Seventeen percent of Instagram users in that same age range—young teenagers—had encountered self-harm content—how to commit suicide—within the last 7 days.

These are Instagram's own numbers. These were given to us by the whistleblower who, as an executive at Instagram, told Mark Zuckerberg about it. What did Mr. Zuckerberg do? Nothing. Absolutely nothing.

Consider another case. Here is a picture of a young girl, 13 years old, named Issa. Issa doesn't actually exist. The New Mexico attorney general has launched an investigation into Meta—that is Facebook and Instagram—and their investigators created this profile.

As you can see from the picture, she looks incredibly young. The profile picture information lists her as 13 years old. What happens as soon as she gets on the Meta platforms? As soon as she gets on the Meta platforms—this is all in court documents, by the way. Read it for yourself. It is horrifying. What happened was she was instantly added to a chat room with known pedophiles. What happened was her account was instantly bombarded with sexual material from older men. What happened was she was instantly sent multiple images of child sex abuse material over and over and over and over.

Oh, and the tech executives—they know all about it, and they are not doing a thing about it. Why? Because they are not accountable.

Here is the bottom line: This is the only industry in the country that can make a product that will literally kill you, and if it does, you can't do anything about it. If it kills your child, you can't do anything about it. If it harms you, you can't do anything about it. Think about this for a second. In this country, if a Coca-Cola manufacturer makes a bottle that explodes in your hands, you can sue them. If the drug company makes drugs that are full of adulterated products that cause harms that are not disclosed that kill people, you can sue them. If an automobile company makes cars that explode, you can sue them. Not these companies. No, not these companies. These companies have a special immunity from suit. How do they get that? Why, it was given to them. By whom? By this body. This body, almost 30 years ago, gave these powerful corporations total blanket immunity. They cannot be held responsible. They make products that kill; they cannot be held responsible.

That is why we are here today. The Senate Judiciary Committee has heard testimony over and over again. We have written bills. We marked them up.

The bill that I want the Senate to address today is one that has passed the Senate Judiciary Committee—get this—unanimously. Unanimously. Every Democrat. Every Republican. What does it do? Simple: It allows victims to have their day in court. It

gives victims of these tech platforms the same right that victims of some car company or drug manufacturer or other product maker would have: the right to get into court; the basic American right to be heard; the right to hold accountable the most powerful corporations in the history of this Nation. That is what this bill does. I am proud to cosponsor it. I am proud that it received unanimous support in the committee.

Mr. President, I will just say this: We have had hearings and hearings and hearings. We have had talks until there is no more talk to be done. It is time for Congress to act.

Mr. Zuckerberg's apology is nice, but that is not going to help the victims of child sex abuse. What will help the victims of child sex abuse is the right to hold these companies accountable.

It is time for Congress to act because, let's be honest, Congress helped create the problem. Do you want to know why there is sex abuse content overwhelming the internet? Because Congress enabled it. Congress did. Congress did. And the refusal now to allow victims to have their basic rights in court is allowing that child sex exploitation to continue and continue and continue. It is time to break the cycle.

After Zuckerberg and the others came before the committee, after they apologized, I said now it is time for Congress to act. Let's take the work we have done, and let's put it on the floor. Let's act. Let's see where we are. Let's do something for victims. Let's right the wrongs that this body has helped create, and let's give victims the right to be heard.

Mr. President, as if in legislative session and notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 69, S. 1199; further, 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 with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I very much share the stated goals of the STOP CSAM Act. Child sexual abuse material is a toxic plague on the internet. There are real victims who need real support and criminals who must be hunted down and locked up.

I take a back seat to no one when it comes to helping kids and punishing predators. However, this bill would weaken the single strongest technology that now protects children and families—that's strong encryption. It will make it easier to punish sites that use encryption to secure private conversations and personal devices. While STOP CSAM's sponsors have argued that the bill does not target encryption, the bill explicitly allows courts to punish com-

panies that offer strong encryption. It also would encourage scanning of content on user's phones or computers before information is sent over the internet, which has the same consequences as breaking encryption.

Weakening encryption is probably the single biggest gift that you can give to the predators and the monsters who want to stalk and spy on kids. Sexual predators will have a far easier time stealing and extorting photographs of children, tracking their phones, and spying on their private messages once encryption is breached.

Doing so threatens the privacy and security of every single law-abiding American.

I also think it is surprising that the Senator is asking to pass this bill at the very same time its sponsor is reportedly circulating an updated version of the bill with a number of changes. Although that new version of the legislation has not been made public, it certainly would be a mistake to pass legislation that apparently is still in the process of being revised.

Mr. President, what this is all about is talking about doing something effective or actually taking effective action. I have proposed doing just that. We ought to focus on giving law enforcement officials the tools they need to find and prosecute criminals responsible for exploiting kids and spreading these vile materials online. That way, we can help keep kids from becoming victims in the first place.

Let me also say that we can do this if Members support my bipartisan Invest in Child Safety Act. The bill directs \$5 billion in mandatory funding to do three things which would ensure that we have an effective response for families and parents: one, give law enforcement agencies the tools and personnel they need to catch the predators who are creating and spreading CSAM; two, fund community-based programs to prevent at-risk kids from becoming victims in the first place; three, invest in programs to support survivors of abuse.

Any legislation that doesn't include these pieces is missing the point; therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Missouri.

Mr. HAWLEY. Mr. President, there you have it. There are the Big Tech talking points. The problem is that they are entirely false. I have the bill text in front of me—the bill text that, again, passed unanimously out of the Senate Judiciary Committee—that explicitly exempts encryption technology: page 184, lines 15 and following; page 185, lines 1 through 18. You can read it for yourself—explicitly exempts. That is not true at all. It is flatly false.

I have been on this floor over and over and over again on this issue, and every time, we are told: Not today. Not this. A little more of that. Maybe if it were more bipartisan.

This has unanimous support from the Judiciary Committee. Unanimous. Every Republican. Every Democrat.

And we all know the truth here: that until victims can get into court and have the rights and dignity of every other American challenging any other company, this will not change.

Congress created this problem. Congress created it by giving the most powerful companies in the world a sweetheart deal that they still have to this day.

It is an easy choice: Are you with the corporations or are you with the American people? Are you with the big companies or are you with the child victims? That is the choice.

I would just say to those who continue to support 230 with no exceptions, no exemptions, no reform, no recognition of the incredible danger it has unleashed for children, that they are on an island.

This state of affairs cannot continue. It cannot continue to be that if Big Tech sells products that kill kids, they cannot be held responsible.

It cannot continue to be that only these companies, the most powerful companies in the world, get a pass that nobody else gets, because nobody should get it.

I am committed to coming to this floor and forcing votes as long as it takes—as long as it takes—until we get justice for victims, until they are heard, and until these companies are finally held accountable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I would ask unanimous consent to briefly respond to what my colleague has just repeated.

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

Mr. WYDEN. And then I would ask unanimous consent for 5 minutes to speak in favor of a very talented jurist in Oregon, who will be voted on shortly.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WYDEN. Mr. President, first, with respect to my response to our colleague from Missouri, let me be clear on a point that technologists are clear on. This bill would weaken the strongest technology that protects children and families online: strong encryption. And this bill explicitly allows courts to punish companies that offer strong encryption. That is right at the center of my objection.

NOMINATION OF AMY M. BAGGIO

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Amy M. Baggio to the U.S. District Court for the District of Oregon.

Judge Baggio received her B.A., cum laude, from Wake Forest University and her J.D. from Lewis & Clark Law School. After law school, she became a public defender in Portland, where she represented clients in State court.