

Rick Webb has been with Watco from the beginning, and during his tenure with the company, it has grown from one facility to more than 190 locations operating in four countries. That growth is in no small part due to Rick Webb's leadership.

Rick is the kind of person you want to follow. He is the kind of person you can always take at his word. When I think about what it means to be a Kansan—a person of good character, strong integrity, authenticity—Rick is that person.

But I cannot talk about Rick's character without recognizing the person who played a tremendous role in shaping him. Kaye Lynne Webb, his mom, helped build Watco and raised a son of the highest caliber. She is an amazing woman and an integral part of the Webb family and the company.

Knowing Rick and the quality of his character, I was pleased to learn that he was inducted into the American Short Line and Regional Railroad Association's Hall of Fame on March 25, 2024.

An article in the Pittsburg Morning Sun notes that the American Short Line and Regional Railroad Association established this award in 2020 to acknowledge "visionaries and stars who through their dedication, commitment and achievement best exemplify the qualities of innovation, entrepreneurialism, perseverance and service that have advanced the short line railroad industry." Rick has met and continues to exceed this standard.

The same article highlighted the current Watco CEO Dan Smith's praise of Rick for his consistency as a leader. The article included the following description of Rick by Smith:

He's truly a great man. I would say that he's the best teammate I've ever had; he's the best coach I've ever had; he's the best friend I've had.

Throughout his time at Watco, Rick has been driven by an unrelenting desire to serve the best team possible to serve customers in the best manner. Rick has carried with him the belief that if you want to learn how to grow the top line, you listen to your customer, and if you want to learn how to grow the bottom line, you listen to your team.

Rick's business knowledge and Kansas work ethic have earned him many accolades over the years, including being named the 2010 Ernst & Young Entrepreneur of the Year in the Central Midwest Region and winning the 2022 Railroad Innovator Award from Progressive Railroading magazine.

In addition to Rick's induction into the American Short Line Hall of Fame, the American Short Line and Regional Railroad Association has honored Watco with the Veterans Engagement Award for their dedication to veteran recruitment.

I want to congratulate Rick and the entire Watco team on their successful accomplishments and achievements. It is certainly nice to have a great busi-

nessman and a great business in Kansas called Watco, but even better, it is great to have a person of Rick's caliber, his character, and his interest in the community.

Many towns the size of Pittsburg, KS, and many communities in Kansas, generally, have a set of people who are always involved in whatever good happens in the community. Rick Webb and his family have been consistent in their support for the Pittsburg and Southeast Kansas communities and for their support for Pittsburg State University.

I look forward to seeing their business continue to flourish as they fulfill the mission of serving their customers, their employees, and elevating the standard for short line railroads for Kansas, our Nation, and the world. But I especially thank him for being the kind of person he is and how much difference he makes in Pittsburg, in Kansas, in the country, and the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. I ask unanimous consent that the scheduled vote begin immediately.

The PRESIDING OFFICER. Is there objection?

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. 534, Susan M. Bazis, of Nebraska, to be United States District Judge for the District of Nebraska.

Charles E. Schumer, Richard J. Durbin, Peter Welch, Laphonza Butler, Richard Blumenthal, Alex Padilla, Tim Kaine, Christopher A. Coons, Robert P. Casey, Jr., Margaret Wood Hassan, Sheldon Whitehouse, Gary C. Peters, Catherine Cortez Masto, Jeanne Shaheen, Tammy Duckworth, Tina Smith, Chris Van Hollen.

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 Susan M. Bazis, of Nebraska, to be United States District Judge for the District of Nebraska, 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 Ohio (Mr. BROWN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from New Hampshire (Ms. HASSAN), the Senator from Maine (Mr. KING), the Senator from New Mexico (Mr. LUJÁN), the Senator from Connecticut (Mr. MURPHY), the Senator from Washington (Mrs.

MURRAY), and the Senator from Vermont (Mr. WELCH) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY), the Senator from North Dakota (Mr. CRAMER), the Senator from Iowa (Ms. ERNST), the Senator from Utah (Mr. ROMNEY), the Senator from Florida (Mr. RUBIO), and the Senator from Ohio (Mr. VANCE).

The yeas and nays resulted—yeas 68, nays 18, as follows:

[Rollcall Vote No. 115 Ex.]

#### YEAS—68

Baldwin	Heinrich	Ricketts
Barrasso	Hickenlooper	Risch
Bennet	Hirono	Rosen
Blackburn	Hyde-Smith	Rounds
Blumenthal	Johnson	Sanders
Booker	Kaine	Schatz
Butler	Kelly	Schumer
Cantwell	Kennedy	Shaheen
Capito	Klobuchar	Sinema
Cardin	Lee	Smith
Carper	Lummis	Stabenow
Casey	Manchin	Tester
Collins	Markey	Thune
Coons	McConnell	Tillis
Cornyn	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Crapo	Moran	Warnock
Duckworth	Murkowski	Warren
Durbin	Ossoff	Whitehouse
Fischer	Padilla	Wicker
Gillibrand	Paul	Wyden
Graham	Peters	Young
Grassley	Reed	

#### NAYS—18

Boozman	Daines	Mullin
Braun	Hagerty	Schmitt
Britt	Hawley	Scott (FL)
Budd	Hoeven	Scott (SC)
Cotton	Lankford	Sullivan
Cruz	Marshall	Tuberville

#### NOT VOTING—14

Brown	Hassan	Romney
Cassidy	King	Rubio
Cramer	Lujan	Vance
Ernst	Murphy	Welch
Fetterman	Murray	

The PRESIDING OFFICER (Mr. HEINRICH). On this vote, the yeas are 68, the nays are 18.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Indiana.

#### MAYORKAS IMPEACHMENT

Mr. BRAUN. Mr. President, I come to the floor this evening because we have some serious business ahead of us soon.

For Laken Riley, Ruby Garcia, and the countless Americans who have died from fentanyl, the Senate must hold a full impeachment trial for Secretary Alejandro Mayorkas. Secretary Mayorkas is breaking the law every day he releases illegal immigrants into the United States. The Department of Homeland Security is required under law to detain these immigrants. Biden and Mayorkas's catch-and-release policy releases illegal aliens into the United States without even issuing a notice to appear for immigration proceedings.

Secretary Mayorkas is the most important player in President Biden's open border agenda, but we must first remember it is the President who is calling the shots. President Biden took the actions that opened our border. On day one, he personally stopped construction of the wall. He alone signed

the Executive order to allow illegals to be counted in the census to decide how large congressional districts are. This is a direct attack on our most important democratic institution. It was President Biden who ended the “Remain in Mexico” policy, leading to millions released into our communities.

It was a criminal coward who killed Laken Riley, but it was President Biden and Secretary Mayorkas who welcomed him into the country. It was sanctuary city policies that kept him here. Laken Riley’s death was a complete failure of our government to protect our own citizens. Yet not one person has lost a job due to it.

It is no wonder President Biden’s allies want to sweep this impeachment under the rug and break the rules of the Senate by failing to hold an impeachment trial.

Every Senator must stand up for the American people and vote down the motion to kill the impeachment trial. The American people deserve to hear the truth of how President Joe Biden opened their country’s borders to the world and the American lives lost because of it.

I will be voting to hold a full impeachment trial of Secretary Alejandro Mayorkas. If a full trial does not happen, he has clearly lost the faith of the American people to protect our borders and he should resign immediately and President Biden should be held accountable by the American public this November.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. SCHMITT. Mr. President, I rise to bring attention to the matter of grave importance to the Senate. My friend and colleague from Indiana just spoke about this just a few minutes ago. We are going to be delivered Articles of Impeachment to this Chamber, which is a very important role that the Senate plays in our constitutional structure, our constitutional order. All of us are sworn in as jurors. This is a solemn act. We swear when we take our oath that we will abide by the Constitution, we will protect the Constitution. This is something we are supposed to do.

Politically speaking, Secretary Mayorkas has been a disaster. If you could have a Mount Rushmore of worst Cabinet members in the history of the United States of America, he would be on that Mount Rushmore. Legally speaking, he has undermined the laws of the United States.

But before we get there, we actually have to have a trial. In no instance in the history of this great Republic—in 240-plus years—has this body, the world’s greatest deliberative body ever, in the history of our country, dismissed or tabled Articles of Impeachment for someone who is still serving in office or alive. Let me repeat that: It has never happened.

To quote my colleague from New York who often says this: History is

watching. CHUCK SCHUMER, history is watching, because 200 years from now, God willing, in this Republic, people will be in our chairs. We don’t know their names. They will be referring back to the precedent that is set in this Chamber to go down a road we have never gone down.

Vote how you want to vote based on the evidence, your point of view. Vote how you want to vote. But the idea that we would be setting this very dangerous precedent because CHUCK SCHUMER doesn’t want it in the news cycle for a couple of days is ridiculous. For my friends on both sides of the aisle that care about this place, this is, perhaps, the most dangerous act you could inflict upon us, short of blowing up the filibuster, to say that we are not going to hear the evidence; that we are not going to vote as Senators because we are afraid of a news cycle, which, by the way, would highlight the total and utter disaster that happens at our border.

Mr. President, 9 million people have come across illegally. I rise to point out just one aspect of that that is incredibly dangerous for this country—the number of Chinese nationals that are coming here. There have been 22,233 encounters of Chinese nationals crossing illegally at the northern and southern borders so far in fiscal year 2024. There were 24,125 encounters last year. To put that scale in perspective, there were just 342 apprehensions of Chinese nationals in 1987 and fiscal year 2022. That is a dramatic increase.

They are our greatest adversary. The 21st century will be defined by who wins this great power struggle. And if you don’t think—there have been documented cases—that some of these folks are coming here to spy on us, including military installations, I have some oceanfront property in Missouri I would like to sell you.

Secretary Mayorkas, in his own memo, advocated for ignoring U.S. law. This is a big deal. Again, regardless of how you feel about how you are going to vote on this, my point of view is: There is a lot of evidence that could be presented and will be presented to show that he has purposefully undermined the sovereignty of the United States of America. That is a serious charge. The House of Representatives has voted to send that here. Let’s hear it out. Let’s do our constitutional duty. Let’s not be afraid to do our jobs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Mr. President, make no mistake about it, a vote to block the impeachment of Secretary Mayorkas is a vote to keep our borders open. It is a vote to continue the deadly track of lawlessness. It is a vote that tells Laken Riley’s family and all those who have been victims of violent and gruesome crimes at the hands of illegal aliens, as well as the over 250,000 people who have died from fentanyl poisoning—what it says is the Democrats don’t care.

Ask any American and they will tell you that every State is now a border State. We don’t feel safe in our own communities. From inner cities to suburbs and throughout rural America, we are living in the consequences of this wide-open southern border. So it should come as no surprise to my colleagues across the aisle that Americans are demanding accountability. They want to know why the cartel has more control of our border than the DHS does.

Disgracefully, this week, we will witness a complete political charade that undermines this Chamber’s responsibility and the oath we swore to protect this great Nation. Skirting justice, accountability in the very fabric of our democracy, the Senate Democratic leader has taken a historical measure to heighten the deadly border crisis his party has created and embraced.

And why, you might ask, would they do this? They are so afraid that if Americans witnessed an open trial of Secretary Mayorkas and his record was exposed, it would seal the deal on the Democratic Party losing the White House and the majority of the Senate. They are very clearly worried about the next election and not the national security threat our wide-open borders pose to the sovereignty of our Nation.

My hope here today is that America is watching. They will see the Senate Democrats line up to block the impeachment of Secretary Mayorkas and prevent his record from ever enduring a public trial.

But make no mistake about this. Come November, the good people from Montana and Ohio, from Michigan and Wisconsin, from Pennsylvania and Nevada will make their voices heard and hold their Senators accountable. These Democrats had the opportunity this week to address the border crisis and send a clear message to the White House to address our most immediate national security threat and close the border now. Unfortunately, they won’t stand up. They will not allow the American people to see the true lawlessness that has been the direct result of the abject failures of Secretary Mayorkas. Their silence will send a clear message to the thousands of families that have been torn apart by the consequences of our wide-open border. They simply don’t care.

My colleagues across the aisle don’t want answers. They want to shield Secretary Mayorkas and the White House from any accountability and spare their party from the backlash in the press when Senate Republicans outline how dire the situation at our Nation’s border is.

In orchestrating this cover-up, they are willing to undermine our Constitution and disrespect the honor and integrity of the impeachment process that has been observed and held fast by this body for over 200 years.

In our Nation’s history, the Senate has never tabled an impeachment trial. That alone should tell every American

how scared Senate Democrats are to share the true realities of the lawlessness happening right now at our borders across the United States. Secretary Mayorkas has failed his duty to protect our borders and uphold our laws.

We have 11 million reasons to hold him accountable and impeach him. That is the 11 million encounters, including nearly 2 million “got-aways” who have shown up here on our soil under Mayorkas’s watch. He is not just derelict in his duties, he is complicit in endangering the safety of every American.

Yes, we understand the Democratic majority has the votes to table this hearing. But know this: History will not be so forgiving of this decision. The American people will not forget the betrayal of this Chamber and their family’s safety. Come November, we the people will speak loudly. The people, the citizens of this great Republic, they are the true judges and the final jury.

So, please, to my colleagues across the aisle, there is still time to do the right thing: to vote in support of holding Secretary Mayorkas accountable. The American people will be watching. We must impeach Secretary Mayorkas for his failure to uphold his oath. If this Chamber skirts its responsibility, we shall hold every one of the Senators who block this impeachment trial accountable at the ballot box.

I yield the floor.

The PRESIDING OFFICER (Ms. SMITH). The Senator from North Carolina.

Mr. BUDD. Madam President, in order to be a strong Nation, we have to have strong borders. Right now, we don’t have that. We haven’t had that for 3 years. I talk with sheriffs from all over all of North Carolina—100 counties—and many of them tell me the same things over and over: Every single county is now a border county because of Joe Biden’s policies. And those policies have been implemented by his Secretary of Homeland Security, Alejandro Mayorkas. From the very beginning of his tenure at DHS, Secretary Mayorkas has intentionally undermined security at the southern border again and again and again.

I have a list right here. Now, I know I have limited time, but let’s try and run through some of the worst examples. On February 1, 2021, DHS implemented a policy requiring “alternatives to removal including, but not limited to, staying or reopening cases, alternative forms of detention, custodial detention, whether to grant temporary deferred action, or other appropriate action.” This telegraphed the Department’s complete unwillingness to enforce the law and to detain illegal aliens.

On March 20, 2021, the Mayorkas DHS began issuing illegal border crossers a Notice to Report to U.S. Immigration and Customs Enforcement, as opposed to the standard notice to appear. The

notice to report policy allows illegal aliens to simply be released into the United States, and it relies on them to self-report to ICE at a later date. Now, this, ladies and gentlemen, marked the return of catch-and-release.

On July of 2021, the Mayorkas DHS released at least 50,000 aliens without giving them a notice to appear at all. They were advised to self-report to ICE on their own. To the shock of no one, 87 percent of them didn’t even report.

On August 17, 2021, the Mayorkas DHS announced an expansion of alternatives to detention. It announced the expansion of taxpayer-funded services to illegal aliens in removal proceedings. This further supercharged the policy of catch-and-release.

On August 31, 2021, the Biden administration disclosed that they released over 100,000 aliens into the United States without giving them a notice to appear.

Again, they were asked to self-report to ICE on their own. Nearly half of them didn’t check in with ICE within the 60-day deadline. On September 30, 2021, Secretary Mayorkas issued a memo stating that “the fact an individual is a removable [alien] should [not be the sole] basis of an enforcement action.”

This is willful misuse of prosecutorial discretion, and it effectively gave deportable aliens a path to stay in the United States.

On October 8, 2021, the Mayorkas DHS canceled another large group of border wall contracts related to the Laredo and Rio Grande Valley border sectors.

On October 27, 2021, Secretary Mayorkas issued another memo prohibiting enforcement of immigration laws in the following areas—now listen to these: schools, healthcare facilities, recreational areas, social service facilities, ceremonial locations, as well as at demonstrations and at political rallies.

On October 29, 2021, Secretary Mayorkas formally terminated the “Remain in Mexico” policy, inviting illegal aliens to America’s doorstep.

I could go on, but the bottom line is that this is nothing short of a dereliction of duty on the part of Secretary Mayorkas. He must be held accountable, and that is why he was the second Cabinet Secretary in American history ever to be impeached by the House of Representatives.

The U.S. Senate has a constitutional duty to take these charges seriously and to conduct a full trial on the merits. To do anything less would be an insult to the victims of these open-border policies.

We can’t wait. Too many people are suffering. Too many people are dying. We must say enough.

This administration must face accountability for causing the worst border crisis in American history. Now is the time to act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Madam President, a lot of history has unfolded in this room. The U.S. Senate has been home to some of the most formative debates in our Nation’s tenure. These are fierce arguments among passionate, intelligent people. It is not all that different from the debates today.

The Senate has always welcomed these sometimes intense disagreements by respecting the rules and the traditions of the institution. It is how a Senator like me, who is a Member of the minority party, can stand here and speak freely about the issues that matter to the American people and to the people of Louisiana.

Now, my Democratic colleagues in the Senate, today, may be about to make some new history in this room. Apparently, they think it is a brave new world, and they want to set a dangerous new precedent. For the very first time, Senate Democrats are seeking to table—maybe even dismiss—an impeachment of a sitting Cabinet official without even holding a trial. They are summoning spirits they won’t be able to control.

Please, my colleagues, don’t do it.

I fear though that Senate Democrats are going to try to take the Articles of Impeachment that our colleagues in the U.S. House of Representatives thoughtfully crafted and passed with a majority vote and toss them into the trash without hearing from either side.

They don’t want to let the House impeachment managers make their case. They don’t want to let Secretary Mayorkas make his case. They just want to ignore the House’s evidence, summarily sweep it under the rug, and move on. And that is wrong.

The Senate has never in its history tabled an impeachment—never. In the more than 200 years that this body has existed, the House of Representatives has impeached an official 21 times, and we have never once tabled the impeachment—not once.

Now, Senator SCHUMER may also try to dismiss these charges instead of tabling them, but that has never been done before, either. If the Senate dismisses these charges without a trial, it will be the first time in the Senate’s long history that it has dismissed impeachment charges against an official it has jurisdiction over without that official first resigning. And that is a fact.

I want you to consider this: The U.S. House of Representatives has voted to impeach an official 21 times—only 21 times—in our long history. The U.S. Senate has only dismissed 3 of those cases—3 out of 21.

Now, why did they dismiss them? In two of those cases, the impeached official chose to resign instead of facing a trial. As a result, the Senate dismissed the charges. In this case, Secretary Mayorkas has not resigned. In one of those dismissed cases, the impeached official was a U.S. Senator, and the Senate concluded that the Constitution did not give it jurisdiction to remove a

U.S. Senator through the impeachment process.

Here, everyone agrees that the Constitution gives Congress the power to impeach and remove a sitting Cabinet Secretary.

Now, listen to me carefully on this. The U.S. Senate has the right and the responsibility to hold this trial. Yet Senate Democrats want to ignore our Chamber's history and forfeit our constitutional authority by tabling or dismissing these charges without even considering the evidence—without even considering the evidence.

Americans need to hear what I am about to say, even if my Democratic colleagues won't listen. Let me say it again: A majority of the duly elected Members of the U.S. House of Representatives, who represent all of the communities across America, spent months investigating the allegations against Secretary Mayorkas. They spent months drafting the Articles of Impeachment, and a majority of the House then voted yes to bring two very serious charges.

The Senate Democrats are now treating those charges—those Articles of Impeachment—like spam that landed in their inbox.

Americans, however, are not nearly so sanguine about the border crisis that has brought death, drugs, violence, chaos, criminals, and mayhem into their neighborhoods. The Biden administration's border crisis is as unprecedented as the majority leader's move to bury the evidence of who could be to blame here.

I, for one, want to hear the House's evidence, and so do the American people. The majority leader's move is unprecedented. It is undemocratic. And I am confident that my Democratic colleagues, if they do this—please, don't—but if they do it, will regret this new precedent when they find themselves in the minority, just as they regretted breaking the Senate precedent for confirming judicial nominees.

You see, Republicans do not like to break precedent when we are in the majority. We respect the traditions of this Chamber because we respect the voters who sent all 100 of us here.

If my Democratic colleagues set a new precedent that tramples the rights of the minority party and silences the voices of the Americans who elected them—if they do that—Senate Democrats will have to own that decision and bear its consequences.

Now, I have listened to the loon wing of the Democratic Party spend the better part of the past decade making passionate speeches about how important it is to protect democracy, to uphold the rule of law, and they are right. President Biden even ran his campaign on the idea of “restoring our norms,” as he called it, and “defending democracy.” Apparently though, the rules of the loon wing were of the “for thee and not for me” variety. Whenever protecting democracy and upholding the rule of law becomes politically chal-

lenging, the loon wing has been happy to ignore the rule of law and the will of the people. Isn't that special?

Their political expedience is in full view today, but it is not the first time that their cynicism has reared its ugly Democratic head.

I am sure, Madam President, you will remember. I will give you just two examples. The loon wing spent several years promoting a conspiracy that the Trump campaign was an arm of the Kremlin, despite no objective evidence to tie President Trump to Russia. Democrats and several members of the national security community rushed to dismiss any information found on Mr. Hunter Biden's laptop as “Russian misinformation,” despite not having any objective evidence, as we now know, to make that claim. And those are just two of many examples that I could give.

Secretary Mayorkas' impeachment may be the best example of this hypocrisy to date. The same Senate Democrats who have shouted for years about defending democracy and upholding the rule of law seem ready to disregard serious impeachment charges without so much as a second glance. These Senators, if they do that, won't just be silencing the House of Representatives. They will be silencing the American people—the American people who want their border's security back.

You can pick any poll—any one you want—and you will find President Biden's approval rating on the issue of immigration and border security is on a journey to the center of the Earth. A recent Associated Press poll, for example, found that more than two-thirds of Americans—69 percent of Americans—disapprove of how the Biden administration is handling border security.

I can't imagine that these same Americans would approve of Democrats' refusal to even hear the evidence that Americans see play out in their communities every day.

This poll is only surprising if you peaked in high school. Under President Biden and Secretary Mayorkas, the southern border has become an open, bleeding wound. It has become a cesspool of misery. Drug trafficking, human trafficking, sexual abuse of women, sexual abuse of children, drowning, dehydration, widespread illnesses, death—all have become commonplace.

In total, the Border Patrol has encountered illegal immigrants at the southern border more than 9 million times since President Biden took office. That is four Nebraskas. The Biden administration has failed to remove 99 percent of foreign nationals that it has released into this country.

The backlog of immigrant court cases has doubled under the Biden administration's watch. These foreign nationals have overwhelmed American cities. Instead of investing in American citizens, cities throughout the country are raising taxes. They are cutting programs to fund prepaid debit cards for migrants.

America's children have to stay home from school because Democratic officials turned their classrooms into housing units. Democratic leaders in New York City, Chicago, Denver, Houston, and Los Angeles have begged the Biden administration to do something to curb the flow of unvetted people into their cities.

Of course, it is not just people flowing illegally over that border; cartels have flooded the United States with poisonous fentanyl over that border, too. Customs and Border Protection seized nearly 53,000 pounds of fentanyl from 2021 to 2023—not 53,000 grams, 53,000 pounds. That is enough to kill the entire population of our planet. This poison actually did kill more than 70,000 Americans in 2022. It is now the leading cause of death among Americans 18 to 40.

The Biden administration's border policies bring Americans nothing but suffering. If you hate America, however, the Biden border strategy has been a blessing. Cartels' smuggling operations saw revenues increase from \$500 million in 2012 to \$12 billion—that is “b” as in “billion”—in 2022.

The policies that President Biden and Secretary Mayorkas have implemented are directly responsible for this disaster at our southern border. At every turn, the Biden administration has ignored the laws of this land and this Congress and the will of the American people to facilitate their own broken border security policies.

The House has detailed several examples in their Articles of Impeachment, and we ought to hear their evidence.

To start, the law requires that all foreign nationals who are not clearly admissible must be “retained for a removal proceeding.” Instead, Secretary Mayorkas established a catch-and-release—catch, release, repeat—a catch-and-release scheme that incentivized illegal immigrants to flood our country.

The law also requires that law enforcement take an illegal immigrant who commits a crime or has ties to terrorism or both into Federal custody. That is the law. Yet Secretary Mayorkas told his Department not to follow that law regarding the “mandatory arrest and detention” of criminal aliens.

Our law also says that law enforcement must detain illegal immigrants. Instead, Secretary Mayorkas has paroled them wholesale by the thousands into our country, where they could catch a bus or a plane to any unsuspecting community they desire. Not only that, Secretary Mayorkas even gave them the money to do it.

Secretary Mayorkas killed the “Remain in Mexico” program. He quashed contracts to build a border wall. He ended the safe third country agreements that allowed America to work with other countries to find protection for migrants in need.

By tabling or dismissing the Articles of Impeachment without so much as a

trial, my Senate Democratic colleagues will be endorsing the Biden administration's lawless approach to the southern border. They will be setting a precedent that the next administration can ignore the laws of Congress and the will of the American people too.

Impeachment matters. It is an important check we have on the executive branch, and we have an obligation to take it seriously. We have an obligation to give any charges brought the full trial they deserve.

I am going to have a resolution, if I am allowed to present it, that will give the procedures we need to conduct this trial fairly and efficiently. I will be bringing that at the appropriate time. It will be efficient. It will be fair. It will be honest. It won't uproot the longstanding precedent we have given to Articles of Impeachment in the past.

If the majority leader and my Democratic colleagues table or dismiss these charges and destroy Senate precedent—precedent that we have established to conduct full and fair impeachment trials—they will regret it. They will regret it. Senate Democrats, if they do that, will show the world that their proclamations about rule of law and protecting democracy are just tools of their own political experience and arrogance. Senate Democrats will let the American people know that they endorse the lawlessness and the misery the Biden administration's broken border has brought to this country.

I don't think Americans' future should be beholden to the politics of the moment, and that is why I want the Senate to do its job and hear this evidence.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Madam President, I want to make one thing clear to my Democrat colleagues: Your attempt to brush Secretary Mayorkas's impeachment trial under the rug is disgusting and unacceptable. It is truly unprecedented, violates Senate rules, and is possibly unconstitutional.

The House of Representatives adopted two Articles of Impeachment against Secretary Mayorkas. Let me quote for you:

Throughout his tenure as Secretary of Homeland Security, Alejandro N. Mayorkas has repeatedly violated laws enacted by Congress regarding immigration and border security. In large part because of his unlawful conduct, millions of aliens have illegally entered the United States on an annual basis with many unlawfully remaining in the United States.

Alejandro N. Mayorkas has knowingly made false statements, and knowingly obstructed lawful oversight of the Department of Homeland Security, principally to obfuscate the result of his willful and systemic refusal to comply with the law.

Now, it is the constitutional duty of the U.S. Senate to conduct an impeachment trial to determine if Secretary Mayorkas should be removed from office based on those Articles of Impeachment.

I want to stress this again: Never in the history of the U.S. Senate has such a procedural move been attempted to completely avoid an impeachment trial.

Senate Democrats' efforts to avoid fulfilling their constitutional duty to conduct this trial are just the latest attack by the left against our democratic process and institution. Senate Democrats want to eliminate the filibuster. They want to radically change the U.S. Supreme Court. Now they want to trash the impeachment process. This is a disturbing series of direct attacks on our democratic institutions.

My colleagues and I have called on Senate leadership to conduct a trial. I have also personally called on Vice President KAMALA HARRIS, urging her to fulfill her constitutional duty to serve as the presiding officer of Secretary Mayorkas's trial. Her appointment as President Biden's border czar only makes her role in the Mayorkas impeachment trial more critical.

President Biden and his administration have created a crisis at our southern border. Secretary Mayorkas—a complete puppet for this lawless administration—has the audacity to come falsely testify before Senate and House committees that the border is secure. Not just once but multiple times Mayorkas has lied under oath in committee that our border is secure. He is lying to the American public. He is not taking the action needed to defend the homeland by securing the border or upholding the law. That is his job, and he is simply not doing it.

Our Nation is reeling from the consequences of Mayorkas's failures. Our Nation is a more dangerous place because of Secretary Mayorkas's failures. He is allowing criminals, drugs, terrorists, and others into our communities. These are real consequences, and each victim has a name. Real Americans here to live their dream are being killed. Real American families are being torn apart by vicious crimes and deadly drugs because we have a wide-open border. Biden and Mayorkas refuse to enforce Federal law to secure the border, and innocent Americans like Laken Riley are paying the ultimate price for his failures.

Ten million people—ten million people—have illegally crossed, and 6 million have been let into our country. There have been sexual assaults and murders committed by illegal aliens all across the country—even Florida, where a young man was recently killed. The man charged for his death is an illegal alien.

I don't get it. I do not understand why my Democrat colleagues don't care. They don't care about 70,000 people dying of fentanyl overdose. They don't care about vicious crimes. They don't care about terrorists being let go in our country. Senate Democrats are saying they simply do not care.

They are using every power they have to ignore this crisis, while innocent Americans die, and keep Congress

from holding Mayorkas accountable. The proof is not just in this disgraceful effort to dismiss the impeachment trial. Let's remember what Democrats voted against. Democrats voted against a bill to stop illegal aliens from getting on a commercial flight with no verifiable ID. Think about that. You have to have an ID; they don't. Democrats voted against deporting illegal aliens who hurt police, the people who are here to take care of us. Democrats voted against the Laken Riley Act, which simply requires—it is a simple act—simply requires ICE to take illegal aliens who commit crimes into custody before tragedy strikes.

Does Biden hope that millions of immigrants will vote for him? Many in his party want to allow illegal immigrants to vote. They even voted to allow the census to keep counting illegal aliens. It is because they want sanctuary cities and States to have more electoral votes and representation in Congress—not from Americans but from illegal aliens. That is the future the Democrats want.

Biden has intentionally dismantled every ounce of border security Trump put in place and completely undermined our immigration system, and Mayorkas has done absolutely nothing to stop it.

Mayorkas has clearly been derelict in his duties. He has neglected to protect the homeland—his job. He has allowed criminals to come into our country, into each and all of our communities, drugs to flow into our country. When I talk to Floridians, they are terrified. They are concerned about their family's safety because of who and what are coming across the southern border and into each and all of our communities.

Mayorkas may simply be a puppet for the administration, but he is fully responsible for his negligence and failure to do his job. Mayorkas needs to either resign or needs to have the full and thorough trial that we are constitutionally obligated to conduct, as the American people, through their representatives, voted for.

We must have an administration and DHS Secretary who is willing to secure the border, not ignore failure that is killing our citizens.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, an invasion is taking place on American soil. Over 8 million people have crossed our border illegally since Mayorkas became Secretary, and the numbers just keep rising. They are not going away. This unprecedented, lawless influx includes gang members. It includes drug traffickers and dangerous individuals from every country in the world, including many thousands of military-age males from China. What could go wrong? In December alone, the Department of Homeland Security reported 302,000 encounters—in 1 month. This is the highest month ever on record.

To be clear, Secretary Mayorkas has the tools to stop the invasion today. He could do it right now if he wanted to. It is almost turnkey. It is abracadabra. If he decided to do it, we could have a secure border, and we would. Not only does he have the tools, but he has an obligation and a responsibility, an affirmative duty under the laws of the United States—laws that he agreed he would faithfully enforce.

Let me say that again just to be very clear. Just by enforcing the laws currently on the books, he could bring our state of utter lawlessness on the border to a state of order.

Secretary Mayorkas could bring a complete stop to the crisis. He doesn't need legislative action from Congress. This isn't a policy disagreement. No, it is a blatant defiance of the laws that are already on the books and have been for years.

So to my colleagues: If you are so confident that the charges against Secretary Mayorkas are baseless, then why not hold a trial? Why try to just sweep this under the rug? You realize, don't you, that when you do that, all that does is just make you look more conscious of what is going on, of what is being done that is so very, very wrong—especially where, as here, it is such a departure from nearly two and a half centuries of this institution operating faithfully as a Court of Impeachment, nearly two and a half centuries in which we have had 21 Articles of Impeachment destined for the Senate; at least 20 of those arrived. In 18 of those total of 21 cases during the Senate's existence, 18 of those 21 culminated in a trial resulting in a verdict of guilty or not guilty. Those other three involved cases that were rendered moot in between the time the House of Representatives adopted the Articles of Impeachment and the time they were presented over here. They were rendered moot because of the death or departure—a new vacancy in the office that had been occupied by the impeached official.

So this isn't just an ordinary act of sweeping it under the rug. It is an act of sweeping it under the rug under the circumstances where sweeping it under the rug was never an option. It never has been. We haven't done it.

This isn't just some invisible "Casper the Friendly Ghost" coming in to get rid of it. They are actively doing it, and they are doing it under the full view of the American people.

The American people should be really upset by this, because Article I of the Constitution gives the House of Representatives the power to impeach and the Senate the power to try all impeachments.

Remember, the Senate has only three states of being—exactly three states of being: the legislative calendar, where we do a lot of our work, where we consider law; Executive Calendar, where we do things like confirm Presidential nominees and consider treaties for ratification; and the third state of being for the Senate is as a Court of Im-

peachment. We are always in one of those three states of being, and yet we have never operated in that third state of being unless the case has been rendered moot where the Senate doesn't hold a trial, as it is required to do under the Constitution, culminating in a verdict of guilty or not guilty.

Now, if you trust that Secretary Mayorkas didn't authorize millions of individuals to enter illegally into our country for swift and precursory release, then let's hold a trial.

If you are certain that Secretary Mayorkas hasn't increased the pull factors incentivizing parents across the globe to send 430,000 unaccompanied children illegally into the United States, in many cases to have them end up in the hands of traffickers—drug traffickers and human sex traffickers and otherwise—then let's hold a trial.

If you are confident that Secretary Mayorkas hasn't created at least 13 illegal immigration parole programs designed to increase the flow of people into this country by the hundreds of thousands, then let's hold a trial.

If you are so sure that Secretary Mayorkas—under Secretary Mayorkas' leadership, Customs and Border Protection hasn't dramatically decreased its vetting process for allowing Chinese immigrants to cross our border, including military-aged Chinese males, then let's hold a trial.

If you believe that we haven't seen a dramatic increase in the known terrorist encounters at our border, then let's hold a trial.

If you are confident that Secretary Mayorkas hasn't allowed enough fentanyl to flow across the southern border to kill every man, woman, and child in this country, then let's hold a freaking trial.

These are not victimless crimes.

The tragic case of Laken Riley, a life cut short by an illegal alien, one of the millions whom Secretary Mayorkas has recklessly, intentionally, deliberately, and maliciously allowed to enter our country unchecked, unvetted, is a reminder of the human cost of this abdication of duty. Laken isn't alone. Her case represents hundreds of thousands of families across this Nation whose lives have been upended by the invasion that our leaders allowed to happen.

Think about that for a minute. They allowed it to happen not by negligence, oversight, carelessness, inattentiveness. No, no, no. They encouraged it to happen.

Should Secretary Mayorkas be found guilty, these are crimes of the highest order. This sort of thing doesn't happen very often in this country—the sort of thing that I hope we will never have to experience again; the sort of thing that otherwise would result in a Toby Keith song, may he rest in peace; the sort of thing that unites Americans in surprising ways. The American people understand something is terribly wrong, and they expect us to act.

In all previous impeachments sent to the Senate, we held a trial, save those

rare circumstances where the case was rendered moot by death or vacancy of the office—not facts present here. We held a trial, and that trial culminated, in each and every instance, in a verdict of guilty or not guilty.

But the majority leader CHUCK SCHUMER now seems to want to take the radical step, the unprecedented step, the lawless step, the counter- and anti-constitutional step of trying to table these Articles of Impeachment without even letting us examine the evidence.

This begs the question: What would he do—what would he do—if he were confident, if the majority leader were confident that Secretary Mayorkas had acted lawfully, honorably, in this office?

What would he do if he were confident the American people wouldn't turn on his party because of this act of lawlessness, this interminable succession of absurdities imposed by the myopic logic of their own border non-enforcement strategy? This is exactly what it looks like when someone is aware that there is a problem and wants to sweep the problem under the rug.

There is no rug here. You can't hide this. There is no rug big enough to accommodate that. And shame on us if we play into that strategy.

To colleagues on my side of the aisle and on the other, I implore you. I know many of us are institutionalists. Whether you are a Democrat or a Republican, no matter how far to the left-wing or rightwing or somewhere in between you are, I appeal to your sense that we have an obligation to take seriously our oath to the Constitution. We have an obligation that must be honored to look out for the institutional interests of the Senate and the role that it plays in the sacred order created by the U.S. Constitution.

When the Articles of Impeachment arrive, we have a job to do. The Constitution and our rules and our precedents make that abundantly clear. To ignore the evidence before us is to betray the trust of those who sent us here.

There is no doubt, at this point, that the invasion at the southern border has inflicted indescribable, incalculable, intolerable pain and suffering on the part of the American people. We are obligated to figure out who is responsible and hold them accountable, beginning with Secretary Mayorkas. I urge each of my colleagues to oppose this shameless effort to sidestep our constitutional duty and, by so doing, subvert the constitutional order.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session and