

becomes legally responsible, and citizens can seek redress against that individual. They have legal recourse in court. They have a day in court. They can seek monetary damages and a court order that stops the violation. It is used all the time in the United States of America against State or local police or law enforcement that break the law and harm individuals in this country. And all we need to do is add four words so that not only local and State law enforcement, but “agents of the United States”—“United States”—those four words will change the nature of DHS and its practices and tactics. It will serve as a deterrent. It will force compliance with basic standards of decency and use-of-force protocols and regulation. And it will raise the standards that we expect of our Federal enforcers.

Rights without remedies are empty promises, and we owe the people who came forward yesterday that we will fulfill the promises made to them—promises made to them not by us, but by the Constitution of the United States, the basic tenets of our great democratic project—that people are protected from governmental intrusion and overreach, their privacy by the Fourth Amendment, their right to free expression by the First, their right to possess a firearm by the Second. Every one of those rights is sacred, and we have a duty to make sure those promises are real, that the rights are protected.

We need to match the courage of the people who came forward yesterday with our own courage, match their fortitude with ours, and, yes, their perseverance because I am very clear-eyed. I know my speech here is not going to provoke a groundswell of support for the changes we demand. It will take continued outrage that we bring to the American people through the stories that we will tell and the faces and voices that will appear before them. They are the most moving and powerful advocates: everyday Americans assaulted and brutalized by their own government, financed by our taxpayer dollars.

But soon we will decide whether to spend on the Department of Homeland Security. Without these far-reaching, fundamental changes that, in effect, scrap the current culture and rebuild an Agency that is out of control, I will vote against a DHS funding package. And I think others will join in that opposition because this Agency is bankrupt—morally bankrupt, as well as legally, and, yes, politically bankrupt.

What happens with bankrupt corporations that go into chapter 10 is that they are dissolved, and their assets sold off to creditors. Or, under chapter 11, they are reorganized.

The analogy is only partial in its validity because what we need here is a fundamental overhaul of an Agency that has run amok in its violation of American rights and principles, and leadership that must be changed. And I

have advocated for impeachment of Secretary Noem, if she will not resign or if the President fails to fire her.

But changes at the top are only part of what is needed. The basic principles about use of force and firearms, about respect for rights and liberties, about dedication to the rule of law—these must be part of the bloodstream in this Agency. They are lacking now and are absolutely necessary in the future. We have an obligation to make it real.

The statement of Aliya Rahman can be found online at https://www.blumenthal.senate.gov/imo/media/doc/2026-2-3_aliya_rahman_statement.pdf.

The statement of Marimar Martinez can be found online at https://www.blumenthal.senate.gov/imo/media/doc/2026-2-3_marimar_martinez_statement.pdf.

The statement of Martin Daniel Rascon can be found online at https://www.blumenthal.senate.gov/imo/media/doc/2026-2-3_daniel_rascon_statement.pdf.

The statement of Brent and Luke Ganger can be found online at https://www.blumenthal.senate.gov/imo/media/doc/2026-2-3_luke_and_brent_ganger_statement.pdf.

And the statements of the two other witnesses in that proceeding, Antonio Romanucci can be found online at https://www.blumenthal.senate.gov/imo/media/doc/2026-2-3_antonio_romanucci_statement.pdf, and Seth Stoughton can be found online at https://www.blumenthal.senate.gov/imo/media/doc/2026-2-3_seth_stoughton_statement.pdf.

And, Mr. President, I ask that the vote occur immediately.

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

VOTE ON PETERSON NOMINATION

The question is, Will the Senate advise and consent to the Peterson nomination?

Mr. BLUMENTHAL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO) and the Senator from Kentucky (Mr. McCONNELL).

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. MURPHY) is necessarily absent.

The result was announced—yeas 58, nays 39, as follows:

[Rollcall Vote No. 26 Ex.]

YEAS—58

Banks	Cassidy	Daines
Barrasso	Collins	Duckworth
Blackburn	Cornyn	Durbin
Boozman	Cotton	Ernst
Britt	Cramer	Fischer
Budd	Cruz	Graham
Capito	Curtis	Grassley

Hagerty	Lummis	Scott (FL)
Hassan	Marshall	Scott (SC)
Hawley	McCormick	Shaheen
Hoeven	Moody	Sheehy
Husted	Moran	Sullivan
Hyde-Smith	Moreno	Thune
Johnson	Mullin	Tillis
Justice	Murkowski	Tuberville
Kaine	Paul	Whitehouse
Kelly	Ricketts	Wicker
Kennedy	Risch	Young
Lankford	Rounds	
Lee	Schmitt	

NAYS—39

Alsobrooks	Hickenlooper	Rosen
Baldwin	Hirono	Sanders
Bennet	Kim	Schatz
Blumenthal	King	Schiff
Blunt Rochester	Klobuchar	Schumer
Booker	Lujan	Slotkin
Cantwell	Markey	Smith
Coons	Merkley	Van Hollen
Cortez Masto	Murray	Warner
Fetterman	Ossoff	Warnock
Gallego	Padilla	Warren
Gillibrand	Peters	Welch
Heinrich	Reed	Wyden

NOT VOTING—3

Crapo	McConnell	Murphy
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. RICKETTS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

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 senior assistant 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. 609, Megan Blair Benton, of Missouri, to be United States District Judge for the Western District of Missouri.

John Thune, Markwayne Mullin, John R. Curtis, Tim Sheehy, Joni Ernst, Pete Ricketts, John Cornyn, Jim Banks, Mike Rounds, Steve Daines, John Barrasso, Mike Crapo, Kevin Cramer, David McCormick, Jon A. Husted, Dan Sullivan, Lindsey Graham.

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 Megan Blair Benton, of Missouri, to be United States District Judge for the Western District of Missouri, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO) and the Senator from Kentucky (Mr. McCONNELL).

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 27 Ex.]

YEAS—51

Banks	Graham	Moreno
Barrasso	Grassley	Mullin
Blackburn	Hagerty	Murkowski
Boozman	Hawley	Paul
Britt	Hoeben	Ricketts
Budd	Husted	Risch
Capito	Hyde-Smith	Rounds
Cassidy	Johnson	Schmitt
Collins	Justice	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Sheehy
Cramer	Lee	Sullivan
Cruz	Lummis	Thune
Curtis	Marshall	Tillis
Daines	McCormick	Tuberville
Ernst	Moody	Wicker
Fischer	Moran	Young

NAYS—47

Alsobrooks	Hickenlooper	Rosen
Baldwin	Hirono	Sanders
Bennet	Kaine	Schatz
Blumenthal	Kelly	Schiff
Blunt Rochester	Kim	Schumer
Booker	King	Shaheen
Cantwell	Klobuchar	Slotkin
Coons	Lujan	Smith
Cortez Masto	Markey	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Fetterman	Murray	Warren
Gallego	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden
Heinrich	Reed	

NOT VOTING—2

Crapo
McConnell

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47. The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Megan Blair Benton, of Missouri, to be United States District Judge for the Western District of Missouri.

The PRESIDING OFFICER. The Senator from Mississippi.

WINTER STORM FERN

Mr. WICKER. Mr. President, in a moment, my friend and fellow Senator CINDY HYDE-SMITH will join me in taking a few moments to highlight the damage done—the devastation done—by Winter Storm Fern, along with the resilience of our community and the citizens and leadership there.

Fern covered much of Mississippi with freezing rain, and then a week of low temperatures locked in a blanket of ice. Nearly 200,000 homes lost power, and road travel became almost impossible.

Temperatures are rising a bit now, but, tragically, there is still very much devastation. At this point, 26 Mississippians have lost their lives because of this winter storm, and that number, unfortunately, is rising every day.

I do want to commend, as Senator HYDE-SMITH will, the communities—the churches, the schools, the businesses, the donation centers, the neighbors using Facebook to coordinate food distribution and boost morale—and from all around the country coming to help. At this point, 80 percent of the affected homes now have their power restored.

I commend the local leaders, mayors, commissioners, and the response team from FEMA, many of whom we know personally. We are thankful for what they have done and for their resilience.

I have said this in past years. In Mississippi, our Federal delegation is in this for the long haul, just like we are with the tornadoes that occurred earlier. And we are grateful to the President and for our friends at FEMA for helping us recover.

Now, if I might, before I yield to my dear friend, I want to point out an article that was in the magazine *Garden & Gun*—published by *Garden & Gun*—some 2 days ago by Beth Ann Fennelly of Oxford, MS.

Beth Ann Fennelly, for 5 years, was our State's poet laureate. And she published this article in *Garden & Gun*, which says:

A beloved oak fell, and Oxford rose.

She could just as easily have said the entire State of Mississippi rose. But she talks about the experience that her family encountered, and you can multiply that times all of the households.

She says:

It was three a.m., and my husband and I and the youngest of our three children—the only one still living at home—huddled in a dark living room, jumping out of our skins with each new explosion, each crack of gunfire.

Except it wasn't explosives or gunpowder. It was our trees blowing their heads off and smashing to the earth or thudding to our roof.

She points out that we had learned during a severe ice storm some decades ago that:

... water freezing in trees expands them too rapidly. They explode from pressure, taking power lines with them. Some folks lost power for weeks.

It is the sound of gunfire. A very good article, very well-written by someone who would be poet laureate. And she ends bemoaning the tree, but observing and celebrating the spirit of Mississippi. And she says:

The ice will melt, and the people of Mississippi will roll up their sleeves and crank their chainsaws. The logs will be cleared. But an uncanny new light will compress the violently lopped canopies. On our corner, the picnic blanket of shade our oak had tossed down will go unfurled. The bewildered birds' questions will go unanswered. The squirrels will take new routes to work. The anthem of November will be forever altered without the north wind's scattershot of acorns on the roof.

Then she ends by asking:

Do trees have souls?
Maybe it's an unanswerable question—

She says—

Or maybe the answer has never been more obvious.

I ask unanimous consent, Mr. President, that this article by Beth Ann Fennelly be printed in the RECORD after my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[*Garden & Gun*, Feb. 2, 2026]

A BELOVED OAK FELL, AND OXFORD ROSE
WHAT HAPPENED WHEN "THUNDER ICE" CAME
TO MY HOME IN MISSISSIPPI
(By Beth Ann Fennelly)

It was three a.m., and my husband and I and the youngest of our three children—the only one still living at home—huddled in the dark living room, jumping out of our skins with each new explosion, each crack of gunfire.

Except it wasn't explosives or gunpowder. It was our trees blowing their heads off and smashing to the earth or thudding to our roof.

We'd been warned. We moved to Oxford, Mississippi, in 2001, but Oxonians who'd experienced the ice storm of 1994 told us how water freezing in trees expands them too rapidly. They explode from pressure, taking power lines with them. Some folks lost power for weeks.

Forecasters had predicted this ice storm to be even nastier. "Fern," an innocuous name straight out of *Charlotte's Web*, would be rife with "thunder ice," a name straight out of pro wrestling. Indeed, sleet had been falling for hours. We'd lost power and the house was rapidly cooling.

The explosion we heard next sounded like the earth being split open, followed by a shuddering impact that shook our house to its frame. In the eerie silence that followed, a flash illuminated the street—flames shooting from a sizzling powerline, an arcing shower of sparks—and for a moment our dark yard strobed into relief, though there was no relief in it, everything nightmarish, our window crisscrossed by massive tree limbs.

No! I cried. Not her.

Do trees have souls?

Permit me to describe her: A white oak, one hundred and fifty years old. A sproutling when Ulysses S. Grant was inaugurated. How wide? Wide enough that you'd need three hide-and-seekers to hug her. A generous crown one hundred feet up, a tower of grandeur on our otherwise-ordinary corner lot.

A tree like that doesn't belong to a property. It belongs to posterity, to history, to the neighborhood. It's not just that her shade reduced our air conditioning costs. It's that she shaded lemonade stands, pickup football games. All the munchkin hoodlums knew: Her acorns made the greatest sling-shot ammo.

And now, as the chilly sunrise glazed the ice-coated trees with diamonds, my husband and I fought our way to her, climbing over branches and ducking dangling broken limbs. Half of the white oak was standing. Half of her lay in shards, stretching from one end of our lot to the other. The pinprick air smelled like lumber.

Her undignified funeral was two days later. By that point, with night temperatures falling to single digits, we'd been sleeping in our parkas in a family scrum. Or trying to sleep—sometimes I lay awake counting the plumes of my youngest's exhalations, worrying about our middle child, a few miles away, as we hadn't gotten through to him on the phone. Branches and downed power lines trapped our U-shaped driveway on both ends: no escape. Then came a knock on the door. We'd heard storm-chasing tree services were starting to arrive, sniffing desperation. This was an outfit from Texas. They could free our cars, hack up the oak and the six other felled trees, all for just \$5,000. My husband and I met eyes, in the crescent between hats and scarves. Tommy took the flashlight to find the checkbook. It was flecked with paint chips, he'd tell me later, dislodged from the ceiling when trees had bounced on the roof.

"Sorry for your loss." People often say this to a mourner after a loved one dies. Now