

The senior assistant 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. 847, Barbara A. Leaf, of Virginia, to be an Assistant Secretary of State (Near Eastern Affairs).

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Martin Heinrich, Alex Padilla, Jacky Rosen, Margaret Wood Hassan, Dianne Feinstein, Benjamin L. Cardin, Richard Blumenthal, Angus S. King, Jr., Bernard Sanders, Christopher Murphy, Sheldon Whitehouse, Sherrod Brown, Michael F. Bennet, Christopher A. Coons.

#### LEGISLATIVE SESSION

Mr. SCHUMER. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. I move to proceed to executive session to consider Calendar No. 687.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Elizabeth Schoff Watson, of Maryland, to be an Assistant Secretary of Labor.

#### CLOTURE MOTION

SENATOR. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant 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. 687, Elizabeth Schoff Watson, of Maryland, to be an Assistant Secretary of Labor.

Charles E. Schumer, John W. Hickenlooper, Jacky Rosen, Jack Reed, Tim Kaine, Kirsten E. Gillibrand, Tina Smith, Tammy Baldwin, Alex Padilla, Benjamin L. Cardin, Margaret Wood Hassan, Ben Ray Lujan, Catherine Cortez Masto, Elizabeth Warren, Debbie Stabenow, Tammy Duckworth, Mazie Hirono.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, May 16, be waived.

The PRESIDING OFFICER. Without objection.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, on one more matter that I would like to address briefly—and I appreciate the indulgence of my friend, the Senator from Illinois, who has waited.

On one other subject, I want to begin this week by wishing our colleague and dear friend Senator VAN HOLLEN a smooth and speedy recovery after his announcement yesterday that he suffered a mild stroke. Every single one of us is relieved—relieved—to hear he is doing well; that his incident was minor; and that there are no long-term effects. We wish our friend recovery and look forward to seeing him here in the Senate later this week.

H.R. 7691

Madam President, on the floor today, the Senate is going to hold an important vote to move forward desperately needed aid for the people of Ukraine as they continue fighting against Russian aggression. We have a moral obligation—a moral obligation—to pass this assistance as soon as we can in the Senate.

The vast majority of us in this Chamber is united in getting this aid done as quickly as possible, including myself and the Republican leader, but last Thursday, the junior Senator from Kentucky prevented the Senate from getting Ukraine funding out the door and onto the President's desk.

The arguments he made on the floor last week made clear that he outright opposes giving aid to the people of Ukraine as they fight Russian authoritarianism. Senator PAUL's obstruction of Ukraine funding is totally unacceptable and only serves to strengthen Putin's hand in the long run. I urge him to drop his opposition so we can reach an agreement to get this package passed through the Senate as soon as we can.

But, to be clear, his obstruction will not—will not—prevent Ukraine aid from ultimately passing the Senate. One way or another, we are going to get this done and send a clear message to Ukraine and to the world that America stands on the side of democracy and against Putin's deeply immoral campaign of violence.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Illinois.

Mr. DURBIN. Madam President, let me join the majority leader in best wishes to our colleague CHRIS VAN HOLLEN.

It came as a surprise this morning, but we are heartened by the news that he is recovering, and we hope he will be back with us very, very soon. He is a wonderful Senator, who is representing his State effectively, and he is very close to Members on both sides of the aisle. So we wish him and his family all the strength and recovery as quickly as he can.

#### GUN VIOLENCE

Madam President, this was another weekend of bloodshed and loss in America.

In Chicago, five people were shot dead, including a 16-year-old boy—killed near “The Bean,” which those of us in Chicago know automatically as that sight in Millennium Park where people race to gather and take photographs. It is one of the most popular attractions in our city, and just this last weekend, it was the scene of a murder, with one teenager killing another.

In California yesterday, a gunman walked into a church and opened fire, killing one person and critically wounding four others. That same afternoon, another gunman opened fire at a flea market in Houston, killing two and injuring three.

A weekend in America.

But both of these mass shootings happened less than 24 hours after a White supremacist massacred innocent shoppers at a grocery store in Buffalo, NY. The shooter was wearing tactical gear and carrying an AR-15 assault rifle—a weapon designed to kill people. He shot 13 people, 11 of whom were Black, in an act of racist violence; 10 of the victims died. Each of these 10 people had left home Saturday, maybe to grab dinner or to buy groceries for the week, and they never returned. Now their families are facing the unimaginable trauma of loss. In an instant, they lost a grandparent, a child, a spouse.

To those families, I say: You do not grieve alone. America grieves with you.

One of the victims was Aaron Salter. He was a retired police officer who was working as a security guard at the grocery store when it was attacked. Officer Aaron Salter was a hero. When the gunman entered the store, Officer Salter didn't flinch; he leapt into action to save the lives of the shoppers and employees, but there was only so much he could do. He was armed with a handgun while the person who attacked the store was wearing a tactical vest and firing an assault rifle. Like so many of our police who risk their lives for us every day, Officer Salter was outgunned.

As we mourn Officer Salter's loss this week, our Nation's Capital is welcoming law enforcement from across the country for Police Week.

To every officer who protects our communities like Officer Salter did so valiantly, we give our thanks.

No officers should ever find themselves in a situation where they are outgunned by an assailant, but that is exactly what happened in Buffalo this weekend, and it happens far too often in cities like Chicago.

For decades, this Senate has failed to pass legislation that would close the gaping holes in our gun laws and reduce the shootings that tear apart law enforcement families and families of all kinds across the country. How many more lives will be lost before we act?

When will the Members of the Senate finally join together in recognizing the role that White supremacy and White nationalism have played in fueling these violent terrorist attacks?

Time and again, I have made my position on violent extremism as clear as I can: The use of violence to advance political goals is always—always—unacceptable. No matter the ideology, right or left, it is wrong, but we need to be clear-eyed about the nature of the threat that we face. Senior law enforcement and intelligence officials have warned us on numerous occasions that the biggest terrorism threat in America today is homegrown. It stems from White supremacists and violent militia extremists.

I have been sounding this alarm for years. In 2012—2012—10 years ago—I first held a hearing on domestic terrorism after a White supremacist murdered seven Sikh worshippers in Oak Creek, WI. Today, a decade later, the threat is even worse.

FBI Director Wray testified at the Judiciary Committee that the threat of domestic terrorism is “metastasizing across the country”; and last year, the FBI reported that our Nation experienced the highest level of hate crimes in over a decade. These attacks have targeted Black Americans, who have long been the target of the majority of race-based hate crimes in America, but they are not limited to just our Black American neighbors. They have also targeted Muslim Americans, Japanese Americans, members of the AAPI community, and members of other marginalized communities as well.

They don't happen in a vacuum, and it is clear that influential figures on the right have been fanning the flames of hate. The gunman who attacked the grocery store in Buffalo was an adherent of the great replacement theory—a conspiracy theory that fuels White supremacy and White nationalism. It is the same White supremacist conspiracy theory that inspired those neo-Nazis to march through Charlottesville, VA, chanting: “Jews will not replace us.” You will remember that group. President Trump said at the time that he wasn't sure that they were out of line. They have inspired multiple mass shootings, including the attack of Jewish Americans at a Pittsburgh synagogue in 2018, on Hispanic Americans at a Walmart in El Paso in 2019, and on Muslims at two New Zealand mosques in 2019 as well.

This once-fringe conspiracy theory—this so-called great replacement theory—has been dragged into the mainstream by media personalities like FOX TV's Tucker Carlson. According to *The New York Times*, more than 400 episodes—400 episodes—of Tucker Carlson's news program on FOX TV, which attracts more viewers than any other show in the history of cable news, have alluded to the great replacement theory. Tucker Carlson is a leading ideologue in the White supremacist movement. He has even in-

troduced racist terminology into America's conversation, like the phrase “legacy Americans,” which refers to the idea that immigrants aren't real Americans. The phrase was first used on White supremacist forums and websites. Tucker Carlson is right at home with it.

But here is what is the most shocking to me: the number of elected officials who will jump at any chance to get featured on Carlson's show and echo his White supremacist blather—his dark gospel of fear and hate and racism. We don't have to look far to find those elected officials. The third-ranking House Republican claimed in a campaign ad that Democratic immigration policies “will overthrow our current electorate.”

What will it finally take for the Republican Party to condemn this hate once and for all, and what will it take for Members of the Senate to join together in rooting out White supremacist violence?

As chairman of the Senate Judiciary Committee, I will soon hold a hearing on domestic terrorism, and the ideologies like the great replacement conspiracy theory that inspired the acts of hate will be expounded on at that hearing by experts.

We will also examine a piece of legislation that I introduced 5 years ago, the Domestic Terrorism Prevention Act, which would strengthen Federal efforts to prevent and address White supremacist violence and other forms of domestic terrorism. This legislation is an opportunity for the Members of the Senate to stand united against hate. By passing it, along with commonsense gun safety measures, we can finally address the scourge of hate and violence that has claimed far too many American lives.

Many Americans will be tuned in this week to Tucker Carlson's show to see if he has any reaction to what happened in Buffalo. Could it be that, for one shining moment, he will finally realize his complicity in what happened after 400 shows of spewing fear and hate and in subscribing to this great replacement theory, resulting in hatred across this country which is visited on communities every single day?

Ten people died in Buffalo. Will Tucker Carlson take 10 minutes to say he is sorry for any role he might have played in that outcome?

We will see.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

#### BORDER SECURITY

Mrs. BLACKBURN. Madam President, there was some sobering data that came out from the CDC last week. It was a new set of preliminary data on overdose deaths. Last year, we lost almost 108,000 people to the ravages of drug abuse. Almost 4,000 of those 108,000 were Tennesseans. Those 2021 numbers are the worst that we have ever seen, and I am concerned because it seems that my Democratic col-

leagues and their friends in the White House are not seeing the big picture on this issue.

Now, the White House claims they have a plan to address the drug crisis in this country, but they have intentionally ignored a key vulnerability when they do this. It is as if they are turning a blind eye to a key component, to a key contributing factor, of this drug crisis, and they are refusing to talk about it. It is the reason that crime is on the rise in most of our American communities. It is also the reason it is easier for drug dealers to get their hands on fentanyl than on just about anything else, and it is the same reason that human traffickers now are pushing people—the sex trafficking gangs, the labor gangs—into communities all across this country. Indeed, every town is a border town and every State a border State because of this key vulnerability.

They don't want to talk about this because I don't think they want to admit that they have been so wrong. Of course, that vulnerability, whether you are talking about drugs, whether you are talking about crime in the streets, all comes down to talking about that wide-open southern border. Don't take my word for it. Go talk to sheriffs in Tennessee. They will tell you that, with the open border, they are seeing the results of that on their streets and in their counties.

Indeed, one of the sheriffs I visited with last week said 80 percent of the drug overdoses, 80 percent of the apprehended drugs in their county—fentanyl. Why is it there? The southern border being wide open.

This is an area in which Tennesseans are wanting to see something done, and they can't figure out why the Democrats won't make a priority of securing the southern border when they want to talk issues that stem from what is transpiring at the southern border. They feel that the Democrats are deliberately sabotaging our economic recovery, our recovery from the pandemic, and they are making bad situations worse because they won't talk about the root causes.

The Biden administration never was interested in securing the border. Indeed, he hasn't been to the border. In fact, their official policy from day one has been: Let's make that southern border more insecure. Isn't that amazing? You have an administration and you have a DHS Secretary who don't believe in a secure border.

The radical left didn't like the optics of border security, so Joe Biden stopped building the wall. Even though everything is purchased and it is there—the wall can be completed—he chose not to secure our border, and he stopped building the wall.

The radical left wanted to change the definition of “asylum” without bothering to change the law, so Joe Biden threw away the “Remain in Mexico” policy.

The radical left wanted their sanctuary cities back, so Joe Biden tied the

hands of immigration officials. Go talk to them. They will tell you what they are no longer able to do, which is abide by the rule of law—the laws that are on the books.

With each Executive order that he signed, Joe Biden sabotaged Border Patrol and law enforcement, putting Americans in danger, and turned even more vulnerable women and children into victims of the sex trafficking trade.

You have to ask yourself whose side the Biden administration is actually on when it comes to the issues of crime, when it comes to the issue of protecting women and children, because I can't think of a single law-abiding American who is better off for all of this. But I do know that the cartels are happy because they are the ones who control the southern border on that Mexico side. You cannot cross that border into the United States unless you have gone through the cartel, so they are having to work out a way to pay their fee to the cartel, endangering their lives, seeing drugs pushed into this country.

Last year, Border Patrol intercepted thousands of pounds of deadly drugs and repeatedly interrupted equally deadly migrant trafficking operations, but we will never be able to account for the "got-aways" who escaped into the country with their drugs and their human cargo intact.

The level of self-sabotage has a purpose. The Biden administration has made it clear that they are willing to risk lives and livelihoods to prove their commitment to what they are calling "compassion."

Let me ask you this, Madam President: What is compassionate about women being pushed into the sex trade, little girls being sex trafficked, children being thrown into gangs? What is compassionate about that? That is what is happening because of this open southern border. This is insanity.

The cartels last year brought people from 160 different countries to our southern border. Those are stats from the Border Patrol. We know that, right now, they are anticipating bringing people in at the end of title 42. They are already working globally—globally—in order to hit these numbers. This is insanity.

According to the Biden administration, we can't secure the border and stop the flow of drugs, but the Federal Government can hand out fresh crack pipes to those with addiction. And as much as they tried to say, no, that was incorrect, we have all seen the photos.

According to the Biden administration, we can't allow shipments of perfectly safe, foreign-made baby formula into American communities. We can't process those waivers, they say. That could possibly be dangerous. We can't get a baby formula plant open in Michigan because the FDA is busy; they have other priorities. Meanwhile, parents are scrambling, trying to find formula for babies who have to have

specific formulas. This is not compassion; this is a tragedy.

I saw a friend this weekend. She calls herself independent-minded, leans more moderate Democrat. She said: You know, we have always been a government of, by, and for the people, but right now, what do we see happening? We see this government using people to get power for themselves. That is what is going on. People realize this administration is void of priorities.

The saddest thing about all of this is that the Biden administration, I think, knows what needs to be done. Many of my colleagues and I have been talking about it, that there should be priorities to secure this Nation and our sovereignty. Priority No. 1 right now should be to keep title 42 in place until three things happen.

First, DHS needs to present a thorough and specific plan that would enable American officials to handle the anticipated 18,000 people per day who Border Patrol is saying will come to our border if those restrictions are lifted. Right now, it is about 6,000 people per day.

Now, 18,000—I looked it up. Illinois has 1,466 cities, and 1,324 of those cities have 18,000 or fewer citizens. That is their population. So that is the equivalence that we are talking about. Our friend from Colorado was just on the floor. There are 482 cities there, and 439 of them have 18,000 or fewer citizens. We have Alaska. We have 355 cities in Alaska, and 350 of them have 18,000 or fewer citizens. It is like a new city in Alaska or Colorado or Illinois or Tennessee every single day. So DHS needs to come through.

Second, Chairman DURBIN must summon Secretary Mayorkas to a hearing before the Senate Judiciary Committee so that we can subject that plan that has been missing to scrutiny.

Third, they need to consult with Congress to give Border Patrol and law enforcement the manpower and resources they need to execute the plan.

Then and only then should we consider title 42.

Priority No. 2 is to stop playing politics and embrace President Trump's "Remain in Mexico" policy. We know for a fact that it helped control the influx of asylum seekers, which, in turn, took the pressure off our limited resources at the border.

Priority No. 3: The Biden administration must stop denying reality. Finish building the wall, which is what Border Patrol has been asking for for decades. Give them a physical barrier. Give them more officers and agents. Give them more technology so they can protect our Nation and our citizens. That is how we would get that border under control.

As I said, it affects crime in the streets. It affects drugs and fentanyl. This affects our citizens, our families, who are heartbroken—heartbroken—by loss of lives to drugs, to crime.

There is a starting point. There is a way to make a difference. But if this

administration wants to do something about crime, if they want to do something about the drug crisis, they need to start it at the southern border.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

#### RETIREMENT SAVINGS AND INVESTMENT PLANS

Mr. TUBERVILLE. Madam President, by the time the average American worker retires, they will have worked over 16,000 days. Put another way, by the time an individual reaches the average retirement age in the United States, they will have clocked approximately 133,000 hours—the point being, Americans work hard to retire comfortably.

To help them reach their retirement goals, many employers offer retirement savings and investment plans, commonly known as a 401(k). In fact, 91 million Americans invest in a 401(k). Many of these plans have what is called a brokerage window, which is a tool used by retirement savers to self-select some of the things that they buy within their brokerage account. They can do it themselves. The brokerage company does not do it. Simply put, they get to choose what their hard-earned money is invested in.

If someone in Lamar County, AL, is getting up at the crack of dawn, clocking 14 hours at work, and knows their retirement goals and personal circumstances very well, who better to decide how to invest the money they are making? Who better to decide but them? But, as we have seen time and time again, common sense and individual freedoms are the enemy of the Biden administration. The Biden administration has their eyes set on Americans' financial freedom yet again. This time, the Department of Labor is specifically targeting workers' ability to invest their 401(k) savings and assets as they see fit.

Recent regulatory guidance released by the Department of Labor's Employee Benefits Security Administration attempts to bar 401(k) accounts from investing in cryptocurrency, singling out this specific investment type. The guidance threatens to investigate plans that allow participants to select investments in cryptocurrency, including plans where retirement savers use brokerage windows to self-select investments in cryptocurrency.

This is inconsistent with longstanding practice. The Department of Labor has long permitted employers to offer brokerage windows as an option to employees who prefer to personally invest their own money and manage their own money within these windows. The Agency's new guidance ends this tradition of economic empowerment in favor of Big Brother government control.

The Employee Benefits Security Administration goes a step further by seeking to place a massive new regulatory burden on 401(k) plan fiduciaries by requiring them to assess the suitability of investments accessed using a

brokerage window. This would undermine the ability of retirement savers to invest as they see fit. It is their money; they should be able to invest it how they want to invest it.

The Biden administration's Department of Labor—their guidance singles out this cryptocurrency for some reason, but it is clear retirement savers want to have that option to invest their own money.

Fidelity, one of the Nation's No. 1 financial agencies, is the largest 401(k) provider in the country and recently announced that it will make Bitcoin available on its platform. They aren't the first provider to make this move. There are others. And they won't likely be the last. Sadly, the Department of Labor has already criticized these plans to empower investors.

But if this is not just about cryptocurrency—and it could not be just about cryptocurrency. It is bigger than that. Today, the Biden administration is targeting cryptocurrency. Which investment class is next? Is it fossil fuels? Is it oil companies? Is it a gun company, securities, other investments that don't align with the environmental, social, and corporate governance preferences of President Biden?

This is about Americans' freedom to chart their own financial destiny. Americans should be able to invest their retirement savings as they choose. That is why I introduced the Financial Freedom Act. My bill would prohibit the Department of Labor from issuing any regulation or guidance limiting the types of investments that self-directed 401(k) account investors—they do not limit what they can choose through a brokerage window. It would also push back on the Biden administration's plan to punish asset managers who authorize individual retirement savers to self-direct their investment choices using a brokerage window.

The Financial Freedom Act empowers the American retirement saver and preserves the precedent of investment freedom. For decades, 401(k) participants in plans with brokerage windows have been able to buy and sell investments of their choice. That freedom to choose is the entire purpose of the brokerage window. The Department of Labor should not be able to limit the range or types of investments savers can select.

The choice of what you invest your retirement savings in should be yours, not the government's. The government-knows-best approach being pushed by the current administration runs counter to the values that made our country the most prosperous Nation in history.

I urge my colleagues to support financial choice and freedom, to uphold our tradition of economic empowerment. I hope my fellow Senators will join me in preserving the choice of every American worker. They should have their own financial decisions, where they can make those decisions

for their future and for their family's future, chart their own destiny, and reap the benefits of their hard work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

#### IMMIGRATION

Mr. BENNET. Madam President, I feel as though the Presiding Officer has the misfortune of being the Presiding Officer every time I come out here to speak. So I apologize for that, but I thank you for your patience and for your indulgence.

Madam President, when I was in the second grade, we were asked to line up in our classroom by the people whose family had been here the shortest period of time and whose family had been here the longest period of time, and I turned out to be the answer to both of those questions. My father's family went all the way back to basically before the founding of the United States, and my mother had recently arrived, having survived the Holocaust in and around Warsaw with her parents, John and Helena Klejman, who came to this country to rebuild their shattered lives. So one person going back to the beginning; another person recently arrived.

That is not an unusual story for this country. That is a usual story for this country. It is an unusual story in the world because a lot of other countries aren't like the United States of America in this way. There is literally no other country on the planet for which immigration is so central to its history and identity as the United States of America.

People all over the world want to come here because we live in a country that respects human freedoms and respects human rights. They want to share in the American dream. They want to be part of the oldest democracy in human history. We should celebrate that on this floor. We should celebrate that fact on this floor. People aren't lining up to go to Russia. They aren't crossing the Gobi Desert to go to China. They want to come here. That should give us enormous pride as Americans. I feel proud of that. I am proud of that.

My grandparents were filled with joy to be Americans. I have never met anybody—I have traveled my State extensively and the United States extensively. I have never met a person who has a stronger accent than my grandparents had. And they are the greatest patriots I ever knew—not because they thought this country was perfect but because they believed we had a way of correcting our imperfections and that they could be part of that even though they came from someplace else and spoke a different language.

Over our history, immigration has been a uniquely American strength. Today, immigrants lead one in four startups. They are more than half of all STEM workers with Ph.Ds. They are nearly 3 in 10 physicians in this country and nearly 4 in 10 home

healthcare aides. And they are more than 70 percent—70 percent—of all farmworkers, the men and women who work tirelessly day after day after day, late into the night, to keep us fed and were doing that during the pandemic without rest.

While other industrialized nations have seen their populations decline and their economies stagnate, immigration has been vital to the American economy. If you look at the history of the United States for the last 150 years or so, what you see is that there are variations. Sometimes we grow; sometimes we don't. But, roughly, it is 3 percent a year of economic growth. Two percent of that is organic. One percent of that is immigration. If you cut off immigration, that is a third of our economic growth over the years.

I think most of America understands this. I think people in Colorado understand this well. They know that immigration is fundamental to our history and to our identity, to our economy, but they also have a reasonable expectation that the government is managing immigration in a responsible way, in a way that is consistent with our best traditions as a nation and upholds the rule of law.

After I was first elected to the Senate, one of the first things I worked on was something we called the Colorado Compact. I stole the idea from a Republican. I think he was the attorney general of the State of Utah. He created the Utah Compact. I went out with my friend, a former Senator, a Republican from Colorado named Hank Brown, and we developed something called the Colorado Compact. I spent 18 months working on it. We traveled 6,300 miles around the State of Colorado. We had 230 meetings. We talked to farmers and business owners, with law enforcement, educators, faith leaders, ski resorts, Latino leaders. All of them were struggling with different pieces of our broken immigration system.

Not surprisingly when you have conversations like that around people's kitchen tables or in the county courthouses, we found that there was a lot more agreement on what immigration reform should look like than you would ever think possible if all you did was listen to the cable television at night or read your social media feed—neither of which I recommend anybody spend their time doing.

We developed a set of principles in a bipartisan way, in rural parts of Colorado as well as urban and suburban parts of the State. We had some of the most conservative organizations in Colorado—Club 20 comes to mind—that endorsed this and some of the most aggressive immigrant rights groups who supported this. And the principles that we developed included a commitment to the rule of law, our heritage as a nation of immigrants, and a secure border. That is how you get a broad coalition together on immigration.

One thing we agreed on was that the issue needs more than piecemeal reforms. No State effort is a substitute for a commonsense national strategy to overhaul our immigration system. That is why, a few years later, I was one of four Democrats who served on the Gang of 8 here in 2013. We had four Republicans and we had four Democrats, and we worked for months on a piece of legislation that became known, I guess, as the Gang of 8 bill. It was the first comprehensive immigration bill in years in this place, and the elements of it were aligned exactly with what we had said in the Colorado Compact: the tough but fair pathway to citizenship; the most progressive Dream Act that had ever been conceived, much less written or voted on, on the floor of the Senate; a massive overhaul of our visa system; \$46 billion of border security—not a medieval wall but state-of-the-art military technology so we could see every inch of the border. We doubled the number of border agents in that bill. We had 300 miles—I think even more than that—of new fencing as a result of that bill.

In a moment that today almost seems unimaginable—but this is why I wanted to come to the floor today, really, was to remind people of this; the pages who are here won't even believe it—this came to the floor, and it passed with 68 votes. It almost got 70 votes in 2013.

Then it went over to the House of Representatives, and tragically—tragically—instead of just putting the bill on the floor and letting the House work its will, the Freedom Caucus got to exercise a veto, and they said: If you can't get a majority of the majority, we are not going to let you pass this bill—even though a majority of the House of Representatives wanted to pass the bill because there were enough people from both parties who could see the benefit of this comprehensive immigration bill.

And I realize, you know, now we are in a different day. That was then; this is now. It was a different negotiation, a different deal. And it was a different Senate, for that matter. It was a Senate, thanks to John McCain, that occasionally worked—and others like him.

I think that we have got to figure out a way to get past this logjam and toward a solution where we honor our heritage as a nation of immigrants, we secure the benefits to our economy of a working immigration system, we comply with the rule of law, and we give the American people confidence that our border is secure. None of that is an unreasonable expectation, but we are nowhere near meeting that expectation today. Instead, politicians have used our broken immigration system as one more issue to bludgeon the other side, to not make progress. That was the theory of the people who killed the bill in 2013, was that they could get more out of the politics of not passing the bill than they would by passing the bill.

I actually think—I think they got more than they were even bargaining for. They couldn't have imagined when they voted against that bill that they would end up nominating a Presidential candidate who rode an escalator down in his building talking about how Mexicans are rapists and that that guy not only was nominated; he went on to become President of the United States. Staggering. Staggering.

I think there is some question about whether American history would have changed in really profound ways if we had been able to pass that comprehensive bill, and the cost has been just terrible for the country for our inability to do it.

Our businesses are desperate to hire computer scientists and engineers, but because our visa system is broken, we are literally training Ph.Ds and sending them back to countries like India or China or to Canada. We have Dreamers who are living in perpetual fear, unable to plan for their future in the only country they have ever known. This Senate has been unable to deal with the issue of the Afghan interpreters who are people who fought side by side, worked side by side with our soldiers in Afghanistan because of our broken system and the politics around immigration.

In Colorado, we have a \$47 billion agriculture industry. It is lifeblood of our State. I have met vegetable growers in Brighton and peach growers in Palisade who don't have enough labor to harvest the crops. And the system is broken.

We fixed that in 2013, too. I negotiated that with Orrin Hatch, God rest his soul, and MARCO RUBIO and DIANNE FEINSTEIN. That is who negotiated the agriculture provisions of the bill.

In Colorado, it is not just farmers. We don't have enough workers for our steer. Across the country, we don't have enough doctors. We don't have enough nurses or childcare providers or home health aides. We have 11 million unfilled jobs in this country right now because the economy has come back, but we haven't been able to fill these vacancies. You can draw a straight line from our broken immigration system to the country's labor shortages to some of the high prices that we see in this economy.

So Americans—once again, no one around here bears the burden of not getting the job done, but Americans are paying the price for an immigration system that doesn't work. The last time we reformed our immigration system in a comprehensive way was 1986. For those keeping score, I was a junior in college then; I am 57 today. So that is an incredibly long period of time, and that was when Ronald Reagan was President.

But a lot has changed in 36 years. Today, we are in an era of mass migration propelled by COVID, global instability, and climate change. And it is only going to get worse. Our immigration system, including our asylum system, isn't built for today's conditions.

It is one reason why we have a perpetual humanitarian crisis at our southern border. And that crisis should not be an excuse to not act. That crisis should be a reason for us to act.

Right now, the administration has the resources to process 3,500 migrants a day at the border, but they are receiving 8,000 a day, and we could see up to 18,000 a day by this summer. If that happens, the money is going to run out in July, overwhelming any border infrastructure and deepening the humanitarian crisis that is there.

None of this should surprise us. There is a surge at the border every summer; and since we know it is coming, we need a plan. I am sorry to say this, but the administration doesn't have one. I read what they put out last month. I didn't see any benchmarks, any timelines, any accountability on implementation. I did see a lot of what I think is wishful thinking about everything being under control when they aren't under control. That is not what the American people believe. That is not what public servants and organizations at the border report.

And now the administration wants to lift title 42, which is going to make a bad situation even worse. We can't keep title 42 forever. It is no substitute for a comprehensive plan, but lifting it now before we have a plan, I think is a mistake and it is going to erode the American people's confidence that we have the situation at the border under control. And it is going to deepen the humanitarian crisis at the border. It is going to deepen the humanitarian crisis at the border.

By the way, part of that plan—if we had a plan—should be having a conversation—leading a conversation—with leaders across Latin America to see how we can come together as a region to help people that have been dislocated by violence and by corruption.

Until we solve this in a comprehensive way, these issues are going to keep coming up and they are going to keep dividing us here. Today, it is title 42. And in the last administration, we literally shut the government down—literally shut the government down—over a debate about whether Mexico would pay for the wall, which, by the way, they were never going to do and they never did. We created DACA under one President only to see it canceled in the next Presidency.

We could have spared America all of this. We could have spared America all of this if we had passed the Gang of 8 bill in 2013. We could have spared the harm to our communities and our economy, but also the harm to our democracy from the mindless political fights over the past decade when people in the Senate turned immigration into political napalm instead of lifting it up as part of our history, a central part of who we are.

If there is any silver lining to our failure to pass comprehensive reform in 2013, it is that we clearly demonstrated that Democrats cannot fix

this by themselves. We are going to need two parties working together to do it. The good thing about immigration is that there are a lot of different issues, there are a lot of different constituencies, and there are a lot of ways to construct a deal.

The former chairman of the Judiciary Committee is on the floor, Senator LEAHY, from Vermont. If I am not mistaken, Senator LEAHY would chair the Judiciary Committee when we were considering the 2013 Gang of 8 bill. That was an extraordinary process, an open amendment process—I will yield for the chairman to speak.

Mr. LEAHY. If I might say, the Senator was absolutely right. He was central in putting that together.

Unfortunately, it passed here; would have passed the House. They had enough votes—enough votes, Republicans and Democrats. But the then-Speaker said he couldn't bring it up because it didn't have a majority of his party and it would violate the sacred Dennis Hastert rule. I don't think they follow that rule after former-Speaker Hastert went to jail.

Mr. BENNET. I thank the chairman for his historical recollection, which is 100 percent correct. I just want to make it clear, again, how extraordinary the process was.

You know, when people—I think people in this country are entitled to believe that the way this place works is the way that old "Schoolhouse Rock" cartoon said it worked about how a bill becomes a law. I think people ought to be entitled to believe this is the way this place works. It almost never works that way, but it did in the case of this bill and in the case of the chairman's leadership in the Judiciary.

We just need people who are willing to work together here. I have continued to work with MIKE CRAPO from Idaho, a Republican, working on a deal to try to create a pathway to legalization for farmworkers. If we can do that, I don't see a reason why we can't raise our sights and come together as a Senate to finally fix our broken immigration system.

There is no one else to address this but the 100 Senators that are in this Chamber. I am prepared to work with any one of them—anybody here—to get it done because we don't have to choose between our heritage as a Nation of immigrants and our commitment to the rule of law. We do not have to choose between a medieval wall and the Statue of Liberty.

We can end the partisan warfare over immigration that has hurt our economy, our communities, and our standing in the world. We can give a real pathway to citizenship for those willing to invest in the American dream. We can secure the border. We can make immigration the wind in our sails once again and give the American people confidence that we have a fair system in place to welcome people—like my mom and her parents—who want nothing more than to contribute to this Nation and to our democracy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I ask unanimous consent that I be allowed to finish my statement prior to the vote.

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

H.R. 7691

Mr. LEAHY. Mr. President, the horrors we have witnessed in the weeks and months following Vladimir Putin's unprovoked attack on Ukraine are an abomination and an affront to all civilized people—entire communities wiped from the face of the earth; countless lives ruined; unarmed civilians summarily executed randomly in the street; millions of desperate people fleeing everything they have ever known because of one man's zeal to destroy whatever is necessary to realize his own twisted vision of the world—all of this while fueling a broader humanitarian crisis across the region, spiraling costs, and sparking a global hunger crisis.

The need is clear for this Congress to act decisively and to act now to reaffirm our unwavering support for the Ukrainian people in protecting their lives and their country and to stem this global crisis. The United States stands against the atrocities inflicted upon the free people of Ukraine, an independent country with a democratically elected government.

Last Tuesday, the House passed H.R. 7691, providing more than \$40 billion in emergency funding, with overwhelming bipartisan support. The Senate should have done the same, sending this bill to the President so that he could immediately execute on it and get this much-needed aid into Ukrainian hands. Unfortunately, one Member has decided to slow this process down. One Member has caused needless delay. In a few moments, we will vote to invoke cloture on the motion to proceed to H.R. 7691. Because of Senator PAUL's objection, we must go through this step just to bring up the bill for debate. I urge everyone to vote yes. And I would urge the Senator from Kentucky to reconsider his objections and help us move quickly to get this bill to the President.

This emergency bill provides \$40.1 billion—\$7.1 billion more than the administration requested—in critical military and humanitarian assistance for Ukraine, to help defend democracy abroad and to address the rising, global hunger crisis that the world is facing in large part due to Russia's aggression.

This includes \$8.5 billion in additional Presidential drawdown authority for critical weapons transfers and \$6 billion for the Ukraine Security Assistance Initiative. This will allow us to continue to supply the Ukrainians with the tools they need to defend themselves, their country, and their freedom. The urgent need for these resources cannot be overstated. As we stand here today, the administration is

raising the alarm that if we do not act, the resources we provided in March—which have been critical to Ukraine's success on the battlefield—will be exhausted in a matter of days.

It includes more than \$8.5 billion for the economic support fund to respond to emerging needs in the country and ensure the continuing operation of the government. It provides needed resources for temporary housing, medical care, food, and other basic services for Ukrainian's displaced in their own country and refugees fleeing the violence and devastation Vladimir Putin has inflicted on them and their communities.

The humanitarian crisis instigated at the hands of Vladimir Putin is not limited to within Ukraine's borders or even within the borders of Eastern Europe. It has triggered a global hunger crisis. Last year, before Putin's war, Ukraine grew enough food to feed 400 million people. Today, Ukraine cannot even feed its own people. As David Beasley, the Executive Director of the UN World Food Programme—WFP—testified before the Appropriations Committee last week, war has forced Ukraine from being a global bread basket to being on the bread lines.

Tens of millions of tons of wheat, barley, maize, vegetable oil, and other Ukrainian produce are currently locked in warehouses and languishing in ports occupied by Russian forces. If the ports are not opened, this food will either be stolen or go to waste, leading to skyrocketing prices and regional shortages. The WFP estimates that this will have a ripple effect, increasing the number facing acute hunger by 47 million. This would bring the estimated global total to 323 million people suffering from acute hunger in the 81 countries WFP operates in alone.

It is important to remember that hunger is not a moment in time; it has lasting consequences for families, communities, and whole societies. This is why we cannot wait to act on this crisis. As noted in one recent Washington Post editorial; preventing a looming, global famine is "as urgent and morally necessary as sending tanks to Ukraine."

This bill provides over \$5 billion for global food aid. If those funds are programmed quickly, they will save millions of lives.

Vladimir Putin's war is exacerbating a global crisis of food insecurity already set in motion by the COVID pandemic and successive years of severe drought in Africa. I am extremely disappointed that this bill does not include new resources to address the ongoing COVID pandemic.

Last week, we passed the grim toll of 1 million recorded COVID deaths in our country and estimates as high as 20 million deaths worldwide. If we fail to prepare for anticipated surges in the fall and winter, as immunity from existing vaccines wanes and the virus continues to mutate, the death toll will rise, potentially exponentially.

For months—for months—the administration has warned that we do not have the necessary vaccines, therapeutics, tests, and other resources to stay ahead of this virus. We do not have enough funding to purchase new shots for everybody in the fall, and we already will be forced to ration the next generation of vaccines—more suited to variants like Omicron—to only those at the highest risk.

This is not a problem that can be solved by flipping a switch. We cannot just say that we will appropriate the money later in the fall if it is needed. In order to produce the tens of millions of doses of vaccine that will be necessary, biotech companies need to begin to purchase supplies and start production before July. This means we only have weeks to provide the funding to secure these shots in time.

The same can be said of our testing capacity. Unless we act, domestic manufacturing will continue to shut down, shifting production to countries like China. This will leave us flat-footed once again should another COVID variant wave crash over our country in the fall.

The virus traveled to this country from abroad, and that is where new variants have also originated. The U.S. Agency for International Development, which manages our global response to the COVID pandemic, has obligated 95 percent of the funds they have available. They are running on fumes, and they will have no choice but to start shutting down their vaccine delivery operations if additional funds are not forthcoming soon. That means more mutations, more variants, more infections, and more death.

It is extremely frustrating that, time and again, Members on the other side of the aisle have pushed this responsibility off. We are out of time. We cannot defeat this virus with complacency or by burying our heads in the sand. It remains a global health emergency. According to the experts, it is entirely possible that we have not seen the worst yet. As chairman of the Senate Appropriations Committee, I will continue to fight for these urgently needed resources in the coming weeks.

However, the people of Ukraine and the millions facing acute food insecurity require the funds in this bill today, and I strongly urge the Senate to pass it without further delay.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER (Mr. BENNET). 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 motion to proceed to Calendar No. 368, H.R. 7691, a bill making emergency supplemental appropriations for assistance for the situation in Ukraine for the fiscal year ending September 30, 2022, and for other purposes.

Charles E. Schumer, Tina Smith, Christopher Murphy, Tim Kaine, Patrick J. Leahy, Jack Reed, Benjamin L. Cardin, Richard J. Durbin, Brian Schatz, Jacky Rosen, Catherine Cortez Masto, Margaret Wood Hassan, Martin Heinrich, Sheldon Whitehouse, Richard Blumenthal, Christopher A. Coons, 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 motion to proceed to H.R. 7691, a bill making emergency supplemental appropriations for assistance for the situation in Ukraine for the fiscal year ending September 30, 2022, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from New Mexico (Mr. HEINRICH), the Senator from Massachusetts (Mr. MARKEY), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Pennsylvania (Mr. TOOMEY).

The yeas and nays resulted—yeas 81, nays 11, as follows:

[Rollcall Vote No. 177 Leg.]

#### YEAS—81

Baldwin	Hassan	Reed
Barrasso	Hickenlooper	Risch
Bennet	Hirono	Romney
Blumenthal	Hoeven	Rosen
Blunt	Hyde-Smith	Rounds
Booker	Inhofe	Rubio
Brown	Johnson	Sanders
Cantwell	Kaine	Sasse
Capito	Kelly	Schatz
Cardin	Kennedy	Schumer
Carper	King	Scott (FL)
Casey	Klobuchar	Scott (SC)
Cassidy	Lankford	Shelby
Collins	Leahy	Sinema
Cornyn	Lujan	Smith
Cotton	Manchin	Stabenow
Cramer	McConnell	Sullivan
Cruz	Menendez	Tester
Daines	Merkley	Thune
Duckworth	Moran	Tillis
Durbin	Murkowski	Warner
Ernst	Murphy	Warnock
Feinstein	Murray	Warren
Fischer	Ossoff	Whitehouse
Gillibrand	Padilla	Wicker
Graham	Peters	Wyden
Grassley	Portman	Young

#### NAYS—11

Blackburn	Hagerty	Marshall
Boozman	Hawley	Paul
Braun	Lee	Tuberville
Crapo	Lummis	

#### NOT VOTING—8

Burr	Heinrich	Toomey
Coons	Markey	Van Hollen
Cortez Masto	Shaheen	

The PRESIDING OFFICER (Mr. BOOKER). On this vote, the yeas are 81, the nays are 11.

Three-fifths of the Senators, duly chosen and sworn, having voted in the affirmative, this motion is agreed to.

The majority leader.

#### GREATEST GENERATION COMMEMORATIVE COIN ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S.1596, and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1596) to require the Secretary of the Treasury to mint coins in commemoration of the National World War II Memorial in Washington, DC, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the Rounds-Shaheen substitute amendment which is at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 5034), in the nature of a substitute, was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Greatest Generation Commemorative Coin Act”.

#### SEC. 2. FINDINGS.

The Congress finds the following:

(1) The National World War II Memorial was dedicated in Washington, DC, on May 29, 2004, and is located on the east end of the Reflecting Pool on the National Mall, opposite the Lincoln Memorial and west of the Washington Monument.

(2) The dedication of the National World War II Memorial was the culmination of a 17-year effort that started on December 10, 1987 when the World War II Memorial Act was first introduced in the House of Representatives, and was authorized by an Act of Congress signed into law on May 25, 1993. Construction began September 4, 2001, after several years of fundraising and public hearings.

(3) Opening to the public on April 29, 2004, the World War II Memorial is the first national memorial dedicated to all who served during World War II and acknowledges the commitment and achievement of the entire Nation.

(4) The Memorial honors the more than 16,000,000 who served in the Armed Forces of the United States during World War II, the more than 400,000 who died, and the millions who supported the war effort from home.

(5) It is a monument to the spirit, sacrifice, and commitment of the American people to the common defense of the Nation and to the broader causes of peace and freedom from tyranny throughout the world.

(6) Today, the Memorial is a top destination for millions of annual visitors from all over the country and the world. For many young visitors, their visit to the Memorial is a first glimpse to a grateful Nation's remembrance of the sacrifices made by the World War II generation.