

This week, we will aim to confirm our sixth—yes, sixth—circuit court nominee of the month, and this one is especially important. It is to move forward on Judge Florence Pan to serve as a lifetime appointment to the U.S. Circuit Court for the District of Columbia.

After the Supreme Court, the DC Court of Appeals is the most important Federal court in the country, with jurisdiction over cases involving Congress and executive branch Agencies. It goes without saying that those nominated to serve as jurists on this court must be individuals of the highest caliber, of impeccable credentials, and must show deep fidelity to the Constitution.

The President couldn't have done better than Judge Pan: a brilliant, accomplished, and truly bipartisan nominee. The Senate confirmed her to the DC district court with an overwhelmingly bipartisan vote of 68 to 30. Since then, her conduct on the bench has vindicated that margin. So I hope we can see similar bipartisan support this week.

The daughter of Taiwanese immigrants, Judge Pan graduated from the University of Pennsylvania and earned her law degree from Stanford, where she wrote on the Law Review.

As a judge for both the DC Superior Court and DC district court, she has seen practically every kind of legal dispute under the Sun: criminal law, family law, administrative law, consumer protection, immigration, employment law, and more. In short, she is a remarkably qualified and experienced jurist.

So I urge my colleagues from both sides of the aisle to vote in favor of advancing this nominee. A seat on the DC Circuit deserves to be filled by a high-caliber and impartial jurist, and, thankfully, we have that in Judge Pan.

TREATY DOCUMENT NO. 117-1

Madam President, now on the Kigali treaty, besides working on judicial nominations, the Senate will also vote this week to advance a pair of critically important measures on the floor.

First, we will vote tomorrow to proceed to the Kigali Amendment to the Montreal Protocol, an agreement from the 1980s that united much of the world in reducing the use of industrial chemicals harmful to our ozone layer. Three decades later, this agreement has been an unqualified success. The Kigali Amendment is a golden opportunity to strengthen U.S. businesses and secure an edge against China in the emerging industry of next-generation refrigerants.

Let me explain. It sounds a little complicated, but it is important. The Kigali Amendment, which has been negotiated by both Democratic and Republican administrations, would build on the Montreal Protocols by affirming the U.S. commitment to phase out the use of a particularly dangerous chemical known as hydrofluorocarbons, abbreviated commonly as HFCs. Though used only in small amounts in house-

hold appliances like refrigerators and air conditioners, they wreak havoc on our atmosphere. Many on both sides have long agreed we should transition away from their use.

By ratifying the Kigali Amendment, businesses that specialize in the next generation of refrigerant technologies would see new markets open for them. In fact, one study suggests U.S. net exports could increase by \$6 billion annually—\$6 billion. So this is a jobs bill.

Combined with previous measures to reduce HFCs, this step could help create 150,000 new jobs here in the United States. All the while, we would get a much needed leg up on Chinese businesses that still lag behind—for now—in developing viable HFC alternatives. Failure to ratify the Kigali Amendment would mean squandering billions in economic activity and potentially over 100,000 good-paying American jobs.

The good news: This measure has broad support from the business community, including the Chamber of Commerce, the American Chemistry Council, the Semiconductor Industry Association, and many others. The same support should manifest itself here in the Senate.

The first vote on cloture will require 60 Senators to move forward. And because this is a treaty, we will then need the support of two-thirds of the Chamber to ratify.

For the sake of U.S. businesses, U.S. innovators, and the sake of our climate and American dominance in emerging markets, I urge my colleagues from both sides to vote in favor of advancing and ratifying the Kigali Amendment.

DISCLOSE ACT

Madam President, finally on the DISCLOSE Act, today, I am announcing the Senate will vote this week to take up a measure critical to fighting the cancer of dark money in our elections: the DISCLOSE Act.

I have long promised to bring this bill to the floor, and I want to thank all my colleagues and in particular Senator WHITEHOUSE. He has done an amazing job documenting and pressing forward on trying to eliminate the evil scourge of dark money. He has been an amazing leader in championing this legislation.

The DISCLOSE Act is premised on a simple idea: Americans deserve to know who is trying to influence their elections. Sadly, most Americans today are largely in the dark, thanks to the abominable decision in Citizens United handed down by the Supreme Court's conservative majority. Their ruling has paved the way for billions in unlimited campaign contributions by Super PACs and other dark money groups over the last decade. Ordinary citizens, meanwhile, have had their voices drowned out by elites who have millions to spare for political donations.

And the worst part? Much of this spending happens entirely in secret. That is not like a democracy. It is a

veil cast over our democracy that must be ripped away once and for all.

The DISCLOSE Act is simple. It would require Super PACs and other dark money groups to report anyone contributing \$10,000 or more during an election. It would likewise require groups spending money on judicial nominees to disclose their donors too. There is no justification under Heaven for keeping such massive contributions hidden from the public.

This week, Republicans are going to have to take a stand on whether they want to fight the power of dark money or allow this cancer to grow even worse. Limiting the power of dark money shouldn't be a Democratic or Republican view; it should be bipartisan through and through.

I hope Republicans will join us, because Americans intuitively understand that right now, there is a stench taking over our campaign finance law. After all, when was the last time any of us heard voters cheer on the spread of dark money? When was the last time any of us heard voters say it is better for billionaires and special interests to buy elections in secret rather than be held accountable to the public? Of course, they don't think that unless they themselves are the ones cutting the multimillion-dollar checks.

So this week, all of us will go on record on whether or not we think Americans deserve to know who is spending billions to sway our democracy. It will be our chance to put into practice the famous saying by Judge Louis D. Brandeis that "sunlight is said to be the best disinfectant."

I once again commend Senator WHITEHOUSE for his years of leadership in fighting this wave of dark money, and I urge all my colleagues to support this measure this week.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

DEPARTMENT OF JUSTICE

Mr. CORNYN. Madam President, when Attorney General Garland went through the confirmation process for his current job as Attorney General of the United States, he made a solemn pledge to keep politics out of the Justice Department. I, for one, was encouraged by his statement, having seen the disastrous politicization of the Justice Department under former Attorneys General Eric Holder and Loretta Lynch.

Attorney General Garland said this. He said:

I will never make a decision in the Department based on politics or partisanship.

I took him at his word. I hoped we wouldn't see a return to the days when people saw double standards play out in the Justice Department based on who happened to be in office, who happened to be investigated. But, clearly, under Attorney General Garland's leadership, the Department of Justice has pointed its arrows toward concerned parents, for example, who are exercising their First Amendment rights to

speak up about their children's education. Attorney General Garland has sued the State of Georgia and the State of Texas, for example, claiming that ballot integrity measures that are within the prerogative of the States to pass were somehow suppressing the public's right to vote.

We are going to start voting in about 50 days from now. That is the main election date. In Texas, we will start voting a full 2 weeks before that date, where, without any reason whatsoever, you can show up and vote in person, 2 full weeks before the general election. Yet Attorney General Garland spins the false narrative that somehow the State of Texas is suppressing people's right to vote.

And then Attorney General Garland I think shocked everybody by authorizing an unprecedented search warrant on a former President and a current political rival when less intrusive means and methods would have produced the same documents that they claimed to be after.

Time and time again, the Department of Justice under Merrick Garland has taken aggressive actions that are viewed by the Biden administration as politically advantageous. For everybody else, though, it is a different story, that double standard. When Supreme Court Justices are receiving death threats, including the interdiction of a deranged man who was out to kill Justice Kavanaugh here in the Nation's Capital, the Attorney General did not respond by taking appropriate steps to prevent that violence. In fact, he fanned the flames. Instead of protecting the Justices, he chose to criticize them and encouraged what amounts to irresponsible conduct on the part of people on the left.

And now I am concerned about the Department's double standard in the handling of the Hunter Biden investigation. The public reports are that the President's son has been under investigation by the U.S. Attorney's Office for the District of Delaware for a long time now. There is a lot, of course, we don't know, but reported leaks and evidence seem to show that Hunter Biden may have committed various felonies, including tax fraud, money laundering, and foreign lobbying violations. Despite the severity of these concerns, recent news reports have painted an alarming picture of the Department of Justice's handling of this investigation: silencing whistleblowers, downplaying or discrediting inculpatory information, prohibiting the Department of Justice and FBI employees from communicating with Members of Congress. This does not look, sound, or smell like an impartial investigation guided only by the facts and the rule of law.

Just across the street from here sits the Supreme Court of the United States. On the front of that Court is the inscription "Equal Justice Under Law." There is no footnote. There is no asterisk. There is no exception for rel-

atives of the President of the United States. Every American is entitled to fair and equal treatment and equal justice under the laws. The Attorney General must guarantee that Hunter Biden receives the same treatment as any other American who is under criminal investigation—not better, not worse, but the same.

Today, 32 of my colleagues and I have sent a letter to Attorney General Garland urging him to provide special counsel authorities and protections to U.S. Attorney David Weiss, who is leading the investigation into Hunter Biden. This is a critical step that the Attorney General can and should take to restore faith in this investigation and avoid even the appearance of impropriety. So I hope he will honor our request, do what he pledged to do when he was confirmed, and keep politics out of this investigation and, in the process, restore public confidence in our Nation's most revered institutions.

IMMIGRATION

Madam President, on another matter, the migration surge at the southern border has been at a crisis level for a year and a half now. Coming from a border State with 1,200 miles of common border with Mexico, we have experienced a disproportionate impact of that humanitarian surge, as well as the drugs that have found their way into the United States as a result.

This, after all, is part of a business model or plan by the cartels, which get rich smuggling people and drugs into the United States. But just in terms of the volume of migrants coming across, we have logged more than 150,000 border crossings every month for each of the last 17 consecutive months. That is unprecedented and shocking.

Alarm bells used to sound when illegal border crossings topped 100,000 a month, but we haven't dipped below that level since President Biden took office. In the last year, Customs and Border Protection has logged nearly 2.3 million—2.3 million—border crossings across the southern border.

Now, these records come with serious consequences for everyone involved. Our Democratic colleagues and members of the news media focus their attention on how this surge impacts the migrants themselves, and there is no question that migrants endure a brutal journey to reach our country. They typically pay thousands of dollars to travel with human traffickers—or coyotes, as they are sometimes called—who are known to rape, rob, abuse, and abandon for dead their customers.

Those who survive the perilous journey to our border still face serious dangers. These are people who come not through our legal immigration process but who want to jump ahead of the line of the people who are waiting, even though we naturalize about a million people a year in the United States.

In June of this year, 53 migrants, including 3 children, passed away after being locked in a tractor-trailer rig on a 100-degree day in Texas—a horrible

way to die. The Washington Post described it as the "deadliest smuggling incident of its kind in U.S. history." Last month, two children died attempting to cross the Rio Grande and drowned in that river attempting to make their way into the United States. One was a 5-year-old girl from Guatemala who was swept from her mother's arms into the river. And just 2 weeks ago, Customs and Border Protection confirmed that another nine migrants had died trying to cross the Rio Grande.

Since last October, more than 750,000 migrants have died at our border. That does not include the ones we have not yet discovered but will eventually discover as a rancher comes across the bleached bones of a migrant who has been left behind by the heartless coyotes.

Migrants are suffering every day, and we can't lose sight of the humanitarian crisis, but the migrants aren't the only victims of the border crisis. They have chosen to try to enter the United States irregularly, other than through legal means, and turn their lives over to people who care nothing for them but care only about them as a human commodity and how much money they can make smuggling them into the United States.

But migration surges have a devastating impact on border communities like the border communities in my State and Arizona, New Mexico, and California. Over the last year and a half, I have visited our border communities several times and repeatedly have heard of the strain of this crisis. Nonprofits that try to assist, in a humanitarian way, the migrants lack the space or resources to care for the thousands of people entering our country every day. Local businesses try to stay afloat amid safety concerns and significant financial losses. Morgues have reached capacity due to the influx of deceased migrants. As we have discussed during a Judiciary Committee hearing last week, local health systems and emergency response services are stretched to the breaking.

Last year alone, in a small town called Del Rio, TX, 15,000 Haitian migrants showed up under a bridge. Can you imagine a town of 35,000 people having to deal with trying to address the needs and treat these migrants in a humane way? Well, during the 2019 surge, Customs and Border Protection reported that it was on track to refer more than 31,000 migrants for medical treatment, compared with only 12,000 the previous year.

Of course, the surge in 2019 pales in comparison to what is happening now as a result of President Biden's failed border policies. The number of migrants needing medical care today is much, much higher. The strain this places on local hospitals and public health systems not only impacts the migrants but also the American citizens who live and work in these border communities.