

supervised release, a sentence which meets the objectives described in 18 U.S.C. § 3553(a) and accounts for the many aggravating circumstances in this case.

Mrs. BLACKBURN. I think it is so important that we include that in this. This should have been a life in prison sentence for what was done.

You know, I will say to my Democratic colleagues what I said about Michael Delaney's nomination: For the sake of men, women, and children around this country who are victims of sexual assault, join me in opposing this nomination if the President refuses to withdraw this nomination.

Someone who has gone light on sentences that affect these children. Someone who has committed crimes against these children and then they have sought to get lesser sentences against these pedophiles and predators, they have no place on the Federal bench.

Now, this week, my Democratic colleagues will have two opportunities to oppose individuals that I feel are unfit judicial nominees. The Judiciary Committee will mark up Mustafa Kasubhai to serve on the district court in Oregon. Now, there is a reason that, in my opinion, Mr. Kasubhai is not fit.

He has displayed a disturbing affinity for Marxism. This is something that we found in his records. Someone who is displaying an affinity for Marxism has no place on our Federal bench. So I would ask that our colleagues vote no on him.

#### NOMINATION OF KENLY KIYA KATO

Madam President, likewise, the Senate will vote on the nomination of Kenly Kato to serve as a district judge in California. You will remember that in her nomination hearing, she refused to condemn racial discrimination. That should be an easy "no" vote for every Senator.

And you know when we talk about the Federal judiciary, when we look at these nominations—and the Senate's job is to provide advice and consent. What we need to do is make certain that people are going to abide by the Constitution; that they are going to abide by the rule of law; that they have that judicial philosophy; that they are going to stand for equal justice for all.

And when you have individuals with records and writings that are in opposition to that, they are unfit to serve on the Federal bench.

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.

The PRESIDING OFFICER (Ms. BUTLER). The majority whip.

#### LEGISLATIVE SESSION

Mr. DURBIN. 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. DURBIN. Madam President, I move to proceed to executive session to consider Calendar No. 373.

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 Charlotte A. Burrows, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2028. (Reappointment).

#### CLOTURE MOTION

Mr. DURBIN. 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. 373, Charlotte A. Burrows, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2028. (Reappointment)

Bernard Sanders, Catherine Cortez Masto, Jack Reed, Richard J. Durbin, Ben Ray Lujan, Peter Welch, Alex Padilla, Brian Schatz, Robert P. Casey, Jr., Tina Smith, Tammy Baldwin, Jeanne Shaheen, Christopher A. Coons, Patty Murray, Benjamin L. Cardin, Sheldon Whitehouse, Tammy Duckworth.

#### LEGISLATIVE SESSION

Mr. DURBIN. 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. DURBIN. Madam President, I move to proceed to executive session to consider Calendar No. 310.

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 Brandy R. McMillion, of Michigan, to be United States District Judge for the Eastern District of Michigan.

#### CLOTURE MOTION

Mr. DURBIN. 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. 310, Brandy R. McMillion, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Richard J. Durbin, Tammy Duckworth, Mazie K. Hirono, Richard Blumenthal, Christopher A. Coons, Alex Padilla, Patty Murray, Sheldon Whitehouse, Debbie Stabenow, Tina Smith, Benjamin L. Cardin, Chris Van Hollen, Tim Kaine, Brian Schatz, Christopher Murphy, Peter Welch.

#### LEGISLATIVE SESSION

Mr. DURBIN. 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. DURBIN. Madam President, I move to proceed to executive session to consider Calendar No. 126.

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 Monica Ramirez Almadani, of California, to be United States District Judge for the Central District of California.

#### CLOTURE MOTION

Mr. DURBIN. 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. 126, Monica Ramirez Almadani, of California, to be United States District Judge for the Central District of California.

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. DURBIN. 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. DURBIN. Madam President, I move to proceed to executive session to consider Calendar No. 222.

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 Ana de Alba, of California, to be United States Circuit Judge for the Ninth Circuit.

#### CLOTURE MOTION

Mr. DURBIN. 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. 222, Ana de Alba, of California, to be United States Circuit Judge for the Ninth Circuit.

Richard J. Durbin, Tammy Baldwin, Alex Padilla, Mark Kelly, Jeanne Shaheen, Jack Reed, Mazie Hirono, Brian Schatz, Elizabeth Warren, Sherrod Brown, Ron Wyden, Tim Kaine, Raphael G. Warnock, Benjamin L. Cardin, John W. Hickenlooper, Amy Klobuchar, Tammy Duckworth.

Mr. DURBIN. Mr. President, finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, November 6, be waived.

The PRESIDING OFFICER. The Senator from Oklahoma.

#### BORDER SECURITY

Mr. LANKFORD. Madam President, there has been a lot of conversation about this body—quite frankly, around the Nation—about border security. Rightfully so. It has been top of mind for a lot of cities, States, for a lot of families, school districts, businesses, especially along the border States as they have had a disproportionately large number of people who have come, many of them from all over the world, many of them non-Spanish speakers, not from Central America and South America but literally from everywhere.

The Wall Street Journal had a piece just this weekend where it detailed how hundreds of thousands of migrants from all over the world are making their way to the southwest border which is causing a surge in apprehensions, but it is especially people from Asia and Africa.

Human smuggling networks, it says, are widening their reach around the globe.

Arrests at the Southwest border of migrants from China, India and other distant countries, including Mauritania and Senegal, tripled to 214,000 during the fiscal year that ended in September.

That was up from 70,000 just the year before. That is tripling that number.

What is happening is on our southern border, the cartels are finding it more profitable to be able to move people in from farther. So they are organizing flights for people to go through seven or eight countries to be able to then arrive in Mexico, and they are moving them through in what they affectionately call “donkey flights” to be able to reach farther for the cartels to be able to make more and to exploit our laws.

America has always been open to people and immigration. We are a nation of legal immigrants, but we are also a nation of laws. And what we are finding at this stage is those laws are being exploited and being exploited dramatically. Let me give you just an example. There has been no change in the asylum law since 2010, but, in 2010, we had 21,000 people request asylum on our southern border for the year—21,000 the entire year of 2010. That wasn’t an anomaly. That was about a normal amount of people requesting asylum on our southwest border. Now, we have that many requests of asylum on our southwest border every 3 days. So it has gone from 21,000 in a year to now every 3 days.

Everyone knows this is an issue. Last week, Secretary Mayorkas was in front of the Homeland Security Committee, and I asked him about this in a public hearing. I asked him whether there were policy changes that were needed.

His answer was very direct. He said:

Yes, policy changes are needed.

I asked him specifically on reforming the asylum system, knowing that it has been exploited. His exact answer was:

The asylum system needs to be reformed from top to bottom.

I asked him about the issue of withholding of removal, which now about 55 percent of the people who were released into the country were actually released under something called withholding of removal. I asked him about that. His response was:

[Withholding of removal and] the companion element is the convention against torture our system needs to be able to work efficiently and expeditiously while not compromising due process.

I asked him about repatriating individuals in difficult countries that are called recalcitrants. He said:

Our ability to repatriate individuals to the countries of origin when they do not qualify for relief under our laws is of vital importance.

Why am I bringing this up? Because it is not just me saying we need to reform the asylum process. The head of Homeland Security is saying we need to reform this process. And it is just not the head of Homeland Security saying we need to reform the asylum process. It is the administration.

Two weeks ago, the administration requested additional dollars for the border to be able to put in the supplemental. They asked for funding for Israel, for Ukraine, for Taiwan, and for border security. But then, after they put that request out, Homeland Security released an op-ed in the Washington Post, which said this:

To be clear, this supplemental funding is like a tourniquet—urgently needed and critical in the short-term, but not a long-term solution to a deep-seated problem. Our national immigration laws, having gone through major revisions by Congress in 1996, are severely out-of-date, and our system is completely broken. On this, everyone agrees.

The administration itself, just this past March, put out a release dealing with what they call “circumvention of lawful pathways.” In it, they did a Q&A back and forth to ask people questions on how it would function. This is one of the answers from the administration talking about what is happening currently at our border. They said:

[Such a high rate of migration] risks overwhelming the Department’s ability to effectively process, detain, and remove, as appropriate, the migrants encountered. This would put an enormous strain on already strained resources, risk overcrowding in already crowded [U.S. Border Patrol] stations and border [ports of entry] in ways that pose significant health and safety concerns, and create a situation in which large numbers of migrants—only a small portion of whom are likely to be granted asylum—are subject to extreme exploitation . . . by the networks that support their movements north.

I would be glad to have written that myself.

The administration sees the same thing that everyone else who looks at the border sees. If you take an honest assessment of what is happening, our system is being exploited by cartels, and people from around the world are answering ads that are on TikTok and messaging services saying: I can get you into the United States if you pay me enough money.

That is why 45,000 people from India came last year requesting asylum in the United States—because it is easier to get in and to pay the cartels than it is to go through the legal process. We are incentivizing illegal activity, and this body knows it.

We are a nation of laws. We should prioritize the law. We should be open to legal immigration, but we should be opposed to illegal immigration and what is happening to enrich dead, dangerous criminal cartels in northern Mexico.

Again, the administration in their public statement made this statement just a few months ago:

The current asylum system—in which most migrants who are initially deemed eligible to pursue their claims ultimately are not granted asylum in the subsequent [immigration court] proceedings—has contributed to a growing backlog of cases awaiting review by asylum officers and immigration judges.