

What is more, the administration has actually sanctioned villainizing Border Patrol and ICE personnel for doing the very job that we asked them to do—enforcing our immigration laws.

Frequently, if you talk to the Border Patrol agents, they will talk about the push factors that encourage people to leave their home country, like poverty and violence. And then they talk about the pull factors, or what they can expect to encounter at the border as to discourage them from coming or to encourage them.

There has been no attempt by the Biden administration to address the pull factor that encourages people to make the dangerous trek from their homes and come to the United States illegally.

That would be something called deterrence, discouraging somebody from illegally coming to the country in the first place. And the asylum program, which has now resulted in millions of cases on the backlog of immigration courts, there has been no effort made to try to fix the broken asylum process, no attempt to strengthen law enforcement and to actually remove people who have no legal right to be here in the United States.

If you go to the border now—as I have been many times—and you talk to the Border Patrol agents, they will tell you that they routinely detain people from as many as 150 different countries. This isn't just people coming from Mexico or Central America; these are literally people coming from around the world. You will find Ukrainians. You will find Russians. You will find people from the Middle East. You will find people from Iran, North Korea, China.

The fact of the matter is that if you have enough money, if you are willing to pay the price that these human smugglers require, you can make your way into the United States and through our southern border illegally.

So it is an abdication of duty and a complete embarrassment to our law-abiding society. I think many Americans watch what is happening at the border, and they wonder, is this the same country I grew up in, or did I miss something? Because they feel like something has gone terribly awry with this sort of lawlessness and chaos.

The Biden administration's *laissez faire* attitude toward our Nation's immigration laws is absolutely disgraceful, and there must be consequences. The American people deserve better than this, and I hope to see more accountability next Congress once Republicans take control of the House.

That means that we will have new chairmen of the various committees, and they will call people like Secretary Mayorkas before those committees and hold them accountable. But until that happens, I don't expect things to get much better, because if the Biden administration hasn't been motivated to get off the dime and actually do something about this chaos and lawlessness

at the border, I don't know what it will take to change their minds.

But sometimes when public officials don't do what they are supposed to do and you can't change their minds, sometimes you need to change who those public officials are. Unfortunately, we may have to wait until the next election to do that.

Immigration enforcement is a bigger job today than it was a few years ago, and I am afraid it is getting ready to become even more challenging. Just last month, the DC district court judge vacated the Center For Disease Control's title 42 order, and the judge granted a 5-week stay which will expire here in less than 3 weeks.

Title 42—just to remind everybody—is a pandemic-related order designed to protect public health. It is not really an immigration order, but it is a public health order. So when people are coming across the border untested and unvaccinated, we recognize that is a potential to spread even more of the coronavirus.

And so Border Patrol has told me as long ago as about a year ago that they have been able to expel some people, particularly adult males, from coming across the border using the title 42 authority. But that is getting ready to go away in 5 weeks—or less than 3 weeks now.

And we have not heard any plan out of the Biden administration for how they are going to do the job without that authority, because they simply refuse to use any other authorities, like expedited removal, in order to discourage people from illegally entering the country.

Back when I sat down with some of the leaders of the Customs and Border Protection and Border Patrol, about a year ago now, they told me that once title 42 goes away, unless there is another alternative plan for controlling people's access to the border, they will lose control completely.

At this point, title 42 is one of the few remaining tools we have to prevent even more chaos at the border. Of the more than 230,000 encounters at the southern border in October, 230,000 migrants came to the border, more than 78,000 were removed under title 42.

You might ask what happened to the rest of them. Well, they were ushered into the country, perhaps never to be heard from again, based on weak asylum claims or other refusals by the Biden administration simply to enforce our immigration laws.

But 78,000 is not inconsequential. That is 78,000 people the Border Patrol didn't have to process, feed or house, or take care of. But once title 42 is gone, that will all change. And the consequences will be dire. It has been 2 weeks since the Federal judge struck down title 42, and I have yet to hear a peep out of the Biden administration about what they will do to address these consequences.

A few weeks ago, President Biden held a post-election press conference

and was asked what he intends to do differently over the next 2 years, given the fact that 75 percent of the voters say the country is headed in the wrong direction. He said: Nothing. He intends to do nothing differently.

Three out of four Americans believe the country is heading in the wrong direction, and the President of the United States of America says: I am not going to change the direction.

The Senate majority leader shared the same sentiment, calling the election results a vindication for Democrats. Given their recent comments, President Biden and Senator SCHUMER don't seem to recognize there is a problem at all. In fact, they seem happy with the way things are going, and they have assured us that Democrats are just going to keep moving in the same direction.

So if you think this is bad—and two-thirds of the voters believe we are headed in the wrong direction—just get ready, because it is about to get worse. I yield the floor.

I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. SCHUMER. I ask unanimous consent that all postcloture time on the Blackwell and Pryor nominations be considered expired; that the vote on confirmation of the Blackwell nomination occur at a time to be determined by the majority leader, following consultation with the Republican leader; and that the vote on the confirmation of the Pryor nomination occur at 5:30 p.m. on Monday, December 5.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

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

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. I move to proceed to executive session to consider Calendar No. 1149.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Frances Kay Behm, of Michigan, to be United States District Judge for the Eastern District of Michigan.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. 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. 1149, Frances Kay Behm, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Tina Smith, Michael F. Bennet, Christopher A. Coons, Margaret Wood Hassan, Catherine Cortez Masto, Tim Kaine, Ben Ray Lujan, Tammy Duckworth, Kirsten E. Gillibrand, Angus S. King, Jr., Patty Murray, Robert P. Casey, Jr., Martin Heinrich, Jack Reed.

LEGISLATIVE SESSION

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

The ACTING PRESIDENT pro tempore. 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. 1184.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The senior executive legislative clerk read the nomination of Kelley Brisbon Hodge, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. 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. 1184, Kelley Brisbon Hodge, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Charles E. Schumer, Richard J. Durbin, Chris Van Hollen, Richard Blumenthal, Tim Kaine, Michael F. Bennet, Gary C. Peters, Benjamin L. Cardin, Margaret Wood Hassan, Jack Reed, Alex Padilla, Robert P. Casey, Jr., Christopher A. Coons, Debbie Stabenow, Tammy Baldwin, Elizabeth Warren, Cory A. Booker, Mark R. Warner.

LEGISLATIVE SESSION

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

The ACTING PRESIDENT pro tempore. 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. 1186.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Mia Roberts Perez, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. 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. 1186, Mia Roberts Perez, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Charles E. Schumer, Richard J. Durbin, Chris Van Hollen, Richard Blumenthal, Tim Kaine, Michael F. Bennet, Gary C. Peters, Benjamin L. Cardin, Margaret Wood Hassan, Jack Reed, Alex Padilla, Robert P. Casey, Jr., Christopher A. Coons, Debbie Stabenow, Tammy Baldwin, Elizabeth Warren, Cory A. Booker, Mark R. Warner.

LEGISLATIVE SESSION

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

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 1187.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Kai N. Scott, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. 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. 1187, Kai N. Scott, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Tina Smith, Michael F. Bennet, Christopher A. Coons, Margaret Wood Hassan, Catherine Cortez Masto, Tim Kaine, Ben Ray Lujan, Tammy Duckworth, Kirsten E. Gillibrand, Angus S. King, Jr., Patty Murray, Robert P. Casey, Jr., Martin Heinrich, Jack Reed.

LEGISLATIVE SESSION

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

The ACTING PRESIDENT pro tempore. 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. 1185.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of John Frank Murphy, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.