

national security threat, and the RESTRICT Act provides a framework for confronting both current and future risks. I am grateful to both Republican and Democratic colleagues for joining Senator WARNER and me to introduce this bill.

It is time to update our laws to ensure that we are able to confront the national security threats posed by foreign adversary technology. I look forward to working with colleagues from both parties in both Chambers to advance the RESTRICT Act and get it to the President's desk.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER (Mr. HICKENLOOPER). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### BORDER SECURITY

Mrs. CAPITO. Mr. President, I rise today to talk about a constant issue in front of the American people that has haunted, I think, and will haunt this President during his tenure in the White House. It is a subject that my Republican colleagues and I have highlighted in this Chamber—we did just several weeks ago—and this is the continued lack and disregard for border security in our country.

Last week, the White House Press Secretary said that when it comes to the Biden administration and border security:

We're going to secure the border and do the work.

Well, I wonder what it was that has found this newfound urgency at 1600 Pennsylvania Avenue. And why has it taken 785 days for the Press Secretary to acknowledge the problem?

Maybe it is the record 2.7 million migrant encounters in fiscal year 2022. Or could it be the more than 4.9 million illegal border crossings since President Biden took office? Or how about, for the first time in history, monthly apprehensions at the southern border have surpassed 150,000 for 24 consecutive months? Or that in a season when illegal border crossings are typically lower, Customs and Border Protection encounters rose 2 percent last month with heroine seizures increasing 99 percent and fentanyl seizures increasing 58 percent?

Whatever the reason—whatever the reason—I sure would like to welcome the White House to the same page that we as Republicans have been on since day one of this administration.

While my colleagues and I have been sounding constant alarms about the porousness of our border, the Biden administration has, No. 1, stopped making needed updates to our physical border system, leaving gates inoperational and open; they have halted deportations and have been inconsistent in im-

plementing effective policies that kept illegal border crossings under that 150,000 level for 4 consecutive years prior. There is no denying that this crisis is a self-manufactured crisis.

Maybe most encompassing of their priorities regarding security of our country is that the Department of Homeland Security is one of the few Agencies—and they are the ones tasked with this difficult issue—is one of the few Agencies facing an overall budget cut in the President's latest budget proposal. Remember, a budget is your priorities; it is where you want to do your work.

In an age where it seems that the President and the Congressional Democrats cannot spend enough, they decide to make room for more spending and their radical priorities by putting the Agency in charge of defending our homeland on the chopping block first. I don't know about you, but that doesn't seem like something an administration that is going to "secure the border" should be doing.

Perhaps even more alarming are the comments made by the DHS Secretary regarding their budget allotment. Secretary Mayorkas outlines six priorities in the budget summary that he claims the Agency can work to accomplish with the help of the budget. Toward the top of the list—this is the Department of Homeland Security. Toward the top of the list, "invest in climate." The second-to-last priority, "help secure the border." That is simply unacceptable, especially as migrant encounters at the southern border in fiscal year 2023—where we are in now—are already outpacing the records set in 2022.

My colleagues and I hear the Biden administration quite clear: Securing the border has not been and never will be a priority for this President or his Department of Homeland Security.

What makes this admission so devastating is that while the administration continues to balk at serious attempts to secure the southern border, countless Americans are dying at the hands of the illicit drugs that make their way into our communities through that same southern border. Last month alone, 2,282 pounds of fentanyl—which we know is lethal in extremely, extremely small doses and small amounts—and 10,333 pounds of methamphetamine were seized at the southern border. That amount of fentanyl is the equivalent to 517 million lethal doses.

Our Border Patrol is stretched unfathomably thin with very little support from the administration. There is no telling how many—the amount of drugs that are getting through undetected. I was just talking about the ones that we got.

Just last month, I spoke in this Chamber regarding a recent drug bust in my home State of West Virginia. As investigators from the U.S. Attorney's Office in the Northern District of West Virginia recovered cocaine, meth, and fentanyl, they discovered that these

deadly substances had been shipped directly through the U.S.-Mexican border to Ohio via a tractor-trailer. The connection between the southern border crisis and our addiction epidemic back home could not be any clearer. I have said it before, and I will say it again: Every State—my State—is a border State.

While President Biden and his administration continue to put confusing and often conflicting words before action, if they even take action, my colleagues and I continue to make it a concerted effort to get to the bottom of this chaos.

Just this past weekend, I joined a bipartisan, bicameral group of lawmakers to travel to Mexico City where we met—with quite lengthy meetings—with Mexico's President Lopez Obrador. While there, we held meetings on the United States security posture with regard to Mexico, the chaos at our border, the devastating impacts of fentanyl in our communities, and the violence and trafficking perpetrated by the Mexican cartels. All these issues are top concerns to us here in this country.

It is clear that Mexico needs to continue to address corruption at their ports of entry, and the President emphasized this. They need to focus on the fentanyl precursors coming from China that are coming into our country.

I am very excited and happy that we secured a commitment from President Lopez Obrador that their administration will confront China regarding fentanyl precursors being shipped into their country. This is a major step in cutting fentanyl trafficking in the United States at its source and is needed to alleviate the chaos and corruption currently happening at the border between our two countries.

There is no way to deny that both the United States and Mexico—that border has stressed our countries beyond belief. I think we serve as partners with Mexico. We need to be partners—and good partners—with Mexico to solve this problem.

We are facing historic levels of illegal immigration. We must continue to meet these challenges with urgency and a willingness to work together, and we certainly got that message conveyed to the Mexican President and a reciprocal message coming back from him and his administration.

As my Republican colleagues and I will continue to make clear today, Republicans stand for solutions and not just spending. We stand for action, and we also stand for border security.

I encourage President Biden to join us in this effort and work toward bipartisan border solutions that are effective; that support our Border Patrol officers; and that also, in the end, will save countless lives.

With that, I yield the floor.

#### VOTE ON GALLAGHER NOMINATION

Mrs. CAPITO. Mr. President, I ask unanimous consent that the vote on the previous issue begin immediately.

LEGISLATIVE SESSION

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

The question is, Will the Senate advise and consent to the Gallagher nomination?

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

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kentucky (Mr. MCCONNELL).

The result was announced—yeas 53, nays 43, as follows:

[Rollcall Vote No. 64 Ex.]

YEAS—53

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

NAYS—43

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

NOT VOTING—4

Durbin	Fetterman
Feinstein	McConnell

The nomination was confirmed.

The PRESIDING OFFICER (Ms. SMITH). 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.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. ROSEN).

REPEALING THE AUTHORIZATIONS FOR USE OF MILITARY FORCE AGAINST IRAQ—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and the consideration of S. 316, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 316) to repeal the authorizations for use of military force against Iraq.

Pending:

Schumer Amendment No. 15, to add an effective date.

The PRESIDING OFFICER. The Senator from Massachusetts.

CHILDREN'S ONLINE PRIVACY PROTECTION ACT

Mr. MARKEY. Madam President, over the past several weeks, I have heard my colleagues on both sides of the aisle voice concerns about an issue I have been raising for years—protecting children and teens from online dangers. Recently, much of that conversation has focused on the social media app TikTok.

I want to be clear. TikTok poses serious and specific privacy problems. We are talking about a company that could expose American users', including young users', personal and sensitive information to the Chinese Government. The intelligence community has raised grave concerns that Beijing could potentially influence millions of American TikTok users with the platform's algorithms, spread malware to our smartphones, force the company to amass troves of data on users, and then demand that the information be handed over to the Chinese Communist Party.

In other words, TikTok could collect your personal data without your consent and then target you with information that the Chinese Government wants you to see or potentially, even worse, monitor where you go and what you do.

We already know that TikTok is currently on privacy probation with a Federal Trade Commission consent decree. They had to pay a \$5 million fine for violating the Children's Online Privacy Protection Act. That is my law. We should listen to those warnings, and we should do our job to legislate and regulate in response to these warnings.

I am pleased to hear so much concern for the experiences of our young people online. This is the kind of formidable bipartisan movement to rein in the overreach of Big Tech that we needed in this Chamber 3 months ago when lobbyists flooded to the Capitol to kill my Children and Teens' Online Privacy and Protection Act—COPPA 2.0—to raise protections up to age 16 for young people in our country in terms of the protection of their privacy.

Here is the reality: Asserting that TikTok stands alone as the one plat-

form that poses a serious surveillance threat to our Nation's young people is deliberately missing the Big Tech forest for the TikTok trees.

It is in this dark, dank forest where even more dangers lurk. TikTok needs to be regulated immediately—we can agree on that—but it is absolutely not the only digital danger kids face today. There is no justification for starting and stopping there, because do you know who else is on privacy probation with the Federal Trade Commission in addition to TikTok? YouTube. Google's video platform also violated my law. The Federal Trade Commission fined it \$170 million for invading kids under the age of 12 and their privacy. That is just a slap on the wrist to Google, \$170 million. Oh, and Facebook too. The Federal Trade Commission fined Facebook \$5 billion for violating users' privacy protections. Remember, TikTok was fined \$5 million. Facebook has been fined \$5 billion for violating privacy in our country.

So, yes, we do have to address the TikTok threat, but what we really need to do is to take on all of Big Tech with a set of commonsense protections to stop the tsunami of privacy invasions kids face today online.

America's children and teens are literally dying because of the impacts of social media platforms, and we must save them from drowning. In other words, I agree with my colleagues. Let's make sure kids are protected from Chinese surveillance; but at the end of the day, our moral obligation is to protect our youngest people from an entire industry that poses a direct and existential threat to their generation's well-being.

The Centers for Disease Control and Prevention just announced that 1 in 3 high school girls in the United States of America had seriously considered suicide in the last year—1 in 3 teenage girls seriously considered suicide in the last year. And over half of all teenage girls say that they are "persistently sad or hopeless." Banning TikTok will not solve that problem.

At least 1 in 10 girls in the United States attempted suicide in the past year. Can I say that again? At least 1 in 10 girls in the United States attempted suicide last year. Among LGBTQ+ youth, the number was 1 in 5 who attempted suicide in the past year. Banning TikTok will not solve that problem.

Thirty-two percent of teen girls said that when they felt bad about their bodies, Instagram made them feel even worse. Banning TikTok will not solve that problem.

And do you know where that latest statistic comes from? Instagram's parent company, Facebook. Just remember, about 22 million teens log into Instagram each and every day in America.

Our children and our teenagers—they are sick, and Big Tech is the parasite preying upon them every single day in our country. These aren't Republican