

## NAYS—32

Alsobrooks	Heinrich	Paul
Baldwin	Hirono	Reed
Blumenthal	Kim	Sanders
Blunt Rochester	King	Schatz
Booker	Lujan	Schumer
Budd	Markey	Smith
Cantwell	McConnell	Van Hollen
Coons	Merkley	Warren
Duckworth	Murphy	Welch
Durbin	Murray	Wyden
Gillibrand	Padilla	

## NOT VOTING—1

Fetterman

The nomination was confirmed.

The PRESIDING OFFICER (Mr. RICKETTS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

### HALT ALL LETHAL TRAFFICKING OF FENTANYL ACT—Motion to Proceed—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and resume consideration of the motion to proceed to S. 331.

The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 18, S. 331, a bill to amend the Controlled Substances Act with respect to the scheduling of fentanyl-related substances, and for other purposes.

## VOTE ON MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to the motion to proceed.

The motion was agreed to.

### HALT ALL LETHAL TRAFFICKING OF FENTANYL ACT

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 331) to amend the Controlled Substances Act with respect to the scheduling of fentanyl-related substances, and for other purposes.

## AMENDMENT NO. 1237

Mr. THUNE. Mr. President, I call up Grassley amendment No. 1237.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE], for Mr. GRASSLEY, proposes an amendment numbered 1237.

Mr. THUNE. Mr. President, I ask that the reading be dispensed with.

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

The amendment is as follows:

(Purpose: To improve the bill)

In section 5(a)(1), strike "6" and insert "7".

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I move to proceed to executive session to consider Calendar No. 31.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Stephen Miran, of New York, to be Chairman of the Council of Economic Advisers.

## CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 31, Stephen Miran, of New York, to be Chairman of the Council of Economic Advisers.

John Thune, Ted Budd, Tom Cotton, Cindy Hyde-Smith, Tommy Tuberville, Katie Britt, Ashley B. Moody, Pete Ricketts, Tim Scott of South Carolina, Dan Sullivan, Roger F. Wicker, Cynthia M. Lummis, Eric Schmitt, Joni Ernst, John Hoeven, Jerry Moran, Lindsey Graham.

## LEGISLATIVE SESSION

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

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

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I move to proceed to executive session to consider Calendar No. 34.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Keith Sonderling, of Florida, to be Deputy Secretary of Labor.

## CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 34, Keith Sonderling, of Florida, to be Deputy Secretary of Labor.

John Thune, Ted Budd, Tom Cotton, Cindy Hyde-Smith, Tommy Tuberville, Katie Britt, Ashley B. Moody, Pete Ricketts, Tim Scott of South Carolina, Dan Sullivan, Roger F. Wicker, Cynthia M. Lummis, Eric Schmitt, Joni Ernst, John Hoeven, Jerry Moran, Lindsey Graham.

Mr. THUNE. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

## UNANIMOUS CONSENT REQUEST—S. 200

Mr. MORENO. Mr. President, with great honor, I stand before you. As you know, I have been in this Chamber for 10 weeks, and it is one of the greatest honors of my life to represent the people of Ohio here in the U.S. Senate.

It is especially an honor because I wasn't born in this country. I was born in Bogota, Colombia. My mom and dad moved myself, my sister, and my five brothers to America to find a different opportunity, a better opportunity. We are part of a long line of immigrants that come to this country to make this country stronger and to make this country better and to live our version of the American dream.

We know what happened, Mr. President, over the last 4 years at our southern border. It was a total and complete disgrace. It is a disgrace not just because of the unlimited amount of people that came into this country—almost 10 million encounters over a 4-year period—but it is a disgrace because that is not how we should welcome people to this Nation.

We should not have people who want to come to America pay a drug cartel to smuggle them across Mexico, raped along the way, beaten along the way, every last cent that they have robbed from them and their families, and then smuggled into the country, and then charged even more money when they think the journey is over. In some cases, the people come into the interior of the country and have to pay back enormous sums of money so that cartel members don't come into the country and find them and kill them or kill their family members back home. That is no way to have people come to this country.

Now, if you look at this chart—it is a very famous chart because President Trump referred to it at his rally—you can see immigration is not a new issue in this country. We have had a problem for a long, long time.

President Trump took office, and he put in place right here an Executive order. What that Executive order did is it said: Hey, you can only claim asylum at a legal port of entry.

So if you cross a river, if you scale a wall, if you go through a tunnel, you can't claim asylum once you get to the other side because, as we know, asylum is for refugees, people who are fleeing dangerous situations because of their race, their religion, or their political beliefs.

When he put that in place, look what happened—a total collapse of border encounters.

Now, President Trump left office, Joe Biden rescinded that Executive order, and we saw what happened—a massive spike in illegal crossings, devastating our Border Patrol agents. Our Border Patrol agents were totally outmanned. They were completely overwhelmed and unable to do their jobs.

Now, in the political season, Joe Biden put in place the exact same Executive order. What did that Executive order say? You can only claim asylum at a legal port of entry. If you enter through a nondesignated port of entry, you are immediately returned. Look what happened—another massive drop.

Now, here, President Trump took office and is now actively returning anybody who comes through in a nondesignated port of entry, and we are down to 8,326 border crossings in 1 month. At the peak of Biden, that number was almost 350,000. We didn't have to pass a law. We didn't have to hire new Border Patrol agents. We didn't need new equipment. We honestly didn't even need more wall. We needed better policy.

Mr. President, I campaigned to run for the U.S. Senate for 2 years. During that 2-year period of time, I drove to every corner of my incredible State. I drove to every corner of Ohio, and to a man or a woman, the voters would tell me: Please go down to Washington, DC, and do something.

The American people want to have faith and confidence that their leaders are actually able to come together and accomplish legislation that is purely common sense. So I present to you today a very simple bill—very simple bill. We don't have to boil the ocean. We don't have to reinvent the wheel. It is very simple. It says: If you are an asylum seeker, you must file a claim for asylum at a legal port of entry. If you are going to come to America and you are seeking asylum, do it at a legal port of entry.

No release of asylum applicants into the interior of the country. We are going to follow the law. We are going to have them wait in the prior country and—180 days, which is currently the law, which is being violated. Sometimes, it is 5 or 6 years. But they wait until their asylum claim is heard.

There is no second chance. Once we have identified that you have a fake asylum claim, then you can no longer claim asylum ever again. And anyone who enters the United States illegally is banned from claiming asylum.

We welcome people into our homes every day. We don't let people break through our windows to come see us because that is insane.

Now, I know that my Democrat colleagues are in a mode where they want to fight everything that we are doing, Mr. President, but we should at least come together on this.

As I look over at my Democrat colleague, there are only two of us—two of

us—in this entire Chamber who are naturalized U.S. citizens. We know firsthand what it means to be able to be accepted by this country. Ninety-eight were born here; two of us were not. We became citizens of this country, and we got the ultimate opportunity to represent this country in the U.S. Senate.

Let's come together one time and show the American people we don't have to fight about everything; we can actually accomplish commonsense legislation. Let's put in code—let's put in legislation those Executive orders that not once, not twice, but three times have been proven to reduce border encounters.

I can't imagine that my Democrat colleagues will fight this, and I hope that somebody who has been here for 10 weeks as opposed to my colleagues—some of them have been here for two or three decades, fail to understand that the American people are watching.

The American people want to have a Senate and a House and a government that can actually do something that matters a lot to them.

So I will yield to my Democrat colleague from Hawaii. And I implore you, let's show leadership together, you and I. Let's show this leadership and get a very, very simple bill accomplished.

Mr. President, as if in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 200; and that the Senate proceed to its immediate consideration; further, I ask that the bill be considered read a third time and passed and that the motion to reconsider be made and laid upon the table.

The PRESIDING OFFICER (Mr. BANKS). Is there an objection?

The Senator from Hawaii.

Ms. HIRONO. Reserving the right to object, my colleague thinks that this bill will reform our broken asylum system. As the other naturalized citizen in this body, I object.

We actually passed comprehensive immigration reform out of the Senate in 2013, and I was one of the Senators who worked on that bipartisan bill. But when the bill got to the House, it didn't pass. So we are here once again.

And more recently, there was a bipartisan immigration bill that was about to be brought to the Senate, and everything was set to go until the current President decided that he would much rather have this issue continue to not be addressed. So there you go.

We can all agree that our immigration and asylum systems need reforms, but I have serious concerns about this legislation. My colleague has stated that this bill is intended to prevent those who come to the United States in between ports of entry from applying for asylum.

But as it is drafted, this bill eliminates the section of the law that allows people present in the United States to apply for asylum. This means that it would prevent anyone, even those who

have lawful status, from applying inside the United States. Instead, they would have to travel to a port of entry.

This bill would also require that anyone, including families, seeking asylum at a port of entry be arrested and held in custody for the entire time their request is pending. And it could take quite a long time, using taxpayer money, to detain them.

I certainly agree with my colleague that we need to do more to address our immigration court backlog, which includes many asylum cases, and improve our asylum system, but this legislation would not address these concerns.

Let me give you an example. This bill would prevent a Ukrainian fleeing Russian aggression who entered lawfully from applying for asylum from within the United States.

It would force them to travel with their families to a port of entry to apply for asylum. They would then be detained with their children while they wait for their application to be processed. These are individuals who have work permits and are contributing to our economy and society every day. They came here lawfully. How does making them leave and seek asylum at a port of entry improve our system? It doesn't.

Here is a reality: This bill and the recent actions by the Trump administration are not focused on truly addressing problems with our asylum system.

If the Trump administration was serious about improving our asylum system, why did they recently fire nearly two dozen impartial immigration judges without cause or notice?

They fired military veterans and expert judges who had experience processing immigration cases effectively. With a backlog of over 3.6 million immigration cases—you heard me right, 3.6 million immigration cases—we need more immigration judges, not less.

But the current leadership at the Executive Office of Immigration Review, which oversees immigration courts, has said they plan to fire more judges—exactly the wrong thing to do. This is no way to address our broken immigration system.

I urge Republicans to set aside this misguided bill and to stop taking a chain saw to our Federal workforce, including immigration judges.

Believe me, this chainsaw approach to what is going on in our Federal Government, if the administration wanted to create fear and chaos, if that is their aim, they are succeeding mightily.

I urge my colleagues on the other side of the aisle to join us in good faith to work on the truly comprehensive, bipartisan immigration reforms we so desperately need.

For these reasons, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Ohio.

Mr. MORENO. If I could just go back and just reiterate a couple points for my colleague. The Executive order

went in, border crossings dropped. President Biden—President Biden—put in place the exact same Executive order that, in effect, is this exact legislation. Border crossings dropped.

I am confused by my colleague's explanation about the Ukrainian refugees. If they are coming from Ukraine and they are entering through a legal port of entry, that is when they would claim asylum.

I don't think we have a scenario where we are asking Americans or legal residents to apply for asylum because, if you are already in the interior of the country, that decision was already made.

So if you are the Ukrainian family that you talked about, you claim asylum at the legal port of entry. The law says—which we are not following; this body refuses to enforce its own laws—is that we will adjudicate that claim in 180 days.

I absolutely never said they would be arrested. In fact, nothing in this bill mentions being arrested, but what it says is they must wait in the prior safe country. So in the case of Ukraine, they can go to France, apply for asylum there, wait 180 days, and then we will welcome them with open arms to America—the right way, the legal way.

I hope my colleague is not hoping for a scenario where that Ukrainian family goes to Mexico City, pays a drug cartel member a few thousand dollars to get smuggled across the border, across a river with a family where the children—who knows what can happen to them.

That is how you want refugees to come to this country? That doesn't even make any sense. There is nobody being arrested by this bill. There is nobody being detained by this bill. It is exactly the opposite. We are asking the refugee to wait in the prior safe country for 180 days, which is the law; and then once your claim is adjudicated, we welcome you with open arms.

My colleague mentioned that there is 3.6 million cases backlogged. That is true. It is a stunning and shameful number. What she doesn't mention is that 90-plus percent of those cases, a judge rules, once they get to it in 5 or 6 or 7 years, that it is an invalid asylum claim. It doesn't mean that they are not economic migrants. It doesn't mean that they are somebody who may want to come to this country. But they are people who are clearly not refugees. Not my thoughts, the thoughts of immigration judges that are making this decision over and over again.

But only in Washington, DC, only when you have been here so long that your head can't see straight do you think it is a better idea to have unlimited amounts of fake asylum claims. And the way you handle that, instead of changing the law, is to hire thousands of more judges to give the answer you already know, to waste taxpayer dollars that way.

My colleagues talk about Republicans being on the side of billionaires.

You know what billionaires the Democrats have created? The drug cartel members that are making billions of dollars smuggling people.

I went to a border crossing in Del Rio, TX. A border patrol agent let me come right to the edge of the river. I saw four people come across—two men, two women. The minute they landed, they got on their knees and said, "Asilo, asilo," which is "asylum" in Spanish.

I asked if they knew what that meant. They said no, but that is what the drug cartel had told them to say the minute they landed in America. They are not refugees.

Why are you making those Ukrainian families wait behind economic migrants claiming fake asylum claims?

Look, this is what is wrong with Washington, DC. This is an easy, obvious fix. The data proves it out. You put that law in place, border crossings drop. Biden, Trump, they put the exact Executive order in place.

Now, you don't have to take my word for it. On CBS just yesterday, Face the Nation—wake up on a beautiful Sunday and turn on Face the Nation. Margaret Brennan asked Congressman SUOZZI—I apologize if I pronounced his name wrong. Margaret Brennan said to the Congressman:

[I]llegal border crossings, as we just discussed, they are at a historic low. President Trump made that point when he was addressing Congress this week. Was he right that . . . he didn't need to wait for Congress?

We didn't need comprehensive immigration reform.

[Was he right] that it really was messaging from the White House beyond?

This is what a Democrat, a Democrat from New York says:

Well, obviously—

Keyword, "obviously"—

we've seen a reduction in crossings.

Why is it obvious? Because we know this works. We know that if we make asylum only at a legal port of entry, 180 days to process, can't claim it if you cross illegally—we know, obviously. His words:

Well, obviously we've seen a reduction in crossings. We saw it under [Biden at the end of his administration] . . . after he did his executive order to say, no, asylum applications are between the ports of entry. But we need to make it permanent law.

Democrat Member of the House of Representatives:

But we need to make it permanent law.

I guess after 10 weeks in the U.S. Senate, I should expect that everything has to be hard. Everything has to be a battle. But I can tell you, people all over this country, the people who don't watch C-SPAN 24/7, the people who don't go on X and read every last debate between their elected Members—they are just regular Americans who want to enjoy their lives, who pay taxes—cannot understand why we can't come together on something so incredibly simple, so easy.

The Democrat President did it. The Republican President did it. It works. This is not theoretical.

And to my colleague, I don't want those Ukrainian refugees waiting behind millions of economic migrants. It is not fair to them. Why would we do that?

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I hear my colleague acknowledging that the asylum system is broken. My objections remain.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. MORENO. I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 200; and that the bill be placed on the legislative calendar.

The PRESIDING OFFICER. Is there an objection?

The Senator from Hawaii.

Ms. HIRONO. Reserving the right to object. For the reasons previously stated, I object.

The PRESIDING OFFICER. The objection is heard.

The PRESIDING OFFICER. The Senator from Ohio.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. MORENO. Mr. President, I ask unanimous consent that the Senate resume legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

### REMEMBERING MAJOR GENERAL EVAN L. "CURLY" HULTMAN

Mr. GRASSLEY. Mr. President, today I want to honor an outstanding Iowan who devoted his life in service to our home State and to America. This weekend, my good friend of nearly 70 years was laid to rest with full military honors, after passing away on February 16, at age 99 years young.

Evan L. Hultman was better known by his nickname. He was called "Curly" for his thick crop of curly blond hair. Throughout his career in the military, law, and politics, Curly never met a stranger. And he never let a blade of grass grow underneath his feet.

A stand-out athlete, Curly helped lead his high school football team to victory at the state championship in 1941. He was a multisport varsity athlete at East High School in Waterloo. In the ninth grade, he met the love of his life Betty Ann Hook.

Following graduation from high school in 1943, Curly enlisted in the U.S. Army during World War II. He married his high school sweetheart on October 14, 1944, before Curly served in the South Pacific in the 19th Infantry Division.