

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.

Now, Senator DURBIN, the chairman of the Judiciary Committee, who has long been an advocate for the Dreamers, if he really were serious about that issue, he now has the authority, as chairman of the Judiciary Committee, to put a bill before the committee to allow Senators to offer and vote on amendments and to mark up a bill. And if he were able to get a majority of the committee to vote for a bill, he could then ask majority Leader SCHUMER to put the bill on the floor. But, so far, most of our discussions on immigration have been just that, all talk and no action.

#### INFRASTRUCTURE

Mr. CORNYN. At the same time, Madam President, America's roads and bridges are in dire need of attention by Congress. Every year, the American Society of Civil Engineers evaluates the state of our infrastructure and issues a report card to let us know how we are doing. Well, America is barely passing with a "C-minus." Texas is faring slightly better than the rest of the class, with just a "C."

I believe Republicans and Democrats alike think that rebuilding our roads and bridges is important. We even share the same goal of expanding the definition of "infrastructure" to include broadband because we saw during the current pandemic that broadband is no longer a luxury. It is an absolute necessity, whether it is for telehealth or whether it is for our children learning remotely or for people working remotely from home.

Even as bipartisan negotiations continue, though, the majority leader is eyeing the prospects of a partisan bill that would circumvent the normal legislative process and would be entirely a partisan product. But we know that in a 50-50 Senate, bipartisan work on shared priorities is not impossible. In fact, we did it just last week.

Last week, we saw a great example of what can be accomplished if we will work together to achieve an outcome.

#### CHINA

Mr. CORNYN. Madam President, in recent years, China has emerged as one of the greatest competitors to America. Both Republicans and Democrats recognize the need to take action now to confront the growing threats posed by China, and so that is what we did last week.

Last week, the Senate passed a sweeping bipartisan bill to invest in strategic competition with China, in large part by funding the CHIPS for America Program to shore up this vulnerable supply chain of advanced semiconductors coming primarily from Asia, primarily from Taiwan.

#### FILIBUSTER

Mr. CORNYN. Now, Madam President, there is a lot of work that we can

and should do on a bipartisan basis because, of course, not every issue should be or is a partisan issue. But I will have to tell you that old habits die hard around here.

Despite the clear need for cooperation to move critical legislation through a 50-50 Senate, the majority leader is resisting any progress on issues that we can and should be addressing. Instead, he is trying to drum up a scenario where somehow we decide to eliminate the 60-vote requirement, otherwise known as the filibuster. But it is that 60-vote requirement that requires both parties to roll up their sleeves and do the hard work and build consensus.

In a country of 330 million people, we need to have the continuity and the planning and the stability of bipartisan work products, not just a partisan bill that can be undone after the next election for Congress or after the next Presidential election.

Well, over several months, our Democratic colleagues have been asked about the fate of the filibuster, whether they would be willing to eliminate the filibuster in pursuit of partisan goals. Senator SCHUMER, for one, has repeatedly said that "all options are on the table"—whatever that means—and a number of our Democratic colleagues have parroted the same line.

Now, they have looked for examples of Republicans filibustering bills, just like they have done over the last 6 years. They assumed this would be the golden ticket to rid themselves of the bipartisan filibuster requirement and escape blame, only things haven't quite worked out that way. The roadblock to bipartisanship isn't on the Republican side but, rather, on the Democrat side.

#### CORONAVIRUS

Mr. CORNYN. Madam President, after passing five bipartisan COVID-19 relief bills last year to support the American people through the pandemic, our Democratic colleagues kicked off this year with a different approach. They made no attempt to try to negotiate another consensus package, as we had done five times before last year, and insisted on skirting the normal legislative process so they could pass a purely partisan \$1.9 trillion spending bill.

Well, the problem with that is it was really mislabeled. One, it vastly overshoot the target, and it spent less than 10 percent of the money—which, purportedly, was for COVID-19 relief—on COVID-19, and less than 1 percent of that was related to vaccines, which was clearly the most urgent need.

But the money that we had appropriated last December hadn't even been spent yet, but, apparently, the Biden administration wanted to demonstrate that it could get things through but, in the meantime, appropriated \$1.9 trillion, threatening us with something we haven't seen rear its head in a long time, which is inflation.

But the bill, as I said, included a lot of unrelated and unnecessary partisan priorities, ranging from blank checks for mismanaged union pension funds, funding for climate justice, backdoor money for Planned Parenthood, and an exclusive paid leave program for Federal bureaucrats.

#### THE ECONOMY

Mr. CORNYN. Madam President, where did that land us? Well, as I said, last week, the Department of Labor announced that inflation had climbed to the highest rate since 2008. Core inflation surged to the highest level in nearly three decades. Families are feeling the pinch of higher prices as they pay higher prices for everything from housing to cars to gasoline to groceries.

This is really sort of a silent and hidden tax on their income, when the dollar that they earn is worth less and less as prices go higher and higher. But, unfortunately, this is the exact scenario economists expected when our Democratic colleagues rolled out this \$2 trillion spending bill at the beginning of the year. And they are currently proposing to spend trillions of dollars more.

Even Larry Summers, who once served as Treasury Secretary under Bill Clinton and Director of the National Economic Council under President Obama, warned about inflation. He penned an op-ed in the Washington Post in February, cautioning the administration about the risks of inflation, making himself persona non grata among our Democratic colleagues. But he wrote another one last month saying that "the inflation risk is real."

You might think that would serve as a cautionary tale to our Democratic colleagues, that partisan legislation does not give way to sound and stable policies. But that is not the case.

When the majority leader said all options are on the table for eliminating the filibuster, he didn't mention the fact that he would be setting the table and setting the agenda trying to make that case.

Absent Republican obstruction that he and other members of the media forecasted, the majority leader is now teeing up a series of designed-to-fail votes so he could explain or justify—try to justify—why the filibuster should be eliminated.

#### FOR THE PEOPLE ACT

Mr. CORNYN. Madam President, we kicked things off last week with a vote on a bill that would exploit the cause of pay fairness, when that is already clearly the existing law, but, in this case, to line the pockets of trial lawyers.

Senator SCHUMER said this month, the Senate will vote on S. 1, the partisan Federal election takeover bill. So just as our Democratic colleagues went on a spending spree in the name of