

lawlessness. They feel they are seeking to normalize lawlessness—because of that open border, because of the sentiments and the actions that are anti-law enforcement. They are seeking to normalize lawlessness.

Now, at the border, the immediate solution, of course, is to eliminate incentives to illegal immigration, to fund the border patrol, and invest heavily in both a physical barrier and enhance technology.

Now, these are two things that the Border Patrol has been asking for about three decades. Give us a barrier of some type; and where you can't have a barrier, give us better technology.

Now, we also need to address the plagues of drug smuggling and human trafficking. The Biden administration's refusal to stand up to the cartels has turned every town into a border town and every State into a border State. Between August of 2021 and August of 2022, the United States lost more than 107,000 people to drug overdose. Now, 66 percent of these deaths were due to fentanyl. So 107,000 people lost their lives to drugs. They are coming primarily over that southern border. Talk to any law enforcement officer, they will tell you the majority of the drugs they apprehend are coming across that southern border. The majority of those drugs is fentanyl.

Now, I want you to think about this. We all know about World War I, the lives that were lost—precious lives; World War II, the lives that were lost; the Vietnam War; the Gulf War. Here are some stats for you.

In World War I, you had 116,516 U.S. citizens who lost their lives. In World War II, it was 420,200; in Vietnam, 58,220; the Gulf War, 383. So think about that and what we did to protect those lives. And think about what is happening with these drugs coming over that border and this administration not willing to close that border. And in 1 year—1 year—1—107,000 lives. Think about that. Why will this administration not step up, man up, and work to secure that border?

Maintaining the title 42 order will help us keep what little control we have over the cross-border drug trade. Tens of thousands of migrants are waiting for May 11 to roll around so they can flood the border. And we are watching that footage right now. I would encourage any of my colleagues who are not watching this footage, you need to log on and look at how people are coming up. El Paso, I think they have had 15,000 people over the weekend that have come to that border. The numbers are staggering. We are not ready for this.

Last week, my Tennessee colleague Senator HAGERTY and I reintroduced the Stop Fentanyl Border Crossing Act, which would preserve the continued use of title 42 authority to remove illegal border-crossers and interrupt drug smuggling operations along the border.

The SAVE Girls Act, which is a bipartisan bill I introduced with Senator

KLOBUCHAR last month, has a similar goal of thwarting human trafficking operations.

Here is another stat for you. These are not my numbers; these are the administration's numbers. The State Department estimates that between 14,500 and 17,500 people are trafficked into the United States every year. Most of these people that are trafficked across that southern border—that is what we are talking about here, that is the universe—and they are looking at between 14,500 and 17,500. Most of them are women. And it is upsetting to realize that 90 percent—90 percent—of these women and girls become the victims of sexual exploitation.

The SAVE Girls Act would authorize an additional \$50 million in grant funding to prevent the trafficking of women and girls and protect children who have been smuggled across this border. Why are we doing this? Because it is our local law enforcement—they are the ones who are on the front lines in this. They are the ones who are conducting rescues and pulling these women and girls away from these traffickers, away from these pimps, that are rescuing them and getting them to safety.

We all know that no bill, no matter how effective, can stop these criminal enterprises entirely, just as no amount of policing or community support can eliminate local crime.

Still, our police departments are in trouble. Tennessee is no exception. In April of last year, the Knoxville Police Department was 10 percent understaffed.

As of last December, the Nashville Police Department was 193 officers short. Morale is a problem, but so is a lack of funding and resources.

So in March, Senator OSSOFF and I introduced the bipartisan Filling Public Safety Vacancies Act, to provide a one-time emergency boost in funding to help departments hire officers and sheriff's deputies.

The bill conditions this funding on the implementation of new vetting procedures not currently required by Federal law. I have also introduced a series of bills that would protect schools from becoming key targets for criminals.

The SAFE Schools Act would establish a \$900 million grant program to train and hire safety officers and to increase physical security at our schools.

The bipartisan Enhancing K-12 Cybersecurity Act would provide resources and information to schools that will help prevent cyber attacks and establish a better system for tracking cyber attacks nationally.

I want to emphasize again that many of these bills are bipartisan. We could pass them this week, and they would each make a difference right away in places like the State of Tennessee. There are things that our citizens want to see done.

There is no good reason to delay these bills. They would help to make our communities safer. It would be another tool in the toolbox for our local

elected officials and citizens who want to see our schools and our community safer, who want our law enforcement agencies to be able to hire and train more police. They would be pro-law enforcement, pro-safety, pro-security principals.

This administration's refusal to govern and their neglect of our most basic institutions has left Tennesseans really unsettled. They worked so hard to build what they have, and they cannot believe that they are looking at an administration that would seek to tear it down. They are frightened of how quickly things have become so out of control.

They deserve better than an uncertain future controlled by a President who is asleep at the wheel and a Congress that refuses to put politics aside and work in the best interest of the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF ANTHONY DEVOS JOHNSTONE

Mr. DURBIN. Madam President, today, the Senate will vote to confirm Anthony Johnstone to a Montana seat on the Ninth Circuit Court of Appeals. Mr. Johnstone is an accomplished appellate litigator, academic, and public servant and was unanimously rated "well qualified" by the ABA. He received degrees from Yale University and the University of Chicago Law School before clerking for Judge Sidney Thomas, whom he has been nominated to succeed.

Mr. Johnstone began his career in private practice as a commercial litigator in New York before returning to Montana to pursue a career in both public service and academia. From 2004 to 2011, Mr. Johnstone served in the Montana Department of Justice. In recognition of his legal acumen, he was appointed State solicitor—Montana's top appellate lawyer—in 2008. In this role, he handled 29 cases on appeal, including 19 as sole or chief counsel of record.

Since 2007, Johnstone has also served as a professor at the University of Montana Blewett School of Law. He teaches courses on constitutional law, legislation, the regulatory process, and other topics. In addition to teaching, he is also a prolific writer and has authored pieces on federalism, the law of democracy, and issues of importance to rural communities—including those located in the Ninth Circuit's jurisdiction.

Mr. Johnstone has earned the trust of leaders throughout the Montana legal community. With his experience in both legal practice and legal theory, along with his unwavering commitment to the Constitution and the rule

of law, Mr. Johnstone will be an exceptional judge on the Ninth Circuit.

I strongly support his nomination and urge my colleagues to do the same.

Mr. TESTER. Madam President, I rise today to speak in support of Anthony Johnstone's confirmation to be a judge for the Ninth Circuit Court of Appeals.

I am very proud to be supporting this Montanan for such an important position. He is going to bring something that we are in need of in this body a lot of the time, and that is common sense. He is also a man of integrity.

Americans expect their judges to apply the law without bias, in a non-partisan way, and that is exactly what Anthony Johnstone has done throughout his legal career. He has an outstanding record of service to the people of Montana. He served as clerk for Judge Sid Thomas on the Ninth Circuit and then as our State solicitor and assistant attorney general at the Montana Department of Commerce.

For more than a decade, he has encouraged the next generation of legal minds at the University of Montana's Alexander Blewett III School of Law.

He is supported by Democrats and Republicans alike, including the past two attorney generals from Montana—one from each party. He is supported by Montana's former Republican solicitor general. He is supported by retired Montana Supreme Court justices. He is supported by Tribes across the great State of Montana. And he is supported by former Yale and Chicago Law classmates and countless other public servants across the Ninth District.

Mr. Johnstone has stood up for our Constitution time and time and time again. I have no doubt that he will continue to do that as a judge. We have the opportunity—the opportunity here in a moment—to confirm an excellent and impartial legal mind to the Ninth Circuit bench. I would urge all of my colleagues to join me in supporting Anthony Johnstone's nomination.

Madam President, I ask unanimous consent that the scheduled vote occur immediately.

VOTE ON JOHNSTONE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Johnstone nomination?

Mr. TESTER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Arizona (Mr. KELLY), and the Senator from West Virginia (Mr. MANCHIN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Mississippi (Mrs. HYDE-

SMITH), and the Senator from Nebraska (Mr. RICKETTS).

The result was announced—yeas 49, nays 45, as follows:

[Rollcall Vote No. 101 Ex.]

YEAS—49

Baldwin	Heinrich	Sanders
Bennet	Hickenlooper	Schatz
Blumenthal	Hirono	Schumer
Booker	Kaine	Shaheen
Brown	King	Sinema
Cantwell	Klobuchar	Smith
Cardin	Lujan	Stabenow
Carper	Markey	Tester
Casey	Menendez	Van Hollen
Collins	Merkley	Warner
Cools	Murphy	Warnock
Cortez Masto	Murray	Warren
Duckworth	Ossoff	Welch
Durbin	Padilla	Whitehouse
Fetterman	Peters	Wyden
Gillibrand	Reed	
Hassan	Rosen	

NAYS—45

Blackburn	Graham	Paul
Boozman	Grassley	Risch
Braun	Hagerty	Romney
Britt	Hawley	Rounds
Budd	Hoeven	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Murkowski	Young

NOT VOTING—6

Barrasso	Hyde-Smith	Manchin
Feinstein	Kelly	Ricketts

The nomination was confirmed. (Mr. HEINRICH assumed the Chair.) The PRESIDING OFFICER (Ms. SMITH). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. The majority leader.

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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 127.

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 Wesley L. Hsu, of California, to be United States District Judge for the Central District of California.

CLOTURE MOTION

Mr. SCHUMER. 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. 127, Wesley L. Hsu, of California, to be United States District Judge for the Central District of California.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, John W. Hickenlooper, Margaret Wood Hassan, Gary C. Peters, Mark Kelly, Jack Reed, Tammy Duckworth, Christopher Murphy, Sheldon Whitehouse, Catherine Cortez Masto, Mazie K. Hirono, Benjamin L. Cardin, Jeanne Shaheen, Tammy Baldwin, Angus S. King, Jr., Alex Padilla, Robert Menendez, Michael F. Bennet.

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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 125.

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 LaShonda A. Hunt, of Illinois, to be United States District Judge for the Northern District of Illinois.

CLOTURE MOTION

Mr. SCHUMER. 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. 125, LaShonda A. Hunt, of Illinois, to be United States District Judge for the Northern District of Illinois.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, John W. Hickenlooper, Margaret Wood Hassan, Gary C. Peters, Mark Kelly, Jack Reed, Tammy Duckworth, Christopher Murphy, Sheldon Whitehouse, Catherine Cortez Masto, Mazie K. Hirono, Benjamin L. Cardin, Jeanne Shaheen, Tammy Baldwin, Angus S. King, Jr., Alex Padilla, Robert Menendez, Michael F. Bennet.

LEGISLATIVE SESSION

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