

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. SCHATZ. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR MONDAY, MAY 20, 2024

Mr. SCHATZ. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 3 p.m., Monday, May 20; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Lanham nomination; further, that if any nominations are confirmed during Monday's session, the motions to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's actions.

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

#### ORDER FOR ADJOURNMENT

Mr. SCHATZ. If there is no further business to come before the Senate, I ask that it stand adjourned under the previous order following the remarks of Senator LANKFORD.

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

The PRESIDING OFFICER. The senior Senator from Oklahoma.

#### BORDER ACT

Mr. LANKFORD. Mr. President, can I just recap for this body. Starting in last October, a group of us sat down to have a serious conversation about the border.

We had a Democrat Senator from Connecticut, CHRIS MURPHY; we had an Independent Senator, KYRSTEN SINEMA, from Arizona; and a conservative Senator from Oklahoma.

We all understood the problem is serious, and there are very real threats to our national security, our economy. It was spiraling out of control on the border.

October was the highest month ever in the history of our country. November was the highest number ever in the history of our country. December was the highest number ever in the history

of our country, with the largest day of illegal crossings in the history of our country, in December, of 12,000 people in a single day. Things were spiraling out of control at the border, and they continued.

So we sat down in a serious conversation and said we had differences of how to be able to resolve this, but we all want to be able to fix this. So we spent months trying to be able to hammer out a resolution.

It was a serious dialogue that we hoped to be able to get to a conclusion, but we failed to do that. We created a bill that, I felt like, was a great bill with common ground in it. It didn't have everything that I wanted in it, but it did have the essentials in it to be able to change the way we do asylum, to be able to change the processing. It literally took it from the very first person that crossed the border each day would be detained, quickly screened, and then deported—the very first person.

If we had a caravan of up to 5,000 people across the day, we can't control that; so in that situation, instead of detaining, quickly screening, and deporting, we would just detain and deport, because there was no time to do the screening. We weren't going to release people in; we were going to turn people around.

It changed the structure dramatically from what was happening on the border. I felt like this was a good bill to be able to move forward, and I moved in good faith to be able to get that done.

But it is also well-known here that I had disagreements, some within my own party—the majority within my own party—that said this is not the time to be able to resolve this. It is what it is.

It is the political nature of what is going on right now. I understand that. But the problem is still unresolved.

Yesterday, we had 5,500 people that illegally crossed the border yesterday—yesterday.

Last month, we had 174,000 people that illegally crossed our border last month. That would have been the highest month ever—in fact, it would have been the highest month in the past 20 years if it wasn't for the last 3 years under the Biden administration. It would have been higher than any month under President Obama, under President Bush, under President Trump. It would have been higher than any of those months, but it doesn't beat even the records that were even set in the previous months before under the Biden administration because of their dramatic change in policy.

That 1.5 million people now illegally cross the border this fiscal year—1.5 million people. And they continue to be able to come across our border with almost no restraint.

I have said for a long time, this is a serious issue that we need to address. My own party has said this was not the time to be able to do that.

Now I am hearing rumors that next week, the folks I was sitting down with to be able to have serious dialogue to fix it may bring bills back up again and to say: Let's do a political thing on the other side of the aisle.

Listen, if we are going to solve the border issues, it is not going to be by doing competing messaging bills. If we are going to solve this, let's sit down like adults and let's figure out how we are going to actually resolve this together.

If there is a messaging bill that comes back—even the bill that I helped negotiate—next week just to bring it up again to try to be able to poke Republicans in the eye for some sort of messaging piece, why are we doing this? All the American people see it.

Everybody sees this is political, but everyone in the country also sees: Why don't you guys and ladies fix this instead? Why don't you actually resolve it?

There are a couple of quotes that have come out lately. My Democratic colleagues have put out a memo, and this was the memo, saying:

TOM SVOZZI flipped the script on his Republican opponent, successfully painting her as unserious about border security because of her opposition to the bipartisan border bill, and turned what could have been a devastating political liability into an advantage. Democrats should learn a lesson from NY-03. Quite simply, we risk losing the 2024 election if we do not seize this opportunity to go on offense on the issue of the border and turn the tables on Republicans on a key fall voting issue.

Senator SCHUMER put out a statement or he made this statement saying:

It's a win if Republicans abandon us at the last minute, because if Democrats could put together a tough, bipartisan border bill on border, it would not take border away as an issue for the Republicans, but it would at least give us a 50-50 chance to combat it.

Listen, I understand the politics of the moment. I do. We are in a Presidential election year. Everybody in America is watching what is happening on the border and saying something needs to be fixed. And it is easy for Republicans to look at the White House and to say there are 94 executive orders that the White House has proactively done that changed how the border was enforced under President Trump and under President Obama. OK? A high number—a high number—under President Obama was 2,000 people in a day. Yesterday, we had 5,500 people.

If President Biden would just enforce the border the same way President Obama did, much less the same way President Trump did, the border would be very different. Everybody sees that.

Everybody also sees that we need a change in the way we do asylum policy. That is a change that has to be done in Congress. That is a vote that we would have to be able to take.

So instead of us pointing at each other and doing political stunts, let's solve this. Let's actually sit down and figure out how we are going to resolve

it. We can't do everything. The bill that I worked with Senator MURPHY and Senator SINEMA on, we are not going to be able to pass. So let's find the sections on it that we can pass.

The worst case scenario is doing nothing. That is what we are currently doing.

Now, the House of Representatives passed a bill yesterday saying that if someone who is not legally present here in the country attacks a law enforcement officer, whether that is State, local, county, Federal, Tribal, or whoever it may be, if they attack a law enforcement officer, they are going to be deported.

Well, it bipartisan passed over in the House yesterday. Is that coming here to the Senate? Probably not. It probably won't be taken up. But in a bipartisan way, it passed the House yesterday.

We have had two different votes of the House bill that passed called H.R. 2 that was a very comprehensive bill dealing with all areas of border security. It passed the House. It came to the Senate. It has had two votes, and it has failed both times. So Republicans can now say: Democrats didn't take our bill.

And Democrats, it looks like, are going to bring things up and say: Well, Republicans wouldn't take the bipartisan bill.

And we would point at each other, and we are still in the same spot.

Listen, the American people expect us to actually solve this, not just do politics on it.

So here is my counsel: Stop doing all the political games. Let's stop bringing up the messaging bills. This is a national emergency.

Of the 5,500 people who crossed the border yesterday illegally—I haven't seen the number yet, but I would tell you, in all likelihood, if it is tracking similar to other days—several dozen of those folks were designated by the Department of Homeland Security—this Department of Homeland Security—as special interest aliens; that is, they are coming from areas of known terrorism. They were designated at the border as a potential national security risk, and then they were released into the country awaiting a hearing. And by this afternoon, we will have no idea where they are. That happens every day now, because there is a large percentage of the people who are crossing the border every day now who are not from the Western Hemisphere.

They are from West Africa. They are from all the "stan" countries. They are from Pakistan. They are from India. They are from China. They are from Russia. They are from areas where we know there are active terrorist cells, but we just don't know this person. They are not on our list. But we do know that clan that they are from and that there are people from that clan in their particular tribe or their particular location that have been an issue. But because we don't have derogatory information, they are being released every day.

This has been the bell I have been ringing for months now. The immigration issue is not the same as what it was 2 years ago. There has been a huge shift in who is crossing the border, and we are not taking this seriously. This is a national security risk, and we need to be attentive to who is crossing our border every single day and take that seriously.

This body knows full well I am not anti-immigration. We are a nation that has welcomed people in from all over the world, and we should continue to do that. We have a million people a year who legally become citizens of our country. But in the last 6 months, we have had 1½ million people illegally—illegally—cross into our country.

That million that came in that became citizens of our country, they were vetted. They went through the process. They are being welcomed and integrated.

That million and a half other folks who crossed illegally, we have no idea. Some are coming to join family. Some are coming to be able to find a job. But some are, no doubt, also coming for nefarious purposes, and we can't tell the difference.

So my counsel to us is: Let's take this as serious as it actually is. Press conferences take one person; passing law takes 60. That means we have to sit down together to be able to talk this through. We have to be able to figure out how we are going to actually get something done and at least make some progress.

What is DHS currently doing? Well, DHS has just announced they are doing a rebranding of Homeland Security Investigations, or HSI. They are HSI-ICE. Well, they are going to rebrand them and take away the "ICE" designation. So we are going to have a new logo and a new something else, and we are expecting a whole new listing of what they are actually going to do.

At the same time, they are saying: We don't have enough money to be able to get more Border Patrol, to be able to detain more people, to be able to deport more people. We are spending millions of dollars. We haven't seen the amount yet, but we are spending millions of dollars on rebranding HSI.

We should take this moment as serious as it actually is. In the past 3 years, the price of groceries has gone up 20 percent. The price of gasoline has gone up 55 percent. But the price of fentanyl has gone down on the streets. We should take this moment as serious as it is.

We have more drugs coming across our border, based on the porous nature of what is going on. Where migrants will come in, Border Patrol will engage with them for humanitarian purposes, and then the cartels will smuggle drugs 2 miles upriver or through the desert when they know that no one is watching that area. So we have a dramatic increase in fentanyl coming into our country, directly connected to 5,500 people who illegally crossed yesterday, and 174,000 people last month, and 1.5 million in the last 6 months.

What are we going to do about that? I hope not just talk about it. I hope not just do political messaging. I hope not just saying: We will bring up this bill to fail, that we all know is going to fail.

I hope it is actually to sit down together and say: Let's do the work to actually resolve this issue.

That is what people sent us to do.

I fully understand it is hard. I have personally experienced it. But we were sent here to do hard things. So we should probably start doing them. Let's get this solved.

I yield the floor.

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ADJOURNMENT UNTIL MONDAY,  
MAY 20, 2024, AT 3 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 3 p.m. on Monday.

Thereupon, the Senate, at 3:51 p.m., adjourned until Monday, May 20, 2024, at 3 p.m.

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#### CONFIRMATION

Executive nomination confirmed by the Senate May 16, 2024:

#### THE JUDICIARY

CAMELA C. THEELER, OF SOUTH DAKOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH DAKOTA.