

Then, the Internal Revenue Service was under intense scrutiny for its sloppy reviews of tax-exempt organizations and their political activities. Mr. Werfel did his job in a way that improved trust in the Internal Revenue Service.

He worked with both sides of the Senate Finance Committee. Our investigation found that both left-leaning and right-leaning groups were affected. The late Senator Orrin Hatch, a friend to many in this Chamber, told me on a number of occasions how much he appreciated Danny Werfel's professionalism and his open door for all sides.

It is time to rebalance the American system of tax enforcement. Audits today, too often, are a burden that fall heavily on working families—on nurses and firefighters and teachers and the middle class. It is far too easy for the very wealthy and the multinational corporations, which have armies of tax lawyers and accountants, to get away with cheating and breaking the law. That is what the Democrats sought to address in the Inflation Reduction Act.

Now, I understand that not everybody in the Chamber shares those priorities. However, Mr. Werfel—and I will close with this—has committed to the Finance Committee that he is going to work with both sides of the aisle and bring transparency to the job. That includes how the IRS will spend funding to improve taxpayer services, upgrade information technology, and crack down on those wealthy tax cheats. He is going to protect confidential taxpayer data. That is an enormous priority for both sides. I think I am about as big a privacy hawk as there is here in this body, and it is certainly a priority of mine.

Danny Werfel is a highly qualified nominee. He has agreed to take on one of the toughest and most scrutinized jobs in public service. I urge my colleagues to now support Danny Werfel's nomination to head the Internal Revenue Service.

I yield the floor.

VOTE ON WERFEL NOMINATION

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

Mr. WYDEN. Mr. 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Pennsylvania (Mr. FETTERMAN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Idaho (Mr. RISCH).

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 50 Ex.]

YEAS—54

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

NAYS—42

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

NOT VOTING—4

Feinstein	McConnell
Fetterman	Risch

The nomination was confirmed.

(Mr. HEINRICH assumed the Chair.)

The PRESIDING OFFICER (Mr. KING). Under the previous order, the motion to reconsider is considered made and laid upon the table, and President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the Simmons nomination.

The senior assistant legislative clerk read the nomination of James Edward Simmons, Jr., of California, to be United States District Judge for the Southern District of California.

Thereupon, the Senate proceeded to consider the nomination.

VOTE ON SIMMONS NOMINATION

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

Ms. HASSAN. 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 New Jersey (Mr. BOOKER), the Senator from California (Mrs. FEINSTEIN), and the Senator from Pennsylvania (Mr. FETTERMAN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Kentucky (Mr. MCCONNELL), the Senator from Kansas (Mr. MORAN), and the Senator from Idaho (Mr. RISCH).

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

The result was announced—yeas 51, nays 43, as follows:

[Rollcall Vote No. 51 Ex.]

YEAS—51

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

NAYS—43

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

NOT VOTING—6

Booker	Fetterman	Moran
Feinstein	McConnell	Risch

The nomination was confirmed.

The PRESIDING OFFICER (Mr. PETERS). 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.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the Kahn nomination, which the clerk will report.

The legislative clerk read the nomination of Maria Araujo Kahn, of Connecticut, to be United States Circuit Judge for the Second Circuit.

NOMINATION OF MARIA ARAUJO KAHN

Mr. DURBIN. Mr. President, today, the Senate will vote on the nomination of Justice Maria Kahn, who has been nominated to the U.S. Court of Appeals for the Second Circuit.

Since 2017, Justice Kahn has served as an associate justice for the Connecticut Supreme Court. Over the past 6 years, she has authored over 55 opinions. Prior to her appointment, she also briefly served on the Connecticut Appellate Court, where she authored eight opinions. Justice Kahn began her judicial career on the State's Superior Court in 2006 and presided over thousands of matters, 50 criminal trials, and several civil trials.

Prior to joining the bench, Justice Kahn spent her entire time in practice in government service. She began her legal career as a deputy assistant public defender for the Connecticut Public

Defender Services in 1991. In 1993, she became a staff attorney in the Connecticut Office of Protection and Advocacy for Persons with Disabilities. Most recently, Justice Kahn served as an Assistant U.S. Attorney for the District of Connecticut. As an AUSA, she worked in the civil division from 1997 to 1999 and the criminal division from 1999 to 2004 before being promoted to computer crimes coordinator. Across these roles, she tried dozens of cases and argued two appeals before the Second Circuit and one before the Connecticut Supreme Court.

Born in Benguela, Angola, Justice Kahn immigrated to the United States when she was 10. She earned her B.A. cum laude from New York University in 1986 and her J.D. from Fordham Law School in 1989. She also clerked for the Honorable Peter C. Dorsey on the U.S. District Court for the District of Connecticut for 2 years.

Justice Kahn enjoys the strong support of Senators Blumenthal and Murphy, and she has been unanimously rated “well qualified” by the American Bar Association to serve on the Second Circuit. I hope all of my colleagues will join me in supporting this eminently qualified nominee.

VOTE ON KAHN NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Kahn nomination?

Mr. HEINRICH. 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Mrs. FEINSTEIN), and the Senator from Pennsylvania (Mr. FETTERMAN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Kansas (Mr. MORAN), and the Senator from Idaho (Mr. RISCH).

The result was announced—yeas 51, nays 42, as follows:

[Rollcall Vote No. 52 Ex.]

YEAS—51

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

NAYS—42

Barrasso	Fischer	Ricketts
Blackburn	Grassley	Romney
Boozman	Hagerty	Rounds
Braun	Hawley	Rubio
Britt	Hoeven	Schmitt
Budd	Hyde-Smith	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Lummis	Tuberville
Cruz	Marshall	Vance
Daines	Mullin	Wicker
Ernst	Paul	Young

NOT VOTING—7

Booker	Fetterman	Risch
Crapo	McConnell	
Feinstein	Moran	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHATZ). 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 Senator from Nebraska.

BORDER SECURITY

Mrs. FISCHER. Mr. President, I am sure you have seen news reports about a group of four Americans who were recently kidnapped after driving across the U.S.-Mexico border. This week, two of them were tragically found dead. My heart goes out to the families affected by this devastating development.

This is the latest in a string of incidents that underscore just how chaotic the situation is at our southern border. I know firsthand because I visited the border last week, along with a delegation of Republicans led by my colleague Senator CORNYN. We can read about what is going on down at the border. We can watch the news. But until you travel south and see the chaos there with your own eyes, you really can’t fully understand the gravity of this situation.

The numbers we hear reported are overwhelming. Migrant encounters this fiscal year have already stretched past 770,000. December hit a record for monthly encounters, at over 251,000.

Sure, we talk about these numbers, but what really brings home what a crisis this is, is walking past an unfinished border wall, boating up and down the Rio Grande River, riding through the brush, and seeing the paths migrants use to sneak into our country. It is touring a raided stash house where a weapon was found, an illegal immigrant was detained, and a human smuggler was arrested. The faces and the voices of people on the ground in Texas who are directly hurt by border insecurity—that is what really brings home what a crisis this is.

My colleagues and I talked to Border Patrol officers, illegal immigrants, and South Texas landowners. Each of these conversations unveiled a new side of the tragic situation at the border.

Our agents are doing good and honorable work to protect migrants, to defend our national security, and to stop criminals in their tracks, but it is all with little support from this administration.

Along the border wall, we spoke with illegal immigrants, some of them single men and women and some of them with families. We met a 6-month-old baby. All had been detained by Border Patrol, and they were being identified before being sent to a processing center.

This is a sad situation, not just what these migrants face to get here, dealing with the coyotes and the cartels, but then what they will face in their future. These migrants will head north, and they will be forced to work off what they owe the coyotes for getting them across our border. Many of them will be funneled into lives of indentured servitude, some of them into human trafficking and sex trafficking.

But this is not only an enormous humanitarian crisis and a drug crisis; this is a national security crisis.

I am a senior member on the Senate Armed Services Committee. Our trip to the Rio Grande Valley reaffirmed that the frenzy at our southern border is nothing short of a national security disaster.

The United States does not have control of the southwest border. Do you know who does? The Mexican cartels. When we cannot control who is entering our country, when we cannot control what they are bringing into our country or where they are going, that is a serious national security risk.

In fiscal year 2022, border agents arrested 98 suspected terrorists who were trying to enter the country illegally between our ports of entry. During the previous administration, this number was never higher than six. Since October, border agents have arrested another 53 people on the terror watch list. President Biden’s mismanagement of the border has created a total catastrophe, and thanks to him, we are experiencing not only a homeland security crisis but also a homeland defense crisis.

This visit to the border was so frustrating because we know that the dangerous criminal activity going on there is preventable. But the President’s refusal to enforce our country’s laws, our current laws, means that trafficking of people, drugs, and weapons occurs unabated at our border.

In the Senate, we are trying to find solutions to the border crisis. I introduced a resolution with Senator BRITT, who joined us on last week’s border trip, which simply acknowledges the crisis at the southern border. Let’s just say there is a crisis that exists. That should be simple. I joined Senator BRITT to introduce the Keep Our Community Safe Act, which would close the gaping catch-and-release loophole allowing illegal immigrants to escape into our country.

I helped introduce Sarah’s Law, sponsored by my colleague Senator ERNST, to require mandatory detention of illegal immigrants charged with violent crimes in our country and, in turn, better protect the public.

I will keep urging my colleagues to join these bills, but there is a limit to