

Unfortunately, just like the President who nominated her, Judge Jackson has provided no evidence of that vision. I am a “no” vote on her confirmation.

I yield the floor.

The PRESIDING OFFICER (Ms. SMITH). The Senator from Oregon.

Mr. WYDEN. Madam President, I have already announced that I intend to support Judge Jackson's nomination. Her character and her qualifications are unassailable, but, unfortunately, that hasn't stopped a number of Senate Republicans from treating her disgracefully. Too often, behavior in the hearings was simply shameful.

It doesn't have to be this way, and it wasn't always this way. For example, even though I disagreed with him on plenty of issues, I voted for Chief Justice John Roberts, and he was treated very fairly by Democrats. Serious questions were asked and answered, and there wasn't anything resembling the over-the-line, juvenile theatrics like those shown for Judge Jackson.

Things changed when President Obama's final nomination was stolen by Republicans. They refused to even hold a hearing or consider the sitting President's nominee on just fabricated grounds.

Democrats are trying to maintain a sharp focus on legal questions and personal qualifications. Faced with sideshows and personal attacks, we stuck to issues. What was particularly striking about those attacks was they were attacks against somebody whom Senate Republicans had voted for unanimously when she was nominated to a lower level court.

My view is, the radicalization of the Court and the nominations process are just poisonous to our democracy, but that was what was on display when Republicans attacked Judge Jackson.

I want to start setting the record straight on several of the key issues.

First, Judge Jackson is squarely within the sentencing norm for cases involving child sexual abuse material. She was smeared anyway as going soft on predators. It was a gross and baseless accusation, more of a dog whistle to conspiracists than an attempt at honestly vetting a nominee. Even the *National Review*—nobody's idea of a liberal publication—published a column that called the comments of our colleague from Missouri, Senator HAWLEY—it called his attack “meritless to the point of demagoguery.” Those were the words of the *National Review*.

The fact is, on this hugely important issue, the whole question of kids' safety, as the Presiding Officer of the Senate knows, there is a big difference between talking about protecting child victims and actually doing the work. Far too many of our Republican colleagues just come down on the wrong side of the divide.

It is absolutely right that government at every level has failed to protect kids from exploitation online.

That failure has a lot of causes. One is that the Justice Department, for reasons I will never understand, has consistently declined to put enough manpower and funding behind protecting these vulnerable kids. Another reason is that Members of Congress talk a really big game, but when there is serious legislation to protect vulnerable kids, they disappear.

Now, I have proposed an alternative. It is the Invest in Child Safety Act. It puts serious funds into tracking down the child predators and prosecuting these god-awful monsters and protecting the kids they target and abuse. It would create a new executive position, to be confirmed by the Senate, to raise this level of protecting kids and strengthen oversight.

Now, instead of supporting that legislation, where we put real prosecutors and real investigators to the task of protecting our kids, putting more law enforcement on the beat, a number of Senate Republicans spend their days going after section 230 of the Communications Decency Act. So, yet again, vulnerable kids are being used as pawns by politicians to advance their agenda.

I simply believe that child abuse and exploitation is too serious an issue for U.S. Senators to cheapen it with baseless accusations and ill-conceived legislation. This is the last subject—protecting our kids—that elected officials ought to be playing politics with.

WOMEN'S HEALTHCARE

Madam President, I am going to use the remainder of my time to discuss another issue that came up often in the debate, and that is the right of American women to control their bodies. I am talking here about *Roe v. Wade*.

The Supreme Court has effectively overturned *Roe* already when you look, for example, at the various States. The Court has overturned *Roe* for millions and millions of people. They did it on the shadow docket by allowing an obviously unconstitutional bounty law in Texas to go into effect. Now States all over the country are passing similar laws, and in some States, they are going even further to restrict the fundamental right of women to control their own bodies.

The fact of the matter is, this debate is not just about *Roe*. It is becoming commonplace for Republicans to say out in the open that the Supreme Court ruled incorrectly in *Griswold v. Connecticut*, the 1965 case that affirmed the right of married people to use contraception. That is what this debate has become all about—not just the right to a safe and legal abortion; it is about rolling back the right to birth control.

Republicans are saying that the case that affirmed the right to use birth control was wrongly decided. That is what our colleague from Tennessee who just spoke said ahead of the hearings on Judge Jackson's nomination.

It is enough to leave you wondering: What year is this? What century is this?

Connecticut's ban on contraception was based on a Federal law from the 1870s, a law from a time when women's rights were few. They couldn't even vote.

For Connecticut to have that kind of law on the books in 1965 was a ridiculous infringement on the liberty and body autonomy of American women. Estelle Griswold, the women's rights activist whose name is atop the case, once half-joked that the State would have to “put a gynecological table at the Greenwich toll station” to prevent women from going to New York to get the contraception they needed.

But the history in Connecticut shows, as is often the case, this old restriction on personal liberty fell hardest on women without means, even when the law was badly out of date.

The Supreme Court ruled correctly when it struck down Connecticut's law in 1965. To say otherwise is appalling and alarming. The Court recognized that the government ought to stay out of people's private decisions about family planning. A few years later, the court correctly applied the *Griswold* precedent to single women. A year after that came *Roe*.

These cases are linked. Put together, the attacks on *Roe*, and now *Griswold*, they are about letting the government control when somebody decides to start a family. We are talking about rolling back 80 years of basic human rights.

Prior to her appointment on the Supreme Court, Ruth Bader Ginsburg wrote in these debates over *Roe*:

Also in the balance is a woman's autonomous charge of her life's full course . . . her ability to stand in relation to man, society, and the state as an independent, self-sustaining equal citizen.

When the Court upheld *Roe* in 1992, the majority ruled that “[t]he ability of women to participate equally in the economic and social life of the Nation has been facilitated by their ability to control their reproductive lives.”

If women can't legally obtain birth control and they can't legally obtain abortion care, they no longer have legal control over their bodies. Let's be clear.

If women do not control their own bodies, they don't control their own lives. And if Americans don't control their own lives, they are not free and equal under the law.

Tossing out *Roe*—the way this Court has—is an act of judicial radicalism. Every Republican Supreme Court nominee swears up and down that they respect precedent; they won't legislate from the bench. Then they go out and toss out *Roe* on the shadow docket.

For Republicans now to be going after *Griswold* is staggering and dangerous. For Senators to be attacking this ruling 57 years after the case was decided is ridiculous.

This is not just because birth control is part of basic health regimens. It is because women in America have an equal right to chart the course of their lives and when to become pregnant.

Now, Republicans often talk about their position in the context of States' rights. Too often, what they are saying is they believe in States' rights only if they believe the State is right, and we see that on issue after issue.

And, finally, it is important to consider these debates in the context of what is happening in statehouses around the country. Republican legislatures are effectively banning abortion. They are passing laws that do more to protect rapists than rape victims. They criminalize abortion care, and in other cases they are criminalizing the act of helping women obtain the healthcare they need.

Some States want to make it impossible to use these kinds of medicines and therapies to safely end pregnancies early. A Republican lawmaker in Missouri recently proposed forcing women to carry ectopic pregnancies to term, which is effectively a death sentence.

The bottom line is, what is happening today, in 2022, is collectively the most extreme attack on reproductive health, freedom, and equality in America I can remember.

And I am just going to close by saying this is not the same debate as we have had over Roe. State-level Republicans are going way beyond that point.

For Republicans here in this Congress to be going after Griswold—after birth control—is a shocking escalation in the fight they are making to roll back the rights of women.

American lives and liberty are at stake. Americans need to be prepared to fight for freedom and equality in the months and years ahead. I am sure going to be out there with them.

In the meantime, I believe Judge Jackson is going to make an outstanding Supreme Court Justice and a bulwark for the rights of women and all Americans.

This is a historic confirmation, one that is long overdue. I am proud to give Judge Jackson my vote, and I urge my colleagues to support her nomination as well.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Tennessee.

UNANIMOUS CONSENT REQUEST—S. 3959

Mr. HAGERTY. Madam President, I am here today to discuss what I saw this past weekend when I took a trip to our southern border in Texas.

I led a delegation of eight sheriffs and mayors from my home State of Tennessee. We went to see what is happening, what the effects of the border crisis are, and to hear from them and allow the border agents to hear from them the effects of the border crisis in our own communities in Tennessee.

Our mayors and sheriffs are seeing record drug overdoses, gang violence, and other forms of criminal activity right there in Tennessee.

We learned that what is really happening at our border is quite simple: Well-financed, operationally sophisticated drug cartels, with the help of the Chinese Communist Party, are exploit-

ing our immigration policies and human economic desires to make billions of dollars from drug and human trafficking.

Ignored by the Biden administration and the corporate media, this increasingly powerful criminal enterprise is expanding further into American communities.

Our trip revealed two key insights. First, under Biden policies, this national security crisis is unmanageable. Second, and paradoxically, this crisis is well within the Federal Government's ability to fix.

My central takeaway was this: If every American saw what we saw and heard, this would end. America wouldn't tolerate this. It is a crisis.

Here is the cartels' business model: Fentanyl ingredients are shipped from China to Mexico. In Mexico, the cartels turn these chemicals into astonishingly potent drugs bound for the United States.

Last year, fentanyl seized at the border was more than enough to kill every American. And that is just what we caught. Think about what has not been caught. Think about what is getting through.

The cartels control the entire Mexican side of the U.S. border, and each migrant must pay thousands of dollars for safe passage to these cartels. Often, they have to pay through subsequent indentured servitude. Many young women become victims of human trafficking.

So in this vicious cycle, the more illegal immigration, the more money for the cartels; and the more money for the cartels, the more drugs they produce.

For cartels, the illegal immigrants are more than an expendable revenue source. They are a tool for facilitating transport of drugs and criminals. The cartels push scores of migrant customers across the border so they can occupy American border agents. Then they exploit the resulting gaps in patrol coverage to move across drugs, gang members, those they refer to as "high-value" individuals, terrorist-watch-list members, and others.

Border Patrol agents told me that, given the recordbreaking border crossings they are currently facing, there are times when every agent is busy processing migrant paperwork, leaving the border wide open for drug and human trafficking. The drugs and gang members and the accompanying violence will then flood into our American communities.

As one agent put it: The people crossing the border don't stay in this area, and neither do the drugs.

More than 100,000 Americans died last year from drug overdoses, mostly from fentanyl, which are really more akin to CCP-engineered poisonings. Several thousands were Tennesseans. The Tennessee sheriffs and mayors on this trip told me that deaths from illicit drug overdoses in their counties are at record highs. Our Tennessee sheriffs

know the families in their communities. They told me the toughest part of their job is to see a mother or a grandmother, to go to their home and tell them that their son or their grandson will never return. It is heart-breaking. Each one of these obituaries has the CCP's fingerprint on it.

The migrants' money and usefulness to distract border agents are essential to the cartels' operations. These illegal immigrants are incentivized to come because of our current catch-and-release policies.

To illustrate the current policy of absurdity, last Friday, around midnight, near a stretch of—of course—unfinished border wall, right outside of McAllen, TX, our vehicle came across about 15 recently arrived migrants. They approached us and asked us where they could find the Border Patrol agents. They wanted to turn themselves in, having been coached by their cartel handlers that this was the first step to U.S. Government-funded release into America. Our policies are so upside-down that the suspects are looking for the officers.

Nevertheless, U.S. Border Patrol and other law enforcement Agencies are working tirelessly day and night to protect our Nation. Understandably, morale is at an all-time low with a Biden administration that refuses to give them the tools that they need to deal with this crisis.

Border Patrol can process a maximum of roughly 5,000 migrants a day. Right now, they are facing nearly 8,000 migrants a day. And when the Biden administration lifts title 42 authority, they fear that the number could exceed 15,000 per day.

Therefore, and unsurprisingly, the constant plea I heard from Border Patrol agents was this: We need effective policy, not more agents, not more equipment. Bad policies are what have created this incentive to cross the border, and eliminating these policies is the only fix. Our agents signed up to protect our border, not to facilitate its demise.

Border agents in Laredo told me that the Migrant Protection Protocols, known as MPP, were a perfect illustration of the need for policy change. MPP was a policy that required migrants seeking asylum in the United States to remain in Mexico until it was determined whether or not they were actually entitled to asylum. Most are not.

When it was implemented in 2019, the agent said it was like flipping a switch because this stopped people coming when they knew that they wouldn't get in.

This "Remain in Mexico" policy cut illegal border crossings dramatically in fiscal year 2020. Yet the Biden administration nixed the MPP, and, not surprisingly, border crossings more than quadrupled in fiscal year 2021.

With the help of their media allies, Washington Democrats ignore this crisis and they hope that the American people will too. They don't travel to