

to people in prison and one from Senator CRUZ, my colleague from Texas, that would have stopped payments from going to people who are not even legally present in the United States. Both amendments were blocked in a party-line vote by Democrats.

Our colleague from Florida, Senator RUBIO, offered an amendment to incentivize a safe return to in-person learning at our Nation's schools. The crux of it was simple: If schools wanted Federal funding, they should actually educate children in the classroom and do so safely, according to CDC guidelines; otherwise, why do they need this huge amount of extra money if they are not actually going to use it to educate our children? Well, our Democratic colleagues blocked that amendment too.

While Americans were sleeping, Senate Democrats stood in the way of numerous commonsense reforms to this behemoth of a partisan bill. They have proven, once again, this so-called COVID-19 relief bill has next to nothing to do with what is best for the country and everything to do with what is best for their liberal partisan agenda.

This bill includes a long list of liberal priorities that are completely unrelated to the crisis at hand. I think roughly 90 percent of it is unrelated to COVID-19. Blank checks for mismanaged union pension funds, funding for climate justice—whatever that is—backdoor money for Planned Parenthood, an exclusive paid leave program for bureaucrats, those are just some of the greatest hits in the vote-arama.

Even the portions of the bill that are related to the pandemic are completely out of proportion. The legislation provides \$130 billion for schools when tens of billions of dollars that we have already appropriated last December remain to be spent.

According to the Congressional Budget Office, only \$6.4 billion will be distributed through September of this year. The remaining \$122 billion would trickle out the door through not just 2021 but through 2028.

Of course, there is the blue State bailout. Despite the fact that tax revenues have largely rebounded and many States are still sitting on piles of cash from previous COVID-19 relief bills, our Democratic friends want to send another \$350 billion to State and local governments but not just on an equitable population-based formula. They rigged the formula to make sure blue States reap the biggest cash benefits.

We know this wasn't the only path forward. We worked, time and time again, this last year on five different occasions to show we can unite to provide COVID-19 relief to the American people.

We could have built on that record this year, which after listening to President Biden's inaugural speech, I had hoped we might do. The first legislation to pass during the Biden administration could have been a bipartisan

pandemic relief bill with overwhelming support. We wouldn't have needed to go through the vote-arama or the abuse of the budget reconciliation process. We could have had a bill that supported the hardest hit families, got kids back at school, and helped expedite vaccination.

But those types of policies, obviously, weren't top of mind for our Democratic friends. They wanted to have a payday for the most radical element of their party at an absurdly high pricetag, which our children and grandchildren are going to be saddled with.

They assembled a laundry list of unrelated wasteful and downright partisan provisions and rejected even the most commonsense amendments offered by this side of the aisle.

Sadly, this legislation passed the House without a single Republican vote. It passed the Senate without a single Republican vote. And now, our Democratic friends are on track to write a \$2 trillion check completely funded by deficit spending without even a trace of bipartisanship.

They don't have a figleaf to hide behind. This was a partisan bill intentionally. Either the President sold snake oil on Inauguration Day or he has already caved into the most radical elements of his own political party. Either way, it is bad news for the American people.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, today I am going to talk about the growing crisis on our southern border and how we need urgent action to address the degrading situation there, but before I begin, I want to say a quick word about the reconciliation bill we passed last week.

The massive \$1.9 trillion bill was not COVID-19 relief; it was liberal relief. Everybody and everyone needs to understand what this was. It was not a rescue plan. It was a heist of taxpayers' money. We don't have \$1.9 trillion to be spending. When we have to borrow this much money, we are digging our country deeper into debt. And with this massive spending bill, we are borrowing against our grandkids' future and are going to owe more and more countries like China.

To keep up, the money supply will have to increase at such a rapid rate, it could potentially spark inflation. That means we could see the value of Americans' hard-earned dollars plummet.

To further underscore that point, that means your money doesn't go as far. For the items you buy, it is very expensive. All of this bogs down our economy and hinders future growth.

What is more, this entire sham of a process was partisan. It was not about helping Americans, businesses, and communities recover from the pandemic. That much is clear because only 9 percent of the bill is going to COVID and health-related pressures and less than 1 percent is going to vaccines. The remaining 90 percent went to progres-

sive wish list items for bailouts for poorly run States.

Instead of ramming through non-COVID-related spending, Democrats should have worked together with Republicans as a team to pass a bipartisan bill that actually makes lives better as we recover from this pandemic.

We share a goal of helping the American people, but the bill that was ultimately put forward failed to do just that. It is a shame. This is not how our country should be run.

#### BORDER SECURITY

Mr. President, we started to see headlines bubbling up about the building crisis at the southern border that is threatening to boil over. Americans back home are paying attention. They are watching what is going on and seeing how it is getting worse by the day. The saddest thing is that this was predictable and preventable.

Protecting our border and cutting down illegal immigration matters to the people of Alabama and the rest of the country. Alabamians are law-abiding people. We play by the rules, and we expect others to follow them too. When people break the rules, they have to face the consequences, plain and simple. That is how our country should operate, by law and order.

Enforcing the laws on our books cannot be an option. Sadly, this type of selected enforcement is exactly what President Biden has done during his short time in office. President Biden has put forward an immigration proposal that would completely upend our existing immigration policy and give out American citizenship like it is candy.

But before that, he made sure to lay the groundwork with Executive orders. President Biden quickly reversed many of President Trump's most successful border control policies with the stroke of his pen. And his Secretary of Homeland Security, whose Department oversees immigration policy and border security, has made it clear he is not interested in enforcing existing laws. We have seen the dangerous effects of President Biden's policies already, and it has barely been 2 months.

But we have also seen some mixed messaging. The same day President Biden issued an order that said building a border wall is a "waste of money that diverts attention from genuine threats to our homeland security," his Department of Homeland Security released official data that tells otherwise. In January 2021, U.S. Customs and Border Patrol Protection encountered approximately 78,000 illegal immigrants, a 6-percent increase from December 2020. Within that number, roughly, 64,800 were single adults, a 157-percent increase compared to January of last year. For unaccompanied children, there has been a 91-percent increase in apprehensions compared to last January.

The data shows the number of illegal immigrants trying to cross the southern border is going up during a month when, historically, apprehensions are low. In fact, the staggering number of people arrested crossing the border illegally this January is the most any January has seen in more than a decade.

In March 2020, President Trump invoked title 42 along the southern border. That means that, in the interest of public health, only essential travelers are permitted to enter the United States. President Biden has maintained title 42 for this purpose, with one exception: Unaccompanied children can still come in.

News outlets reported that border officials told President Biden they “anticipate 117,000 children will arrive at the U.S.-Mexico border without a parent or guardian in 2021.” Why? Because President Biden has given them a free pass to enter the United States. This number is on pace to exceed the all-time record that was set under the Obama administration by 45 percent.

The greater problem here is that the administration doesn’t have enough space to put these children. President Biden was recently briefed on a plan to add 20,000 more beds to meet the needs. Yet, yesterday, news reports showed a record number of unaccompanied children—more than 3,200—are in Border Patrol’s custody. Almost half of these children have been held beyond the 3-day legal limit. The facilities are overwhelmed and bursting at the seams. Folks in the Southwest are already referring to this increase as the “Biden effect.”

Now Secretary of Homeland Security Mayorkas has the gall to blame the current border crisis on the Trump administration. So why, then, does the Secretary think that new records are being set during the typical off months of January and February? I will tell you why. It is a direct result of President Biden ditching border security measures and sending a “come one, come all” signal. President Biden decided to message to the world that our border is open. We shouldn’t be surprised that people showed up. We all saw this coming, and we warned that reversing President Trump’s policies would lead to national security and humanitarian crises.

On top of all of this, President Biden’s administration is subjecting American citizens to more stringent standards to enter our country than it is with illegal immigrants. On January 26, the CDC began requiring anyone flying to the United States, including American citizens, to provide evidence of a negative COVID test taken within 3 days of their flight. That makes sense. Migrants crossing our border are not subject to the same requirement.

I sent a letter to Secretary Mayorkas about this issue, and I have not yet received a response, but media reports out of Texas seem to have already found the answer. As FoxNews.com re-

ported, more than 100 illegal immigrants released by Border Patrol agents in Brownsville, TX, in the last few weeks have tested positive for the coronavirus. So these folks can cross the border illegally and get tested by the city at the bus stop where the agents let them off, but the city has no authority to prevent them from traveling elsewhere even if they test positive for COVID. How does that fit into President Biden’s plan to bring our country out of this pandemic? American citizens have to prove they have negative tests to enter the country, but illegal immigrants do not.

At a time when the virus is on the retreat, thanks in large part to the vaccine developed by President Trump’s Operation Warp Speed, we cannot now afford to allow thousands and thousands of illegal immigrants into the country, especially without screening them for COVID. It is not only a reckless security policy; it is a reckless health policy. We just spent \$1.9 trillion because that is supposedly what the country needs to help get us past this pandemic. Yet we are going to let people into the country, unchecked, to potentially spread the virus.

President Biden’s policies at the border are reckless. The American people can see it for themselves, and the data prove how bad the situation has become in such a quick timeframe.

We can and should take positive, proactive, concrete steps to secure our border and strengthen our national security. There are two big items to address right away.

No. 1, we should maintain the Migrant Protection Protocols Program. This system was put in place during the Trump administration to process migrant asylum claims at the border without releasing people into the United States. It requires that migrants remain in Mexico pending the completion of their cases. It was successful—hugely successful. The number of apprehensions along the border went down when people realized they couldn’t just come walking into the United States. It was exactly the kind of message we want to send: Our borders are not wide open. You must follow the rules. You must get in line.

Since taking office, President Biden has dismantled the program and is bringing in nearly 30,000 people who are waiting in Mexico.

No. 2, we should continue to build the wall. My constituents expect me to hammer this point home every day. A strong wall will help prevent illegal migrants from crossing over our border between ports of entry to avoid law enforcement.

Just recently, there were reports of a car crash in California that left 13 illegal migrants dead who were stuffed and stacked in the back of a truck. Border Patrol officers believe these migrants entered through a “dilapidated border fence” in Southern California. Weaknesses in our border allow human trafficking efforts like this to continue.

This has to stop. Without needed fixes, President Biden offers false hope, and that is a dangerous signal for desperate people.

Today, I am only mentioning two ways to address the border surge. There are plenty more, and I plan to advocate for them in the weeks and months to come because, unlike this President and his administration, I am fighting for the safety and security of the American people.

I understand our immigration system is not perfect, and I understand President Biden has a different view on what our immigration system should look like, and he has made no secret about where he stands. But any immigration reform proposed must include policies that strengthen our lawful immigration system and protect our Nation’s borders. So far, President Biden’s policies do neither.

I can respect different visions for the future even though I may strongly disagree with them, but what I and the people of Alabama will not stand for is a refusal to enforce the laws of today. It puts our country at risk and encourages migrants to seek dangerous paths to enter our country instead of the legal paths our laws provide. Allowing illegal immigration to go unchecked fundamentally undermines the rule of law in this country. Without laws and without borders where those laws apply, a sovereign nation ceases to exist.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### 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 Executive Calendar No. 12, MARCIA LOUISE FUDGE, of Ohio, to be Secretary of Housing and Urban Development.

Charles E. Schumer, Sherrod Brown, Richard Blumenthal, Christopher A. Coons, Patty Murray, Chris Van Hollen, Sheldon Whitehouse, Jeff Merkley, Brian Schatz, Cory A. Booker, Amy Klobuchar, Benjamin L. Cardin, Angus S. King, Jr., Kirsten E. Gillibrand, Tim Kaine, Tammy Baldwin.

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 MARCIA LOUISE FUDGE, of Ohio, to be