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## Senate

The Senate met at 11 a.m. and was called to order by the Honorable JOHN W. HICKENLOOPER, a Senator from the State of Colorado.

### PRAYER

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

Let us pray.

Eternal God, the giver of every good and perfect gift, use our lawmakers today to cause justice to roll down like waters and righteousness like a mighty stream. May our Senators strive to do what is right, love mercy, and live humbly for Your glory. Guide them to turn their ears to Your wisdom as You illuminate their hearts with Your truth. May they call on You for direction, depend on Your prevailing providence, and defend the truth regardless of the consequences. Grant that their faithfulness to You will be like the light of morning at sunrise, like a morning without clouds, and like the sun gleaming on new grass after the rain.

We pray in Your glorious 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 (Mrs. MURRAY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, April 17, 2024.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN W. HICKENLOOPER, a Senator from the State of Colorado, to perform the duties of the Chair.

PATTY MURRAY,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### LEGISLATIVE SESSION

#### REFORMING INTELLIGENCE AND SECURING AMERICA ACT—MOTION TO PROCEED—Continued

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 7888, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 365, H.R. 7888, a bill to reform the Foreign Intelligence Surveillance Act of 1978.

#### RECOGNITION OF THE MAJORITY LEADER

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

#### MAYORKAS IMPEACHMENT

Mr. SCHUMER. Mr. President, this afternoon, Senators will come to the floor and be sworn in as jurors in the impeachment trial of Secretary

Mayorkas. Yesterday, the Senate received the impeachment House managers, who read the two articles against the Secretary.

Today, the trial will commence, and we will be in our seats as jurors for the third time in 4 years. But this time, Senators will preside as jurors in the least legitimate, least substantive, and most politicized impeachment trial ever in the history of the United States.

The charges brought against Secretary Mayorkas fail to meet the high standard of high crimes and misdemeanors. To validate this gross abuse by the House would be a grave mistake and could set a dangerous precedent for the future.

For the sake of the Senate's integrity and to protect impeachment for those rare cases we truly need it, Senators should dismiss today's charges.

So, when we convene in trial today, to accommodate the wishes of our Republican Senate colleagues, I will seek an agreement for a period of debate time that would allow Republicans to offer a vote on trial resolutions, allow for Republicans to offer points of order, and then move to dismiss.

Let's not kid ourselves about what is going on today: The impeachment of Alejandro Mayorkas has nothing to do with high crimes and misdemeanors and everything to do with helping Donald Trump on the campaign trail.

Secretary Mayorkas has not been accused of treason or accepting bribes or unlawfully attacking our elections or anything of the sort. He has not been accused of criminal wrongdoing. He did not blackmail a foreign power to dig dirt on a political opponent, nor did he incite a violent mob to wage an insurrection against the peaceful transfer of power.

Instead, the hard right wants to exploit the supremely serious matter of impeachment for the sake of cable news hits and content for social media. This is an illegitimate and profane abuse of the U.S. Constitution.

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



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The Framers were clear: Impeachment should never be used to settle policy disagreements. Legal scholars from across the ideological spectrum have agreed to the same for decades. Even the Wall Street Journal editorial board, the darling of the conservative intelligentsia, argued a few months ago that “a policy dispute doesn’t qualify as a high crime and misdemeanor.”

If our House Republicans want to have a debate about the border, Democrats are glad to have it. But instead of wasting time on impeachment, we should debate bipartisan legislation to secure our border once and for all.

In fact, that is precisely what we tried to do in this Chamber just a few months ago. I worked with a handful of Democrats and Republicans to draft the strongest border security bill to come before the Congress in decades, before Donald Trump and the hard right killed it in its tracks. It was everything that Republicans could have wanted and more: a bill to hire more Border Patrol agents, reform asylum, fight the fentanyl crisis, and create brandnew powers for the President to close the border. It was strong, strong stuff.

The National Border Patrol Council, the Chamber of Commerce, and the ultraconservative Wall Street Journal editorial board all threw their support behind our bipartisan bill. If both Chambers would have voted on it, I am certain it would have passed and be signed by the President.

But that is precisely why Donald Trump and the hard right were afraid of it. Instead of providing a solution to the border, Donald Trump and his MAGA radicals want to exploit the border for political gain. And, today, with this trial, MAGA radicals want to likewise exploit our Constitution and try to gain an edge on the campaign trail.

It is beneath the dignity of the Senate to entertain this nakedly partisan exercise, one that both conservative and liberal legal scholars agree fails to meet the high standard demanded by impeachment.

So I will say it again: Impeachment should never—never—be used to settle policy disagreements. That would set a disastrous precedent for the Congress and could throw our system of checks and balances into endless cycles of chaos.

#### FISA

Mr. President, now on Senate business, the Senate might be stuck addressing the House’s bogus impeachment charges, but that doesn’t erase the fact that we have a lot of work to do in the Congress in the upcoming days.

Before April 19, the Senate must come to an agreement on FISA reauthorization. Last night, I filed cloture on the motion to proceed to the House-passed FISA bill, and that vote is set to take place tomorrow.

Democrats and Republicans are going to have to reach an agreement if we want to get FISA reauthorization done

before the deadline. Otherwise, this very important tool for ensuring our national security is going to lapse, and that would be unacceptable. The House has not made our jobs any easier with this bogus impeachment trial, but that doesn’t let us off the hook to work together quickly to get FISA reauthorization done.

#### NATIONAL SECURITY SUPPLEMENTAL FUNDING

Mr. President, on another important matter, we are still waiting to see how Speaker JOHNSON and House Republicans will proceed on the national security supplemental package. One way or another, I hope—I fervently hope—that we can finally finish the job in the next couple of days, but that is not certain and will depend a lot on what the House does. The entire world is waiting to see what House Republicans will do about aid to Ukraine, aid to Israel, humanitarian assistance, and aid to the Indo-Pacific.

Putin is watching closely to see if America will step up and show strength or slink away from a friend in need.

And for anyone who thinks the war in Ukraine is just a regional conflict in Eastern Europe, the Chinese Communist Party would beg to differ. If President Xi sees America waffle in helping Ukraine, he may conclude that we will similarly get cold feet in the Indo-Pacific.

Congress must finish the work on the supplemental once and for all. The time for waiting and delay has long been over. I urge House Republicans to continue working in a bipartisan spirit to get this aid passed. The security of America, of our friends abroad, and of Western democracy itself demands that we act.

#### STEEL TARIFFS

Mr. President, later today, President Biden will call for the tripling of tariffs on steel and aluminum imports from China. This is a strong and decisive response to continued unfair trade practices by China.

I have long been a loud and fervent advocate of higher tariffs on Chinese steel and aluminum imports for years. When I first became Senator, I saw for myself how unfair Chinese practices were carving away at American production and American jobs. The deck has long been stacked against U.S. steel and aluminum workers for years because of the Chinese Government.

For China, the equation is simple. They overproduce steel and aluminum with the help of subsidies and low-cost labor, and then flood markets with these cheap products and dominate any competition and reap the profits. American businesses end up falling further and further behind.

Critically, the President is also calling for action to prevent companies from routing steel and aluminum imports through Mexico in an attempt to circumvent the tariffs.

There is perhaps no industry that has felt the impact of China’s unfair trade practices than shipbuilding. The United States was once a global leader,

but now we produce less than one percent of the world’s commercial ships. Over the last two decades, China has dramatically increased its dominance of the shipbuilding industry, putting American businesses and workers at risk and jeopardizing our national security.

So the President’s announcement today is a welcome step to getting American steel and aluminum businesses back on a level playing field with China. I can assure you, there is no shortage of American businesses ready to step up and compete in the global market.

In my home State of New York, union steelworkers, in places like Western New York and Massena, helped forge the steel and aluminum that built America’s bridges and buildings. And they stand ready, alongside other manufacturing powerhouse communities in Ohio, Pennsylvania, and elsewhere who built America from the ground up.

So I commend the President for his strong and decisive call to triple the tariffs on steel and aluminum imports from China. And Democrats will keep working to bring American businesses and workers back on level with the world.

#### REMEMBERING DANIEL ROBERT GRAHAM

Finally, Mr. President, today, we are mourning a colleague and former Member of this Chamber, Bob Graham, who passed away, yesterday, at the age of 87.

Bob and I only served for a few years, but it didn’t take long to realize he was a man of great integrity. He was a devoted public servant who dedicated his entire life to his beloved Florida, from the State legislature to the Governor’s mansion, to the halls of the U.S. Senate.

Our prayers are with his family and his loved ones.

#### AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL FOR THE LYING IN HONOR OF THE REMAINS OF RALPH PUCKETT, JR., THE LAST SURVIVING MEDAL OF HONOR RECIPIENT FOR ACTS PERFORMED DURING THE KOREAN CONFLICT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 33.

The ACTING PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 33) authorizing the use of the rotunda of the Capitol for the lying in honor of the remains of Ralph Puckett, Jr., the last surviving Medal of Honor recipient for acts performed during the Korean conflict.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SCHUMER. I ask unanimous consent that the concurrent resolution be