

REMEMBERING JACKIE WALORSKI

Mr. BRAUN. Mr. President, earlier today, in the normal course of the day, I get the tragic news that my good friend, one of the first persons I met when I was exploring the idea of becoming a Senator, JACKIE WALORSKI, was tragically killed in a car accident.

All of us are on the road a lot, and you spend those hours—endless, sometimes—and you never imagine that one day that could happen. When I heard that, it is like the ultimate gut punch.

Emma Thomson, Zach Potts, died along with her—three Hoosiers whom we will miss. It is hard to come up with the words to say: How did that happen and how do you get through it?

But for most of us, and especially in my case with JACKIE, she was one of the first great Hoosiers I got to know on my own journey. She will be missed and our condolences to all of the families.

CONDEMNING THE ATTACK THAT OCCURRED IN GREENWOOD, INDIANA, ON JULY 17, 2022

Mr. BRAUN. Mr. President, I rise today to honor the memory of the victims of a senseless act of violence in Greenwood, IN, a southern suburb of Indianapolis.

The lives taken that day were enjoying what should have been a fun July day with family and friends. In a moment's notice, lives were changed forever when a deranged killer tragically took the lives of three people. This is happening far too often, and so often it seems to have something to do with mental illness. This is just another example of how it plays out in the real world.

They will never be forgotten.

This resolution also expresses hope for the full recovery of those injured in the attack as well.

I want to mention the victims by name. I think that is important: Pedro Pineda, Rosa Mirian, Rivera de Pineda, and Victor Gomez. You have to remember the people, their names, because this happens far too often.

Within a mere 15 seconds of the shooter opening fire, a citizen by the name of Elisjsha Dicken, a 22-year-old from Seymour, IN, down in my part of the State, rose and stopped the rampage. Thank goodness for him. If not for his courageous action, the violence surely would have been much worse. I am proud to acknowledge the man, the young man, for defending himself and others in a valiant act of bravery in the face of unimaginable danger.

Hoosiers are united in mourning for those lost in this senseless attack, and we pray for their families to find peace in the memory of their loved ones.

Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 740, which is at the desk. I further ask that the resolution be agreed to, the preamble be agreed to, and that the mo-

tions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 740) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Kansas.

UNANIMOUS CONSENT REQUEST—S. RES. 741

Mr. MARSHALL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 741, which is at the desk. I further ask that 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?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I have read and reread the Senator from Kansas's resolution. As best I can determine, it is a declaration of war. For that reason, it should be taken very seriously. He says, in the earliest stages of the preamble, to express the sense of the Senate regarding the constitutional right of State Governors to repel the dangerous ongoing invasion at the U.S. southern border.

The operative language at the end of his resolution on this decoration of war relates to a provision in the Constitution which is rarely quoted. It is section 10 of article I. I would like to read it into the record. It says:

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

I am trying to understand the thinking of the Senator from Kansas, but here is the best I could come up with. He says that what is happening at the southern border with our immigration issues is, in his words, "actual invasion of the United States." And then goes on to say:

Governors of all 50 States possess the authority and power as Commander in Chief of their respective States to repel the invasion described in paragraph 2.

So as best I can determine, the Senator from Kansas is suggesting that each Governor has the power to initiate military action. It doesn't say who the enemy will be or who the target will be. But according to this provision in the Constitution, these Governors can enter into compacts with other States for this military action or with a foreign power.

I don't know if the Senator from Kansas has thought this through, this idea that the State of Kansas would team up with the State of Arizona and declare war on Nicaragua. Is that what he is thinking because Nicaraguans are presenting themselves to the border? I would suggest that I have never seen a declaration of war that calls on the States to take such action, and the only time—the only precedent in our history was a sad one that involved the Civil War in the United States.

I don't know if the Senator is anticipating similar State action—State by State or combination of States—attacking a foreign power. For that reason and many others, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kansas.

Mr. MARSHALL. Mr. President, I rise to ask passage by unanimous consent, my resolution to express the sense of the Senate that the unprecedented crisis at the southern border constitutes an invasion of the United States of America and that it is the constitutional right of State Governors to repel the dangerous ongoing invasion across the southern border.

I encourage my colleagues to support this resolution because the Federal Government has failed—intentionally or unintentionally—to uphold its obligations to protect the States from invasion under article 4, section 4 of the U.S. Constitution.

During his campaign to become President, Joe Biden made it clear to the entire world that if he became President, America would be open—not open for business but that our southern border would be open, wide open, for anyone and everyone to violate our Nation's immigration laws and to take advantage of America's generosity. Yes, it would be wide open for drug smugglers, convicted murderers, domestic abusers, and sex offenders, open for terror suspects.

In 2019, Joe Biden called for "all those people seeking asylum" to immediately surge to the border. He pledged free healthcare for illegal immigrants and pledged support for sanctuary cities. One of his first actions as President was ending proposed legislation to Congress that would provide a path to citizenship for 10 to 12 million illegal aliens residing in the United States.

On his first day in office, he halted construction of President Trump's border wall and halted the "Remain in Mexico" program.

This open border—opened by Joe Biden—has resulted in an unprecedented, unrelenting massive wave of illegal aliens entering our country.

Last year, Border Patrol made more than 1.7 million arrests of illegal immigrants along the southern border, which is the highest level ever recorded, and is on pace to arrest more than 2 million illegal immigrants along our border during this fiscal year.

And now that Joe Biden is prepared to end the title 42 policy that enabled

us to expel many of those crossing the border back into Mexico, the vast majority of those violating our country's immigration laws will be released into the interior of our Nation where Democrats will insist they remain for the rest of their lives.

Last year, the number of drug overdose deaths in the United States topped 100,000—fentanyl being the cause of two-thirds of them. In fact, fentanyl is now the No. 1 cause of death of Americans, ages 18 to 45.

Last year, Border Patrol seized at the southern border 11,000 pounds of fentanyl, 5,400 pounds of heroin, 191,000 pounds of meth, 97,000 pounds of cocaine, and 10,000 pounds of ketamine—many, many, many multiples of the amounts needed to kill every man, woman, and child in the United States.

Now, if you speak to Border Patrol agents trying to deal with the crisis, they will tell you the Biden administration has completely forbidden them to enforce immigration law. They have been made ushers and nursemaids for illegal immigration.

This invasion is wreaking havoc on communities all across our country, and it simply cannot go on any longer. It is long past time for States to protect their interests because Joe Biden has made it clear the Federal Government will not.

President Biden's dereliction of duty and failure to take care that the laws be faithfully executed at our southern border has directly put the citizens of all 50 States in danger and has resulted in loss of life.

Let me be crystal clear. The violent activity and smuggling of drugs, humans, guns, and other illicit goods carried out by drug cartels and transnational criminal organizations meet the definitions of "actually invaded" under clause 3 of section 10 of article I of the U.S. Constitution; and "invasion" under section 4 of article IV of the U.S. Constitution; and Governors of all 50 States possess the authority and power as commander in chief of their respective States to repel the invasion described in paragraph 2.

I encourage the passage of this resolution to stand in solidarity with the Governors of these United States who must take matters in their own hands to protect their citizens against this invasion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

LAW ENFORCEMENT

Mr. KENNEDY. Mr. President, with me today is Mr. Wesley Davis, one of my able aides in my office. I would like to talk for a few minutes about crime.

It is up. It is way up. The largest city in my State is New Orleans, and New Orleans is on track to becoming the murder capital of the world. In my State and in my city of New Orleans, we have seen a 136-percent rise in homicides, a 101-percent rise in shoot-

ings, and a 194-percent rise in carjackings. And this is not just a Louisiana and a New Orleans problem.

Baton Rouge, LA—Baton Rouge, of course, is my capital city—and Shreveport are not much better. And violent crime is also on the rise in major cities from the west coast to the east coast.

We hear a lot about Chicago, of course, and New York City, but from May of 2021 to May of 2022, crime was up 23 percent in Seattle. It was up 21 percent in Washington, DC.

And I would respectfully suggest this is no coincidence. For almost 2 years now—2 years, long time—some people in positions of authority in our country have been calling to defund the police, to dismantle the police. And they have been disrespecting the police.

Many of our public officials—not all of them, but some happen to be mayors in major cities—they believe that cops are a bigger problem than criminals. They do.

They believe that when a cop shoots a criminal, it is automatically the cop's fault. When a criminal shoots a cop, it is the gun's fault. And we also have prosecutors, district attorneys—not all of them but too many of them who live by the motto: Hear no evil, see no evil, and prosecute no evil. And we can now see the result of that attitude.

It is an anti-law enforcement attitude. Now, look, I know cops aren't perfect. I get it. Some of our police officers get out of line intentionally. And when they do, they should be punished. But do you know when a radical jihadist who happens to be a Muslim blows up a school full of school children, we are told don't blame all Muslims because of the acts of a few.

And, gosh, I agree with that, and I know the Presiding Officer does too. How come the same rule doesn't apply to cops? I don't understand. This anti-law enforcement sentiment, understandably, has resulted in lower morale among cops. Duh. It has led to massive resignations. It has led to massive early retirements.

It has in my State, and it has in most other States. It turns out that when you spend years vilifying police officers and making it harder for them to do their job, some of them no longer want to stay. That is not surprising.

In the city of New Orleans, we have fewer than 1,000 police officers. We need 2,000. This year alone, more than 100 police officers have already quit. That is around the same number of police officers who resigned, retired, or were fired in 2020. And these statistics are nationwide; it is not just New Orleans.

The Dallas Police Department is down 550 law enforcement officials. In Portland, OR, the department is looking to fill more than 100 positions for cops.

A headline from last week said:

As officers leave in droves, New Orleans PD's response times soar to 2.5 hours.

That is not the way our country should work.

Now, you can talk about defunding the police all day, and I don't want to paint with too broad a brush here—not everyone does. But too many people do.

But the reality is that defunding the police results in delayed responses to 9-1-1 phone calls. It demoralizes cops. It causes a lack of good recruits, and it causes our communities to be less safe.

I don't know why this is—if I make it to Heaven, I am going to ask—but there is some people in our society—not just in America but throughout the world—these people are not sick; they are not mixed up; they are not confused. It is not that their mother or their father did not love them enough. They are just antisocial.

I don't know why, but they are. And they hurt other people. And they steal other people's stuff. And they can't live in society. And to protect us from them, we have to have law enforcement. It is just that simple.

So here is, in my opinion, what we do, because it is hard not to notice that what we are doing right now is not working. I don't mean to be cruel, but a lot of Americans look around at the people who are disrespecting and defunding the police—or trying to—and the attitude of those Americans is, look, don't bother to send in the clowns; they are already here.

The American people want and deserve better. What should we do? No. 1, we have to empower our cops. And when they make a mistake intentionally, when they intentionally violate their oath, they should be punished. But that is a small minority of our law enforcement officials. So we need to empower our cops.

As I said, we have too many people in positions of authority who really think cops are a bigger problem than criminals. We have to pay our cops. We have got to hire more of them. We have got to stand behind them.

When they make a split-second decision, they shouldn't be thinking, Oh, my God, I might lose my family and my home and my job. When they act in good faith and they have to make a split-second decision, we have to stand behind them. And we have to tell our police officers to enforce all laws—not just the big ones, the little ones. And we have to get rid of the "hear no evil, see no evil, prosecute no evil" prosecutors.

It is also important that we ask ourselves another question: Why is it that so many young offenders—especially in our inner cities—why is it that so many of these young criminals are more likely to grow up and go to prison than own a home or get married? Why is that?

Because that is true, and that is an embarrassment. And I will give you one reason: Because their schools suck. They do. Too many of our schools are failure factories. We need to fix them. We need to find out which of our teachers can teach and pay them. We need to find out which of our teachers can't teach and either teach them how or tell them to find a new line of work.