

and another directing funds to farmers on the basis of race. So we are talking about blatantly unconstitutional discrimination.

Fortunately, the independent judiciary has stepped in to stop it. Over the last few weeks, multiple Federal courts have struck down these provisions, including an appeals panel led by Judge Amul Thapar from my home State of Kentucky. But these are hardly the only instances in which Washington Democrats have tried to impose their own radical preferences on ordinary Americans.

NOMINATIONS

Mr. MCCONNELL. Mr. President, later today, the Senate will vote on the nomination of Kiran Ahuja, President Biden's choice to serve as head of the Office of Personnel Management. This is the position responsible for making hiring, payroll, and training decisions that affect literally millions of Federal employees.

The President's nominee has made statements expressing sympathy for the discredited, ahistorical claims about our Nation's origins that form the backbone of so-called critical race theory. One major organization of Federal employees expressed its concern about the nominee's capacity for "neutrality, fairness, and impartiality." I share those concerns, and I will be voting against this nomination.

Still elsewhere in the Biden administration, efforts to subvert the basic understanding of our founding principles are already well underway. The Department of Education's latest "proposed priorities" run roughshod over existing history and civic programs—established with bipartisan support—in order to push critical race theory on public school students and keep pace with "woke" sensibilities.

American students deserve a rock-solid civics education grounded in actual facts, not divisive propaganda that tells them they are little more than a product of their racial background. That is the basis of new legislation I was proud to help introduce this week. Schools that choose to trade in fact-based curricula for activist propaganda like the 1619 Project forfeit their right to receive Federal education grant funding for those teachings.

The current administration came to power on the promise to unify a divided nation. It will be judged closely and carefully on how that power is used.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Lina M. Khan, of New York, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2017.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

GOVERNMENT SPENDING

Mr. THUNE. Mr. President, unfortunately, predictions about the negative economic effects of the so-called American Rescue Plan seem to be coming true.

In March, Democrats pushed through this massive partisan spending bill. They claimed it was urgently needed COVID funding. In reality, the bill was filled with unnecessary spending, from a staggering \$350 billion slush fund for States, a majority of which didn't need any more government money to weather the rest of the pandemic, to almost \$129 billion for schools, even though schools had spent just a tiny fraction of the tens of billions of dollars Congress had already given them.

At the time, Republicans warned about the bill's level of spending. More than just one liberal economist warned about the size of Democrats' spending plan, with former Obama adviser Larry Summers noting that the bill could "set off inflationary pressures of a kind we have not seen in a generation."

Well, it turns out he was right to be worried. Last week, the Bureau of Labor Statistics released its report on May's consumer prices, and the news was not good. Inflation reached its highest level in nearly 13 years, with consumer prices up 5 percent from a year ago. Core inflation, a measure of inflation that excludes food and energy prices, soared to its highest level in nearly three decades.

And what does that mean? Well, higher prices for Americans. The price of everything from bikes to bacon has shot up. Auto insurance costs 17 percent more than it did a year ago. Used cars cost 30 percent more. Shoes and whole milk cost 7 percent more. Inflation is starting to look like it could become nontransitory, or what most Americans call a serious problem.

And Democrats' government spending spree is contributing, but, of course, that is not causing Democrats to hit pause on the economic overstimulation. Democrats are looking at more trillion-plus-dollar spending bills.

The President just released a budget proposing to hike government spending by trillions of dollars over the next 10

years. Under the President's plan, the Federal budget would be \$6 trillion for fiscal year 2022, rising to \$8.2 trillion for fiscal year 2031. Now, to put those numbers in perspective, the entire Federal budget for 2019 came to \$4.4 trillion. The President is proposing to nearly double that by 2031.

It is disturbing that the overspending in the American Rescue Plan hasn't made Democrats think twice about future government sprees, but it is not all that surprising because in the Democratic Party these days, dogma tends to triumph over reality—or practicality. Democrats are ever more fanatically committed to expanding government and taxing Americans, and they are not slowed down by little details like damaging the economy.

Take the increased unemployment benefits situation. Congress provided a Federal increase in unemployment benefits early in the pandemic when businesses were closed and workers had few alternatives to keep their families afloat, but as early as last fall, there were signs that our economy was rebounding. And with the arrival of the COVID vaccines, it became clear that America would be able to get fully back to work sooner rather than later.

But Democrats insisted on continuing the increased unemployment benefits until September of 2021, and the effect has been predictable. Despite record-high job openings, many people are declining to return to work because they can make more money staying home and drawing unemployment benefits.

Businesses hit hard by the pandemic are desperate to return to full operating capacity, but they are being slowed down by the fact that they can't find workers. In response to the worker shortage, a number of Governors around the country decided to stop accepting the Federal increase in unemployment benefits. They wanted to help businesses in their States and get their residents back to work.

And how did Democrats respond to that? Well, more than one Democrat responded by suggesting that the Federal Government step in to make sure these payments continue. That is right. Despite evidence that the increased unemployment benefits were discouraging workers from going back to work, some Democrats wanted to prevent Governors from halting these payments.

Nowhere is Democrats' devotion to dogma over reality more notable than in their proposed capital gains tax hike. Now, I don't need to tell anyone that "tax the rich" has become the rallying cry of the Democratic Party. And one of the ways that the President plans to tax well-off Americans is by doubling the top capital gains rate to almost 40 percent.

The problem is that a 40-percent capital gains rate substantially exceeds the revenue-maximizing rate. In non-accountant speak, what that means is that Democrats could collect more

government revenue if they raised the capital gains tax less. Let me repeat that. Democrats could collect more government revenue if they raised the capital gains tax less.

Now, you would think that the President would want to maximize the revenue the government could collect, especially with his plans for 10 years of massive government spending, which I alluded to earlier. But in today's Democratic Party, taxing the rich is more important than maximizing government revenue, just like tax hikes on corporations are more important than making sure our economy grows and that American companies can compete on the global stage—or raising taxes is more important than passing legislation to boost American infrastructure.

That is right. The President would have reached an agreement with Republicans on a substantial infrastructure bill, but he tanked negotiations because he was insistent that any bill repeal parts of the 2017 tax reform legislation, the same legislation that had driven up wages and boosted our economy before the pandemic hit.

Democrats are so committed to taxation that they included a provision in the bloated COVID legislation that they passed specifically prohibiting State governments from using COVID relief money to cut taxes. Apparently, Democrats are fine with government payments to Americans, but allowing them to keep more of their own money is off the table.

Democrats have long been interested in higher taxes to pay for more government spending, but to today's Democrats, taxation is rapidly becoming a good in itself. Democrats are no longer just interested in raising taxes to raise revenue. If they were, they wouldn't be planning to jack up the capital gains tax rate to over 40 percent. They are interested in raising taxes because they believe that success should be punished.

In the increasingly socialist Democratic Party, it doesn't matter how hard you work to get where you are, how many people you have created jobs for, or how much good you are doing with your money; if you have been successful, you should be heavily taxed for your efforts, even if those heavy taxes actually cost the government money or hamstring the American economy.

The growing commitment in the Democratic Party to an increasingly rigid, socialist dogma is deeply disturbing, and it is certainly not limited to a fanatical commitment to taxation or spending. It embraces everything from a social agenda that is increasingly hostile to freedom of religion and freedom of speech to a fundamental belief that government knows best when it comes to how Americans run their lives.

But, for today, I am just going to limit myself to taxes and spending. Let's hope that Democrats rethink their planned government spending spree before inflation really gets out

of control and hard-working Americans end up paying the price.

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.

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

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

VOTE ON KHAN NOMINATION

The question is, Will the Senate advise and consent to the Khan nomination?

Mr. HEINRICH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Michigan (Mr. PETERS) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The result was announced—yeas 69, nays 28, as follows:

[Rollcall Vote No. 233 Ex.]

YEAS—69

Baldwin	Hassan	Ossoff
Bennet	Hawley	Padilla
Blumenthal	Heinrich	Portman
Blunt	Hickenlooper	Reed
Braun	Hirono	Rosen
Brown	Hoeven	Rounds
Burr	Hyde-Smith	Sanders
Cantwell	Johnson	Schatz
Capito	Kaine	Schumer
Cardin	Kelly	Shaheen
Carper	King	Sinema
Casey	Klobuchar	Smith
Cassidy	Leahy	Stabenow
Collins	Lujan	Tester
Coons	Manchin	Thune
Cortez Masto	Markey	Van Hollen
Duckworth	Marshall	Warner
Durbin	Menendez	Warnock
Feinstein	Merkley	Warren
Fischer	Moran	Whitehouse
Gillibrand	Murkowski	Wicker
Graham	Murphy	Wyden
Grassley	Murray	Young

NAYS—28

Barrasso	Hagerty	Sasse
Blackburn	Inhofe	Scott (FL)
Boozman	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Lummis	Tillis
Crapo	McConnell	Toomey
Cruz	Paul	Tuberville
Daines	Risch	
Ernst	Romney	

NOT VOTING—3

Booker	Peters	Rubio
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. LUJÁN). 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 actions.

The majority leader.

UNANIMOUS CONSENT AGREEMENT

Mr. SCHUMER. We have two of our Members who couldn't be here because

of serious illnesses in their families, and therefore we are going to delay the vote on Kiran Ahuja.

I ask unanimous consent that the cloture motion with respect to the nomination of Kiran Ahuja to be Director of the Office of Personnel Management be withdrawn.

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

Mr. SCHUMER. We will return to that vote as soon as these Members can return.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to 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.

RECESS

Mr. SCHUMER. Mr. President, I now ask that the Senate recess until 2:15 p.m.

The PRESIDING OFFICER. Without objection, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:22 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

MORNING BUSINESS—Continued

The PRESIDING OFFICER. The Senator from Texas.

BORDER SECURITY

Mr. CORNYN. Madam President, the American people are counting on Congress to act on some of the biggest issues facing our country.

For starters, there is a border crisis. Since January, more than 630,000 migrants have come to our southern border, including more than 65,000 unaccompanied children. In May, Customs and Border Protection had their busiest month in 21 years, with more than 180,000 encounters in May alone, and we are on track to see some of the highest numbers in yearly border crossings in decades.

Well, the alarm bells are sounding, but amid this crisis, the Senate Judiciary Committee held a hearing this morning on a partisan bill that has nothing to do with the extant border crisis.

Make no mistake, I believe Congress should absolutely take action to allow current DACA, or Deferred Action for Childhood Arrivals, recipients to remain in the United States, but a partisan bill that would provide a pathway to citizenship for 4.4 million adults and other unrelated issues has simply no chance of passing in the Senate.