

this legislation, particularly as it pertains to the micromanagement of local elections by the Federal Government.

With regard to the bill's intent to Federalize State elections, I draw your attention to page 44, section 1004. Democrats, in sponsoring and pursuing passage of this legislation, seek to eliminate voter identification laws. Voter identification laws have a lot of merit. It is required that you be a U.S. citizen to cast a vote in the United States. American people generally have common sense, and the Gallup poll indicates that 80 percent of Americans support voter ID laws. When you explain to Americans what voter ID really is, they do support it. Yet, under this legislation, voters showing up to the polls without an ID could simply sign a statement claiming they are who they say they are. If you want to dispel the notion that voter fraud occurs in our elections, this is not the place, this is not the way to accomplish that. I don't want our laws to discourage people from voting, but I want people to be legal who do vote.

On page 166, this bill requires that ballots be counted outside a voter's precinct, removing a local government's ability to verify voter rolls. That authority would instead go to a bureaucrat in Washington.

The requirement to allow third parties, including those politically affiliated, to pick up and deliver absentee ballots, known as ballot harvesting, further erodes confidence in elections. Such a requirement is directly at odds with recommendations from a 2005 bipartisan Commission on Federal Election Reform led by former President Jimmy Carter, which recommended that States prohibit this practice due to an increased likelihood of fraud.

H.R. 1 doesn't even keep the bipartisan nature of the Federal Election Commission in place. It alters its structure deliberately to make it work on behalf of the party in power.

One last point on local elections. This bill allows for in-person voting 15 days before an election. This is the typical, the classic unfunded mandate. I talked to local election officials about this provision specifically, and it would kill their budgets, maintaining rent and staff for weeks on end in rural counties across Kansas where, realistically, you might get fewer than a handful of people to show up on a day that far before the election. There are plenty of other ways to vote in advance when necessary. This would create real-world consequences, real consequences in rural America and in rural Kansas. A one-size solution from Washington, DC, does not solve all problems and, in fact, in many instances creates more problems.

While this provision alone probably wouldn't have contributed to voter fraud, this bill does so by prohibiting officials from reviewing voter eligibility or barring local officials from removing ineligible voters from the voter rolls.

It is imperative that we restore America's faith in our elections, and that is why I am a supporter of S. 13, legislation led by our own Senator, TIM SCOTT of South Carolina, to establish a bipartisan advisory committee to make recommendations that will improve the security, integrity, and administration of Federal elections. This is a measured approach that will help us regain the trust of American voters.

H.R. 1 goes as far to the other end of the spectrum as is imaginable. It drastically changes the rules of our election, implementing every leftwing policy idea pertaining to Federal elections—ideas that are evidently so good, they must be made mandatory. If they were good, they might find their way into existence across the country because they are good, not because the Federal Government requires them.

This legislation would sow immense doubts among voters about the integrity and administration of our elections—something we further do not need. It would corrode our entire system of elections, and for what purpose? Because, simply put, I think Democrats believe passing H.R. 1 would render rural voters, red State voters, impotent and therefore help them win elections.

At a time when our country is so divided, when we should be working together, for example, to end the consequences of the COVID-19 pandemic, to get America vaccinated, and get our economy back on track, this is a very damaging policy to our Republic, and it is contained within the 800 pages of H.R. 1.

I hope my colleagues on both sides of the aisle take time to read and understand this bill and see and determine for themselves what it truly is. I am interested in making sure that all people have the opportunity to vote. All people who are legally eligible to vote, I want them to vote. But we ought to not skew our elections to see that those we want to vote are the only ones who are eligible to do so and that those who are not eligible to vote are able to do so.

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

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

NOMINATIONS OF VANITA GUPTA AND LISA MONACO

Mr. CORNYN. Madam President, yesterday, the Senate Judiciary Committee heard from the nominees for the No. 2 and No. 3 jobs at the Department of Justice.

As you know, earlier today, we confirmed the next Attorney General of the United States, Judge Merrick Garland. I supported Judge Garland's nomination because I think he is a quali-

fied, mainstream nominee with the right experience and the right temperament to lead the Department of Justice. I believe being Attorney General is probably the hardest job in the Cabinet because you have two masters. One is the rule of law, as the chief law enforcement officer for the country; the other is, you are a member of the President's Cabinet and serve at his or her pleasure, obviously, a political appointment.

Judge Garland told me, and I take him at his word, that he would work hard to keep politics out of the work of the Justice Department—a goal that folks on both sides of the aisle should support, especially after the struggles of previous administrations.

As I said, I was proud to support Judge Garland's nomination, and now we begin the process of considering other senior positions at the Department of Justice.

One of the nominees who came before the Judiciary Committee yesterday was Lisa Monaco, who has been nominated to serve as the Deputy Attorney General.

Ms. Monaco is a lifelong public servant who previously spent 15 years at the Department of Justice. She is a highly respected Federal prosecutor and national security expert. She advised President Obama and a number of other top government officials on matters like homeland security, cyber security, and counterterrorism, and her expertise extends beyond the ins and outs of matters of policy. Her knowledge of the Department of Justice as an organization will be invaluable to the Department, whose more than 100,000 employees are responsible for carrying out a diverse set of missions. It is a huge organization with a lot of moving parts.

Like Judge Garland, Ms. Monaco affirmed to me that she does not intend to inject politics or to even give it a hearing within the Department of Justice and her duties as the Deputy Attorney General.

I asked her, for example, if she would allow Mr. Durham, who has been appointed as special counsel, to investigate the Crossfire Hurricane issue from the last administration and the tail end of the Obama administration. She said she saw no reason not to give Mr. Durham a chance to complete his work. That is the same position we took on Robert Mueller, who was appointed as special counsel to investigate President Trump. Again, I take her at her word that she will not do anything to fire Mr. Durham or deprive him of the ability to complete his important work.

Ms. Monaco discussed her experience at the Department over the course of the Clinton, Bush, and Obama administrations. She really does have a lot of important, relevant experience. She talked about the unique role of the Justice Department, which, as I suggested a moment ago, functions both as an executive agency that is charged

with implementing the President's policies as well as being an independent investigator and, in some cases, a prosecutor. She described the importance of acting free from political or partisan influence as her "North Star."

While Ms. Monaco and I will surely have policy disagreements at some point, I trust her ability to fairly and impartially administer justice while operating free of personal bias or political agenda. I believe she is well qualified to serve as the Deputy Attorney General, and I plan to support her nomination.

Unfortunately, I cannot say the same for the second nominee who appeared before the Judiciary Committee yesterday. Vanita Gupta has been nominated to serve as the Associate Attorney General, which is sometimes considered to be the No. 3 position at the Department of Justice. Throughout her career, Ms. Gupta has been a clear and outspoken advocate for some pretty radical policies.

In 2012, for example, she wrote that States should decriminalize the possession of all drugs—not just marijuana but all drugs—which, I presume, would include things like fentanyl, heroin, methamphetamine, and other highly addictive and destructive drugs. In yesterday's hearing, when I asked Ms. Gupta about this statement, she took the opposite position. She didn't tell me "I used to advocate for that position and have now changed my position." She said, unequivocally, that she did not advocate for the decriminalization of all drugs. It became apparent she wanted Senators to forget what she previously wrote:

States should decriminalize simple possession of all drugs, particularly marijuana, and for small amounts of other drugs.

That is a quote from an article she wrote in 2012. Unfortunately, the list of inconsistencies does not end there.

In June of 2020, less than a year ago, Ms. Gupta argued that it ought to be easier to sue police officers in court for money damages. Now, this is sometimes called "qualified immunity," which recognizes the fact that law enforcement officers have to make split-second decisions—life-or-death decisions, actually—and that it would be unfair to them to, in retrospect, go back and flyspeck all of their decisions. In other words, it gives them some room in which to operate, recognizing the unique nature of their job. It applies to other government employees, too. Yet, in June 2020, less than a year ago, she argued that it was time to revisit this doctrine of qualified immunity—in other words, to make it easier to sue police officers for money.

This was one of the many steps that she outlined in an opinion piece in a national publication following the death of George Floyd. Nine months later, she says she does not support that position—one she supported 9 months ago. Now she says she does not support the position of making it easier to sue police officers.

And there is more.

Last summer, Ms. Gupta put her support behind the "defund the police" movement. As our country engaged in an important and long overdue debate about the police's use of force and responsible policing strategies, the Senate Judiciary Committee held a hearing on that very topic.

Ms. Gupta testified before the committee and said:

While front-end systems changes are important, it is also critical for state and local leaders to heed calls from Black Lives Matter and Movement for Black Lives activists to decrease police budgets and the scope, role, and responsibility of police in our lives.

Yesterday, Ms. Gupta did not mince words. She said she does not support defunding the police, and she said decreasing police budgets was not defunding the police. Well, at the time we were discussing this movement for defunding police, she attempted to parse her words. It is tough to reconcile the stark difference between what Ms. Gupta has said in the past and what she now says as she attempts to win support in the Senate. I am wary and, frankly, skeptical of confirmation conversions wherein people take the opposite positions when they are nominated for important, Senate-confirmed positions from the positions they have taken in the past.

I understand her interest in distancing herself from her previous positions. Decriminalizing drugs, eliminating qualified immunity—making it easier to second-guess and sue police officers for money damages—and defunding the police are radical policy positions that should disqualify someone from becoming the third-highest ranking official at the Justice Department. In order to be confirmed, Ms. Gupta knows she needs to convince us that she actually holds mainstream views on law enforcement strategies and issues. I find it hard to believe that these views, which are not from decades-old law school writings but are recent public statements—indeed, sworn testimony before the U.S. Senate Judiciary Committee—are views she no longer holds, which she said she held so recently.

I want to be clear on one point.

The opinions of Ms. Gupta's as a private citizen are not an issue. She has every right to hold opinions that differ from mine or anybody else's, but when you are the nominee for a high level—indeed, one of the highest levels—of critical law enforcement positions, these are highly problematic and, to my mind, disqualifying.

Perhaps more so than any other Federal Department or Agency, the Department of Justice must operate free from bias and political agendas. The men and women leading the Department must be able to separate their personal beliefs from the jobs before them. No matter how they feel about the wisdom of the policies enacted by Congress, their jobs are to enforce the law not as they want it to be but as it

is. People across the country should have confidence that the senior leaders at the Justice Department will follow the law as written—without fail. We can't have leaders who turn a blind eye to whatever is politically convenient when it conflicts with their personally held positions.

Based on Ms. Gupta's clear history of radical policy positions, which stands in stark contrast to the laws she would be charged with enforcing, I do not believe she can separate her convictions from the job at hand. Leaders within the Department must be able to view all matters as matters of fact and as matters of duty, not just as matters of opinion or as platforms to argue for changes in the law.

As the Senate has considered the President's nominees over the past several weeks, I have been very clear that I will not oppose nominees based simply on the President's political party. I think the President is entitled to some deference as to the people he chooses. That was the strategy of our Democratic colleagues previously, and it is incredibly damaging to both our country and its institutions. Just because a President you don't like has nominated somebody does not justify opposing that President's nominee. I will continue to evaluate all nominees of this President based on their merits and their abilities to do the jobs for which they were nominated.

I firmly believe that the American people deserve to have qualified, fair-minded individuals leading these important Departments and Agencies. For the Department of Justice, which is responsible for enforcing the law of the land and imparting fair and equal justice, that is doubly true. There is simply no room for political or partisan or ideological agendas at the Department of Justice. I am concerned that Ms. Gupta will continue to pursue those objectives from within the Department and use all of the Department's tools and the authority given to her to achieve these ideological outcomes. Therefore, I cannot support her nomination.

I yield the floor.

The PRESIDING OFFICER (Ms. SMITH). The Senator from Iowa.

#### FOREIGN AGENTS REGISTRATION ACT

Mr. GRASSLEY. Madam President, recently, the Biden administration withdrew a proposed Trump administration rule that would have required universities and K-12 schools to identify their connections with Confucius Institutes, which are very much connected to the country of China and, I would even say, to the Communist Party of China, which may be one and the same. I have asked the Biden administration about that move, but the administration has failed to respond to date. So I am here today to discuss four areas wherein the administration must be tough with China as well as with other countries.

Since April 2015, I have conducted oversight on several key aspects of foreign efforts to influence Members of