

with fraud until we come up with a bigger solution and can agree on it.

We should stop as much fraud as we can today and keep working on the bigger solution to be able to get the bigger issues done.

If I can also say to my friend, he also knows this bill well. This is not about incidental actions that have happened through someone who accidentally filled out something or a State did something inappropriately. This bill is very clear. That is why it had such strong bipartisan support out of the House. This is about criminal actors. These are people who criminally engaged in large-scale fraud deliberately. It is \$191 billion out there that the inspector general under the Biden administration even identified.

I want to do as much as we can on the unemployment insurance side, but let's do things as quickly as we can to be able to stop criminal activity and be able to prosecute those individuals.

So, in knowing that, I will not modify my request.

The PRESIDING OFFICER. Objection to the modification is heard.

Is there an objection to the original request?

The Senator from Oregon.

Mr. WYDEN. Reserving the right to object, let me make sure we are clear with my friend because we do a lot of work together, and I am looking forward to continuing it.

I don't see much to object to this afternoon. We both want to be all in on the fight against fraud. Those were the first words out of my mouth: Let's go all in on fighting this horrendous fraud. That is why we worked so long in a bipartisan way, because you are not the only Republican from the committee who worked with me and it is a large bill and it deals with a big problem. And, for the life of me, I can't figure out why we aren't dealing with the big problem and not creating innocent victims—more of them.

At this point, I guess there is gridlock today, but I want to extend the olive branch again, which I have been doing from day one. I want a big bill that goes after big-time fraud in a very aggressive way. I am still baffled by why we are not out here with a whole lot of Republicans who are cosponsors of my bill, with the Senator from Idaho as the chair, and saying: This is the way we ought to be governing.

But I object.

I hope we are back.

The PRESIDING OFFICER. The objection is heard.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I look forward to working on a larger proposal in the days ahead, but that larger proposal is not going to move in the House in the next month or 2 months. In the meantime, we are going to have criminal organizations getting away with it over and over and over again. So let's move as much as we can as fast as we can, but at least, at this point, let's solve what we can today.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, just very briefly, my colleague says nothing is going to happen in the House to fight fraud. I have got to tell you that I don't see any fraud caucus out there in either the Senate or the House. There are no rallies for people who are committing outrageous fraud. I think we ought to move. We ought to move here.

We have done the hard work. We have done the heavy lifting. My colleague from Oklahoma knows what it is like when he is trying to put together a bipartisan bill. We have done that work. I think we ought to move here and then talk to our colleagues in the House. Why don't you now pick up on the hard work we have done and we will get serious about fraud.

So we are going to continue this conversation. I always wanted to work with my colleague from Oklahoma on these kinds of issues, and we are going to stay at it until we deal with big-time fraud in a big-time way, in the U.S. Senate, in a bipartisan way.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

WAIVING QUORUM CALLS

Mr. ROUNDS. Mr. President, I ask unanimous consent to waive the mandatory quorum calls with respect to the Sauer and Dhillon nominations.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

CLOTURE MOTION

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

The bill 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. 46, Dean Sauer, of Missouri, to be Solicitor General of the United States.

John Thune, Mike Crapo, Roger Marshall, Shelley Moore Capito, Tommy Tuberville, Jim Justice, James Lankford, John Barrasso, Markwayne Mullin, Tim Sheehy, Mike Rounds, Todd Young, Kevin Cramer, Ted Budd, Roger F. Wicker, Katie Boyd Britt, David McCormick.

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 Dean Sauer, of Missouri, to be Solicitor General of the United States, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Mrs. MURRAY) is necessarily absent.

The yeas and nays resulted—yeas 53, nays 46, as follows:

[Rollcall Vote No. 158 Ex.]

YEAS—53

Banks	Graham	Moreno
Barrasso	Grassley	Mullin
Blackburn	Hagerty	Murkowski
Boozman	Hawley	Paul
Britt	Hoeven	Ricketts
Budd	Husted	Risch
Capito	Hyde-Smith	Rounds
Cassidy	Johnson	Schmitt
Collins	Justice	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Sheehy
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Cruz	Marshall	Tillis
Curtis	McConnell	Tuberville
Daines	McCormick	Wicker
Ernst	Moody	Young
Fischer	Moran	

NAYS—46

Alsobrooks	Hickenlooper	Sanders
Baldwin	Hirono	Schatz
Bennet	Kaine	Schiff
Blumenthal	Kelly	Schumer
Blunt Rochester	Kim	Shaheen
Booker	King	Slotkin
Cantwell	Klobuchar	Smith
Coons	Lujan	Van Hollen
Cortez Masto	Markey	Warner
Duckworth	Merkley	Warnock
Durbin	Murphy	Warren
Fetterman	Ossoff	Welch
Gallago	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Reed	
Heinrich	Rosen	

NOT VOTING—1

Murray

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 46.

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 bill 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. 47, Harmeet Dhillon, of California, to be an Assistant Attorney General.

John Thune, Tim Scott of South Carolina, Mike Crapo, Lindsey Graham, Tim Sheehy, John Kennedy, John Barrasso, Markwayne Mullin, Roger Marshall, Rick Scott of Florida, Mike Rounds, Tommy Tuberville, Steve Daines, Bernie Moreno, Eric Schmitt, Jon A. Husted, Roger F. Wicker.

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 Harmeet Dhillon, of California, to be an Assistant Attorney General, 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. BARRASSO. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) and

the Senator from Washington (Mrs. MURRAY) are necessarily absent.

The yeas and nays resulted—yeas 52, nays 45, as follows:

[Rollcall Vote No. 159 Ex.]

YEAS—52

Banks	Graham	Moreno
Barrasso	Grassley	Mullin
Blackburn	Hagerty	Paul
Boozman	Hawley	Ricketts
Britt	Hoeben	Risch
Budd	Husted	Rounds
Capito	Hyde-Smith	Schmitt
Cassidy	Johnson	Scott (FL)
Collins	Justice	Scott (SC)
Cornyn	Kennedy	Sheehy
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Tuberville
Curtis	McConnell	Wicker
Daines	McCormick	Young
Ernst	Moody	
Fischer	Moran	

NAYS—45

Alsobrooks	Hickenlooper	Rosen
Baldwin	Hirono	Sanders
Bennet	Kaine	Schatz
Blumenthal	Kelly	Schiff
Blunt Rochester	Kim	Schumer
Booker	King	Shaheen
Cantwell	Klobuchar	Slotkin
Coons	Lujan	Smith
Cortez Masto	Markey	Van Hollen
Duckworth	Merkley	Warner
Fetterman	Murphy	Warnock
Gallego	Ossoff	Warren
Gillibrand	Padilla	Welch
Hassan	Peters	Whitehouse
Heinrich	Reed	Wyden

NOT VOTING—3

Durbin	Murkowski	Murray
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The PRESIDING OFFICER. The yeas are 52, the nays are 45, and the motion is agreed to.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Harmeet Dhillon, of California, to be an Assistant Attorney General.

The PRESIDING OFFICER. The Senator from Kentucky.

LEGISLATIVE SESSION

Mr. PAUL. Mr. President, I move to proceed to legislative session.

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

Mr. PAUL. I ask the Senate execute the order of March 26, with respect to S.J. Res. 37.

TERMINATING THE NATIONAL EMERGENCY DECLARED TO IMPOSE DUTIES ON ARTICLES IMPORTED FROM CANADA

The PRESIDING OFFICER. Under the previous order, the Committee on Finance is discharged from further consideration of S.J. Res. 37, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 37) terminating the national emergency declared to impose duties on articles imported from Canada.

The PRESIDING OFFICER. Under the previous order, there is now 6 hours of debate, equally divided, on the joint resolution.

The Senator from Kentucky.

S.J. RES. 37

Mr. PAUL. "Taxation without representation is tyranny," bellowed James Otis in the days and weeks and years leading up to the American Revolution.

This became the rallying cry of American patriots: No taxation without representation. The American Patriots thought that a distant Parliament in England where they had no representation had no right to tax them.

This was the rallying cry: "No taxation without representation."

Our Founding Fathers believed so strongly in this, they embodied it in our Constitution. Our Constitution doesn't allow any one man or woman to raise taxes. It must be the body of Congress.

Now, this wasn't new. This was part of maybe a thousand-year tradition from Magna Carta on. In Magna Carta, it is stated:

No taxation without the common counsel of the realm.

Even at that time they were chafing at one man, the King, determining the taxes for the land.

One hundred years before our Revolutionary War, in the English Civil War, there was a debate over parliamentary supremacy versus supremacy of the King. They did not want to pay taxes that weren't approved by the Parliament.

In 1683, the New York Charter on Liberties, the beginning charter for the colony of New York stated:

No taxation without representation.

And after this English Civil War, the English Bill of Rights embodied: No taxation without the consent of Parliament. This principle was long-standing. It was nonnegotiable. This was what sparked the Revolution. And, yet, today we are here before the Senate because one person in our country wishes to raise taxes.

Well, this is contrary to everything our country was founded upon. One person is not allowed to raise taxes. The Constitution forbids it.

The Constitution was so concerned with the power of taxes—which some have said the power of taxes is the power to destroy—but our Founding Fathers were so concerned with this, that they said: No, the President will not have the power to legislate. The President will not have the power to tax. Only Congress will be able to tax the people and only by originating tax bills in the House.

It was that specific. They were so mortified. They were so worried by having a monarchy. They were so worried about having all the power gravitate to the Executive, that they said: We must split the power.

They based a lot of their thinking on Montesquieu. Montesquieu wrote in the

1740s—40, 50 years before our Constitution. Montesquieu wrote that when the legislative and executive powers are united in one, there can be no liberty. This is something that our Founding Fathers took to heart. They said: We must separate the powers. We must, at all cost, limit the power of the Presidency.

This isn't about political party. I voted for and supported President Trump, but I don't support the rule of one person. We are set—the President is set—to have a 25-percent tax on goods coming from Canada and Mexico. This is a tax—plain and simple—on the American people.

But one person can't do that. Our Founding Fathers said: No, that would be illegal for one person to raise taxes. It has to come to Congress. It has to originate in the House. This has gone on for 200-and-some-odd years.

You can't simply declare an emergency and say: Well, the constitutional Republic was great, but, gosh, we have got an emergency. The times are dire.

The Supreme Court has repeatedly said: There are no exemptions for emergency.

There was no exemption for a pandemic. There was no exemption for emergencies. The taxation clause stands.

It is an important part of the Constitution: Taxes must originate in the House. They must be voted on in Congress. No one man can raise taxes on the people.

They are set to do this through a process in which an emergency has been declared. But realize this: One person declares an emergency, the President. And even if we are successful, which I think we will be successful here today—a majority will vote to say: This is wrong-headed, and the emergency should end. It would have to go to the House. But even if we were successful in the House, the President would veto it. It would take a two-thirds vote in order to stop an emergency. That is such a burden that we need to consider reforming the emergency powers and reversing this.

I think a President can have times that there are emergencies and the President can declare an emergency. But it should last 30 day, at most. At the end of 30 days, the emergency would be brought to the people's House—the House of Representatives and the Senate—and we would vote to affirm or uphold the emergency.

Right now, the pretense of this emergency is fentanyl. I don't discount fentanyl. I know families who have lost kids to fentanyl. But there is more fentanyl going from the United States into Canada than there is from Canada going into the United States.

There is no emergency. The Canadians have actually been cooperative with us and said they will try to do even more. The problem isn't in Canada.

Even if the problem is valid, even if that is something that we all agree on,