

colleague said, Sarah was tragically killed in Omaha, NE, on the very night of her graduation. An illegal alien struck and killed her while he was driving drunk. He was three times over the legal limit of the amount of alcohol you can have in your blood to be a safe driver.

It is a travesty that the previous administration refused to take Sarah's killer into custody. He was not considered a priority. Can you imagine that? Her killer then disappeared. Obviously, being a smart person who is in violation of the law, he is not going to be seen. So he remains at large. I have said before that Sarah's senseless death is a tragic reminder of the serious improvements that we need in border security and in interior immigration enforcement in our United States of America.

It is outrageous that many innocent Americans have been seriously injured and, in some cases, killed as a result of the actions of criminal illegal aliens.

It is even more outrageous that criminal illegal aliens, like the one who killed Sarah Root, are not subject to mandatory immigration detention. Sarah's Law would amend the Immigration and Nationality Act to require the mandatory detention of an illegal alien who is charged with a crime resulting in the death or serious bodily injury of another person.

This bill is common sense. A lot of times, common sense doesn't prevail in Washington, DC, and the long time to get this very important legislation passed is evidence of the lack of common sense. This bill is long overdue.

I am proud to be a cosponsor of the bill and to support Senator ERNST's unanimous consent request. I gladly thank her for her leadership in this area.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Mr. President, as if in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 285 and that the Senate proceed to its immediate consideration; 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?

The Senator from New Mexico.

Mr. UDALL. Mr. President, reserving my right to object, this family has suffered a terrible loss and has my sincerest condolences.

Too many families in my home State of New Mexico have lost loved ones to DUIs, and I have made reducing DUIs one of my top priorities. As State attorney general, I worked to increase penalties and get them off the roads.

In the Senate, I am working on a bipartisan basis to use technology to get us to the place at which we can eliminate drunk driving and save thousands

of lives per year. The Presiding Officer also knows that we are working very well, in a bipartisan way, to tackle this issue.

I have concerns that this bill uses a tragedy to paint immigrants as more dangerous than other people, which is false by all available data. The immigration detention system is also in need of comprehensive reform, and this bill does nothing to improve our immigration system. Instead, the bill imposes judicially unreviewable detention on immigrants simply charged with certain crimes, not convicted. This is not consistent with due process.

Importantly, this bill has not been subject to committee review. My understanding is that senior members of the Committee on the Judiciary have strong concerns about this bill.

I also believe that we should not be legislating on immigration matters unless and until this body takes action to permanently protect Dreamers and provide them with a path toward citizenship.

I object.

I yield the floor.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa.

Ms. ERNST. Mr. President, once again, we are not talking about an overall immigration debate. We are talking about justice for those families who have received none, just as Scott Root and Michelle Root have seen the death of their daughter at the hands of an illegal immigrant and have yet to see justice because that illegal immigrant was allowed to evade justice. So the bill is not about immigration. It is about justice.

I would further argue that, because this was an illegal immigrant and there was no detainer necessary by ICE, the illegal immigrant, who had no strong ties to the community and had operated under a number of assumed names, was able to slip away into the shadows. Most legal immigrants and citizens of the United States have roots somewhere and family somewhere, and they can be tracked and monitored until they are brought to justice. That is not true in this population. Because of that, Sarah Root will never have justice. Her killer will continue to evade authorities because he was, simply, not detained by ICE.

We have the opportunity to correct this, and it is very unfortunate that, today, in the U.S. Senate, we have decided that Michelle Root and Scott Root should not see justice for Sarah, their daughter, and that other families who lose children to illegal immigrants should not have the opportunity for justice.

Certain criminal elements, whether legal or illegal, can slip away, and that is exactly what Eswin Mejia did. He had no ties and was able to slip into the shadows but left a family wondering: How many others will be subjected to the pain and agony that they have gone through since the loss of

Sarah? How many other families will go through that?

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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 John Peter Cronan, of New York, to be United States District Judge for the Southern District of New York.

Mitch McConnell, Richard C. Shelby, Lamar Alexander, Pat Roberts, Mike Crapo, Marsha Blackburn, David Perdue, Kevin Cramer, John Cornyn, Shelley Moore Capito, John Thune, Cindy Hyde-Smith, Cory Gardner, Roy Blunt, Martha McSally, John Barrasso, John Boozman.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of John Peter Cronan, of New York, to be United States District Judge for the Southern District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Tennessee (Mrs. BLACKBURN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote or change their vote?

The yeas and nays resulted—yeas 55, nays 42, as follows:

[Rollcall Vote No. 156 Ex.]

#### YEAS—55

|          |            |            |
|----------|------------|------------|
| Barrasso | Grassley   | Risch      |
| Blunt    | Hawley     | Roberts    |
| Boozman  | Hoeven     | Romney     |
| Braun    | Hyde-Smith | Rounds     |
| Burr     | Inhofe     | Rubio      |
| Capito   | Johnson    | Sasse      |
| Cassidy  | Jones      | Scott (FL) |
| Collins  | Kennedy    | Scott (SC) |
| Cornyn   | Lankford   | Shelby     |
| Cotton   | Lee        | Sinema     |
| Cramer   | Loeffler   | Sullivan   |
| Crapo    | Manchin    | Tester     |
| Cruz     | McConnell  | Thune      |
| Daines   | McSally    | Tillis     |
| Enzi     | Moran      | Toomey     |
| Ernst    | Murkowski  | Wicker     |
| Fischer  | Paul       | Young      |
| Gardner  | Perdue     |            |
| Graham   | Portman    |            |

#### NAYS—42

|            |          |              |
|------------|----------|--------------|
| Baldwin    | Cantwell | Cortez Masto |
| Bennet     | Cardin   | Durbin       |
| Blumenthal | Carper   | Feinstein    |
| Booker     | Casey    | Gillibrand   |
| Brown      | Coons    | Harris       |

|           |         |            |
|-----------|---------|------------|
| Hassan    | Merkley | Shaheen    |
| Heinrich  | Murphy  | Smith      |
| Hirono    | Murray  | Stabenow   |
| Kaine     | Peters  | Udall      |
| King      | Reed    | Van Hollen |
| Klobuchar | Rosen   | Warner     |
| Leahy     | Sanders | Warren     |
| Markey    | Schatz  | Whitehouse |
| Menendez  | Schumer | Wyden      |

## NOT VOTING—3

|           |           |           |
|-----------|-----------|-----------|
| Alexander | Blackburn | Duckworth |
|-----------|-----------|-----------|

The PRESIDING OFFICER. The yeas are 55, the nays are 42.

The motion is agreed to.

The PRESIDING OFFICER. The Senator from Missouri.

# NO TIKTOK ON GOVERNMENT DEVICES ACT

Mr. HAWLEY. Madam President, I would like to make a few brief remarks today about TikTok, an app that has dominated the news in recent weeks and has dominated the internet in recent years.

As most of you know, TikTok is used to create short music videos, and it has grown to be one of the most popular apps in America. More than 80 million Americans now have TikTok on their personal phones. It might be easy just to assume that this app is harmless—music videos, diverting fun—but, let me assure you, the security concerns surrounding TikTok are real and not lighthearted in the least.

TikTok is currently a major security risk, both to our data security and to our national security. ByteDance, which is TikTok's parent corporation, is based in Beijing, and we all know that Chinese corporations and the Chinese Communist Party are, in many ways, the same thing. In fact, China's national intelligence law requires it to be so.

ByteDance, as a Chinese company, is obligated to collaborate with Chinese intelligence services, including by sharing data. In fact, all of the data that TikTok and ByteDance collect—and they collect a lot of data—can be routed at a moment's notice to the Chinese Communist Party.

TikTok is a uniquely intrusive application. The company openly admits that it tracks users' locations, it tracks users' keystroke patterns, it tracks the filenames on users' devices. TikTok essentially claims the right to peer straight through our phones into our lives.

I could go on. TikTok has censored content critical of China's treatment of Uighur Muslims and has violated the Children's Online Privacy Protection Act.

Now, in light of all this, in light of all we know, it is unthinkable to me that we should continue to permit Federal employees—those workers entrusted with sensitive government data—to access this app on their work phones and computers. Not only is it inappropriate; it is irresponsible. This app represents a clear and present security risk at a time when we need to be clear-eyed about the threat from the Chinese Communist Party.

That is why I introduced legislation to remove TikTok from government-owned phones and devices. Now, this is just common sense, and it follows steps that the Pentagon has started to take on its own, but we badly need a uniform standard that can apply across all Federal agencies and government organizations.

Now, over the last few days we have heard a lot about a potential acquisition or sale of TikTok in the United States, but no one can say yet what will come of those talks. Deals fall through all the time, and TikTok is a threat to the security of Federal devices right now. Every day we wait is a day ByteDance can collect more information on and about Americans. Today is the day to take action.

Even if TikTok ends up being sold eventually, it will be the responsibility of this body, the responsibility of all of us, to make sure that no trace of Beijing's influence remains—none at all.

I would like to thank my colleagues for their support, and I particularly want to thank Senator RICK SCOTT, who has been my partner on this effort from the very beginning. It is always a privilege to work with and collaborate with Senator SCOTT, as we have on so many areas, and he has been, as I said, at the forefront of this effort from the very beginning. He is here today, and I would like to yield to him now to make a few remarks.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Madam President, first I want to thank my colleague from Missouri. We got here at the same time, and both of us saw the dangers of Communist China, the dangers of the Communist Party of China, and the dangers of the General Secretary of the Communist Party, Xi.

We have watched a million Uighurs get put into prison just for their religion. We have watched American companies have their technology stolen. We have watched as American jobs have been stolen. One of the goals that both of us had when we came up here was to stop this.

We had the opportunity last year to visit the protesters in Hong Kong, and we got to hear from them firsthand their concern about what Communist China would be doing to take away their basic rights, rights granted to them in the turnover from Great Britain to China, on paper. But, as we know, the Communist Party and the General Secretary of the Communist Party don't care about any of these things.

We have watched the Communist Party use drones for surveillance. We have watched, as my colleague has said, TikTok become a worldwide phenomenon. It is an opportunity for the Communist Party of China to surveil all of our citizens, whatever of our citizens are using it.

So I want to thank my colleague for his effort in this regard—not just this but all of his efforts to hold Com-

munist China accountable. There is a lot of work to do. As we know, this pandemic was much worse because of the actions of the Communist Party of China.

So this is a commonsense thing to do. We should not have TikTok on Federal Government phones. This is a good first step, but there is a lot more to do to continue to hold Communist China accountable and to make sure we all, as Americans, understand that we are now in a cold war. This is not a cold war that America started. This is a cold war that the Communist Party of China started, led by the General Secretary of the Communist Party, Xi, and we are going to have to continue every day to focus on how we prevent them from surveilling us.

Another thing Americans can do besides making sure you are not using TikTok is making sure you are buying American products and don't buy products from Communist China.

You will do more to hold them accountable. The more we can do things like that, it will change the dynamics, and, hopefully, maybe eventually Communist China will come to their senses and stop being an adversary and eventually be merely a competitor.

I yield back to my colleague from Missouri.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. HAWLEY. Again, I thank Senator SCOTT for his work on this effort, his leadership on this effort, and his leadership across the board when it comes to standing up to Communist China—the Chinese Communist Party.

I also want to thank my friends Senator COTTON, Senator ERNST, Senator KENNEDY, Senator MCSALLY, and all other Senators who have backed this legislation, along with Congressman KEN BUCK, who has led this effort in the House.

Just 2 weeks ago, this legislation passed unanimously out of the Homeland Security and Governmental Affairs Committee. I also want to thank my colleagues there, especially Chairman JOHNSON, who has been a champion on this effort and has worked hard in the last couple of weeks to make sure we can bring this bill to the floor.

I am encouraged by the bipartisan support we have seen in this body to hold the Chinese Communist Party accountable, and that includes, by the way, holding accountable those corporations that would just do China's bidding. If I have anything to say about it, we will not be stopping here.

Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 507, S. 3455.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3455) to prohibit certain individuals from downloading or using TikTok on any device issued by the United States or a government corporation.