measure of American life. The Equality Act would ensure those protections. That is not law yet, and that is why we have to pass it by way of Federal law.

With that background, I want to go back to what I previously stated. Mr. Kacsmaryk wrote an article that suggested that the Equality Act, which I described, would ''weaponize'' the Obergefell decision. That was the landmark decision that allowed same-sex couples to marry. He said the Equality Act would weaponize that decision, while in this particular writing making reference to a ''long war ahead'' when discussing LGBTQ rights in a post-Obergefell America. So in America after the Obergefell decision, which allowed marriage equality and which made that part of our Federal law, thank goodness, after a long time—he believed that the Equality Act would be part of a ''long war ahead,'' when discussing that future in America. That doesn't make sense to me. I don't think it makes sense to a lot of Americans. I think most Americans believe that decision for marriage equality was an advancement where the circle of protection is growing, as it ought to. For too long, that circle was very small—until we had some breakthroughs over the last 50 years. Fortunately, marriage equality—the right to marry, the right to spend the rest of your life with someone you love of the same sex—was finally enshrined into law by a Supreme Court decision. But this nominee seems to believe that the Equality Act would ''weaponize.'' I don't know where you come up with words like that—''weaponize,'' ''war.'' It just doesn't seem to fit in the America I think most people believe in.

As this is playing out, it just so happens—and this is offensive. I hope it wasn't intentional. I don't have any reason to believe it was intentional. But it just so happens that the majority has this particular nomination on the floor when we are talking about these concerns about LGBTQ Americans and a particular nominee or maybe more than one nominee—I am here to talk about just one. But this is all playing out this month in the midst of celebrating LGBTQ Pride Month. So that is particularly offensive.

Again, I will state for the record that I don't have evidence that it was intentional to consider someone with those views at this particular time, but it is nonetheless offensive because of the timing.

The LGBTQ community had to sacrifice so much for so long in their fight for equality and civil rights in the United States of America, and we have a lot more work to do. As I indicated, the Equality Act is not yet law. Even though it is slightly bipartisan so far, we need to grow that bipartisanship so we can get it passed here in the Senate.

I think LGBTQ Americans—frankly, all Americans—deserve better than a nominee who suggested that the Equality Act ''weaponizes'' the right to marry the ones they love. I think our country deserves a judge better than that, even if it is just for one particular Federal district court.

I also believe that Americans deserve a better nominee than Mr. Kacsmaryk—maybe especially on these issues that I have raised but generally, as well. They deserve a nominee who respects and will protect the rights of all Americans, especially those Americans who have been the subject of ongoing, continuous discrimination—in this case, LGBTQ Americans.

That discrimination has not abated or been ripped out by the roots because we have advancements like the right to marry or advancements in law. That discrimination continues. In fact, it is protected in some ways by the laws of some States, where you can fire someone simply because they are gay and do that with impunity.

The discrimination continues by way of hateful acts that people undertake, but also the discrimination continues by way of law, as well.

We should have judges in every district court, in every circuit court, in every court in the country—no matter what level of judicial office we are talking about—who will respect and protect every single American.

In this case, I think you have a nominee who is not just outside of the mainstream but way outside of the mainstream, and I think that is why—so far, at least—he has been the subject of bipartisan opposition, and that is pretty rare around here, as many know. He is too extreme for this appointment. I would hope that my colleagues would vote against him. I know we had one vote already.

I say all this as someone who has worked for a long time in a very bipartisan, collaborative way to appoint district court judges in Pennsylvania over and over. Those judges have had the support of Senator TOOMEY, as well as my support. A Democratic Senator and a Republican Senator have worked together on a number of appointments. We are getting close to 20 now, I think, since we have served together since 2011. I think we are at 19, if I haven't lost count. That means that we both have worked together to review, to scrutinize, and to decide whether to support a judge who might come from a Democratic nomination and might be supported by me and by my office, as well as a nominee supported by my colleague Senator TOOMEY. Over time, that means that Democratic judges, or someone nominated by a Democratic Senator and a Democratic White House a couple of years ago, and Republican nominees, nominated by a Republican Senator and a Republican White House, have been given consideration, review, and then confirmation.

I am someone who takes his responsibility seriously. I have a long and distinguished record of working in this process to make sure that we get Federal district court judges from different points of view nominated by both Senators of both parties who meet that test, not judges who just meet the test of competence but also meet the test of being within the mainstream. Again, this means a judge who will respect and protect every single American. I think that is not asking too much of any nominee, no matter what district court.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. MCSALLY). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. FISCHER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

BORDER SECURITY

Mrs. FISCHER. Madam President, I rise today to discuss what is happening at our southern border, and I call upon my colleagues in Congress to act quickly to address this humanitarian crisis.

Last month, terrifying reports surfaced of an illegal immigrant from Guatemala who traveled with an 8-year-old boy across the U.S.-Mexico border near Arizona. When Border Patrol agents apprehended him, the man claimed that the boy was his son, but the agents learned 4 days later that he wasn't.

According to the Arizona Daily Star, Homeland Security investigations reported that the man claimed that ''he had looked for a child in Guatemala to cross the United States-Mexico international border with as he was told that it was easier to get into the United States with a child.'' The illegal immigrant allegedly paid the boy about $130 to ''rent the child'' and an additional $130 for a fake birth certificate.

Tragically, this is a story we are hearing more and more about as the border crisis rages on. Homeland Security investigators are working to understand the extent of troubling cases on our border, where adults are using children who have no family relation in order for them to become eligible for release after they are apprehended. The practice has been occurring frequently enough that the Department of Homeland Security now refers to it as ''child recycling rings.''

Smugglers and cartels are well aware of legal loopholes that incentivize these criminals to manipulate vulnerable populations. Our current legal framework makes it easier to turn a profit by smuggling individuals with young children.

DHS has recorded nearly 4,800 migrants in 2019 who have falsely identified themselves as family units.

Recently, we received the welcome news that the Trump administration reached a deal with Mexico to ensure better immigration enforcement at the border. This agreement was an important step in the right direction at a time when our Nation needs it most. Both countries have declared a shared

goal of upholding the rule of law on both sides of the border. I am grateful for the President's hard work to secure our border, to keep this country safe, and to continue our trade with a key partner.

This deal is a critical step forward, and it is taking place not a moment too soon. Illegal border crossings at the southern border have reached staggering rates this past spring. Last March alone, there were more than 103,000 apprehensions, and in April there were another 109,000. In May apprehensions at points of entry reached over 144,000. That is a 32-percent increase over the month of April. We have had over 100,000 apprehensions on the border each month for 3 months in a row. Sustained numbers like these haven't been witnessed in over 12 years.

The question remains: What concrete steps are we taking as a nation to stop this?

Our Border Patrol agents, who are working as hard as they possibly can, cannot keep up with the record surge of people coming into our country without authorization. Our ability to provide the care and attention for detained individuals is at a breaking point.

As we know, this includes tens of thousands of innocent children. Acting Secretary McAleenan recently testified at a Senate Judiciary Committee where he noted that in the last 40 days alone, DHS has taken into custody 60,000 children. He also testified last month that border officials saw a record day of over 5,800 border crossings in a single 24-hour period. This comes in addition to the largest single group ever apprehended at our border—1,036 people.

Facilities along the border haven't just reached full capacity. They are overflowing. On June 10, the Department of Health and Human Services reported that they had fewer than 700 beds available to place 1,900 unaccompanied children who had already been processed by Customs and Border Protection. This is forcing HHS to place children with sponsors at higher rates than the program has experienced in its history. It also increases pressure to find space for the influx of children within CBP facilities, which were not built for this purpose in any way.

HHS desperately needs additional funding to expand its bed capacity so that they can keep pace with the increasing numbers of unaccompanied children. At this rate, HHS may not have the necessary funding to continue their care programs beyond the month of June.

The situation is clear. Congress needs to act, and we need to act right now. Chairman SHELBY recently announced that the Senate Appropriations Committee will vote soon on a $4.5 billion package. Over $3 billion would be directed to help resolve the humanitarian crisis by increasing the care for unaccompanied children and expanding those shelter facilities. The remaining $1 billion would fortify our security missions.

To the ears of the American people, this may sound like an overdue, commonsense relief effort, and that is because it is. Unfortunately, our Democratic friends have prioritized their starring role in the political theater over our country's emergency at the southern border.

Over 6 weeks ago, the administration sent an urgent plea to Congress asking for more money to secure our border and improve the conditions for tens of thousands of children. It is unacceptable that Democrats in the House and right here in the Senate are playing politics at a time when our Nation needs stability.

In the coming weeks, Senate Republicans will be waiting at the table to work toward bipartisan solutions to address the crisis at the border and provide the funding that is desperately needed. I hope that my Democratic colleagues will meet us there.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NOMINATION OF MATTHEW J. KACSMARYK

Mr. BLUMENTHAL. Madam President, sometime tomorrow, this body will consider a number of nominations for final confirmation, among them the nomination of Matthew Kacsmaryk to the U.S. District Court for the Northern District of Texas.

A Federal district judge serves a particular area of the country, but in fact, the whole country has a stake in this nomination because a judge helps to define and refine and apply the law of the United States, setting precedent that applies to the entire country. It isn't just the Northern District of Texas that has a stake in this nomination; it is the entire country. So this alarming and appalling nomination should be of particular interest to my colleagues.

It is the result of a process that, very unfortunately, has been demeaned and degraded. It is a shadow of what it once was. In the scrutiny that is given and the time that is devoted, this process is failing to assure the independence of the judiciary. Now is the time when that independence must be assured because, from this time forward, these judges will be lifetime appointees and will have no accountability to this body or to any other elected official.

In previous years, under other Republican administrations, there was an adequate time to debate; there were full and fair hearings; and nominees answered questions about their views on issues that were relevant to their service. That process has been severely undercut—indeed, decimated now. What we have before us, again and again and again, are nominees who fail to meet the basic test of intellect and integrity and responsibility.

I look at all of the records of nominees before us and ask them questions to determine what their basic values are—whether they think particular Supreme Court precedents were correctly decided, like Brown v. Board of Education and Roe v. Wade—because it is a view into their basic commitments to constitutional principles that are deeply and ideally settled. Matthew Kacsmaryk fails that test.

If there is a principle enshrined in our Constitution that matters more than any other, it is the idea that everyone is equal before the law. No one is above the law. No one is less entitled to rights than anyone else. Everyone is equal regardless of race, gender, ethnicity and regardless of who you are, how much you own, or where you were born. Mr. Kacsmaryk seems to lack respect for this basic principle. In fact, his career is defined by active opposition to the treatment of minority groups.

In 2016, he submitted an amicus brief that supported a Virginia school board's policy that a student must use the restroom that corresponds to the student's biological gender.

Also, in 2016, he sent a letter to the Centers for Medicare and Medicaid Services and argued that the Department of Health and Human Services should not require hospitals to conduct sex reassignment surgeries for transgender individuals. He wrote in that letter that transgender people suffer from a ''psychological condition, in need of care'' and are ''not in a category of person in need of special legal protection.'' He went so far as to say the experiences of transgender people are ''irrational'' and ''delusional.''

In light of these and other statements, I have received numerous letters from the parents of transgender people. They have written in fear and alarm that someone with such offensive, extreme, medically inaccurate views could be promoted to a lifetime position within the Federal judiciary—a position that will give him power over the lives of exactly these individuals who seek equality under the law.

Seventeen of our House colleagues—some of them parents and grandparents of transgender people—have written to us and expressed their concern that someone with such hostile views toward LGBTQ Americans could possibly be confirmed as a judge.

Our colleagues in the House are concerned about the decisions we are making here because they respect these individuals.

Kacsmaryk has also repeatedly made public his opposition to marriage equality and the equal treatment of same-sex couples.

He submitted an amicus brief in Obergefell v. Hodges, urging the Supreme Court to not extend the right of