

teachers unions. We spend more money on education in the United States of America than any other country, but we are not in first place. We are not even close. And that is a shame.

Before the pandemic, we were 8th in reading, 11th in science, and 30th in math. You can't blame that on the pandemic. Some like to. This has been going on for a long time, even before the pandemic. It has been getting worse and worse and worse.

Last year, we had the worst ACT scores in 30 years. Let me repeat that. Last year, we had the worst ACT scores in 30 years. Nearly half of all of our students could not meet a single ACT benchmark—half. The most recent national report card showed a steep drop in reading and math scores in almost every State. These were the lowest scores in the last 20 years. Even Joe Biden's Secretary of Education called these test scores "appalling" and "unacceptable."

In some cities, there are entire schools—entire schools—where zero students can read or do math at the level that they are in. In Chicago alone, there are 55 schools where zero students can read or do math at grade level. Children in these schools are being robbed of their future. Our K through 12 system is failing. It is failing to prepare our kids for college or for life.

When I talk about education, I often hear my Democratic colleagues argue that we don't spend enough money. Their answer to everything is to spend more. We pay more than any other country in the world, and, again, we are not even in the top 10 with some of these countries that spend a lot less. We pay \$14,000 per student in this country in our public and government schools. In other developed countries, it is \$11,000 or less. So we are spending nearly 40 percent more money, but we are not getting 40 percent better test scores. We are getting a lot less. We are 26th in math in this country competing against other countries across the world—26th.

If you can't do math, you can't survive in today's world of technology. You can't pay your bills if you can't do math. How are we going to compete in a modern, high-tech economy if we can't do math? I don't think anybody has thought about that. We just keep going on down the same road.

According to the National Science Foundation, China graduated 1.2 million engineers in 2016. We graduated 130,000. One third of Chinese college students major in engineering. In America, it is 7 percent. How are we going to compete against our biggest adversary, China, if we are not educated? Kids in China are learning calculus, and this is in elementary school. Kids in China are learning calculus while our kids are studying pronouns and 50 genders and critical race theory. It is a disservice. We are cheating our kids. Frankly, it is a national security issue.

My Democratic colleagues need to remember that our education system does not exist for the sake of the teachers or principals and administrators, or even coaches. It doesn't exist for that. It is not about our teachers unions. It is about our students getting an education, learning to read and write, do math, preparing for a future. We forgot about that. Unfortunately, we forgot about that for a long time. It is about preparing kids for life—what an idea.

So what is school choice? School choice just means funding the student instead of the school building. That is what we do now: We send all of our money to these school buildings. We put it in teachers and administrators. The money is not going to exactly where it should be going—to prepare students for life.

It is the idea that the school was made for the student, not the student for the school. School choice brings the power of the free market, which is what we are supposed to be, to our education system. The results benefit everyone, even kids in the government or public schools.

Studies show that school choice means better test scores and better outcomes for students. When we talk about choice, my Democratic colleagues will say: If you are for school choice, then you are against public and government schools.

That is not true. That is not true. I used to teach in a public or government school. I was a member of the teachers union. I want our government schools to be the best in the world—the best—not 2nd, not 10th, not 20th, but the best. Our schools—our public and government schools—should be good enough to compete with our private schools, which are growing every day, but right now most of them are not. They are not competing against other schools. They don't have to compete because nothing is going on in the majority of our public schools. It is just a simple fact.

There is a laundry list of things we need to do about our public and government schools. But to make it better, what should be at the top of the list is competition, which is school choice—school choice to go where you want to go.

There are 20 studies—20 studies—that have shown that school choice improves our public schools. This is because school choice forces government schools to compete for students. And that is what this country is about. It is about competition. It is about the opportunity to do what you want, but it is all built on competition. Competition makes everyone better, whether it is in football, business, or just life. Competition makes us all better.

Kids deserve teachers, deserve teachers and schools that will compete for them, not for a teachers union but for them. The job is to make our students better, and we are failing.

A child's education should not be decided—should not be decided—on their

ZIP Code, where they live. Their education should not be decided on their family's income. That is not the way this should work. It should be decided by the people who know them best and love them the most—which is who? Their parents. Parents are a big part of the equation.

When I was a coach, I always told my players that this country owes you only one thing, and that is an opportunity. I didn't care who you were. When I coached, I didn't care whether you were rich, poor, Protestant or Catholic, Jewish. It didn't make any difference what race you were. I was hired to teach football and to win games. It is no different in a classroom. Everybody has that opportunity. And don't give me "Everybody doesn't have that opportunity." They do. You just have to take that opportunity and run with it.

So, at the end of the day, the key to unlock that opportunity is what? It is education. If you can't read and write in our country, in which we are struggling at almost every school—if you can't read and write, you can't make it. You are going to end up living off the government, and that is not what this country is about.

So our future is built on our kids. If we don't educate our kids, we won't have much of a future, and it has really declined. But if we unleash—and I know we have got a lot of problems going on in our world today, in our country, a lot of division. But if we unleash the potential of our young people, there is nothing that we cannot achieve.

So I urge my colleagues to support school choice in the upcoming budget process. Give them the opportunity to compete. Give them the opportunity for a better education. Put the pressure on our public and government schools. Make them compete to keep their students there. And the way you do that is you educate students. Get it to a point where we don't need school choice or homeschooling.

This should not be a partisan issue. This should not be about Republican and Democrat. This is about Americans. This is about Americans, giving them the opportunity to succeed and achieve. This is a huge American issue. We had better wake up and smell the roses. It is about basic American values—the values of education for all, opportunity for all, and letting our people live out their God-given potential, not keeping it locked up. Give everybody that opportunity.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Texas.

#### BORDER SECURITY

Mr. CORNYN. Mr. President, since President Biden took office 3 years ago, Customs and Border Protection has encountered 6.7 million—6.7 million—migrants at the southern border. Just to give you an idea of how that compares to the Obama administration and

President Trump's administration, this is more than those two administrations combined. And that was for a period of 12 years, where President Biden has been in office for 3 years.

The administration still hasn't released the number of illegal border crossings for December, but multiple news outlets have reported that more than 300,000 migrants have crossed the border last month, which would be a new record.

What I have a hard time comprehending is why President Biden thinks that is a good idea. It is his policies that are responsible, because they are like a magnet. They attract people from, literally, around the world, who show up at our border and either claim asylum, only to be put on a docket and wait 10 years before they get heard by an immigration judge—and, in the meantime, they get released into the interior—or they are simply released into the interior of the country, using something called parole.

Now, I think it is a little confusing because, most of the time, we think about parole in the context of criminal law, that if somebody is tried and convicted and goes to prison, they can then be paroled out of prison. But this simply means that, in the immigration context, people come to the border, and they are just released—just released. In other words, there is no consequences associated with people entering the country illegally.

So it should be no surprise to any of us that people still come. And that is why we are seeing higher and higher levels of people coming to the border under President Biden's policies.

The problem isn't just that more migrants than ever are crossing into the United States; it is also that more migrants than ever are being released into the United States.

The Biden administration has gone to great lengths to ensure that people who cross the border illegally can remain in the United States, regardless of whether they have a legitimate reason to be here or not.

To do that, the President and his administration have abused an authority known as parole to facilitate catch-and-release at an unprecedented rate. Parole, in the immigration context, was designed to grant temporary entry to foreign nationals in a rare and dire circumstance such as someone donating a kidney or being a witness in a trial. It was never meant to be categorical or a large-scale immigration authority. It was meant to be used on a case-by-case basis.

The Biden administration has completely abused the parole authority, and it is not just at the southern border. The President's administration has stood up a program that allows individuals from Cuba, Haiti, Nicaragua, and Venezuela to enter or remain in the United States—all under the guise of parole. In other words, these are not individual case-by-case determinations; this is categorical. In other

words, you come from a country; we are going to release you into the United States—to the number of 30,000 a month. That is 360,000 a year.

When the administration does so for these four countries, it provides a 2-year legal status and a work authorization. And so, again, it is no surprise people continue to come.

This is also big business for criminal organizations that smuggle people into the United States. And it is as a result of overwhelming the capacity of the Border Patrol and Federal officials on the border that the opportunity to smuggle drugs into the United States becomes so relatively easy—thus, again, enriching the cartels that deal in the poison that took the lives of 108,000 Americans last year alone.

The administration is using—or I should say “abusing”—parole authority to try to legalize illegal immigration. And they do that so they can cook the books; so they don't have to include these numbers in a total tally of illegal border crossings each month. In other words, that is not even on the list of the 300,000 because they are exempted from that because they are released using—or abusing—this other authority.

This policy allows the administration to roll out the welcome mat for tens of thousands of migrants while making it seem like the numbers have gone down. It is really a shell game.

Thanks to the leadership of my friend Senator GRAHAM, from South Carolina, the American people now have a much better idea about the degree to which parole is being abused by the Biden administration, both at the southern border and beyond.

To provide some comparison, during the two previous administrations—that was 12 years—an average of 5,600 migrants were paroled into the country each year—5,600 each year. When President Biden took office, that number skyrocketed.

For fiscal year 2022 alone, the Biden administration paroled almost 800,000 migrants. In other words, an average of 5,600 became 800,000 under President Biden.

We still don't have full data for fiscal year 2023, but it is already clear that the administration has passed the previous year's total. The Biden administration has paroled more than 802,000 migrants into the United States in only 9 months. In other words, it is going to set a new record.

In total, the administration granted parole to nearly 1.6 million migrants in only 21 months. Is it any wonder that people continue to come to the border outside the legal process if they know they are going to be released, while the human smugglers continue to get richer and richer and the drug cartels continue to get richer each day?

Well, these numbers are hard to get your head around because they are so large as to be incomprehensible. But 1.6 million migrants released into the country in 21 months?

When this many migrants are being released into the country, it creates serious challenges. Migrants arrived at our border with no money and no place to go. They need to be fed. They need clothing. They need a safe place to sleep. They need medical care. And none of these things are cheap or easy to provide. But they are a feature of illegal immigration.

For more than 3 years, communities along Texas's southern border have carried the weight of the President's border crisis. Local governments and nongovernmental organizations provide migrants with basic needs like shelter, food, and clothing. They deliver lifesaving medical care. They provide transportation. In short, they prevent this humanitarian crisis from becoming a humanitarian catastrophe.

It is expensive; it is burdensome; it is extremely time-consuming; and these men and women don't receive nearly enough recognition or gratitude for the work they do each day.

The border crisis continues to have a major impact on border communities in my State. But the scale of the crisis means the burden is now shared by communities across the country.

Given the unprecedented number of migrants released, every State in America is now a border State in terms of the direct impact of the Biden border crisis.

As this crisis has grown and expanded, it has prompted an interesting shift in rhetoric among leaders in blue States and cities.

Liberal enclaves like New York and Chicago are long-time supporters of open border policies. They proudly identify themselves as sanctuary cities and have criticized commonsense measures to enforce our immigration laws.

Until President Biden took office, these and other liberal cities across America could say what they wanted because they didn't have to bear any of the burden. With the U.S.-Mexico border a thousand miles or more away, immigration levels didn't impact their daily lives.

Residents did not see hundreds of migrants sleeping on city sidewalks. Their children's schools weren't used as emergency shelters. Their local ambulances weren't delayed because of a high influx of migrants who needed medical care. So it is easy to weigh in on an issue that has absolutely zero impact on your daily life.

But as more and more migrants have poured into blue States and blue cities in the past few years, the story has changed. One example is Phil Murphy, the Democratic Governor of New Jersey. He campaigned on the promise of making his State a safe place for illegal immigrants and once vowed to turn New Jersey into a sanctuary State.

When it became clear that more States needed to help carry the weight of this national crisis, he quickly changed his tune. When given the opportunity to take care of migrants

with nowhere to go, Governor Murphy said the State didn't have any room for these migrants.

We have seen a similar shift—you might even call it a flip-flop—from leaders in Chicago, which has been a self-proclaimed sanctuary city for decades. The city's mayor, Brandon Johnson, was just sworn in last May and ran on the promise of embracing migrants who arrived in the city. Last spring, he said: Sanctuary means that everyone is welcome here—everyone—whether you come legally or illegally.

When you make that kind of declaration, it is tough to be mad when people take you up on it and show up. But that is exactly what he has done.

As migrants have arrived in Chicago via bus and plane, he has lashed out at Texas Governor Greg Abbott for providing migrants with the transportation to actually take him up on his offer.

At one point, he even accused the Texas Governor of attacking Chicago and other cities that received migrants. Pretty unhinged, if you ask me.

This would be like sending an invitation out to a party that says: Everybody is welcome, and then berating the person who actually shows up with a carload of people.

I think there is a lesson there: Don't say everybody is welcome unless you mean it.

President Biden's border crisis has grown to such a magnitude that even the sanctuary cities and States are turning off or flipping over the welcome sign. The crisis just keeps growing and growing, and the pressure on President Biden is mounting.

And, oh, by the way, he is going to be a candidate for reelection in November 2024. That may have something to do with his newfound attention and concern about the problem. He didn't care about the border crisis when it was just hurting Texas or the communities along the border. He didn't flinch when frontline law enforcement pleaded for more support. He didn't bat an eye when we broke the record for the most border crossings in a single day, month, and year. But now that Democratic voters—voters he is going to need to get reelected in places like New York and Chicago—are sounding the alarm over the border crisis, so it looks like President Biden is finally starting to pay attention.

When asked by a reporter last week if the border was secure, President Biden said: No, it is not.

It is welcome candor.

But given the magnitude of the crisis, it is sad that that statement was actually newsworthy because it marked a much needed change from the President to recognize we have a problem on our hand.

The fact is—and we all know the answer—that the status quo was unsustainable. We have reached a breaking point. And the only way to restore some sense or order is by addressing the current failed policies of

the Biden administration—particularly this abuse of parole, which is just simply releasing people, giving them a work permit, even to those who aren't claiming a credible fear of persecution or grounds for asylum.

Now, we all know several of our colleagues are trying to negotiate an agreement on legislation that would create meaningful policy changes to address the crisis. And I appreciate their efforts. I sincerely do. But so far, all we have seen are statements about what is being negotiated. None of us have seen the text of the actual negotiated product. And I, for one, am anxious to see that so we can have a real discussion and maybe a debate and, hopefully, make some significant progress on what has come to be known as the Biden border crisis.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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. 467, Jacquelyn D. Austin, of South Carolina, to be United States District Judge for the District of South Carolina.

Charles E. Schumer, Richard J. Durbin, Angus S. King, Jr., Margaret Wood Hassan, Peter Welch, Mazie K. Hirono, Alex Padilla, Jeanne Shaheen, Jack Reed, Robert P. Casey, Jr., Chris Van Hollen, Richard Blumenthal, Gary C. Peters, Raphael G. Warnock, Christopher A. Coons, Jeff Merkley, Christopher Murphy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jacquelyn D. Austin, of South Carolina, to be United States District Judge for the District of South Carolina, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO) and the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 79, nays 17, as follows:

[Rollcall Vote No. 18 Ex.]

#### YEAS—79

Baldwin	Butler	Coons
Bennet	Cantwell	Cornyn
Blumenthal	Capito	Cortez Masto
Booker	Cardin	Cotton
Boozman	Carper	Cramer
Brown	Casey	Cruz
Budd	Collins	Daines

Duckworth	Lujan	Rubio
Durbin	Lummis	Schatz
Ernst	Manchin	Schumer
Fetterman	Markey	Shaheen
Fischer	McConnell	Sinema
Gillibrand	Menendez	Smith
Graham	Merkley	Stabenow
Grassley	Moran	Tester
Hassan	Mullin	Tillis
Heinrich	Murkowski	Van Hollen
Hickenlooper	Murphy	Warner
Hirono	Murray	Warnock
Hyde-Smith	Ossoff	Warren
Johnson	Padilla	Welch
Kaine	Peters	Whitehouse
Kennedy	Reed	Wicker
King	Ricketts	Wyden
Klobuchar	Romney	Young
Lankford	Rosen	
Lee	Rounds	

#### NAYS—17

Blackburn	Hawley	Scott (FL)
Braun	Hoeven	Sullivan
Britt	Marshall	Thune
Cassidy	Paul	Tuberville
Crapo	Risch	Vance
Hagerty	Schmitt	

#### NOT VOTING—4

Barrasso	Sanders
Kelly	Scott (SC)

The PRESIDING OFFICER. On this vote, the yeas are 79, the nays are 17.

The motion is agreed to.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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. 474, Crista C. Brisco, of Indiana, to be United States District Judge for the Northern District of Indiana.

Charles E. Schumer, Richard J. Durbin, Angus S. King, Jr., Margaret Wood Hassan, Peter Welch, Mazie K. Hirono, Alex Padilla, Jeanne Shaheen, Jack Reed, Robert P. Casey, Jr., Chris Van Hollen, Richard Blumenthal, Gary C. Peters, Raphael G. Warnock, Christopher A. Coons, Jeff Merkley, Christopher Murphy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Crista C. Brisco, of Indiana, to be United States District Judge for the Northern District of Indiana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO) and the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 68, nays 29, as follows: