

While Louisianans struggle under President Biden's energy- and job-killing policies, our adversaries can't stop winning.

Let's take Iran. Iran's oil imports are at a 5-year high. The Ayatollah in Iran—this guy made enough money to resume funding terrorist attacks on American bases. He is doing it all over the world. Do you know why? Because President Biden lets him. We have sanctions on Iran; the President will not enforce them.

Venezuela. Let's take Venezuela, another enemy of our country. Venezuela's oil imports increased 12 percent in 2023. Do you know why? President Biden took the sanctions off of them.

China is probably the biggest winner of them all. Even when President Biden tries to help the American people afford his surging energy costs, China wins. China wins.

I will give you an example. The Biden administration allowed a Chinese-owned company to buy up fuel from our strategic natural petroleum reserve. We have a strategic natural petroleum reserve. We buy up oil, millions of barrels. We store that oil underground in case we need it, in case we can't get oil from anywhere else. It is our energy savings account. Well, President Biden decided to sell some. He decided to sell it. Do you know whom he sold it to? China. China.

It was a move so foolish that the House and the Senate, which usually can't agree on the fact that the sky is blue, both passed bills to prevent China from ever tapping into our petroleum reserve again. You can't make this stuff up, folks.

Energy independence keeps America safe; it keeps America strong; it keeps America prosperous.

Louisianans—I don't know about other States, but I suspect other Americans believe like Louisianans. Louisianans do not want to rely upon the whims of our adversaries to keep our country running.

We cannot let President Biden commit energy suicide—we can't—to appease the radical left, the "loonwing," of his party.

So I ask my colleagues to join me in pushing back against President Biden's anti-energy agenda and his moratorium on liquefied natural gas. Why? Because stupidity should hurt more.

I yield the floor to my good friend from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

UNANIMOUS CONSENT REQUEST—S. RES. 543

Mr. MARSHALL. Mr. President, I rise today to ask unanimous consent that the Senate adopt our resolution expressing the sense of the Senate that the Governors of the individual States have a constitutional right to repel the dangerous and ongoing invasion across the U.S. southern border.

Joe Biden has the power to secure our borders. Instead, he has chosen to break the law, resulting in the worst border crisis in American history.

Frankly, I don't know how the President sleeps at night knowing that 300 young Americans will die today from fentanyl poisoning; 300 yesterday, 300 tomorrow. Three hundred thousand people have died from fentanyl poisoning since he took office.

Along with that, there are terrorists, Chinese communist nationals, cartels. And worse, they are all living in the interior of our country.

Since our Commander in Chief won't stop this historic crisis, an invasion declaration, as defined by the U.S. Constitution, allows Congress to recognize each State's right to secure their own borders. Where Joe Biden fails to put Americans' safety first, our resolution acknowledges each State's right to secure their borders themselves, as leaders like Texas Governor Greg Abbott have. The cartels and the CCP should not have more operational control of our borders than we do.

We have reviewed the big picture here. Let's take a closer look. I think the first question we all ask is, Is this an invasion? Well, to have an invasion, you have to have invaders. And as we try to understand what the Constitution means, it is good to go back to some of those Founding Fathers when they defined what they thought were "invaders."

It is interesting that James Madison called pirates and barbarians invaders. And just like the barbarians of Madison's time, today's cartels and terrorists are those invaders acting like pirates of the day.

So then let's talk about is this an invasion? Do we have an invasion on our southern border? You know, I tried to think what analogies I could give of what it was like when I visited the southern border. But we are here in DC, so I will kind of paint a picture of what I think it would look like if this invasion were occurring right here in DC.

If you could imagine with me what it would look like if there were 10,000 ships coming up the Potomac River over the last 3 years—10,000 ships, each with 1,000 people from over 180 different nations; 10,000 ships, 1,000 people from 180 different nations. Let's pretend they come up the Potomac River and they lay anchor right out here at the Wharf and those people slowly get off one at a time. The way I would envision this is one of those ships is full of known terrorists and Chinese nationals. There would be 80 ships with aliens of interest—people from countries that wish harm to America. There would be 200 ships anchored out here where people would hop off the ship and just disappear into the night—200 ships with 1,000 people on it disappearing into the night, and we have no idea who they are or where they are. There would be another 200 ships—200 ships with 1,000 people—that President Biden would give parole to, just say: You are fine. We don't care what reason you are here for, here is your parole slip. And then sprinkled in amongst these ships are criminals, murderers, rapists, thugs,

drug traffickers, human traffickers, and thieves. Does that sound like an invasion to you?

Next, why do we need to declare this an invasion? Well, what our resolution does is give State Governors more powers to defend themselves. If the Federal Government is not doing their job, then it would make sense that the Governors would have the right to defend themselves, to defend the people of their States.

Let me explain a little bit further. I am a physician; I am not an attorney, definitely not a constitutional lawyer. But fortunately for all of us, the Constitution was written, for the most part, by common people just like us so that common people like us could read it and understand it.

So what does the Constitution say about an invasion? Remember, everybody up here swore an oath to defend that Constitution. Members of Congress, the White House, the President, we have all sworn an oath to uphold the Constitution.

This is what the Constitution says in article IV, section 4: It promises that the Federal Government "shall protect each [State] against Invasion." This is a constitutional law that the Federal Government shall protect each State against invasion.

Now, we have already established that the Federal Government has not done its job with this invasion of 10 million people that has already occurred. I don't think anyone can argue that point out there.

But, fortunately, our forefathers anticipated such an incidence that someday we would have a President who didn't love this country, didn't recognize that we have a sovereign border, and would indeed allow some 10 million people illegally across our border, so they have in the Constitution from article I, section 10, clause 3: The States have sovereign interest in protecting their borders.

So if the Federal Government doesn't do its job, the States have the ability—the constitutional right—to protect their borders.

This is the last point I will make from the Constitution, and maybe this is a little tricky, but the Constitution goes on to say in clause 3 of section 10 of article I:

No State shall, without the Consent of the Congress . . . engage in War, unless actually invaded.

Let me say that again:

No State shall, without the Consent of Congress . . . engage in War, unless actually invaded.

That is why we are here today. The Senate needs to declare that our southern border has actually been invaded to empower the Governor of Texas to protect his people.

Look, this invasion has occurred. We have established that. To say otherwise, to say this is not an invasion, I think, would be a false statement for anybody.

The President has not done his constitutional duty. We have established

that. Thus, we must invoke and concur with the Governor of Texas that an actual invasion has occurred. And the Governor of Texas, Governor Abbott, has not just a moral responsibility but the constitutional right to invoke his power and authority to do everything in his capability to protect the good people of Texas.

I commend and compliment Operation Lone Star. They have come up with more than 35,000 felony charges. They have seized over 450 million lethal doses of fentanyl. Again, 450 million lethal doses of fentanyl—that is enough to kill every man, woman, and child in America more than once.

That is why I am here today, to lend my support and my hope that the entire unanimous consent and support of the Senate would be with the Governor of Texas and the good people of Texas.

Mr. President, as in legislative session, and notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 543, which is at the desk. I further ask the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from California.

Mr. PADILLA. Mr. President, reserving the right to object, these past 2 weeks have given the American people a clear window into the Republican mind when it comes to immigration. They can't decide if immigration reform is the responsibility of Congress or if it is the responsibility of the President. They can't decide if the border is in crisis or if they would rather wait until after the election to talk about it or try to do something about it.

Today, in this resolution, they are doubling down on declaring an "invasion" and vilifying immigrants, while preventing the Federal Government from keeping order on the border.

My first message to my Republican colleagues here today is this: Make up your mind. Do you want to get serious about immigration reform or not?

They can't do it, and these past few weeks we saw why. Republicans believe that fear of our border translates into turnout at the ballot box. And because they believe that a narrative of chaos and fear would help Donald Trump in November, they are saying the quiet part out loud. They are saying it. They are repeating it. They are amplifying it on social media.

It is the same reason that they can greet Secretary Mayorkas at the negotiation table during these supplemental negotiations with one hand, while with their other hand they file baseless impeachment articles against him.

Today's resolution is just as unserious as it was the last time that they brought it up.

Let's put aside, for a moment, the obvious constitutional concerns, put aside, for a moment, and discuss what giving immigration powers to Governors would look like.

Colleagues, the fact is, you don't even have to imagine. Let's look at what is happening in Texas. Governor Abbott has shown us the cruelty and lawlessness of what it would lead to: unconstitutional legislation to terrorize immigrants in Texas, putting them at risk of racial profiling and civil rights violations; razor-lined buoys that have pushed asylum seekers and their families, including small children—nursing babies, colleagues, nursing babies—into dangerous waters with deadly consequences—you want to know why we talk about humanity; this is happening—and razor wire along the border that prevents Federal officials from doing their job of securing the border; State governments preventing Federal officials from doing their job.

Is that what you want? For the self-proclaimed party of law and order, Republicans are acting like anything but.

Now, let's not lose sight of the very real danger of this kind of action and this kind of rhetoric. The idea that immigrants are invading has radicalized people in our country to perpetuate terrible violence in the not so distant past, including the 2019 shooting in an El Paso Walmart, where a White nationalist murdered 23 people, Hispanic families who were back-to-school shopping.

My colleague from Kansas asked something about being able to sleep at night. Since that day, I have not been able to sleep as well at night for fear of the same happening in my community, to my family.

Now, I agree that the asylum system is outdated and in need of modernization. We must have a border that is more secure and more orderly and humane. But there is absolutely not an invasion happening, as our Republican colleagues have tried to portray. People arriving at our borders are seeking protection for themselves and their families, seeking refuge from violence and political persecution from oppressive regimes, exercising their legal right to seek asylum—a legal right to seek asylum that we established back in World War II.

Today's resolution would represent a fundamental disregard for the Constitution and the rule of law, and it would undoubtedly lead to more cruelty at the border and throughout the country, for that matter, not just at the border. It is for that reason that I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, I am proud today to join my colleague Dr. MARSHALL on the floor to support the State of Texas in their efforts to secure the disaster at the southern border.

I have been there many times. I would challenge my Democratic colleagues: How many times have you been to the southern border in Texas to see this disaster?

Right now, the Biden administration is actively trying to stop the State of Texas from protecting their and our border. Meanwhile, Democrats are telling the press that they want to fix the border crisis that President Biden has created. It has taken 3 years. But they say that the Republicans won't let them. That is not true.

The Biden administration is suing Texas and destroying barriers at the border actively, every day. The taxpayers have already paid for the wall—the extension of the wall that was stopped after President Trump stepped down a few years ago. President Biden refuses to build a wall.

He is pushing a bill on us that actually sets aside money it already appropriated for the wall and allows him to postpone new construction indefinitely. There is no plan. This is what they call a border bill. I call it a border giveaway.

Joe Biden is selling off the border for pennies on the dollar that the taxpayers have already paid for. It is online. You can go online and buy, in an auction, the wall and razor wire that is sitting on the ground mostly in Arizona, and you can buy it for 10 cents on the dollar.

He is actively destroying our southern border. This is something from the worst nightmares of our Founding Fathers: a President who is more concerned about other people's borders and not ours.

Now, about half of the American southern border is also the southern border of Texas. There is an old saying that the Constitution is not a suicide pact. The Federal Government cannot—I repeat, cannot—force Texas to let itself be invaded and destroyed.

Article IV, section 4 of the Constitution promises that the Federal Government shall protect every State from invasion. In fact, the Declaration of Independence accused King George of exposing the colonies "to all the Dangers of Invasion."

Article I, section 10 of the Constitution explicitly says that a State may engage in war without the consent of Congress if "actually invaded, or in such imminent Danger as will not admit of delay."

Now, let's look at the facts. At least 10,000 people a day, on several months, have been coming across our border, averaging 7,500 a day. The Biden administration admits to releasing 85 percent of that 7,500 a day into our country—85 percent are released into the country. This is in addition to the 2 million illegal immigrants that we have lost track of in the past 3 years.

More than 100,000 Americans are dying every year because of drugs, which a lot have come across our southern border—and getting worse. That is more than we lost in the Vietnam war, and that was a very long war.

Drugs, gangs, and even terrorists are flooding—are flooding—our border. We don't know who they are. Can there be any doubt that the Founding Fathers would consider this an invasion?

The population of our country at the founding was about 4 million people, at the beginning, 248 years ago. The population has grown, obviously. We have had more than 8 million illegal crossings since Joe Biden took office—8 million. The sheer scale of this is unlike anything that any of us have ever seen.

So it should be clear. The facts and the Constitution are both on the State of Texas's side, and Texas has every right to protect the people in its State and our country.

I am confident that the Supreme Court will uphold the Constitution on this ruling, but the real solution is not relying on a court ruling. The real solution is for President Joe Biden to stop destroying the border and put a stop to what is happening.

Stop cutting the wire. Stop suing our border States. Stop selling off the wall. Stop pretending to want a border bill that we know won't work. Stop encouraging. Stop encouraging the invasion. He is personally doing that from the White House. Stop encouraging the invasion of our country, which is costing American lives every single day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

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

The PRESIDING OFFICER (Mr. MARKEY). Without objection, it is so ordered.

The Senator from Missouri.

UNANIMOUS CONSENT REQUEST—S. 1199

Mr. HAWLEY. Mr. President, last week, the executives of some of the largest tech companies in the United States came before the U.S. Senate. And the world got to see, with all too vivid detail, just what these companies and these executives are doing to our children. And I say "children" advisedly. I am talking about 12- and 13- and 14- and 15-year-old kids on these platforms—on Facebook, on Instagram, on SNAP—who are exposed to the most outrageous, unbelievable, grotesque, and vivid child sex abuse material known to mankind: images of exploitation, solicitations by pedophiles.

It is unbelievable, indescribable material. And these platforms are absolutely awash with it. And we saw it last week. We heard the testimony. It was so bad that Mark Zuckerberg, the founder and CEO of Meta, actually felt forced to apologize to the parents there in the room and the parents across this country who have lost their children to suicide, whose children have suffered extraordinary harm because of the sex

abuse material, the exploitative content that is all over Meta, that is all over these platforms.

And oh, by the way, they are making an astounding profit. These companies are the most profitable companies in the world. They are the biggest companies in the history of the world. Facebook's share prices actually went up the day after Zuckerberg's testimony. It is unbelievable. Here they are making money hand over fist on destroying America's children.

The numbers tell the tale. Think of this: In 2014, there were 1.1 million reports of child sex abuse material online that year. That in itself is an incredible number—a million reports—but look at this: By 2022, that number had risen to 32 million reports of child sex abuse material—child porn, child exploitation, solicitations. In just in 1 year, there were 32 million reports. That is just the images that are actually being reported. Those are just the ones we know about. We know from the testimony of the tech executives, we know from the reporting of news agencies, we know from the investigations that have been done, we know from the parents, that these platforms are absolutely littered with, awash with, overrun with this material, and because of that, children are literally dying.

Is it any coincidence that since the introduction of the smartphone and the ubiquity of these platforms in the hands of young people, that suicide rates and mental health crises have skyrocketed in this country?

Oh, the platforms know, by the way. They absolutely know. A whistleblower testified before the U.S. Senate committee earlier this past year. He worked as a senior executive at Meta—that is Facebook. He knows Mark Zuckerberg personally. He was hired by Zuckerberg personally. He reported in part to Zuckerberg. Here is the thing, though: He had a teenage daughter. Yes, he had a teenage daughter who created an Instagram account, went online, and then told her father, this executive: Dad, you won't believe what I am seeing online. You won't believe what is happening to me online.

So he looked into it, as any father would, and then he began to compile the data that he could find based on Instagram's own internal metrics, based on their user data and information. Here is a piece, just a piece, of what he found: that 37 percent of Instagram users between the ages of 13 and 15—let me say that again—37 percent of Instagram users between the ages of 13 and 15 had experienced unwanted nudity on the platform in the past 7 days.

Let me just spell this out for you. It is largely, overwhelmingly young, teenage girls, young women, who are bombarded with—bombarded with—the most unbelievable pictures, content, conduct as soon as they get onto these platforms.

Twenty-four percent of Instagram users between the ages of 13 and 15 had

received unwanted sexual advances in just the last 7 days, had been propositioned in 7 days.

Seventeen percent of Instagram users in that same age range—young teenagers—had encountered self-harm content—how to commit suicide—within the last 7 days.

These are Instagram's own numbers. These were given to us by the whistleblower who, as an executive at Instagram, told Mark Zuckerberg about it. What did Mr. Zuckerberg do? Nothing. Absolutely nothing.

Consider another case. Here is a picture of a young girl, 13 years old, named Issa. Issa doesn't actually exist. The New Mexico attorney general has launched an investigation into Meta—that is Facebook and Instagram—and their investigators created this profile.

As you can see from the picture, she looks incredibly young. The profile picture information lists her as 13 years old. What happens as soon as she gets on the Meta platforms? As soon as she gets on the Meta platforms—this is all in court documents, by the way. Read it for yourself. It is horrifying. What happened was she was instantly added to a chat room with known pedophiles. What happened was her account was instantly bombarded with sexual material from older men. What happened was she was instantly sent multiple images of child sex abuse material over and over and over and over.

Oh, and the tech executives—they know all about it, and they are not doing a thing about it. Why? Because they are not accountable.

Here is the bottom line: This is the only industry in the country that can make a product that will literally kill you, and if it does, you can't do anything about it. If it kills your child, you can't do anything about it. If it harms you, you can't do anything about it. Think about this for a second. In this country, if a Coca-Cola manufacturer makes a bottle that explodes in your hands, you can sue them. If the drug company makes drugs that are full of adulterated products that cause harms that are not disclosed that kill people, you can sue them. If an automobile company makes cars that explode, you can sue them. Not these companies. No, not these companies. These companies have a special immunity from suit. How do they get that? Why, it was given to them. By whom? By this body. This body, almost 30 years ago, gave these powerful corporations total blanket immunity. They cannot be held responsible. They make products that kill; they cannot be held responsible.

That is why we are here today. The Senate Judiciary Committee has heard testimony over and over again. We have written bills. We marked them up.

The bill that I want the Senate to address today is one that has passed the Senate Judiciary Committee—get this—unanimously. Unanimously. Every Democrat. Every Republican. What does it do? Simple: It allows victims to have their day in court. It