

he was able to slip into the shadows, and the authorities were not able to trace him. They were not able to find him.

Why? Because he was an illegal immigrant, operating under many assumed names, operating out of many different communities, with who knows which family or what contacts.

When American citizens are committing crimes, oftentimes we can trace them. We know who they are. We know who their family members are. We know where they have worked. It is very different with those who enter the country illegally. We can't trace them. We can't find them. The families like Sarah Root's family—Michelle Root and Scott Root will never see justice for their daughter because the man who killed her was released and slipped right back into the shadows where he came from. This family in Council Bluffs, IA, will never see justice for their daughter. Many of these other families will never see justice for their loved ones because our law does not require ICE to detain and hold those murderers—those killers—until they have been seen by a court of law.

That is what my bill does. It requires the detention. It does not allow ICE to voluntarily keep them. It requires them to keep them—justice for our families.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

UNANIMOUS CONSENT REQUEST—S. 3933

Mr. GRAHAM. Mr. President, I will be making a unanimous consent request here in a second, and Senator BRITT will be joining me in that endeavor.

We are going to have a vote at 2 o'clock about a bipartisan bill. I applaud the effort to change our immigration laws and get control of an out-of-control situation. Unfortunately, it doesn't matter what law is on the books, if the administration is not going to enforce the ones that already exist.

We had a vote in February on this bill. One of the problems I had the entire time is that parole is being abused by this administration. Since February until now, April, 77,800 people have been paroled in the United States, and I believe that is an abuse of the statute that is on the books. There were 1.3 million in fiscal year 2023. Over 1.2 million were paroled by the CBP alone.

Now let's talk about the parole statute, if we have that. If we don't, well, let me tell you what the law says.

It basically says you can be paroled for two reasons: a unique humanitarian need or a special benefit to the country. The statute that they are using to parole all of these people has limitations as to how it can be used. On average, the statute in question during the Obama-Trump years was used—about 6,000 people, on average, were paroled in the United States using the statute that the Biden administration has been abusing. In fiscal year 2019, it was 7,525;

in fiscal year 2018, 6,466; in fiscal year 2015, during the Obama years, 4,598; in fiscal year 2019, again, 7,500. In fiscal year 2022, the Biden administration paroled 795,561 and, in fiscal year 2023, 1.2 million plus.

Why are they doing parole differently than Obama and Trump? They are abusing the statute. Why are they just waiving so many people into the country? That is for the voters to decide. I think they are just basically abusing the statute because they don't want to turn anybody around and send them back. So they just let people come into the country in violation of the law.

Again, the parole statute in question is limited to two circumstances: a unique benefit to the country or a special benefit to the country. A unique humanitarian situation is that your mother is dying. A special need to the country is you are a witness in a trial, and we need to get you in for a limited situation. Parole is not permanent status.

As for Laken Riley—and we will ask unanimous consent to vote on the bill authored by Senator BRITT—the man accused of murdering her and who was indicted in Georgia, Mr. Ibarra, in September 2022, was apprehended by the Border Patrol. He was released through parole. And it took me forever to find this out, the reason for parole: The subject was paroled due to detention capacity at the central processing center in El Paso, TX. The reason for parole: The subject was paroled due to detention capacity at the central processing center in El Paso, TX. They had no room for the guy, and he is now being charged with murdering this young woman in Georgia. He was arrested in 2024.

Senator BRITT will tell us what her bill does here in a moment. She is trying to find a way to make sure this never happens again. The two crimes he was charged with should result in an immediate expulsion from the country. That is what her bill does. But I want the country to know that the man accused of killing this young lady in Georgia was released into our country by the DHS—illegally, in my view. They violated the statute. They gave him parole for a reason that doesn't exist in the statute.

And you wonder why we don't want to pass another bill. The reason we don't want to pass another bill is we don't trust you, the Biden administration. Why create a new law that isn't going to be any more effective than the current law?

From the time we had this debate until the end of April, did things get better? No. There have been 77,800 people paroled from the original debate until now. So, clearly, they haven't changed their idea or policies regarding the abuse of parole. The average for Obama-Trump was around 6,000 for the entire year using the parole statute in question. This is 77,800 since February. So why are we skeptical? Because of the way they do business in the Biden administration.

Secretary Mayorkas has all the power he needs to stop this. You will never convince me that 77,800 people were individually screened. They have a program to waive people through based on country, not individual status. They promised me that an individual analysis was done on each parolee. I asked him that, and he said yes. Well, we found one parolee accused of murdering a young lady in Georgia who was not individually analyzed and released based on the criteria of the statute. He was released because they had no place to put him. So what we want to do today is try to find a way to deal with the situation that led to the murder of this young lady.

The law has a loophole in it, I guess, for lack of a better word. I am going to recognize Senator BRITT now to tell us what her bill does, because what do we know about the Georgia case? We know the man charged with the murder of Ms. Riley was released into the United States under parole, not based on statutory requirements but just because we were full. If I were the Riley family, I would be pretty upset. They might want to think about suing.

Right now, I would like to yield to Senator BRITT from Alabama, who has tried to find a solution to this problem.

The PRESIDING OFFICER. The Senator from Alabama.

Mrs. BRITT. Mr. President, first, I would like to say thank you to my colleague from South Carolina for his leadership on this critical issue.

The Laken Riley Act is the bipartisan border bill that should be on the Senate floor today. I am proud to be the lead Senate sponsor of this critical legislation along with my colleague from North Carolina.

The Laken Riley Act passed the House of Representatives in an overwhelmingly bipartisan fashion. The gentleman from Georgia, from Congressional District 10, secured 37 Democratic votes for this bill on the House floor, and here in the Senate, this bill is bipartisan and has a cosponsor list of 47 Senators. I am confident that a bipartisan majority of Senators supports the Laken Riley Act and would vote for it today. The House already did its work in a bipartisan fashion on this legislation, and now it is our turn here in the Senate. Frankly, it is well past time.

We should send this bipartisan bill to the President's desk immediately. If this bill had been the law of the land, Laken Riley would still be alive today. Now this body has an opportunity and a responsibility, in my opinion, to prevent this kind of unimaginable tragedy from happening to more families across America.

The Laken Riley Act is straightforward. It says that ICE would be required to detain and deport illegal aliens who commit theft offenses. It would also allow States to seek an injunction against any action taken by the Secretary of Homeland Security or

the Attorney General that violates immigration law to the detriment of the State or its citizens.

My colleague from South Carolina has been at the forefront of exposing the Biden administration's unprecedented abuse of immigration parole, which is directly relevant to the Laken Riley case.

Under the Trump administration and the Obama administration, parole was granted at our southern border, on average, to fewer than 6,000 people a year. However, under President Biden, grants of parole have skyrocketed, and now we know that over 1.3 million people have been paroled in the past year. One of those grants of parole went to Laken Riley's alleged killer after he crossed the southern border illegally in 2022. This abuse of parole continues to have devastating consequences for families and communities in every corner of our Nation.

President Biden could stop this abuse of parole today, if he wanted to, but he doesn't, and he won't. The President refuses to reverse course. It is past time to force his hand on that and pass the Laken Riley Act. It will secure our homeland. It will help to safeguard our streets. It will help to defend our families.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I will be making the unanimous consent request in just a minute, as I am just about to wrap up.

I sent a letter yesterday to Secretary Mayorkas, wanting to know about the two people who tried to get into the Marine base, Quantico. Apparently, both of them were illegal, claiming to be Amazon contractors but were not. There is a lot of mystery around this, and I want a response to my letter.

Who are these people? What do we know about them? Have they any affiliation with terrorist groups? What were they up to?

I think we need to know as a nation what went on, because I find it very odd that two fighting-age illegal immigrants joined together to try to falsely get into a Marine base. That sends shivers up my spine.

So I ask unanimous consent that this letter be printed in the RECORD, if I may.

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

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 21, 2024.

Secretary ALEJANDRO MAYORKAS,
U.S. Department of Homeland Security,
Washington, DC.

DEAR SECRETARY MAYORKAS: I am writing today to seek information from your agency regarding the reported arrest of two Jordanian nationals posing as delivery drivers while attempting to infiltrate Marine Corps Base Quantico on May 3, 2024.

As soon as possible, please inform me and the committee on the status of these two individuals. Please explain how they came to the United States. Were they here illegally? Are either of them on any terrorist watchlist?

Please provide the committee with the answers to these questions and any other information relevant to their background and intent, including copies of the complete and most current alien files for each individual. This will allow us to make an informed decision about how to address the recurring threat posed to our national security by this kind of incident, which is not isolated.

I would hope for and expect an immediate reply.

Sincerely,

LINDSEY O. GRAHAM,
Ranking Member,
Senate Judiciary Committee.

Mr. GRAHAM. Mr. President, as in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 3933 and that the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Illinois.

Mr. DURBIN. Mr. President, reserving the right to object, we all agree that noncitizens who are convicted of violent crime should be detained and removed from the United States—period. Sadly, the Laken Riley Act does nothing to address violent crime.

Under current law—current existing law—noncitizens who enter the country illegally, violate the terms of their status, or have their visas revoked can be detained now, under the law, by officials of the Immigration and Customs Enforcement, better known as ICE.

Current law also requires—requires—the detention of individuals with serious criminal convictions—those who have committed murder, rape, or any crime of violence or theft offense—with a term of imprisonment of at least 1 year.

The law also gives ICE discretion beyond that to detain a noncitizen in any case in which a noncitizen has been charged with a crime. To make this decision, ICE assesses the individual's circumstances in the case, ensuring the Agency's limited resources are used effectively to protect national security and public safety.

The reality is that Congress has never appropriated nearly enough money for ICE to detain every—every—undocumented immigrant who is charged with a crime.

And, remember, the vast majority of Senators on the other side of the aisle—including the sponsors of this measure—blocked the bipartisan national security supplemental in February that would have given ICE more funding to detain more undocumented immigrants who might pose a threat to our country. They voted against it.

They will have another chance to vote to provide that additional funding in just a short time today. I hope they will finally take this opportunity. Vote for more ICE agents if you want more ICE enforcement of existing laws that are serious on the books.

Here is the reality: The sweeping approach in this bill would actually harm national security. Why? Because it

would eliminate ICE's discretion to prioritize dangerous individuals—certainly, people who are being convicted of a violent crime or charged with a violent crime or more serious offenders than, perhaps, those who are guilty of theft. We don't know the circumstances in each case.

This proposal would, instead, require ICE to treat those arrested for non-violent crimes the same as individuals who are actually convicted of violent crimes. With limited ICE agents, you have to make a choice: What is the priority? Who is the most dangerous individual?

This proposal before us would overwhelm ICE facilities and make us less—not more—safe.

For example, this law would require ICE to detain every immigrant who is simply arrested for shoplifting—arrested—even if it quickly becomes clear the person is innocent, because this bill does not require a charge or conviction.

Tell me, does it make sense to treat a noncitizen arrested for shoplifting the same as someone convicted of murder? I think we all know the answer.

This bill would also grant State attorneys general the standing to sue Federal immigration authorities if a State disagrees with immigration enforcement decisions made by the Federal Government.

For example, this bill would give a State attorney general the standing to challenge the use of the parole authority—like Uniting for Ukraine, which allows Ukrainians fleeing Putin's war to temporarily come to the United States—if the State can show harm of \$100.

Let me tell you, they talk a lot about parole and how many—70,000 or so in the last 6 months or so. Among those were the Ukrainian refugees. They were brought to the United States from the war-torn zone because of Vladimir Putin's invasion. And 36,000 of them came to Chicago. The conditions of their coming to Chicago: a background check; secondly, they had a sponsoring family so that they have someone who will help them assimilate into the United States; and, third, they were given the right to work.

We have had little or no publicity, negative publicity, about these Ukrainians. We are a very proud Ukrainian-American community. They are absorbing these individuals who are the victims of the war in Ukraine. These are part of the parole numbers that have just been alluded to.

In contrast, we have received 46,000 migrants sent by the Governor of Texas on over 880 buses to Chicago without any warning, without any preparation. That has been a difficult situation, and it has really put a taxing strain on the governments in the area. But to argue that parole for Ukrainian refugees is wrong—I disagree with that. It was a humanitarian

gesture on the part of the United States, and it has worked well, at least in our community. The situation with the Governor of Texas is a sharp contrast in this circumstance.

Laken Riley's murder, by any standard, was a tragedy. Every description I have read about this young woman suggests she was an amazing person, and the fact that she lost her life is terrible. There are no excuses. We must do everything possible to prevent crimes like this from happening. But this legislation before us makes our system less orderly and less safe. It does nothing to help the situation, the circumstances that affected her.

The reality is that most immigrants in the United States are law-abiding individuals who are seeking a better life in our Nation.

Many studies have shown that immigrants are less likely to commit crimes than natural-born U.S. citizens. But Donald Trump recently said that undocumented immigrants were "poisoning the blood of our country"—a phrase that closely mirrors one used several times in Hitler's "Mein Kampf." He has also promised to round up and deport every single undocumented immigrant in our country, including Dreamers who grew up here.

When the bipartisan border supplemental came to a vote, the vast majority of Republicans opposed it at the request of Donald Trump. Do you know what he said publicly and clearly? "Blame it on me" if the bill fails. I am blaming it on him.

The former President has made it clear he does not want a solution to our challenges at the border—he wants a campaign issue for November.

I urge my colleagues to reject Donald Trump's advice, support the actual solutions which will be before us in the next hour and a half.

I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, to my colleague from Illinois, Senator DURBIN, we do a lot of things together. I enjoy working with you. But, here, we have a fundamental disagreement.

No. 1, you are entitled to your opinion but not your facts. There were 77,800 people paroled in the U.S. since February who came from Cuba, Haiti, Nicaragua, and Venezuela. That doesn't count the people from Ukraine. They all showed up at the border. They were paroled in. There is no way that two statutory requirements were applied to 77,800 people.

Why did they just wave them through? All I can tell you is that parole has been abused. The average was 6,000 per year for Trump and Biden during their Presidency. From April to now, it is 77,800—nothing to do with Ukraine.

As to the people from Ukraine, I want to help them, but we have a refugee law where you can apply for refugee status if you are in a war zone or

things are bad where you live. They are taking the parole statute and just granting to anybody and everybody they choose to grant. The bottom line is we are either a rule-of-law nation or we are not.

This has nothing to do with ICE funding. We were not talking about funding ICE here. This is a decision by the executive branch to abuse the law on the books.

The tools available apparently are not being used by anybody.

Why does Senator BRITT offer legislation? Because we have a real-world example where the system failed. Let's make it stronger.

Why did this bill pass overwhelmingly in the House? Because it makes sense.

If you learned nothing from the Laken Riley case, learn the following: She is a victim. Her family is a victim of a broken immigration system. Her family is a victim of willful disregard of the law by the Biden administration.

The man accused of murdering this young lady was allowed to come into the country on parole based on "we have no place to put you," not the statutory requirements to get paroled.

This is a big issue. We should learn from the death of this young lady. We should change our parole system. We are not. That is why we are not going to add a new law that won't be enforced.

Until you prove to me you are serious about following the law as written, you are going to have a problem with us on this side of the aisle and, hopefully, a few Democrats.

We should learn from the Laken Riley case and do what Senator BRITT encourages us to do, which is to change the law, to address the situation so we have no other Laken Riley cases.

Apparently, the death of this young lady has taught us nothing as a body. We have learned nothing from this case. We are doing nothing different, and it breaks my heart.

It looks like the murder of this young lady should be a wake-up call to a parole system broken and to fix this never-ending catch-and-release—you are caught for crimes, and you are released before the Sun goes down to commit more crimes. It needs to come to an end.

We will have a chance, as a democratic people, to vote in November. If you think the system is working the way it is intended to work, and you are OK with what is going on, vote for Biden. You are going to get more of the same. If you think this is broken, it needs to change, you ought to think about voting for somebody else.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I know there is another unanimous consent request to be made, so I will be very brief.

I have always taken Senator GRAHAM's concerns about parole at face

value. In fact, the last 30 days of the negotiations over the bipartisan border bill were dedicated to this question of reforming parole.

In fact, the bill we are going to vote on in a matter of minutes involves the most significant, most serious reform of parole likely in the history of the country.

We entered that conversation at the urging of Senator GRAHAM. He was intimately involved in the negotiations over the reform of parole.

The reforms are significant: an elimination of 236(a) parole, the parole that is used between the borders; a substitution for that process with a new rigorous examination of every individual who is arriving credentialed for asylum; major reforms to the humanitarian parole program to make sure that it is truly used only for humanitarian purposes.

So the irony of the complaints that are being made about the overuse of parole is that the bipartisan border bill—negotiated with Senator GRAHAM—involves the most significant reforms to parole, the most significant restrictions to the President's parole authority, that anyone here in this Senate has likely ever negotiated.

That is why it is regrettable that we are debating unanimous consent agreements instead of coming together to vote on a proposal that addresses many of the concerns raised by my colleagues.

Mr. DURBIN. Will the Senator from Connecticut yield for a question?

Mr. MURPHY. I would yield.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Would the Senator from Connecticut yield for a question?

Mr. MURPHY. I would.

Mr. DURBIN. What intervening event prohibited or stopped this bipartisan measure from passing on the floor of the Senate?

Mr. MURPHY. Thank you for the question, Senator DURBIN.

As I mentioned, we negotiated this bill in good faith. We negotiated it with the appointed representatives by the Republican conference. Senator GRAHAM was amongst those in those conversations.

We thought we had achieved a product that could get the broad support of the Republican conference because they ticked off to us their priorities.

And they were legitimate priorities. We heard them loud and clear. They said: We want to reform the asylum system. We want to raise the standard for a credible fear. We want more detention beds. We want to reform parole. We want to give the President a new authority to shut down the border at times of emergency.

Obviously, Democrats came to that conversation with priorities as well. We wanted to expand the number of family visas and work visas. We wanted to make sure that immigrants can exercise their legal rights.

We achieved a compromise, an old-fashioned compromise.

The night we released that bill, Senator DURBIN, I thought that we were on a path to passage. But it was President Trump who intervened and said, plain and clear, as Senator MCCONNELL has admitted: I want nothing to pass before the election. He said I want nothing to pass before the election, because President Trump's team decided that it would be better for the border to be a mess to help his political prospects instead of solving the problem.

I hear Senator GRAHAM when he says: Well, we don't trust the Biden administration. Well, we didn't trust the Trump administration. That is a road to nowhere.

If we don't pass reform legislation when the other party's President is in power, we will never do the business of the people. We had a chance to do that until the intervention of President Trump.

I wish—I wish—that instead of choosing his political prospects this November, we were choosing to secure the border in a bipartisan way.

Mr. DURBIN. At 2 o'clock this afternoon, we are going to have a vote on that bipartisan measure. It will be an opportunity for those who have amendments to come forward with those amendments after we pass it; is that not correct?

Mr. MURPHY. That is correct. And, of course, this is a motion to just proceed to debate.

So this isn't final passage. If Members think there are imperfections in this bill, if they want additional restrictions on parole authority, they could vote to proceed, and then we could get into a process by which we could try to solve any remaining differences that have arisen since the announcement of the bipartisan bill with Republican leadership with their designated negotiator.

I wish we could just get onto this bill so we could try to sort this out instead of allowing this issue to become a perpetual political football, as seems to be the interest of many of my Republican colleagues.

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, I have found this conversation so interesting.

I will remind my colleagues that H.R. 2, a border security bill, actually did come to the Senate, and it has been here since May 15 of 2023—an actual border security bill—and the fact that the provisions in front of us are not border security provisions are things that are of concern.

UNANIMOUS CONSENT REQUEST—S. 1843

Mr. President, I have come to the floor to talk about the Biden administration ending a policy that we had during the Trump years, and it was familial DNA testing at the southern border.

Now, they chose to end this. Nobody has benefited more from this reckless decision of the Biden administration

than these cartels that are abusing and recycling minors to help illegal aliens. Yes, indeed, they are recycling children. They are recycling children who have no relationship to the adults that are bringing them in, because these illegal aliens, being pushed by the cartels, are attaching children to the adults so that they appear as a family unit at the border, and that will help them to get asylum.

While more than 400,000 migrant children have crossed our border under this administration, reports show us that as many as 30 percent of those children that are DNA-tested by border agents are not related to the illegal aliens who are posing as their family members.

So I come to the floor to call for a motion to proceed to S. 1843, the End Child Trafficking Now Act, to restore familial DNA testing at the border. The bill would criminalize child recycling. It would require DHS to deport illegal aliens who refuse a DNA test. It would mandate a maximum 10-year sentence for illegals who fabricate family ties to a minor and require HHS to process such children as unaccompanied minors.

Protecting migrant children should not be controversial. If my Democrat colleagues object, they are making their position clear on this issue.

So, Mr. President, I ask unanimous consent that the Senate proceed to legislative session; further, that the Committee on the Judiciary be discharged from further consideration of S. 1843 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER (Mr. PETERS). Is there objection?

The Senator from Illinois.

Mr. DURBIN. Mr. President, reserving the right to object, I understand this bill is intended to "require a DNA test to determine the relationship between" asylum-seeking adults at the border and "any accompanying children." However, it fails to accomplish this goal, and our current laws already include provisions to allow for DNA testing.

Under current law, as written, DHS and the State Department already have the necessary authority to collect DNA when there is any question about the familial relationship between a noncitizen and a minor child traveling with them.

At the southwest border, the Department of Homeland Security currently conducts DNA testing when there is any question about the validity of the parent-child relationship, and additional scrutiny is placed on individuals who are not related to the child to ensure that a child is not being trafficked.

Due to what I assume is a drafting error in this proposal before us, I have to note that this bill will not even apply to families seeking asylum at the border. As it is currently written, this bill only applies to someone who is "admitted" to the United States, but under our immigration laws, asylum

seekers at the border "enter" the United States but are not usually "admitted." There is a big distinction here. That means that this bill would apply to any noncitizen family coming to the United States through our legal immigration system but not families crossing the border to claim asylum—exactly the opposite of what the Senator says she wanted to achieve.

The family relationships of those who are coming to our country through the legal immigration system are usually validated by multiple agencies before applicants are issued a visa. For example, assume that a family from Mexico wanted to come to Disney World in Florida and applied for visitors visas for that purpose for themselves and their children. They would need to prove at the airport, under this bill, that they are the relatives or guardian of the children or submit to a DNA test. Is that what we are going to expend our energy on? If the family refuses, the adults may be arrested. The children would be treated as unaccompanied children and placed in custody. Is that what we want to achieve?

This bill would require every such family to prove their relationship with their children at the airport or other ports of entry. The burdensome requirements in this bill could bring our system for processing lawful travelers to a halt and deter legitimate trade and tourism in the United States.

As the Senator from Tennessee knows, protecting kids has been one of our top priorities in the Judiciary Committee. Last year, we held two hearings on the safety and well-being of children seeking refuge in the United States. We heard from child trafficking experts and government witnesses. Following up on these hearings, the committee is in the midst of ongoing investigation into the issue.

We all agree that no child should be abused, exploited, or trafficked, whether the President is a Republican or a Democrat.

I vigorously opposed the Trump administration's inhumane family-separation policy, and I have demanded that the Biden administration do more to protect migrant children.

It is easy to criticize the executive branch, but let's take a look at the reality of the situation. We need to look in the mirror. It has been decades—over 30 years—since Congress passed meaningful immigration legislation. In less than an hour, at 2 o'clock, every Senate Republican and Democrat will have a chance to make history, to start us on a bipartisan conversation for a better immigration system.

Instead of lobbying pro-partisan attacks, let's come together across the aisle to fix the broken immigration system. We should provide funding for enforcement against child labor violations and ensure child migrants have the services they deserve.

I have introduced legislation to improve sponsor vetting and placement,