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## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, February 14, 2023, at 10 a.m.

## Senate

MONDAY, FEBRUARY 13, 2023

The Senate met at 3 p.m. and was called to order by the Honorable TAMMY DUCKWORTH, a Senator from the State of Illinois.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Awesome God, who fills our hearts with songs of thanksgiving, each day we lift our hands in prayer to You, for You are always merciful. Lord, thank You for blessing us each day. You have rescued us from dangers and kept our feet from slipping. You banish our worries and calm our fears. Lord, thank You for Your eagerness to forgive us and for Your unfailing love. You alone are God.

Today, strengthen the Members of this body. Help them to trust You without wavering. Teach them Your ways, that they may live according to Your truth. Lord, give them purity of heart, that they may honor You.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mrs. MURRAY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 13, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TAMMY DUCKWORTH, a Senator from the State of Illinois, to perform the duties of the Chair.

PATTY MURRAY,  
President pro tempore.

Ms. DUCKWORTH thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Gina R. Mendez-Miro, of

Puerto Rico, to be United States District Judge for the District of Puerto Rico.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

### SOUTHERN BORDER

Mr. McCONNELL. Madam President:

Losing a child is the hardest thing that can ever happen to a parent. It's out of the natural order.

Those are the words of a grieving father in Bowling Green, KY. After struggling for years against opioid addiction, his son was killed by a lethal dose of fentanyl in 2021. That year marked the second straight year in which overdose deaths in the Commonwealth set a new, alltime record. Thousands of lives are now claimed each year by a scourge of deadly drugs.

Last week, I met with narcotics officers from across Kentucky who work on the frontlines of this crisis. They told me that rampant flows of illicit drugs had driven the price of a pound of fentanyl down to less than a third of what it cost dealers in 2020. That is right. Working families are paying more for just about everything on President Biden's watch, but drug dealers, with unprecedented access to massive flows of foreign drugs, are literally making out like bandits. The one thing that has gotten cheaper under this administration is the last thing we want Americans buying.

The officers were crystal clear on the bottom line: They won't be able to beat the fentanyl crisis until Washington decides to do something about the

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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southern border crisis. Last fiscal year, Customs and Border Protection apprehended 14,700 pounds of fentanyl, and just a third of the way through the current fiscal year, they have already seized another 12,500 pounds.

But the growing death toll from fentanyl-related overdose tells us that more than enough of this lethal drug is still flowing unchecked. Kentucky isn't the only State losing thousands of its people to lethal drugs produced by China and shipped in by Mexican cartels. Since the Biden administration has ignored a functionally open southern border, every State in America has faced border-State problems.

Last fiscal year, Customs and Border Protection apprehended more than 2.7 million illegal immigrants. That was far and away the highest annual count they had ever seen. Without a coherent, coordinated response from the Biden administration, frontline States from Florida to Texas to Arizona have had to take the response to catch-and-release into their own hands.

These States have dealt with soaring arrivals by busing illegal immigrants to so-called sanctuary jurisdictions in the interior. Colorado's Democratic Governor followed suit.

But setting aside the record-shattering numbers of illegal immigrants who are met and processed at the border, CBP estimates that 1.2 million more people crossed the border and got away since President Biden took office—1.2 million "got-aways." That is two times the population of my hometown of Louisville, just disappearing into our country.

Ninety-eight of the illegal immigrants CBP apprehended last fiscal year were watch-listed terrorists. Ninety-eight of them were watch-listed terrorists. Thousands were convicted criminals. Along with them, as Kentucky's narcotics officers understand all too well, came millions upon millions of lethal doses of fentanyl. I am proud of the Commonwealth's first responders who are fighting back against this truly devastating killer. But until the Biden administration decides to address the border crisis unfolding on its watch, my fellow Kentuckians will continue to fight a steep uphill battle.

#### UNIDENTIFIED FLYING OBJECTS

Madam President, on an entirely different matter, there is something unusual going on in our Nation's skies, and President Biden needs to communicate and level with the American people.

About 2 weeks ago, the American people learned that a Chinese spy balloon had crossed into our airspace and was taking its time surveilling our homeland. We watched it tour a big chunk of the country before the administration finally, belatedly took it down.

Since then, the public has seemingly heard about another new unidentified flying object seemingly on a daily basis. Yesterday one of our F-16s shot down something they still have not

identified near Lake Huron. The day before that, in consultation with Canada, an American F-22 shot down something else over the Yukon. The day before that, we took out something else over Alaska. The administration has still not been able to divulge any meaningful information about what was shot down.

What in the world is going on? Has the Biden administration just dialed the sensitivity of our radars all the way up? If so, what are these objects that we are just now noticing for the very first time? Are they benign science projects and wayward weather balloons or something more nefarious that we have somehow been missing all this time?

President Biden owes the American people some answers.

What are we shooting down? Where did they come from? Whether they are hostile or not, is there coherent guidance about when to shoot them down? If the administration knew all along about China's surveillance efforts, why did it not have options to shoot that balloon down before it maneuvered itself all across the country? Did the right people in the government know about this surveillance threat? Did ODNI and DOD not adequately share intelligence about the growing threat?

How did we get into a position where the greatest Nation in the world doesn't know what it is traversing our own airspace? How long has the domain awareness gap that NORTHCOM Commander General VanHerck has identified existed, and what has the Department done about it?

The Commander in Chief owes the country some answers.

#### REMEMBERING TED LERNER

Madam President, now on one final matter, this morning, I was saddened to learn of the passing of my good friend Ted Lerner—the only person I will recognize as an even bigger fan of the Washington Nationals.

When Ted bought the Nationals franchise in 2006, he helped a hometown team plant deep roots in our Nation's Capital for the first time in 33 years. Season by season, his leadership built a team that would bring home Washington's first World Series title in nearly a century.

True Nats fans consider ourselves lucky to have been here for the historic run that Ted orchestrated. But even in as transient a place like Washington, the whole city has been fortunate to be touched by the Lerner family story.

Ted, of course, was a Washingtonian from the beginning, kindergarten through law school. After serving in the Army during the Second World War, he met his wife Annette here.

At every step of the way, Ted's success was a family affair. He got a front-row seat to the hard-working, enterprising spirit of his immigrant parents. He got his start in real estate with a loan from none other than Annette, who at the time had the only paying job between them. The family Ted and

Annette built together has been involved in every facet of the venture that transformed the DC skyline and put the Capitol dome squarely over left center field.

So today, my prayers are with the Lerner family as they mourn a truly distinguished life.

The ACTING PRESIDENT pro tempore. The senior Senator from Illinois.

#### UNIDENTIFIED FLYING OBJECTS

Mr. DURBIN. Madam President, I don't know what is up in the skies, what is going around, flying around, being spotted, and I think there are a lot of questions that need to be answered. If it is a threat to the United States in any way, shape, or form, it is absolutely unacceptable, and I think we all agree—both political parties. But when we start giving advice to this President and the Department of Defense in these matters, we have to stop and reflect on the manager of my local car wash in Springfield, IL.

I went there about a week ago when the first balloon was spotted.

He said: Senator, what is going on up there?

I said: I don't know. I think China is responsible for it.

He said: What are they trying to tell us?

I said: Whatever it is, we better answer them and answer them decisively. We don't need anybody from China or any other country flying in our airspace and endangering Americans in the process.

Then he said to me: But what about those cowboys in Congress who want to shoot it down wherever it is? Are they thinking about what is going to happen if the debris from that—whatever it is—falls on a city, hospital, school playground? They don't want to do that, do they, Senator?

Well, I hope they don't. But I wonder, when I listen to the comments of some people here who argue that we should have shot down that balloon when it was going across the United States, if they reflect on what might have been the collateral damage. We didn't know what was on that balloon. We knew it was the size of three schoolbuses. That is not a small operation. And whether it included anything that was dangerous to us, radioactive or some sort of explosive, we just didn't know.

I think we did the right thing. We waited until it was off the coast, the Atlantic Coast, still near our own territorial waters, and shot it down, and now we are recovering what was in it.

As for the other elements, we are going to be briefed this week on China, and I believe those questions are certainly going to be asked and should be asked. I will be there on a bipartisan basis, as I was last week. It is serious, and we ought to take it seriously. But the notion that we would shoot this down over Louisville, KY, or Springfield, IL, or Chicago—that is not responsible. I trust our military to make that decision and to understand where the debris field might be that would endanger people.