

But, of course, even while the use of regular order has decreased, some legislation does still go through the regular order process. And I can personally attest to the fact that the use of regular order can bring major bipartisan successes.

During my time as chairman of the Commerce Committee, I focused on promoting collaboration and ensuring that bills in our committee's jurisdiction went through the regular order process, and we accomplished a lot: the first reauthorization of the Federal Communications Commission in more than a quarter century, the first reauthorization of the Surface Transportation Board in its 20-year history, multiple bills to advance the development and adoption of 5G, the longest surface transportation reauthorization since 1998, the longest reauthorization of the FAA since 1982, the first law to hold websites accountable for facilitating sex trafficking, and lots more. The vast majority of the bills that I just named ended up passing the Senate by strong bipartisan margins. And, of course, those are just examples of what was then our committee's jurisdiction.

There are plenty of others. For example, Democrats are more often associated with imposing burdensome government regulations than with lifting them. But Senator CRAPO's 2018 bill easing the regulatory burden for community banks and credit unions went through the regular order process, and, ultimately, 17 Senate Democrats joined Republicans to support the bill.

In 2015, the HELP Committee passed one of the largest rewrites of our Nation's K-12 laws, the Every Student Succeeds Act, which returned more power to States when it comes to how kids are educated, by holding numerous hearings and multiple days of markups and considering dozens of amendments. In the end, that law passed with 85 votes in the U.S. Senate.

The 2018 farm bill, which reauthorized important safety net programs for farmers and ranchers, passed the Senate with 87 votes, following robust consideration by the Agriculture Committee, amendment votes on the Senate floor, and a conference committee.

And the list goes on. Regular order promotes collaborative, bipartisan, and successful results. As I indicated, regular order has been in somewhat short supply in the Senate in recent years. But I am encouraged by the fact that there seems to be a growing desire to return to regular order and that the Democrat chair and Republican vice chair of the Senate Appropriations Committee have expressed a shared commitment to considering all 12 appropriations bills this year through the regular order process.

But there are concerning signs too. The Senate Health, Education, Labor, and Pensions Committee recently held its first partisan markup since the Affordable Care Act in 2009. That defeats the whole idea of a committee process

that can yield a bipartisan result on the Senate floor, and it suggests the Democrats are still too entrenched in the partisan far-left mindset that saw them force legislation like the so-called American Rescue Plan Act through Congress. That was the bill that helped plunge our Nation into its current inflation crisis.

And perhaps even more concerning, recently, the majority leader, when referring to his plans on artificial intelligence, actually claimed that Congress will need "to invent a new process to develop the right policies to implement our framework" because the committee process "won't suffice."

I wonder how his committee chairs feel about that, and I would venture to suggest that the committee process has worked pretty well to develop all sorts of important legislation and to get buy-in from Senators.

As we continue with the appropriations process, I hope that the determination expressed by the Democrat chair of the Senate Appropriations Committee to pass all 12 appropriations bills through regular order will prevail, and I hope that this same attitude will be applied to other legislation that the Senate must consider this year—like the National Defense Authorization Act, the Federal Aviation Administration reauthorization, the farm bill, and more.

If we want to get anything done in divided government, we are going to have to compromise, and the regular order process promotes the kind of bipartisan, collaborative action that will allow us to accomplish real things for the American people.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

The Senator from Texas.

BORDER SECURITY

Mr. CORNYN. Mr. President, since the President of the United States, President Biden, took office, America's southern border has faced unprecedented challenges. Unfortunately, none of these struggles seems to have captured President Biden's attention—not the 5.4 million border crossings or the more than 1.5 million "got-aways"; not the 1.6 million pounds of illicit drugs that were seized by Border Patrol, the 108,000 Americans who died last year from drug overdoses; not the tractor/trailers filled with the bodies of dead migrants or city sidewalks lined with people who have nowhere to go; not even the fact that the cartels are making a fortune off the backs of vulnerable migrants and fueling America's drug crisis.

The American people have been stunned by the scope and the scale of President Biden's border crisis—and I call it that because it is a result of his policies. But it has been going on for 2½ years now, and the Biden administration doesn't seem to care. The administration has tried to deflect, distract, even deceive the American people into thinking things are just not that bad or maybe they could be worse. But the spin doctors can only accomplish so much. We have continued to learn about the many ways the Biden administration has fumbled its mission at the southern border. And the consequences have been absolutely devastating.

Reporting from the New York Times earlier this year looked at what has happened to unaccompanied migrant children once they arrive into the United States. Since President Biden took office, 300,000—300,000—unaccompanied children have arrived at the border. To be clear, these children did not cross the border with their parents, but they did get some help—mainly the coyotes or the human smugglers who, for a fee, will smuggle people into the United States. But these children, as we might expect, are particularly vulnerable as they make this dangerous journey north in the custody of these criminal organizations.

The sad reality is that many come to the United States in the care of these criminals, and parents who paid smugglers thousands of dollars to bring their children into the United States are taking an incredible risk with their children. We know this journey is not safe, and it is not easy. Many children are subjected to violence, exploitation, even sexual abuse at the hands of these criminal smugglers. Many, as you might expect, arrive in the United States traumatized and in poor physical health.

Now, you would think that once these children have made this dangerous journey across the southern border and they are taken from the custody of the cartels to that of the U.S. Government, that they would be safe. Unfortunately, we know that is not the case.

Of the more than 300,000 migrant children who arrived in the United States on President Biden's watch, roughly 85,000 could not be accounted for 30 days after they were placed with a sponsor.

Just to be clear, the process is, the Border Patrol receives these unaccompanied children and has a responsibility to turn them over to Health and Human Services and the Office of Refugee Relocation, or ORR, who then proceeds to identify a sponsor in the United States where this child may be sent to await an asylum hearing that will likely never occur. But the problem is not just that this asylum hearing will not likely ever be held, it is that these children may never be heard from again as far as the Federal Government is concerned.

So the practice is, 30 days after the children are placed with sponsors, the Federal Agency in charge is supposed to make a call, a wellness call, to see how the child is doing. But as this chart indicates, one out of three—in one out of three of these cases, there is no answer. Nobody responds.

And that is the last contact or attempted contact the Biden administration would have with these children or their sponsors, because beyond that, they would say: Our job is done. It is up to the child protective services agencies in the various States to take care of these children. But we know they are already overwhelmed with foster children and others just coming from the United States, much less adding another 300,000 to that list.

So, of the 300,000 migrant children placed by this administration, there are 85,000 cases where the child and the sponsor have never been heard from again.

We don't know where these children are. The Biden administration doesn't know where they are. We don't know whether they are being fed. We don't know whether they are going to school. We don't know whether they are being recruited into gangs. We don't know whether they are being abused or neglected or sexually exploited, and the Biden administration is fine with that because they don't care. I know that may sound harsh, but the fact is, if they did care, they could fix it, but they refuse to do so. The Biden administration has no idea what has happened to these migrant children. It has effectively abandoned them.

Well, the obvious question is, How did this happen? Aren't there policies in place that are designed to prevent this from happening? In short, the answer is yes, there are, but nearly all of those guidelines are set by the Agencies involved, not by Congress.

The Biden administration has full discretion to change its policies regarding the placement of migrant children. They don't need to wait on Congress to tell them; they can do it themselves. They have the ability to determine who can actually sponsor these children and the sort of vetting or background checks that would be necessary for the sponsors to pass. They have the ability to set guidelines for followup calls and wellness visits and other services that would ensure that these children are not being exploited and that they are not being neglected. The Biden administration has the complete authority to remove children from the custody of a sponsor if the sponsor refuses to cooperate or presents any sort of risk to the child.

In other words, the Biden administration made 85,000 phone calls to sponsors with children they had placed with those sponsors. There was no answer, and the sponsors cut off contact with the Agency. The Biden administration could go and take those children away from the sponsors because they have violated their agreements to cooperate

with the U.S. Government. Well, they haven't done that.

The short answer is, the Biden administration could do as much or as little as it wants to protect these vulnerable children. Clearly it has made the decision to do as little as possible to protect them.

Unsurprisingly, the administration's negligence has led to the widespread mistreatment of migrant children. The New York Times has documented story after story of young people who are working in dangerous jobs in violation of State child labor laws—of children working in meat processing plants, on construction sites, in factories, and doing other dangerous jobs that are meant for adults, not children. These children obviously aren't going to school. They are not furthering their education. They are being forced into labor in violation of State child labor laws. The New York Times has documented it.

We also know from the New York Times' investigative stories that the Health and Human Services Department—the Agency responsible for this program—has received warning after warning that these children are at risk. These warnings have come through government staffers, outside contractors, and the Department's own hotline. Not only were whistleblowers ignored, but many were silenced. They were pushed out of their jobs. Some were retaliated against for trying to protect these vulnerable migrant children.

Yes, once again, the Biden administration was well aware of this. Health and Human Services Secretary Xavier Becerra knew about credible reports about trafficking and abuse, but he continued to push for the speedy placement of migrants with sponsors with little regard for the dangers that created.

In other words, when the Biden administration had a public relations problem—when we saw the crush of humanity at the border—their first reaction was, let's move these migrants out of the border region as fast as we can, and our public relations problem will go away.

So rather than making sure these children were protected, they actually relaxed the vetting requirement for the sponsors. They haven't even gone so far as to require background checks, criminal background checks or otherwise, of other people living in the same households as these children. They may have checked the sponsor himself or herself, but if a house is full of other people, they need to check everybody in the household to make sure they are not registered sex offenders or that they don't have backgrounds of abusing or neglecting children or otherwise. To solve the administration's public relations problem, they just decided to move these kids through the system as fast as possible and then wash their hands.

Then-Labor Secretary Marty Walsh was well aware of this situation. Last

year, the Department's investigators identified major instances of child labor violations that took place in auto part factories and meatpacking plants, and all of this information was made available to the White House.

Until recently, Susan Rice served as the Director of the White House's Domestic Policy Council. Her job required her to oversee virtually every aspect of domestic policy matters, including the placement of migrant children. Both Health and Human Services and the Labor Department shared concerns about labor trafficking and child labor violations, but those reports were either ignored by the White House or were intentionally swept under the rug.

The Biden administration knew that countless numbers of migrant children were in danger, but it did absolutely nothing. The administration didn't just turn a blind eye; it intentionally tried to cover up the widespread exploitation of migrant children. It is a coverup.

In the wake of these damning reports, I wrote a letter to Chairman DURBIN of the Senate Judiciary Committee that was cosigned by every Republican member of that committee, and we asked for a hearing on this matter. We urged him to invite Biden administration leaders who failed to act on these warnings to testify in person in front of the committee, under oath. That included Secretary Becerra, former Labor Secretary Walsh, and former White House adviser Susan Rice.

The chairman scheduled a hearing last month, but none—none—of these officials bothered to show up, further indicating that they simply don't care. In fact, this so-called oversight hearing did not include a single Biden administration witness. How do you hold people accountable for their negligence or their intentional acts that harm innocent, vulnerable children if they can't be held accountable to show up for a hearing and testify, if they are proud of what they did, to the committee and the American people about what they did to protect these vulnerable children? But they didn't bother to show up, indicating once again that they simply don't care.

Now, after we pointed out to the chairman that the Biden administration's witnesses were no-shows, he promised to hold a followup hearing to make sure the Biden administration's witnesses appeared. I intend to hold him to that promise, and I look forward to the opportunity. I actually said: "Thank you very much for doing that." He didn't have to do that, but I think Chairman DURBIN understands that this is the right thing to do. So I appreciate his willingness to hold a followup hearing with the Biden administration's witnesses, and I look forward to the opportunity to ask those officials who are charged with the care and custody of these vulnerable children why they have shirked their responsibilities.

Now, the Biden administration may be fine with abandoning migrant children in order to avoid a bad news cycle, but I am not, and I think all fair-minded Members of the Senate and the Congress are not.

I really question whether people are aware of what the situation is, which is why I am here on the floor of the Senate today to talk about it. I hope that once they become aware, they will become like me—concerned that something has to change, that people need to be held accountable, and that these children need to be protected.

If you were an American citizen and you treated an American citizen child like the Biden administration has treated these migrant children from other countries, you would be charged and convicted of the reckless endangerment of a child or of human trafficking. In other words, you would go to jail or prison if you treated an American citizen child this way. So how is it the Biden administration gets off with treating these migrant children with any less dignity and safety?

Well, in light of all of this reporting in the New York Times and elsewhere, we need answers, we need accountability, and we need policy changes to ensure that these practices come to an end. The Biden administration owes the American people answers, not just Members of Congress and not just members of the Senate Judiciary Committee. They need to tell us what is being done to keep track of these children. How are they ensuring their welfare? What is going to change to ensure that these migrant children are not victims of inhumane labor practices or worse?

Given everything that has happened over the last 2½ years, I have no confidence in Secretary Becerra, Secretary Mayorkas, or President Biden, because they know about the problem. They were warned about the problem, but they didn't do anything about it, which tells me they just don't care.

President Biden lives in a very nice government-provided house—the White House. He is not personally affected by this unprecedented level of human migration and the baffling pace of drug trafficking. He is not personally affected by the fact that 108,000 Americans died last year after consuming drugs that came across our southwestern border, and he is certainly not personally affected by the mistreatment of these migrant children, but it is his job. It is his responsibility. It is our responsibility to make sure this comes to an end because this is simply unacceptable.

Children endure abuse and exploitation on their journeys to the United States. The current system is not compassionate, but they sure shouldn't be met here on American soil with more of the same. We need to prioritize the safety of these children as they await their immigration court hearings. President Biden and his administration must change and take responsibility

for this gross exploitation of these vulnerable children, and they need to take immediate action to end it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MARKEY. Mr. President, I ask unanimous consent to speak for up to 3 minutes.

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

NOMINATION OF MYONG J. JOUN

Mr. MARKEY. Mr. President, I come to the floor today to speak in support of the confirmation of Judge Myong Joun to the U.S. Court for the District of Massachusetts.

In a few minutes, the Senate will vote to invoke cloture on Judge Joun's nomination. And this afternoon, once we have invoked cloture, we will vote on his confirmation.

When Judge Joun was a child, his family immigrated to the U.S. from South Korea with only a few dollars in their pockets. He was raised by his single mother who earned a living as a seamstress. He attended New York City Public Schools, served in the Massachusetts National Guard, and graduated from the University of Massachusetts Boston and Suffolk University Law School in Boston.

In private practice, including at his own law firm, Judge Joun litigated extensively before the Massachusetts State and Federal courts, eventually earning an appointment as a justice of the Boston Municipal Court.

Judge Joun has shown a steadfast commitment to civil rights and access to justice. In private practice, he often took on cases involving police misconduct, wage theft, and housing violations. As one of his many colleagues writing in on his behalf put it, Judge Joun's "professional life has been devoted to working with people who need legal assistance but are unable to navigate the system because of language, financial, or educational barriers."

Judge Joun has also consistently and generously given his time to service, holding leadership roles in organizations such as the Asian American Lawyers Association of Massachusetts, the Massachusetts Bar Association, and the National Lawyers Guild. For many years, he has taught trial advocacy to law students.

Over the course of his career, Judge Joun has exemplified the highest standards of the legal profession. He is a dedicated public servant who will bring knowledge, experience, and compassion to the Massachusetts Federal district court. As the first Asian-American man and first Korean American to

serve on the district court of Massachusetts, Judge Joun will be a trailblazer. I have no doubt that he will continue to serve the people of Massachusetts with distinction, and I look forward to his confirmation.

Senator WARREN and I absolutely endorse his candidacy with the strongest possible recommendation to the full Senate, and I urge all of my colleagues to vote yes on cloture and on his nomination.

NOMINATION OF TIFFANY M. CARTWRIGHT

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Tiffany Cartwright to the U.S. District Court for the Western District of Washington.

Ms. Cartwright is an accomplished litigator who has dedicated her career to protecting the civil rights of all Americans. She received her Bachelor's degree from Stanford University and her law degree from Stanford Law School.

Ms. Cartwright began her legal career as a law clerk—first with Justice Dana Fabe on the Alaska Supreme Court, and then with Judge Betty Fletcher on the U.S. Court of Appeals for the Ninth Circuit. Most recently, she has worked as a trial lawyer at MacDonald Hoague & Bayless, where she has handled a number of cases on issues ranging from employee discrimination to voting rights.

In addition to her litigation practice, since 2016, Ms. Cartwright has served on the Local Rules Committee of the Federal Bar Association of the Western District of Washington, a role in which she has gained significant expertise in the District's rules and practices.

The American Bar Association has unanimously rated Ms. Cartwright "Qualified," and she has the strong support of Senators Murray and Cantwell.

Given her considerable trial experience and deep knowledge of the Western District, Ms. Cartwright will be an excellent addition to the federal bench.

I strongly support her nomination and urge my colleagues to join me in voting for her confirmation.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask unanimous consent to speak for 30 seconds before we take the vote.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume