

can almost automatically get their way at least in the district courts.

#### PACT ACT

Mr. SCHUMER. Mr. President, finally, on the PACT Act, this is some good news. Today, President Biden will announce some very good news. It is very good news for our Nation's veterans. The Biden administration has now approved over 1 million claims from over 880,000 veterans still suffering from burn pit exposure thanks to our PACT Act.

When we passed the PACT Act 2 years ago, it was the most significant expansion of veterans' healthcare benefits in generations. It sent a message to our veterans suffering from cancer, lung disease, and other ailments from burn pits that we are here for you. I am glad to see the PACT Act is delivering on its promise and helping our veterans to get the care and benefits they deserve.

And like the gun bill I mentioned before and like the IRA and like the Chips and Science bill, it reminds us, when Democrats led in the House, led in the Senate, and had the Presidency, we got so much done for the American people.

#### FARM BILL

Mr. SCHUMER. Mr. President, on the farm bill, later this week, House Republicans on the House Committee on Agriculture intend to mark up their version of the farm bill that I believe falls terribly short.

The farm bill is one of the most important pieces of legislation that Congress works on, with consequences that affect tens of millions of Americans and a broad range of interests, from farmers, both big and small, to nutrition advocates, to climate champions and rural development advocates who rebuild local economies and create jobs—lots of jobs—in rural America. Some of these agriculture programs have helped rural parts of Upstate New York over and over again.

A good farm bill represents all of the interests I just mentioned. So passing a farm bill has always been—and must be—bipartisan, but, once again, the path MAGA-right House Republicans are taking with their farm bill breaks with the bipartisan tradition, which has always enshrined the ag bill. A purely partisan bill that departs from the longstanding spirit of bipartisan cooperation, unfortunately, will not have a future in the Senate.

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.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

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

#### FDIC

Mr. McCONNELL. Mr. President, yesterday, FDIC Chairman Mark Gruenberg announced he was prepared to step down from his position and expressed pride in maintaining public confidence in the Nation's banking system. Unfortunately, there is little such confidence in his ability to foster a safe working environment for the Agency's employees.

But despite alarming reports about rampant sexual harassment, abuse, and retaliation at the FDIC, Senate Democrats in positions to insist on change have actually pulled their punches. Instead of calls for Mr. Gruenberg's prompt resignation, we have heard everything from confidence in his ability to lead change at the Agency to delicate suggestions that the President nominate a new Chair.

The senior-most members of the Banking Committee apparently can't bring themselves to call a spade a spade. Surely, their reluctance has nothing to do with the FDIC's line of succession, which would fill a vacancy with the Agency's distinguished Vice Chair, who happens to be a Republican.

Surely, our colleagues won't play politics in the face of such glaring failures of leadership at a major regulatory authority. The Senate's oversight responsibility is serious business. I hope our colleagues in the majority are up to the task.

#### BORDER SECURITY

Mr. McCONNELL. Mr. President, on another matter, yesterday, the Democratic leader once again tipped his cap to President Biden for what he describes as "many actions" in "recent weeks" to secure the southern border, which leads me with a couple of questions: First, what took the President so long? And, second, why isn't he taking the actions we know would actually begin to address the crisis that he actually invited?

The reason I ask is because time matters here. The cost of an average day of avoidable crisis at the border is measured in thousands of apprehensions of illegal arrivals and the interdiction of lethal drugs like fentanyl.

And if that is not alarming enough, consider the story reported earlier this month of the catch-and-release of a military-age male who spent 2 years free in the interior of the country before he was detained for alleged affiliations with ISIS-K.

Of course, everything I have mentioned so far we only know because the Border Patrol was able to stop it. But think about what border officials know they are not catching—the known "got-aways."

For 10 years before President Biden took office, under administrations of both parties, an average of about 125,000 people per year successfully crossed the southern border and escaped into the interior. On the Biden administration's watch, in fiscal years 2021 through 2023, the average tally of known "got-aways" is 550,000—from 125,000 to more than half a million.

President Biden's Press Secretary says this administration has "done more . . . than anybody else" to secure the border. But if you wanted to make that claim true, you would say this President has done more than anyone else to make the tough jobs of CBP and other law enforcement personnel even tougher.

In fact, one sobering new report suggests that contending for years with a historic humanitarian and security crisis without effective enforcement authorities is taking a heavy toll on the men and women of the Border Patrol. The rate of suicide among CBP personnel is three times higher than it was a decade ago. As one agent told reporters, "when it turned out that the job became nothing more than processing and releasing these people, that was very hard to take."

Going soft on border security may have started as just a shortsighted campaign strategy. A reckless debate-stage promise to "surge" asylum seekers to the border might have been just a cynical play to court leftwing voters, but after 3 years on the job, President Biden's failure to perform one of the most basic functions of his office isn't endearing. It is not some impressive sign of leftwing bona fides.

It is a glaring, avoidable failure, a profound moral embarrassment, and even Washington Democrats are beginning to recognize it as a tremendous political liability. The American people are telling poll after poll that they are alarmed by the border crisis and want to see real solutions.

Fortunately, the quickest way for the President to start undoing the damage he invented is to restore and use the authorities he already has at his disposal, like "Remain in Mexico" and border wall construction. Any of our Democratic colleagues who recognize that the President must act ought to start telling him so.

It is time for the Biden administration to start exercising its immense authority to restore sanity and start cleaning up the mess at our southern border. The time for distractions is long, long past.

#### STUDENT LOANS

Mr. McCONNELL. Mr. President, on one final matter, speaking of the failure to discharge basic responsibilities—the Biden administration's Department of Education.

Around the country, high school seniors and their parents are still reeling from delays and processing errors in a botched rollout of the Free Application

for Federal Student Aid. Families have had to make tough decisions ahead of enrollment deadlines with incomplete information.

One such parent described the frustration she and her daughter were facing back in April:

She's supposed to decide by the end of this month and pay her housing deposit, but we can't commit to anything until we know what the financials look like.

It certainly makes one wonder: What are all those bureaucrats at the Education Department up to if they can't complete a fundamental part of their job? Unfortunately but unsurprisingly, the answer seems to be spending time and taxpayer dollars on activities that run contrary to the Department's mandate.

The first of these activities, as I have discussed before, is student loan socialism. Of course, the Supreme Court made it clear that this scheme is illegal, and basic common sense tells us it is profoundly unfair both to folks who opted not to pursue a 4-year degree and to those who worked through college and paid their own bills. But President Biden has continued undeterred. Last month, his administration proposed a new rule to allow the Secretary of Education to cancel additional student debt for certain borrowers. It is estimated this will cost taxpayers nearly \$150 billion.

But the Department's illegal nonsense doesn't stop there. Unelected bureaucrats are also trying to rewrite title IX of the Civil Rights Act. The Biden administration apparently wants to take a law that was designed to promote equal opportunities for women in education and make it do the exact opposite. This rule would require States and educational institutions to abandon biological sex as the determinant in program decisions and use so-called gender identity instead, and institutions that refuse to comply would lose access to Federal funding. More than 25 States have already sued to overturn this absurd rule, but the damage to the Department of Education's reputation is already done.

High school seniors and parents have already had to make college choices without crucial financial aid information. Working taxpayers are already footing the bill for the highest earning segments of the Washington Democrats' base. Laws that enacted protections for women are already being used to violate those same protections. It is shaping up to be a banner year for the Biden administration bureaucrats.

#### 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 senior assistant legislative clerk read the nomination of Krissa M. Lanham, of Arizona, to be United States District Judge for the District of Arizona.

Mr. MCCONNELL. Mr. President, 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.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### BORDER ACT OF 2024

Mr. THUNE. Mr. President, April border numbers came out last week, bringing us up to more than 1½ million migrant encounters at the southern border so far in fiscal year 2024—1½ million in just 7 months.

Between official U.S. Customs and Border Protection encounters and known "got-aways"—which are individuals the Border Patrol saw but were unable to apprehend—we are closing in on a staggering 10 million migrant encounters at our southern border under President Biden. That is substantially more than the population of New York City. In fact, it is more than the population of all but the largest U.S. States, if you can believe that. And there are still 8 more months in the President's term.

After 3 years of half measures, deflections, and outright ignoring the raging crisis at our Nation's border, the President and Democrats appear to have finally woken up to the fact that their border crisis might be a major political liability for them in the upcoming election.

Fear for their election prospects is doing what 3 years of chaos at the southern border could not, and that is get them focused on illegal immigration—sort of, because the vote on border legislation the Democrat leaders announced for this week isn't really about addressing illegal immigration; it is about giving the American people the impression that Democrats care about illegal immigration.

If the Democrat leader were serious about addressing the crisis at our southern border, he would be bringing up legislation that actually stood a chance of making it out of both Houses of Congress and to the President's desk, but he is not. Instead he is bringing up a vote that he knows will fail in the hope of giving political cover to vulnerable Democrats and with the side benefit, he hopes, of putting Republicans in a difficult spot—political theater at its finest.

If the Democrat leader goes through with this vote this week, he should expect some difficult conversations. Perhaps he would like to explain why, if Democrats are so concerned about illegal immigration and securing the border, they have repeatedly banded together this year to oppose—to oppose—

commonsense amendments that came to the floor.

You would think that if Democrats were really worried about addressing the illegal immigration crisis, they might have supported Senator BLACKBURN's motion to allow State and local law enforcement to detain criminal illegal aliens for ICE to deport them. Or Senator LANKFORD's amendment to prohibit funding from being used to release special-interest aliens—those are individuals who may pose a threat to the United States—during legal proceedings. Or Senator HAGERTY's amendments to prevent taxpayer dollars from being used to fly illegal immigrants into the United States or to have them count in the census. The list goes on.

It is hard to understand why anyone would oppose such commonsense measures, and yet all Democrats did. So it is just a little hard to swallow their newfound enthusiasm for border security.

Needless to say, it is not just Democrats in Congress scrambling for political cover. The President is also desperately trying to make himself appear serious on the border. Two weeks ago, the Department of Homeland Security proposed a rule to expedite the deportation of criminals and terrorists. But if the President thought this would make him look serious on border security, he was wrong because the President's new order is a reversal of his own policy, which was established earlier in his administration. That is right. The only reason the President had to finally allow for the immediate deportation of criminals and terrorists is because his administration had created a situation that allowed these individuals to stay in the country in the first place.

Look, I am glad President Biden is making a small attempt to clear up part of the mess he has made, but I am afraid the "Vote for me; I am cleaning up the historic disaster I have created" may not be the most convincing election slogan.

Let's be very clear. We are here today with 3 successive years of record-breaking illegal immigration at our southern border because of President Biden. On the day he took office, the President began dismantling the border security policies of his predecessor that, I might add, had been working. Illegal immigration began surging in response, and it has never stopped.

So while I appreciate that my Democratic colleagues would like to make it seem like this is a congressional matter in order to take the President off the hook and put Republicans on it, the truth is, we don't need congressional action to fix the crisis at our southern border. President Biden created this border crisis, and he can end it today using the very same authority he used to dismantle so many border security policies when he became President.

We have 5 more months until election day, and I suspect this won't be