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Senate

The Senate met at 3 p.m. and was called to order by the Honorable ROGER MARSHALL, a Senator from the State of Kansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, we whisper our prayer vocally before Your throne of grace. You have invited us to come to You with all our needs. We thank You for our requests that You have already answered. We have sought and found. We have knocked and walked through open doors.

By Your Grace and mercy, strengthen our lawmakers for their journey. Prepare them for the ravages of the valley and the chill of the mountain summits. Guide them, Great Redeemer. They are pilgrims in this land. They are weak, but You are mighty. Inspire them to keep their eyes on You and not the challenges that seem too difficult to solve.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 13, 2025.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable ROGER MARSHALL, a Senator from the State of Kansas, to perform the duties of the Chair.

CHUCK GRASSLEY,
President pro tempore.

Mr. MARSHALL thereupon assumed the Chair as Acting President pro tempore.

COMMUNICATION FROM THE SECRETARY OF THE SENATE

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a communication of the Secretary of the Senate regarding a message from the President, received during the adjournment of the Senate.

The assistant bill clerk read as follows:

DEAR MR. PRESIDENT: On Friday, January 10, 2025, the President of the United States sent by messenger the attached sealed envelope addressed to the President of the Senate dated January 10, 2025 said to contain the Economic Report of the President together with the Annual Report of the Council of Economic Advisors. The Senate not being in session on the day which the President delivered this message, I accepted the message at 3:55 p.m., and I now present to you the President's message, with the accompanying papers, for disposition by the Senate.

Respectfully,

JACKIE BARBER,
Secretary of the Senate.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

LAKEN RILEY ACT—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 5, which the clerk will report.

The assistant bill clerk read as follows:

Motion to proceed to Calendar No. 1, S. 5, to require the Secretary of Homeland Security to take into custody aliens who have been charged in the United States with theft, and for other purposes.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

NOMINATIONS

Mr. SCHUMER. Mr. President, this week, the American people will see for the first time what kind of Trump administration they are going to get in the coming years: one that will fight for working people or one that will fight for the swamp?

Over the next 4 days, over a dozen of the President-elect's nominees will testify in committee and make their case to the country. These hearings, in a very real way, are the opening salvo for holding the Trump administration accountable to the public.

So, today, I want to talk a little bit about how Senate Democrats will approach these hearings to uphold our promise to stand up for America's working and middle class. These hearings will be the very first real opportunity to see the Trump administration's view on who they will fight for—working people or the special interests?

Our approach will be this: We will use these hearings to show the contrast between Donald Trump's agenda of helping the special interests—especially the very wealthy—and the Democrats' agenda to fight for working Americans.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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JANUARY 6

Nominees should expect tough, candid, but fair questioning. They should come prepared to be honest about everything—their backgrounds, their experiences, and their commitment to increasing opportunity for all Americans, not just those at the top. They will also be asked tough questions about where they stand on the President-elect's stated policies on things that will hurt the middle class, such as tariffs, tax cuts for the wealthy, and undermining policies that lower drug prices.

If the President-elect's nominees demonstrate they are qualified and committed to lowering costs, increasing wages, and strengthening our security, Democrats will take that very seriously. But if the President-elect's nominees are going to push policies that make inflation worse and put more money in the pockets of special interests, or duck those important questions, they will be put on the record about their views for all the American people to see.

That is why Democrats have insisted on regular order for the President-elect's nominees. A thorough nominations process ensures the American people know precisely who these nominees are and who they will fight for.

Unfortunately, a troubling pattern emerged last week from some Republican chairs who seem eager to rush the nominations process without fully getting all the necessary documentation.

Getting documents is not trivial busy work. These are financial disclosures, ethics agreements, and FBI background investigations.

If these nominees have something to hide, these documents could show it. So it is important we don't rush to hearings without examining the record first.

The more Senate Republicans try to rush the process without the proper documentation, the more Americans will ask themselves: What are Republicans and their nominees trying to hide?

How can Americans trust, for example, that Donald Trump's Cabinet will be free from conflicts of interests if Republicans hold hearings before anyone is getting a chance to review financial disclosures?

How can Americans trust that these nominees will serve the public interest if we don't first examine all their ethics agreements?

How can Americans trust that Senate Republicans will do what is best for the American people if they are more focused on keeping Donald Trump happy than examining every nominee carefully?

If these nominees will push policies that make Americans' lives worse, Americans deserve to know it, and we can determine that with a complete, thorough, and exhaustive nomination process.

On Mr. Hegseth, tomorrow's hearing with Pete Hegseth is a good example of why a thorough and tough nominations process is so important.

Mr. Hegseth is Donald Trump's pick to be Secretary of Defense—arguably, the most important position in the entire Cabinet. If confirmed, Mr. Hegseth would oversee a workforce of over 3 million people and handle issues of life and death on a regular basis. His job will be to keep our troops safe and keep our country safe. If there is any Cabinet position that ought to have a steady and drama-free individual, it is certainly Secretary of Defense.

Unfortunately, Mr. Hegseth's background is deeply troubling, to put it generously. We all have read reports about his radical views, his alleged excessive drinking, the allegations about sexual assault, and his failures in the financial stewardship of multiple organizations. These are such serious allegations for such an important job. So why would the Armed Services Committee wish to rush through these hearings, particularly when the documents are not available to all the members of the committee, including the FBI background check?

Mr. Hegseth will have an opportunity to answer questions about these allegations and about his record as well as his views. He can expect his hearing to be tough but respectful, candid but fair.

The stakes during tomorrow's hearing will be very high—not just for the nominee but for the entire country. It is not hard to imagine an emergency situation where the Secretary of Defense has to make quick and steady decisions about our military. Is someone with Pete Hegseth's alleged history really the kind of person we want at the helm in a very, very important situation—dangerous situation—like that? Is that really in the best interest of Americans' safety? That is something Senators should ask themselves during tomorrow's hearing, and, of course, they should ask Mr. Hegseth questions about it.

When it comes to a job like Secretary of Defense, there can be zero question—zero—that the nominee is up for the job. Unfortunately, Mr. Hegseth's record leaves too many unanswered questions. Let's hope we get real answers and real documentation before anyone votes for Mr. Hegseth for Secretary of Defense.

LAKEN RILEY ACT

Mr. President, on Laken Riley, today, the Senate will vote on the motion to proceed on the Laken Riley Act. The Senate invoked cloture on this bill last week with a strong bipartisan vote. As I said last week, Democrats want to have a robust debate where we can offer amendments and improve this bill.

This issue is very important. Americans deserve for us to debate the issues seriously, including by considering amendments from the Democratic side. We are going to ask our Republican colleagues to allow for debate and votes on amendments. I hope my Republican colleagues will allow for it.

Mr. President, finally, on the January 6 pardons—not finally; next to finally—Donald Trump has promised to spend the first hour of his Presidency pardoning the violent mob which stormed the Capitol and attacked our police officers on January 6.

Instead of focusing on helping working families or lowering healthcare costs or making life better for the American people, Donald Trump's very first priority seems to be pardoning the January 6 rioters.

And yesterday, on FOX News Sunday, the Vice President-elect JD VANCE—feeling the heat that these pardons are not very popular with the American people—said that while those who committed violence should not be pardoned, he implied that those who did not commit violence could deserve to be pardoned.

The people who invaded the Capitol on January 6, whether they committed violence or not, should not be pardoned. They unlawfully broke into the Capitol to stop the peaceful transfer of power. What they did is a serious crime. There is no gray area here. There would be nothing more insulting to our democracy and to the memory of those who died in connection with that day than letting rioters walk free. We would be saying, in effect, that you could storm the Capitol, engage in violence against police officers or be part of a crowd that engaged in such violence, and try to overturn a free and fair election, and then walk away with no consequences—no consequences.

Rioters who broke into the Capitol on January 6 to try and stop the peaceful transfer of power and subvert our democracy do not deserve a Presidential pardon. Whether they committed violence or not, no one who participated in one of the darkest, most shameful days in American history should be pardoned.

TRIBUTE TO PINA FRASSINETI WAX

Mr. President, finally, on a Holocaust survivor on Long Island whom I met with this morning, one of my favorite things about serving as the senior Senator from New York is that I get a chance to travel around the State and meet so many exceptional New Yorkers.

This morning, on Long Island, I had a chance to meet an especially exceptional New Yorker, a living legend, a 100-year-old woman named Pina Frassinetti Wax, a Holocaust survivor and proud Long Island resident. She was sheltered by Catholic nuns in a convent for 2 years to keep the Germans from sending her to the concentration camps.

And these days, there are so many Holocaust deniers, people who say it never existed or was "exaggerated," and then there are so many more young people who know nothing about the history of the Holocaust, that those who survived it are very, very important to our history, to helping us understand what happened, to be a living witness to this awful, awful, awful

genocide that occurred against the Jewish people.

Ms. Wax is such a survivor. She combined her 100th birthday with constantly reminding people of the horrors of Nazi Germany and what was done to the Jewish people.

So, this morning, it was my honor to present her with a flag flown over the Capitol, expressing the Senate's recognition of her extraordinary life.

After enduring so much tragedy during one of the darkest chapters of human history, Pina has dedicated her life to teaching, loving, learning, and preserving the memory of the Holocaust.

And even at 100 years old, she is showing no signs of slowing down. She is whip smart, as energetic as ever, and still going very, very strong. People like her give all of us hope that, in the end, compassion and courage will always endure over hatred and fear—always.

Long Island is lucky to have her; New York is proud to call her one of our own; and the world is much better off because of her.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

LAKEN RILEY ACT

Mr. THUNE. Mr. President, by now, I think a lot of Americans know the story of Laken Riley, a 22-year-old nursing student at Augusta University in Georgia with her whole life ahead of her. Laken was murdered last February while out on a run at the Athens campus of the University of Georgia.

Her killer was arrested the next day, and it quickly became clear that he should never have had the opportunity to get near Laken Riley because he should never have been in the country in the first place. Laken's killer had entered the country illegally, been released into the interior, and had subsequently been arrested in New York City and later issued a citation for shoplifting in Georgia a few short months before Laken's murder.

After his New York City arrest, he was released before Immigration and Customs Enforcement could issue a detainer—a request that police hold an individual—so that he could be taken into immigration custody. So this individual, here in the United States illegally and subsequently involved in two crimes, was free on the University of Georgia campus last February when Laken Riley went running.

It is already a problem that we are releasing huge numbers of individuals here illegally into the interior of the country. It is unthinkable that an individual like Laken's killer would be released back into society. Laken's killer should have been detained long before he had a chance to get near her last February.

Shortly after Laken was killed, Senator KATIE BRITT, together with Senator BUDD, introduced legislation that

would require Immigration and Customs Enforcement to detain individuals charged with theft, burglary, or shoplifting. It is a commonsense measure that should be an unquestioned "yes" for every Senator, and I am very pleased that the Senate is finally taking up this bill after Democrats blocked a vote on it last year.

The fact that 33 Democratic Senators voted in favor of moving to the bill on Thursday was an encouraging sign that at least some Democrats might be serious about wanting to work with Republicans to address border and immigration security, and I hope that proves to be true. It would be incredibly disappointing if Democrats move to the bill simply to attempt to load it down with poison pills or unrelated measures.

This is not—I emphasize "not"—a comprehensive immigration bill. It is an attempt to right one wrong: the fact that individuals already here illegally who have been charged with various property crimes are not required to be detained by Immigration and Customs Enforcement. It is an attempt to ensure that no other family will have to suffer the pain suffered by Laken Riley's. So I hope that Democrats will work with us in a serious fashion to actually pass this legislation.

After 4 years of chaos at our southern border under President Biden, there is a lot of work to be done on both the immigration and border security fronts. The kind of unchecked illegal immigration that we have experienced at our southern border under President Biden serves as an invitation to terrorists, criminals, and other dangerous individuals to enter our country.

Currently, Senate Republicans are working on a major package that will include substantial funding for a variety of border and immigration security needs, including increasing the number of Immigration and Customs Enforcement officers and Border Patrol agents, increasing detention space, and providing the barriers and technology that we need to secure the border. I look forward to taking up that package.

In the meantime, however, we have a bill before us today that will address one problem in current immigration law and, perhaps, prevent other families from suffering the pain that Laken Riley's has suffered. Let's get it done.

MEASURE PLACED ON THE CALENDAR—H.R. 23

Mr. THUNE. Mr. President, before I yield the floor, I understand that there is a bill at the desk due a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 23) to impose sanctions with respect to the International Criminal Court engaged in any effort to investigate, arrest, detain, or prosecute any protected person of the United States and its allies.

Mr. THUNE. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

LAKEN RILEY ACT—Motion To Proceed—Continued

The ACTING PRESIDENT pro tempore. The Democratic whip.

LAKEN RILEY ACT

Mr. DURBIN. Mr. President, later today, the Senate will vote on the motion to proceed to legislation known as the Laken Riley Act.

The loss of a child is something no parent should have to endure. My thoughts and prayers are with the family of Laken Riley—by any measure, an outstanding young woman. We should do everything possible to make sure this type of tragedy never occurs again.

But I do have concerns about some of the language in this legislation.

Let me give you an example. This bill would mandate immigration detention for an undocumented immigrant if they are arrested for shoplifting—even if they are never charged or convicted for that offense.

Most people, having paid a little attention to law enforcement review, television, movies, know the process. You steal a candy bar, a hand on the shoulder, clerk says: Wait a minute. What are you doing here? Next thing you know a policeman is called in; he arrests you for shoplifting. They then take you in and charge you with that crime. You make a plea, guilty or not guilty. Ultimately, it is resolved by a trial of some nature. That is the ordinary process.

The question is whether someone should be deported the very first time that the hand reaches your shoulder with candy bar in hand but no charge of any crime. That is what this bill does. That is going a little bit too far as far as I am personally concerned.

This bill would mandate immigrant detention if they are arrested for shoplifting, not convicted, even if they are never charged or convicted.

Current law requires mandatory detention of individuals with serious criminal convictions by Immigration and Customs Enforcement, better known as ICE. This has been on the books for a long time. It is the right thing to do. I don't want dangerous people coming into this country, and I don't want anyone dangerous and undocumented to stay in this country, period.

Existing law gives ICE discretion to detain undocumented immigrants on a case-by-case basis. ICE assesses each case individually so the Agency's limited resources are used effectively to protect national security and public safety.

This bill, as currently written, would eliminate ICE's discretion to prioritize