

legal right to be here in the United States.

Well, this isn't an accident. This is deliberate. This is a plan. And it is an outrage.

This is all part of a deliberate effort. I have tried to figure it out. OK, maybe the Biden administration doesn't understand or maybe we just have a different interpretation of the law, but I have come to conclude that that is not true, that it can't possibly be true. So my only conclusion is that this is part of a deliberate plan: You let more people in, and you remove fewer people who cannot legally be present here in the United States.

The circumvention of lawful pathways rule is dangerous, and it is not a serious effort to secure the border; it is a figleaf. And I will be introducing a Congressional Review Act resolution to strike it down.

This rule is part of the Biden administration's shell game to conceal the unprecedented level of illegal immigration on their watch. Because of the loopholes, it will fail to deliver the serious consequences that the administration claims, and it will fail to deter people from making the long and dangerous journey to our border when they have no legal claim to enter our country.

So I hope the Senate will soon vote to strike down this rule and send a clear message to President Biden that his job is to enforce the law as written.

I agree with the Senator from North Dakota, Senator HOEVEN, when he says the President has the tools. I mentioned expedited removal, which President Bill Clinton signed into law. The President just simply refuses to do the job he took an oath to do—to uphold and defend the Constitution and laws of the United States. He has no authority to rewrite the laws through executive actions or rulemaking, and I hope the Senate will say so when we vote on the congressional resolution of disapproval.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to speak for up to 10 minutes prior to the scheduled roll-call vote.

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

Mr. MORAN. Mr. President, I, too, rise to make known my concerns with the administration's decision to terminate the use of title 42 authority to protect our borders. I particularly make this point at a time at which it is clear that what was to follow the use of title 42 is not in place.

I visited the southern border with the Senator from Texas, who was just speaking, in January. I had several additional visits to that border while title 42 was in place. It was useful and valuable for me to see the nature of the problem and the challenges over the last several years. But it is also true that I can see the consequences of what

is taking place on our borders in my own home State of Kansas.

When I was at the border, I talked with Federal law enforcement officials. They have risen to the challenge of apprehending and vetting and documenting hundreds of thousands of migrants. However, the situation at the southern border has been made more difficult for the DEA to interdict the cartels and drug smugglers and for the FBI to vet national security threats.

Repealing title 42 without having a robust plan of action has left our law enforcement agents with a disastrous situation at the border. Our Border Patrol agents and officers are being asked to be caretakers, law enforcement, medical professionals, and so much more.

The fact of the matter is that our country does not have operational control of the border, and it will continue to fail to do so if we continue down the current path.

The U.S. Border Patrol apprehended more than 1 million migrants who crossed illegally between just October and March, and it detained more than 2.2 million migrants during all of fiscal year 2022. Agents have been averaging about 1,100 arrests a day this month at the El Paso sector, and on Wednesday of last week, more than 2,000 migrants were arrested in the one section alone. Often, we think of border challenges as being someone coming to take our jobs. Perhaps there is a component of that, but we ought to be focused on terrorism, national security, drugs, law enforcement, and human trafficking.

Fentanyl seizures at the southern border increased 48 percent in April of 2022 compared to April of 2021. The situation at our southern border is a danger to our national security as border agents are pulled away to deal with the record number of migrants and are left without the manpower to try and stop drug trafficking and human trafficking.

President Biden must act to ensure a stricter enforcement of our immigration laws, reinstate the construction of a wall or fencing in areas that are largely unprotected, and the administration must send a message loud and clear that our border is closed to unlawful entrants.

The United States is a nation of migrants, and we are a nation of refugees, but we are also a nation of law and order. Migrants who are camping on the streets of El Paso, in scorching heat; mothers wading across rushing rivers, clinging to their infants; and girls caught by traffickers and cartels out in the desert are consequences of a disastrous border policy.

The President's and his Secretary's handling of this crisis at the southern border is unacceptable. Congress must work together to deliver lasting solutions that secure our border, keep our communities safe, and ensure the humane treatment of people.

Securing our southern border isn't a Republican or a Democratic issue. It

isn't a Texas or an Arizona issue. It isn't just a U.S. or a Mexico issue. Every State is a border State, including my own of Kansas.

If we truly want to help migrants, then we need to create a fair and humane asylum process, and we need to stop the illegal crossings at the southern border that undermine our laws and jeopardize our national security. Americans—Kansans—are tired of paying the cost of inaction to make any serious policy changes at the southern border.

The administration has made it clear that it is unwilling to take the meaningful action necessary. While it is easy to criticize the administration, let me also say that it also means that it is up to this Congress, this legislative body, to work together to find solutions in this regard—solutions that ensure our national safety, establish a humane asylum process, and end the crisis at the southern border.

I yield the floor.

NOMINATION OF JEREMY C. DANIEL

Mr. DURBIN. Mr. President, today the Senate will vote to confirm Jeremy C. Daniel to the U.S. District Court for the Northern District of Illinois.

A native Chicagoan, Mr. Daniel received his bachelor's degree from Illinois Wesleyan University and his law degree from Loyola University Chicago School of Law. Mr. Daniel has served his country in more ways than one. As an undergraduate student, he served as a U.S. Marine Corps Reservist. After he graduated, Mr. Daniel served as a first lieutenant in the Marine Corps and completed tours in Japan and South Korea.

Following law school, Mr. Daniel worked in private practice on intellectual property cases for several years before clerking for Judge Virginia Kendall on the Northern District of Illinois. In 2014, Mr. Daniel returned to public service, becoming an Assistant U.S. Attorney in the Northern District of Illinois. In this role, he has prosecuted a wide range of Federal crimes, including violations of drug and firearm laws, gang cases, and financial crimes. Since 2019, Mr. Daniel has served as deputy chief of the Narcotics and Money Laundering Section. In addition to prosecuting his own cases, he supervises other attorneys in the section. The American Bar Association rated Mr. Daniel unanimously "well qualified."

Given his breadth of experience practicing in the Northern District of Illinois and his expertise in intellectual property and criminal law, Senator DUCKWORTH and I strongly support Mr. Daniel. He will be an outstanding judge. I urge my colleagues to support his nomination.

VOTE ON DANIEL NOMINATION

The PRESIDING OFFICER (Ms. SMITH). Under the previous order, the question is, Will the Senate advise and consent to the Daniel nomination?

Ms. WARREN. Madam President, 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 Delaware (Mr. COONS), the Senator from California (Mrs. FEINSTEIN), and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: The Senator from Oklahoma (Mr. MULLIN).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 128 Ex.]

YEAS—56

| | | |
|--------------|-----------|------------|
| Baldwin | Hirono | Rounds |
| Bennet | Kaine | Sanders |
| Blumenthal | Kelly | Schatz |
| Booker | Kennedy | Schumer |
| Brown | King | Shaheen |
| Cantwell | Klobuchar | Sinema |
| Cardin | Lujan | Smith |
| Carper | Manchin | Stabenow |
| Casey | Markey | Tester |
| Collins | McConnell | Tillis |
| Cortez Masto | Merkley | Van Hollen |
| Duckworth | Murkowski | Warner |
| Durbin | Murphy | Warnock |
| Fetterman | Murray | Warren |
| Gillibrand | Ossoff | Welch |
| Graham | Padilla | Whitehouse |
| Hassan | Peters | Wyden |
| Heinrich | Reed | Young |
| Hickenlooper | Rosen | |

NAYS—40

| | | |
|-----------|------------|------------|
| Barrasso | Ernst | Ricketts |
| Blackburn | Fischer | Risch |
| Boozman | Grassley | Romney |
| Braun | Hagerty | Rubio |
| Britt | Hawley | Schmitt |
| Budd | Hoeben | Scott (FL) |
| Capito | Hyde-Smith | Scott (SC) |
| Cassidy | Johnson | Sullivan |
| Cornyn | Lankford | Thune |
| Cotton | Lee | Tuberville |
| Cramer | Lummis | Vance |
| Crapo | Marshall | Wicker |
| Cruz | Moran | |
| Daines | Paul | |

NOT VOTING—4

| | |
|-----------|----------|
| Coons | Menendez |
| Feinstein | Mullin |

The nomination was confirmed.

The PRESIDING OFFICER. 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.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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. 177, Darrel James Papillion, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Charles E. Schumer, Raphael G. Warnock, Mazie Hirono, Jeanne Shaheen, Elizabeth Warren, Catherine Cortez Masto, Margaret Wood Hassan, Jack Reed, Mark Kelly, Tammy Duckworth, Chris Van Hollen, Amy Klobuchar, Peter Welch, Jeff Merkley, Richard J. Durbin, Alex Padilla, John Fetterman, Robert P. Casey, Jr., Sherrod Brown.

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 nomination of Darrel James Papillion, of Louisiana, to be United States District Judge for the Eastern District of Louisiana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from California (Mrs. FEINSTEIN), and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: The Senator from Oklahoma (Mr. MULLIN).

The yeas and nays resulted—yeas 63, nays 33, as follows:

[Rollcall Vote No. 129 Ex.]

YEAS—63

| | | |
|--------------|--------------|------------|
| Baldwin | Hickenlooper | Rosen |
| Bennet | Hirono | Rounds |
| Blumenthal | Hyde-Smith | Sanders |
| Booker | Kaine | Schatz |
| Brown | Kelly | Schumer |
| Cantwell | Kennedy | Shaheen |
| Capito | King | Sinema |
| Cardin | Klobuchar | Smith |
| Carper | Lujan | Stabenow |
| Casey | Manchin | Tester |
| Cassidy | Markey | Tillis |
| Collins | McConnell | Van Hollen |
| Cornyn | Merkley | Vance |
| Cortez Masto | Murkowski | Warner |
| Duckworth | Murphy | Warnock |
| Durbin | Murray | Warren |
| Fetterman | Ossoff | Welch |
| Gillibrand | Padilla | Whitehouse |
| Graham | Peters | Wicker |
| Hassan | Reed | Wyden |
| Heinrich | Romney | Young |

NAYS—33

| | | |
|-----------|----------|------------|
| Barrasso | Ernst | Moran |
| Blackburn | Fischer | Paul |
| Boozman | Grassley | Ricketts |
| Braun | Hagerty | Risch |
| Britt | Hawley | Rubio |
| Budd | Hoeben | Schmitt |
| Cotton | Johnson | Scott (FL) |
| Cramer | Lankford | Scott (SC) |
| Crapo | Lee | Sullivan |
| Cruz | Lummis | Thune |
| Daines | Marshall | Tuberville |

NOT VOTING—4

| | |
|-----------|----------|
| Coons | Menendez |
| Feinstein | Mullin |

The PRESIDING OFFICER (Mr. MURPHY). On this vote, the yeas are 63, the nays are 33.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Darrel James Papillion, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

LEGISLATIVE SESSION

DISAPPROVING OF THE RULE SUBMITTED BY THE DEPARTMENT OF HOMELAND SECURITY RELATING TO "PUBLIC CHARGE GROUND OF INADMISSIBILITY"

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and proceed to the consideration of S.J. Res. 18, which the clerk will report.

The bill clerk read as follows:

A joint resolution (S.J. Res. 18) disapproving of the rule submitted by the Department of Homeland Security relating to "Public Charge Ground of Inadmissibility".

The PRESIDING OFFICER. The Senator from Illinois.

SOCIAL MEDIA

Mr. DURBIN. Mr. President, 10 days ago, America lost a visionary public official, and I lost a friend. He was 97 years old. His name was Newt Minow.

He was 35 years old in the year 1961 when President JOHN KENNEDY tapped him to chair the Federal Communications Commission. At the time, Americans were involved in big change—moving from their radios to this new thing called television.

In his maiden speech as FCC Commissioner, Newt Minow famously described much of commercial television as a "vast wasteland." He was especially concerned about the effects of endless commercials and violent cartoons and other programs on the minds of our children. He said the public airwaves should serve the public interest and that the FCC should use its power to ensure that this emerging new technology of television met that standard.

Fast-forward six decades. Social media now fills the role that broadcast TV once did in the lives of our kids. Yet Federal laws currently allow social media companies to endanger our children with near total immunity. Social media companies can and regularly do sell children's personal information for profit, allow bullies to hound children mercilessly, and allow drug dealers and sexual predators to hunt for child victims on their platforms.

Our laws, as they are currently written—as we have currently written them—make it nearly impossible for victims to hold these companies accountable. This has to change, and the Senate Judiciary Committee is taking bipartisan action to see that it does.

Virtually every parent I know is concerned about how much time their kids spend online, looking at screens, how it is affecting them, and the dangers that kids can stumble into. Parents have a right to be concerned. Look around the next time you are in a grocery store or in a mall or at a family restaurant. You will see kids who are transfixed by smartphones and tablets. I have seen this happen. I will bet the Presiding Officer has seen it. Many kids learn how to scroll before they learn how to walk.

I know two children in New York who are quite adept at navigating the online world. They are 11 years old. Their