

to come to this country, we ought to stop the flow, and then we wouldn't have to spend the money. Doesn't that make a whole lot more sense? Do what President Trump did: Actually stop the flow. But, again, that is not what this bill does.

I think the worst aspect of this bill—and this is why I always talk about it is worse than doing nothing—is not the 5,000 average migrants a day, which was—I mean, that is what this would look like if we just normalized 5,000 or 4,000. You are just codifying the open border. The 5,000 threshold makes it mandatory that the President supposedly secure the border. Again, it doesn't really define that. I would argue that doesn't even secure the border. But it is the 4,000 discretionary threshold—that, when average migration, I think, over 7 days reaches 4,000 a day—a massive number—now the President, it says, has discretion to stop processing asylum claims and supposedly secure the border.

Well, why is that problematic? Well, again, the Supreme Court said the current law exudes deference. President Trump had the authority. By Congress passing a law basically implying the President doesn't have the authority to stop processing asylum claims, you are weakening that authority. And even worse, that discretionary authority ends after 3 years. So that bipartisan bill would actually dramatically weaken the authority of a President who is actually serious about securing the border.

That is why that bill had to be defeated and must be defeated now. It is not a serious attempt. It is a bill that was negotiated in bad faith, with the Democrats supposedly playing chess and, unfortunately, our side playing checkers.

Again, it doesn't have to be this complex. Use current authority. Take a look at what Trump did. Do that. Don't spend additional money. Stop the flow. That ought to be our goal.

So, again, most Republicans in the Senate conference, we weren't looking for an immigration bill. We certainly weren't looking for one that weakened the President's authority. We would have been happy to strengthen the President's authority. We would have been happy to clarify—by the way, Obama's Secretary of Homeland Security, Jeh Johnson, completely disagreed with the court decision on the Flores settlement. We would be happy to clarify that, no, Flores only applies to unaccompanied children. We have that deterrence. We could follow the law to detain people who came to this country illegally. We would be happy to strengthen authority.

What we were looking for in a border bill was to have an enforcement mechanism that would force President Biden to use the authority he has to actually secure the border based on our definition of securing the border, the way most Americans view securing the border. Stop the flow of illegal migrants

that has caused a clear and present danger to this Nation. I could go through the list of horrors—the drug traffickers, the human traffickers, the sex traffickers, the members of some of the most brutal gangs in Mexico, South and Central America, the military-age men coming into this country. We are going to be dealing with this catastrophe for decades—for decades; the rapes, the murders that are being committed by people in this country who shouldn't be here that have been facilitated by this open border policy.

Again, Republicans would be happy to strengthen the President's authority to actually secure the border. What we are not happy to do is engage in this charade.

Let me end on this note again: Is this the quote of someone who has entered into good faith negotiations to develop a bill to actually secure the border? This is the majority leader of the Senate, the one who is going to engage in political theater again this week, bringing up the exact same bill that has already failed. It failed in the eyes of the public within 24 hours after the introduction, it was so bad. It was worse than doing nothing. But the majority leader seemed to be pretty happy with that failed bill:

We were playing chess, they were playing checkers, and we ended up with a Ukraine bill.

That is what they wanted. Their primary focus, their priority, was providing \$60 billion to a bloody stalemate, which, by the way, a couple of days after that thing passed, the administration was already indicating, well, that is probably not going to be enough. Even though the majority leader came out of the White House and said: This is simple. Ukraine gets \$60 billion, they win. If they don't get \$60 billion, they lose.

This is a disingenuous quote of a bad-faith negotiating partner. But it is also the quote—if you look at the last sentence there—of somebody who is not looking to secure the border but was looking for political cover. That is all he wanted. That is all the Democrats wanted. That is all President Biden wants: political cover.

We also end up in much better shape on the border than we were 3 months ago.

Again, the bill didn't pass. I am glad it didn't. It would have been worse than doing nothing. But they didn't get a bill to supposedly secure the border. And he is happy about it? He has a big old Cheshire Cat grin on his face: We were playing chess, they were playing checkers, we got exactly what we wanted. And \$60 billion to secure another country's border, and we can keep our border wide open. We can allow this flood of illegal migrants coming to this country. We don't care. We want an open border. We know it causes problems. All we want is political cover, and we got it.

We are in a lot better shape passing nothing; not strengthening the President's authority to close the border;

not having enforcement mechanisms to force President Biden, who wants an open border, to use the authority to secure the border. No. They got a bill that they are going to bring up again. It will fail. They are going to play political theater. They are going to use political cover. And they are just happy as a lark. They think they have political cover.

I am hoping that the American public is paying attention to this charade, to this political theater, and recognizes that President Biden and his colleagues in the Democratic Congress want an open border. They caused this problem, and they will do nothing to secure it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. I ask unanimous consent the Senate start the scheduled vote early.

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

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. 599, Krissa M. Lanham, of Arizona, to be United States District Judge for the District of Arizona.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Amy Klobuchar, Jack Reed, Tina Smith, Tammy Duckworth, Richard Blumenthal, Robert P. Casey, Jr., Catherine Cortez Masto, Margaret Wood Hassan, Peter Welch, Sheldon Whitehouse, Raphael G. Warnock, Laphonza R. Butler, Brian Schatz, Benjamin L. Cardin.

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 Krissa M. Lanham, of Arizona, to be United States District Judge for the District of Arizona, 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 New Hampshire (Ms. HASSAN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. HAGERTY), the Senator from Missouri (Mr. HAWLEY), and the Senator from Missouri (Mr. SCHMITT).

The yeas and nays resulted—yeas 66, nays 27, as follows:

[Rollcall Vote No. 173 Ex.]

YEAS—66

Baldwin	Graham	Peters
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Risch
Booker	Hirono	Romney
Brown	Hoeven	Rosen
Butler	Kaine	Rounds
Cantwell	Kelly	Sanders
Capito	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Luján	Sinema
Casey	Manchin	Smith
Cassidy	Markey	Stabenow
Collins	Marshall	Tillis
Coons	McConnell	Van Hollen
Cortez Masto	Merkley	Warner
Cramer	Moran	Warnock
Crapo	Mullin	Warren
Daines	Murkowski	Welch
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wicker
Fetterman	Ossoff	Wyden
Gillibrand	Padilla	Young

NAYS—27

Barrasso	Ernst	Paul
Blackburn	Fischer	Ricketts
Boozman	Grassley	Rubio
Braun	Hyde-Smith	Scott (FL)
Britt	Johnson	Scott (SC)
Budd	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tuberville
Cruz	Lummis	Vance

NOT VOTING—7

Hagerty	Menendez	Tester
Hassan	Schmitt	
Hawley	Shaheen	

The PRESIDING OFFICER (Ms. BUTLER). On this vote, the yeas are 66, the nays are 27.

The motion is agreed to.

RECESS

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

Thereupon, the Senate, at 12:53 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

EXECUTIVE CALENDAR—Continued

NOMINATION OF KRISSA M. LANHAM

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Krissa Lanham to the U.S. District Court for the District of Arizona.

Born in Bangkok, Thailand, Ms. Lanham received her B.A., summa cum laude, from Yale University and her J.D. from Yale Law School. She then served as a law clerk, first for Judge Robert N. Chatigny on the U.S. District Court for the District of Connecticut and then for Judge Barry G. Silverman on the U.S. Court of Appeals for the Ninth Circuit in Phoenix.

In 2009, Ms. Lanham began working as an assistant U.S. attorney in the U.S. Attorney's Office for the District of Arizona. She has served as appellate division chief since 2020, after previously serving as deputy appellate chief, human trafficking coordinator, and medical marijuana coordinator. She also serves as the Ninth Circuit representative to the Department of Justice's Appellate Chiefs Working Group.

Ms. Lanham has represented the United States in more than 500 Federal

prosecutions, and she has represented the United States and its Agencies in more than 50 civil cases. She has tried nine Federal criminal cases to verdict, including six jury trials.

The American Bar Association unanimously rated Ms. Lanham as "well qualified" to serve on the District of Arizona. She has deep ties to Arizona, and she enjoys the strong support of both of her home State Senators, Ms. SINEMA and Mr. KELLY.

At Ms. Lanham's confirmation hearing, Senator SINEMA highlighted Ms. Lanham's commitment to public service and noted how she looked forward to Ms. Lanham's continued service to the Nation as a district judge. I also look forward to Ms. Lanham's continued service, and I urge my colleagues to join me in supporting her nomination.

VOTE ON LANHAM NOMINATION

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

Mr. PETERS. 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 executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Hampshire (Ms. HASSAN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Vermont (Mr. SANDERS), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. HAGERTY), the Senator from Missouri (Mr. HAWLEY), and the Senator from Missouri (Mr. SCHMITT).

The result was announced—yeas 66, nays 26, as follows:

[Rollcall Vote No. 174 Ex.]

YEAS—66

Baldwin	Graham	Padilla
Bennet	Heinrich	Peters
Blumenthal	Hickenlooper	Reed
Booker	Hirono	Risch
Brown	Hoeven	Romney
Butler	Kaine	Rosen
Cantwell	Kelly	Rounds
Capito	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Luján	Sinema
Casey	Lummis	Smith
Cassidy	Manchin	Stabenow
Collins	Markey	Tillis
Coons	Marshall	Van Hollen
Cortez Masto	McConnell	Warner
Cramer	Merkley	Warnock
Crapo	Moran	Warren
Daines	Mullin	Welch
Duckworth	Murkowski	Whitehouse
Durbin	Murphy	Wicker
Fetterman	Murray	Wyden
Gillibrand	Ossoff	Young

NAYS—26

Barrasso	Cornyn	Hyde-Smith
Blackburn	Cotton	Johnson
Boozman	Cruz	Kennedy
Braun	Ernst	Lankford
Britt	Fischer	Lee
Budd	Grassley	Paul

Ricketts	Scott (SC)	Tuberville
Rubio	Sullivan	Vance
Scott (FL)	Thune	

NOT VOTING—8

Hagerty	Menendez	Shaheen
Hassan	Sanders	Tester
Hawley	Schmitt	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. WELCH). 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 actions.

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 executive 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. 600, Angela M. Martinez, of Arizona, to be United States District Judge for the District of Arizona.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Amy Klobuchar, Jack Reed, Tina Smith, Tammy Duckworth, Richard Blumenthal, Robert P. Casey, Jr., Catherine Cortez Masto, Margaret Wood Hassan, Peter Welch, Sheldon Whitehouse, Raphael G. Warnock, Laphonza R. Butler, Brian Schatz, Benjamin L. Cardin.

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 Angela M. Martinez, of Arizona, to be United States District Judge for the District of Arizona, 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 New Jersey (Mr. BOOKER), the Senator from New Hampshire (Ms. HASSAN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. HAGERTY) and the Senator from Missouri (Mr. HAWLEY).

The yeas and nays resulted—yeas 64, nays 29, as follows:

[Rollcall Vote No. 175 Ex.]

YEAS—64

Baldwin	Coons	Hoeven
Bennet	Cortez Masto	Kaine
Blumenthal	Cramer	Kelly
Brown	Crapo	King
Butler	Duckworth	Klobuchar
Cantwell	Durbin	Lankford
Capito	Fetterman	Luján
Cardin	Gillibrand	Manchin
Carper	Graham	Markey
Casey	Heinrich	Marshall
Cassidy	Hickenlooper	McConnell
Collins	Hirono	Merkley