

goal of upholding the rule of law on both sides of the border. I am grateful for the President's hard work to secure our border, to keep this country safe, and to continue our trade with a key partner.

This deal is a critical step forward, and it is taking place not a moment too soon. Illegal border crossings at the southern border have reached staggering rates this past spring. Last March alone, there were more than 103,000 apprehensions, and in April there were another 109,000. In May apprehensions at points of entry reached over 144,000. That is a 32-percent increase over the month of April. We have had over 100,000 apprehensions on the border each month for 3 months in a row. Sustained numbers like these haven't been witnessed in over 12 years.

The question remains: What concrete steps are we taking as a nation to stop this?

Our Border Patrol agents, who are working as hard as they possibly can, cannot keep up with the record surge of people coming into our country without authorization. Our ability to provide the care and attention for detained individuals is at a breaking point.

As we know, this includes tens of thousands of innocent children. Acting Secretary McAleenan recently testified at a Senate Judiciary Committee where he noted that in the last 40 days alone, DHS has taken into custody 60,000 children. He also testified last month that border officials saw a record day of over 5,800 border crossings in a single 24-hour period. This comes in addition to the largest single group ever apprehended at our border—1,036 people.

Facilities along the border haven't just reached full capacity. They are overflowing. On June 10, the Department of Health and Human Services reported that they had fewer than 700 beds available to place 1,900 unaccompanied children who had already been processed by Customs and Border Protection. This is forcing HHS to place children with sponsors at higher rates than the program has experienced in its history. It also increases pressure to find space for the influx of children within CBP facilities, which were not built for this purpose in any way.

HHS desperately needs additional funding to expand its bed capacity so that they can keep pace with the increasing numbers of unaccompanied children. At this rate, HHS may not have the necessary funding to continue their care programs beyond the month of June.

The situation is clear. Congress needs to act, and we need to act right now. Chairman SHELBY recently announced that the Senate Appropriations Committee will vote soon on a \$4.5 billion package. Over \$3 billion would be directed to help resolve the humanitarian crisis by increasing the care for unaccompanied children and expanding

those shelter facilities. The remaining \$1 billion would fortify our security missions.

To the ears of the American people, this may sound like an overdue, commonsense relief effort, and that is because it is. Unfortunately, our Democratic friends have prioritized their starring role in the political theater over our country's emergency at the southern border.

Over 6 weeks ago, the administration sent an urgent plea to Congress asking for more money to secure our border and improve the conditions for tens of thousands of children. It is unacceptable that Democrats in the House and right here in the Senate are playing politics at a time when our Nation needs stability.

In the coming weeks, Senate Republicans will be waiting at the table to work toward bipartisan solutions to address the crisis at the border and provide the funding that is desperately needed. I hope that my Democratic colleagues will meet us there.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NOMINATION OF MATTHEW J. KACSMARYK

Mr. BLUMENTHAL. Madam President, sometime tomorrow, this body will consider a number of nominations for final confirmation, among them the nomination of Matthew Kacsmaryk to the U.S. District Court for the Northern District of Texas.

A Federal district judge serves a particular area of the country, but in fact, the whole country has a stake in this nomination because a judge helps to define and refine and apply the law of the United States, setting precedent that applies to the entire country. It isn't just the Northern District of Texas that has a stake in this nomination; it is the entire country. So this alarming and appalling nomination should be of particular interest to my colleagues.

It is the result of a process that, very unfortunately, has been demeaned and degraded. It is a shadow of what it once was. In the scrutiny that is given and the time that is devoted, this process is failing to assure the independence of the judiciary. Now is the time when that independence must be assured because, from this time forward, these judges will be lifetime appointees and will have no accountability to this body or to any other elected official.

In previous years, under other Republican administrations, there was an adequate time to debate; there were full and fair hearings; and nominees answered questions about their views on issues that were relevant to their service. That process has been severely

undercut—indeed, decimated now. What we have before us, again and again and again, are nominees who fail to meet the basic test of intellect and integrity and responsibility.

I look at all of the records of nominees before us and ask them questions to determine what their basic values are—whether they think particular Supreme Court precedents were correctly decided, like *Brown v. Board of Education* and *Roe v. Wade*—because it is a view into their basic commitments to constitutional principles that are deeply and ideally settled. Matthew Kacsmaryk fails that test.

If there is a principle enshrined in our Constitution that matters more than any other, it is the idea that everyone is equal before the law. No one is above the law. No one is less entitled to rights than anyone else. Everyone is equal regardless of race, gender, ethnicity and regardless of who you are, how much you own, or where you were born. Mr. Kacsmaryk seems to lack respect for this basic principle. In fact, his career is defined by active opposition to the treatment of minority groups.

In 2016, he submitted an amicus brief that supported a Virginia school board's policy that a student must use the restroom that corresponds to the student's biological gender.

Also, in 2016, he sent a letter to the Centers for Medicare and Medicaid Services and argued that the Department of Health and Human Services should not require hospitals to conduct sex reassignment surgeries for transgender individuals. He wrote in that letter that transgender people suffer from a "psychological condition, in need of care" and are "not in a category of person in need of special legal protection." He went so far as to say the experiences of transgender people are "irrational" and "delusional."

In light of these and other statements, I have received numerous letters from the parents of transgender people. They have written in fear and alarm that someone with such offensive, extreme, medically inaccurate views could be promoted to a lifetime position within the Federal judiciary—a position that will give him power over the lives of exactly these individuals who seek equality under the law.

Seventeen of our House colleagues—some of them parents and grandparents of transgender people—have written to us and expressed their concern that someone with such hostile views toward LGBTQ Americans could possibly be confirmed as a judge.

Our colleagues in the House are concerned about the decisions we are making here because they respect these individuals.

Kacsmaryk has also repeatedly made public his opposition to marriage equality and the equal treatment of same-sex couples.

He submitted an amicus brief in *Obergefell v. Hodges*, urging the Supreme Court to not extend the right of

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marriage to same-sex couples. He, thankfully, did not prevail in that view because the Court upheld the rights of same-sex couples to be married, and he continued his opposition to marriage equality by representing the owners of an Oregon bakery who refused to bake a cake for same-sex couples.

He testified in favor of legislation the Texas Observer described as a “license to discriminate” adoption bill that would permit adoption agencies to refuse to place children with same-sex couples.

Many in Congress, including myself, worked to pass the Equality Act, which would reflect the core of the Supreme Court’s ruling by adding sexual orientation and gender identity to the Federal code’s list of protected classes.

He has referred to this effort as a weaponization of Obergefell that seeks the public affirmation of the “erotic desires of liberated adults.”

Even as I recite these quotes, I can hardly believe that at this moment in our history, at this time of awareness among informed and tolerant people who believe in inclusiveness and equal justice under the law, that someone nominated to this position of paramount responsibility would have these views and articulate them in this way.

If the Equality Act were to become law and face a challenge in Judge Kacsmaryk’s court, could litigants feel comfortable or confident that they would receive a fair hearing? Is there any gay, lesbian, transgender, or non-binary person who would feel their case would receive a nonbiased treatment in his court?

I have such deep doubts, as should my colleagues, that I cannot vote for him. I will oppose his nomination, and I hope my colleagues will join me in voting no on Matthew Kacsmaryk.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

ORDER OF PROCEDURE

Mr. MCCONNELL. For the information of all Senators, at 3:30 p.m. on Wednesday, June 19, the Senate will vote on confirmation of the following nominations in the order listed, and if confirmed, the motions to reconsider shall be considered made and laid upon the table and the President be immediately notified of the Senate’s action: Executive Calendar Nos. 22, 28, 50, and 118. Under the previous order, the closure motion on the motion to proceed to S. 1790 will ripen following disposition of Executive Calendar No. 118.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to legislative session to be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO PASTOR DAVE STONE

Mr. MCCONNELL. Madam President, all of God’s children are blessed with certain gifts, and we are each called to put them to work to glorify Him. Today, it is my sincere privilege to pay tribute to my friend who has answered this call and used his considerable gifts with compassion and grace. At the end of May, Dave Stone stepped down as the senior pastor of Southeast Christian Church in Louisville, KY. I would like to take a moment to honor his years of pastoral leadership and to sincerely thank him for his care and dedication to our church family.

Elaine and I have been attending Southeast for nearly two decades, drawn by the moving preaching and the warm community. Dave has been an integral part of that spiritual life for 30 years, and there are so many of us in Louisville who have been made better by his friendship and leadership. Throughout his 13 years as senior pastor, Dave was our shepherd and used his many talents to point tens of thousands to the Lord.

When Dave first joined Southeast, his devotion to Christ and His church instantly became clear. Dave came not only with an inspirational vision, but also with a deep sense of humility. To anyone who walked into this church, he made a point to welcome them like a lifelong friend. In both the easy and the difficult times, Dave shared his sense of joy in everything he did for the church. His warmth and humor made a positive and tangible impact on me and many other members.

Dave assumed the responsibility of senior pastor after the retirement of Bob Russell, who had served the church community in leadership roles for 40 years. The next year, Southeast announced the establishment of a second location, a remarkable sign of growth and a testament to Dave’s leadership. Southeast has continued adding more campuses to the church, and now it reaches believers on TV, on the radio, and at seven locations. Through this development, Southeast has become the largest church in Kentucky and the seventh largest in the entire country.

Southeast’s impressive growth also brought more responsibilities for Dave, his team, and his family. Whatever challenge presented itself over the years, Dave’s skilled ministry helped the community thrive. Thousands of people have watched Dave preach, relied on his mentorship, and enjoyed his friendship.

Dave admitted that he hates the word “retirement,” but he also knew it was time to pass the baton. When he announced his departure, Dave expressed his deep gratitude to the church leadership, staff, and all the faithful. He once again showed himself the humble pastor who fulfilled his mission from God.

Now that he has officially stepped down as Southeast’s senior pastor, Dave is looking for his next calling. I am confident he will continue using his many gifts to draw the faithful to the Lord. He will also get to spend more time with his wife Beth, his children, and his grandchildren. Although Elaine and I will certainly miss his Christian spirit and good humor, we wish Dave and his family all the best on their next adventure.

NOMINATION OF MATTHEW J. KACSMARYK

Mrs. FEINSTEIN. Madam President, I rise today in opposition to the nomination of Matthew Kacsmaryk to the United States District Court for the Northern District of Texas.

June is the month that we recognize as Pride Month to celebrate the lesbian and gay community and to acknowledge that individuals should not be discriminated against on the basis of their sexual orientation; yet, today we are voting on a nominee, Mr. Kacsmaryk, whose career has been defined by opposition to the rights of LGBT Americans. He has argued against marriage equality and defended a company that refused to provide service to a same-sex couple, simply based on their sexual orientation.

It is disappointing that the Senate is moving forward on his nomination, and even more disappointing that the majority has scheduled this vote during Pride Month.

Mr. Kacsmaryk’s long record of opposing civil rights protections for LGBT Americans should disqualify him from service on the bench. They demonstrate that he puts his personal opinion above Supreme Court precedent.

Specifically, I want to highlight some key positions in his record.

In 2015, Mr. Kashmir made comments deeply critical of United States v. Windsor, the case that struck down the Defense of Marriage Act, or DOMA. Mr. Kacsmaryk claimed that the Obama administration, which refused to defend DOMA, had “effectively collaborated with the adversary.” Mr. Kacsmaryk’s comments make clear that he believes those fighting for the right of LGBT American, including the right to marry, are adversaries. Someone making a statement like this should quite simply not be a Federal judge.

He likewise claimed in a radio interview that efforts to achieve marriage equality were marked by “lawlessness,” adding that the Justice Department’s refusal to defend DOMA was an “abuse of rule of law principles.”