

The bill, as drafted, would also allow President Trump to arbitrarily sanction the heads of state of our allies. They all called and complained about that part because their countries are members of the ICC.

During this time of world tumult, that is an unnecessary burden to place on our allies. By sanctioning our allies, this bill, as drafted, would hamstring the ICC's ability to go after Putin for his war crimes, giving him the best gift possible. Again, a small fix, which Senator SHAHEEN tried to get, would easily have addressed this concern.

These fixes could have easily been made and, Lord knows, Senator SHAHEEN tried to fix them. You see, once Leader THUNE brought this to the floor, I asked Senator SHAHEEN, the ranking member of the Senate Foreign Relations Committee, to try to work with our Republican colleagues to address some of the drafting errors—not changing in any way the way the ICC should be taken to task for the way they go after Israel, but these other changes unrelated to Israel.

She and her staff worked tirelessly to find a way forward, but the Republican majority, the Senator from Arkansas, refused to make these simple changes.

Therefore, because they have chosen this partisan, nonconsultative path, I will oppose cloture on the motion to proceed, with the fervent hope that the other side will realize their error and their careless drafting and resume real conversations with us.

A bipartisan agreement is still very possible, and we hope and urge our Republican colleagues to sit down with us and come up with a bill that addresses the very real problems at the ICC without adversely affecting American companies and our allies.

#### 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 motion to proceed to Calendar No. 3, H.R. 23, a bill 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.

John Thune, Tom Cotton, Tim Scott of South Carolina, Pete Ricketts, Shelley Moore Capito, Deb Fischer, Markwayne Mullin, Rick Scott of Florida, Tim Sheehy, Cindy Hyde-Smith, John Boozman, Marsha Blackburn, Mike Rounds, James Lankford, Ted Budd, John R. Curtis, Tommy Tuberville.

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 motion to proceed to H.R. 23, a bill 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, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from Georgia (Mr. OSSOFF) is necessarily absent.

The yeas and nays resulted—yeas 54, nays 45, as follows:

[Rollcall Vote No. 22 Ex.]

#### YEAS—54

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

#### NAYS—45

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	Markley	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Gallego	Murray	Warren
Gillibrand	Padilla	Welch
Hassan	Peters	Whitehouse
Heinrich	Reed	Wyden

#### NOT VOTING—1

Ossoff

The PRESIDING OFFICER. On this vote the yeas are 54, and the nays are 45.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The motion was rejected.

The PRESIDING OFFICER (Mr. BANKS). The Senator from Alabama.

#### WALL ACT

Mrs. BRITT. Mr. President, January 2025 has been a turning point for the United States of America. President Donald Trump's inauguration marked the beginning of, as he put it, a new "golden age" for America. And our new President unveiled a list of Executive orders undoing 4 years of decline, in his very first week in office.

He has already reversed a number of the failed Biden-Harris policies that weakened both security at our border and enforcement of our immigration laws in our Nation's interior. He has taken action to end catastrophic catch-

and-release policies. He reinstated "Remain in Mexico," and he stopped the abuse of immigration parole.

Not only did President Trump turn our country's border and immigration policies around 180 degrees on his very first day, but, finally, at long last, Congress is working again. The House and the Senate sent the strongest immigration enforcement legislation to the President's desk since 1996.

After nearly a year of working to get the Laken Riley Act through, it is finally mere hours from becoming actual law. We are finally on our way to ensuring that criminal illegal aliens are off our streets before they can commit the most heinous crimes imaginable. Providing our States the ability to compel the Federal Government to do its job is something it also includes—and the enforcement of the laws that are actually on the books.

Far too often, we hear from grieving parents whose children's lives were cut far too short by illegal border crossers, who were poisoned by fentanyl brought across our southern border, or who suffered abuse at the hands of people who shouldn't have been in our country to begin with.

The American people have heard enough of those stories, and, on November 5, they told us they wouldn't take it any longer. The results of the November election were a signal from the people we represent to the lawmakers meant to act on their behalf. They were a verdict from the American people that Washington had, for far too long, become guilty of overlooking the problems that actually mattered to the people we are here working for.

With the Laken Riley Act, we have started to deliver on that verdict, but we are not done yet. The Laken Riley Act addresses the important problems of criminal illegal aliens already inside our country, but interior immigration enforcement is only one aspect of the problem we face. There is another priority we must focus on: preventing criminals from entering our country to begin with.

That is why I have reintroduced the WALL Act. It is long past time to finish construction of a wall on our southern border, and this bill would put us on the path to doing just that. It would appropriate funding necessary to finish the wall, and it would allow President Trump to do so without raising taxes on U.S. citizens or increasing our national debt by a single cent. In fact, we would fund the wall by fixing yet another issue with our immigration system: We would eliminate taxpayer-funded entitlements and tax benefits to illegal aliens. Not only would taxpayers stop having to foot the bill for illegal aliens, but we would also close the loopholes that illegal aliens are taking advantage of. Meanwhile, the benefits intended for citizens and legal residents would truly only go to citizens and legal residents.

Solving another problem, the WALL Act would impose monetary fines on illegal aliens and immigrants who overstay their visas. We would finish building the wall, and we would save money while we are at it.

The Joint Committee on Taxation estimated in 2018 that enacting the provisions in the WALL Act would save us \$33 billion over 10 years. The bill would save us both dollars and lives. And what could be more important than the task of keeping our country safe and restoring financial responsibility?

Just like the Laken Riley Act, the WALL Act is common sense, and, most importantly, it delivers to the American people what they have demonstrated they want, need, and deserve. It is the first move toward making sure that our immigration enforcement and border security Agencies have the funding they need to carry out the will of the people.

We must fund construction of the border wall, but we can't just stop there. As the chairman of the Homeland Security Appropriations Subcommittee, I am committed to ensuring that the Trump administration has the detention space they need to get criminal illegal aliens off of our streets and providing funding for CBP and ICE enforcement and removal operations so these Agencies have the personnel, resources, and technology necessary to fulfill their missions. And that, Mr. President, is a long time coming too.

As long as civilization has existed, both leaders and citizens have understood that the most important role that the government has is to provide security for the people who live under its jurisdiction. From the White House to both Chambers of Congress, the Republican Party is committed to getting our country back on track, to responding to the demands of the American people that they made to us this last November: securing our border, removing criminal illegal aliens from our streets, and providing a safe, orderly nation for the American people.

There is no greater responsibility we have, no higher calling we can seek than making America safe again. We have heard the American people's voices, and we understand the call. Now, let's heed that call and pass the WALL Act. Let's continue to turn our promises made into promises kept.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

#### TRUMP ADMINISTRATION

Mr. SCHATZ. Mr. President, the government shutdown that Donald Trump just ordered is illegal and unconstitutional. He is not a King, and we do not live in a monarchy.

It is Congress's authority to decide on Federal funding. The power of the purse is the foundational funding of the article I branch. Everybody talks like that. Everybody says those things. But now we are all put to the test—Democrats and Republicans.

Are we going to forfeit all of our power? We are the elected branch. We

make the laws. And the President of the United States just ordered a funding freeze for stuff he doesn't feel like funding. That is literally not how it works.

And, today, the White House Press Secretary was asked about specific popular essential programs. You know what she said? She said: Have those people talk to Russ Vought and make an appeal to him.

Now, there are a couple of problems with that. First of all, Russ Vought doesn't get to decide, in an appropriations law, which parts of the law to follow and which parts not to follow. Second of all—let's be really clear about this—Russ Vought is not a government employee right now. He is a nominee to lead the Office of Management and Budget.

And so we are supposed to have—I don't know—Medicaid recipients, VA home loan recipients, nursing homes, education organizations, healthcare organizations, transportation contractors, like, appeal: Mercy to the King. Will you please release these dollars? That is not how the American system works. This is illegal.

There is real pain starting today because of this funding freeze. Schools, childcare facilities, fire departments, community health centers, domestic violence shelters—all of them will instantly lose their funding at 5 p.m. today because somebody said: We are fiscal conservatives. You want to enact a fiscally conservative appropriations bill, pass a law. Pass a law.

I also would like to select the Federal funding which I agree with and fund that and select the funding that I disagree with and defund that, but I am not a monarch, and neither is Donald Trump.

We are hearing from so many constituents across the country, and I had a bit of a time delay because it is earlier in Hawaii, but all of my colleagues were getting incoming texts and calls and panicked people. This isn't about some arcane government program; this is, like, basic stuff. People are staged to do construction and told not to show up for work. Some of these construction projects are in places where you only have a narrow window during which you can even do construction, so a 90-day freeze means: Wait until next year. I don't care what the law says; wait until next year.

If you are a disaster survivor in North Carolina or Louisiana or California or Texas or Florida or Maui, you don't know what happens next. If you are a low-income family that relies on the Women, Infants, and Children Program to get healthy meals for your kids; if you live in a remote area like Waiānae or Lanai in Hawaii and you go to a community health center to fill your prescriptions, to get a checkup, this freeze on funding means you don't get help.

You know how long it takes to get a home loan, a VA home loan or any other kind of home loan. People are

showing up to get their VA home loans and saying: Not today. You might be like 45 days from closing. You are a veteran. You are entitled to this thing under the law. Russ Vought—not a member of the Federal Government yet—has decided you don't get your home loan today.

What an embarrassing abdication of the role of the Congress. All of this high-minded talk from my fellow appropriators about, you know there are really three parties in the Congress—this is the old joke—Democrats, Republicans, and appropriators, right? The idea is that the appropriators are the adults in the room. The appropriators are the adults in the room, and they are not going to let nonsense, unconstitutional, illegal acts happen because we are the ones that control the purse strings.

I want to make one final point. In addition to all the pain that is being caused, my goodness, the door swings both ways in Washington. Imagine a progressive President reaching into the Federal budget after an appropriations bill is passed and saying: You know what, I don't like that thing. I don't like that other thing. I don't like this one. I don't like that one. I am in charge.

What are we even here for?

So this is not going to be business as usual. I will tell you one thing: I have never in my 13 years withheld my unanimous consent. I have used a little leverage. Everybody does. But we better get this straight on a bipartisan basis—not because I want to score partisan points, not because I want to characterize Donald Trump in one way or the other, but because we all worked so hard and made real sacrifices to get to this place so we could have a position of responsibility to uphold the Constitution of the United States.

What is happening today is unconstitutional. It is also against statutory law. But most importantly, it is causing pain across the country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BLACKBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### IMMIGRATION

Mrs. BLACKBURN. Mr. President, nothing is more important than our national security and this Nation's sovereignty, and that means we must control our borders. That is why, in November, the American people gave President Trump an overwhelming mandate to finally go secure these borders. It was a major issue. They were tired of 4 years of Biden-Harris failures.

Thankfully, in just his first week in office, the President has already taken steps to do just this. On Inauguration

Day, for example, President Trump restored many of the successful policies from his first administration that former President Biden had ended, including the “Remain in Mexico” policy, border wall construction, and enhanced vetting of all aliens trying to come into this country.

At the same time that President Trump did those reinstatements, he terminated Biden’s disastrous open border measures, including ending catch-and-release, thank goodness. That CBP One app, where he was trying to make illegal entry legal, the Trump administration ended that. They ended migrant flights that brought more than 500,000 illegal aliens to cities all across the country—ended those flights. He also took new action to strengthen our border and end illegal immigration, including Executive orders to prohibit birth tourism.

This is a practice where you have companies or cartels and they sell you passage to the United States to come here for the express purpose of having a child on U.S. soil. It is a practice called “birth tourism.” President Trump ended that.

He designated cartels as foreign terrorist organizations, and he chose to send troops to the border. And among these troops are Tennessee soldiers from Fort Campbell’s 101st Airborne Division who are doing incredible work to help make this Nation safe.

Perhaps, most importantly, the President ordered mass deportations, something the American people have demanded after the Biden administration allowed more than 10 million illegal aliens to enter this country. And that does not count the “got-aways”—the “got-aways”—known and unknown “got-aways” that are here—the worst of the worst, most likely, people that were trying to evade detection and people that have seeped into our communities.

To no one’s surprise, these strong Executive actions are already yielding positive results for our Nation, our Nation’s sovereignty and security, and the safety and security of communities all across this country, because on Joe Biden’s watch, what did we see happen? We saw every town become a border town and every State become a border State.

People went to the polls in November and voted saying: Enough is enough. We have to restore law and order.

And in the last week—I want you to think about these numbers. I encourage all of our colleagues: Look at these numbers from the last week.

In this last week, ICE, or Immigration and Customs Enforcement, arrested more than 2,600 illegal aliens. Now, these are criminal illegal aliens. They are including gang members, convicted sex offenders, and murder suspects—2,600 in 1 week. This tells you they knew where these people were. It is just that their hands were tied by the Biden administration. They could not go get these people that were making our communities less safe.

Just on Thursday alone, ICE arrested two people in Nashville, TN. What we found out is they were both members of the gang Tren de Aragua, right in Nashville. Both of these illegal aliens have a criminal history of promoting prostitution and entered the country last year after being processed by the Biden administration.

While migrant encounters at the border have plummeted over the past week, the Trump administration has also conducted deportation flights to send illegal aliens back to their home countries.

Make no mistake, if any country refuses to take in their own citizens, President Trump has made clear that there will be consequences brought to bear. In just the last 24 hours, the Government of Colombia learned that lesson, completely reversing its blockade of deportation flights after the President said he would impose tariffs and sanctions.

For so many in Tennessee and across the country, this is welcome news. This is what they wanted to see. They were tired of talk. They were tired of appeasement. What they wanted was action to get these criminals out of their communities, to get them behind bars.

We can only have national security and know that this country is safe if we have border security. And for too long, Tennesseans and, I think, all Americans have suffered the consequences of this open border—the migrant crime, the fentanyl overdoses, human trafficking, strained public resources, and the list goes on and on.

While President Trump will continue to lead the way in securing our border, Congress should play a crucial role in supporting his efforts and make certain that no President can surrender our national sovereignty ever again. That is why, in the Senate, I have introduced a slate of bills that promote securing our border.

Here is an example, the CONTAINER Act. This is something that I have had for a while. This would empower communities along our border to construct barriers that would prohibit illegal aliens from crossing into their communities and stop the flow of traffickers and drugs and criminals that have been coming through these communities.

When you are on the southern border, you visit ranchers and farmers and communities where they say: If we could just put a barrier up.

The CONTAINER Act would give them that opportunity to put up a barrier and protect their areas.

The CLEAR Act, meanwhile, would reaffirm the authority of State and local governments to enforce Federal immigration laws by apprehending, detaining, and transferring illegal aliens to Federal custody. It also says that the Federal Government has to reimburse that local law enforcement agency for the money that they have spent.

And while President Trump reinstated by Executive order “Remain in Mexico,” which requires asylum seek-

ers to remain in Mexico while awaiting their court date, I also introduced legislation that would make this crucial policy the law of the land, requiring future administrations to support it.

You see, that is the importance of Congress taking action on what the President has done by Executive order. It is putting it in law, putting it in Federal statute so that future administrations have to abide by the law and implement it.

In addition, I have recently introduced the Preventing Violence Against Women by Illegal Aliens Act, which allows the deportation of illegal aliens convicted of sexual offenses or domestic abuse. What we have learned is that under the Biden administration, hundreds of criminal illegal aliens convicted of sexual offenses entered our country. This legislation would ensure that every single one of them can be removed from this country.

To end the surge of human trafficking at the border and bring this modern-day slavery to an end, I also have brought forward a comprehensive package of bills.

The PRINTS Act would give Border Patrol the authority to fingerprint noncitizens under the age of 14 so that we can combat this horrific practice of child recycling. This is something that the cartels do. They take a child, they place them with an adult, they bring them to the border, and then, once they are across, they turn the child loose. Many of these children have a name, address, and phone number written in indelible ink on their backs, on their arms. This needs to stop. So the PRINTS Act would give the Border Patrol the authority to use these fingerprints.

And we have the End Child Trafficking Now Act, which would require a DNA test to determine the relationship between illegal aliens coming across the border with children with them.

Both bills are crucial for ending child trafficking. And we know that between 30 and 40 percent of the children that presented at that border when we were doing DNA testing were found to be children being trafficked. Think about that.

The Biden administration ended the practice of DNA testing. When I inquired as to why they did it, the answer I got was because of the amount of time it took to do the DNA test. Well, it took 45 minutes—45 minutes. But to the Biden administration, pushing people across the border and into the country was more important.

And now we know that HHS has lost track of over 300,000 children. It is imperative that we find these children. It is imperative that we end this cross-border human trafficking of children.

I also have the SAVE Girls Act. It is bipartisan. Senator KLOBUCHAR has joined me on that bill. It would provide States and local governments and nonprofits with the vital resources they need in order to help combat this trafficking of girls and women.

I also have a bipartisan bill, the National Human Trafficking Database Act. It would establish a national human trafficking database at the Department of Justice and incentivize State law enforcement agencies to report crucial data.

You know, as we fight human trafficking, one of the things that we have learned from local and State law enforcement—by the way, this is a job that landed in their lap, to do this because there was not Federal enforcement. What we learned is there was no single repository for information about the traffickers, individuals that were being apprehended. So this would establish that database.

So we have had a busy week. The President has had a busy week, and we are grateful to President Trump and Vice President VANCE for how quickly they have moved on these issues of national security and the response they have given to the American people that, yes, they have been heard, and they are taking action that the American people have wanted to see.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT REQUEST—S. RES. 42

Mrs. MURRAY. Mr. President, we are a week into the Trump administration, and it can be summed up in one word: lawlessness.

Trump is showing every day, with nearly every action, that he has zero regard for the laws of this country—from pardoning en masse violent insurrectionists to illegally firing government watchdogs charged with holding him accountable, to issuing blatantly unconstitutional Executive orders, to asking OMB to halt funding Congress passed, which is something that is now causing serious chaos and harm to red States and blue States.

We are not going to let his strategy of overwhelming chaos win the day. We are fighting each of the actions, and we will not stop asserting our power as an equal branch of the government. But right now, today, we are going to focus on one issue in particular, one that is not just alarming but actually personal to all of us here in the Senate because it concerns the Capitol Police each of us walked by every single day.

I have made it clear I will not sit back and allow President Trump to rewrite the history of the January 6 insurrection. Already, his Justice Department has taken down the public database that laid out the thousands of investigations. He is literally trying to erase the evidence from public memory. But no President can rewrite history, not unless we stand by and let him, and that is absolutely not going to happen.

We will not forget what really happened here on January 6, 2021. As we all remember, as the American people witnessed in real time, armed insurrectionists, egged on by the sitting President, broke into the U.S. Capitol and violently assaulted Capitol Police officers in their attempt to overturn a free and fair election. You do not have to take my word for it, although, like many of my colleagues, I have a first-person account of that day.

The reality is well documented in videos, in photos, in case documents from thousands of people charged with felonies after that day, including assault. We know as a matter of fact that some insurrectionists brought knives, tasers, axes, hatchets, pepper spray, zip ties, and more. We know as a matter of fact that some assaulted officers with flagpoles, stun guns, fire extinguishers, and bear spray. We know as a matter of fact that Capitol Police officers suffered severe injuries as a result, including cracked ribs, smashed spinal discs, brain injuries, and even the loss of an eye.

Officers here sacrificed tremendously to keep Senators safe, Republicans and Democrats alike, and we have the footage, the photos, and the police reports that clearly show the crimes and the violence that were committed.

President Trump's decision to pardon en masse 1,500 people charged in the insurrection is truly an unthinkable attempt to erase the facts of that day and undermine our democracy, but it is especially heinous that he chose to pardon individuals who violently attacked our Capitol Police officers, not to mention commuting the sentences of 14 others, people found guilty of seditious conspiracy, people like Enrique Tarrio, leader of the Proud Boys, and Stewart Rhodes, leader of the Oath Keepers. It is a betrayal of the law enforcement that protected all of us that day and a dangerous endorsement of political violence, telling criminals that you can beat cops within an inch of their lives as long as it is in service to Donald Trump.

Every one of us here owes a tremendous debt of gratitude to our Capitol Police. They protected our lives, and they protected our democracy. That is why we are here today to pass a resolution that makes clear the U.S. Senate stands with our Capitol Police officers by disapproving the pardon of those who violently attacked the officers who keep us safe.

It is a very simple, modest resolution. It reads in its entirety:

Resolved, That the Senate disapproves of any pardons for individuals who were found guilty of assaulting Capitol Police officers.

It is that simple. We aren't relitigating every case; this is only about people guilty of assaulting Capitol Police.

I made sure this was short and clear, something we can pass unanimously because a message like this really should be unanimous. In fact, just to underscore how straightforward this is,

I want to read it in its entirety once again:

Resolved, That the Senate disapproves of any pardons for individuals who were found guilty of assaulting Capitol Police officers.

That is it, the entire thing. I don't think there is anything here for anyone to disagree with.

I yield to the Democratic leader.

Mr. SCHUMER. Let me thank PATTY MURRAY for her leadership on this issue.

It is becoming clear—it has become clear already, but it is even clearer today—a pattern is emerging from Donald Trump's Presidency, a pattern of lawlessness. He has pardoned insurrectionists. He has fired many of the government's independent watchdogs. And today—or last night—he froze billions, perhaps trillions, of Federal grant funding to hospitals and fire fighters and seniors and Head Start. Under Donald Trump, it is already clear: It is a golden age—a golden age for lawlessness.

Today, Democrats will seek passage of a resolution that talks about one aspect of this lawlessness: We simply condemn pardoning rioters who attacked our Capitol Police officers on January 6.

My colleague PATTY MURRAY, who has done such a great job on this, read the whole resolution. How the heck can anyone object to a resolution that says we should condemn pardoning those who assaulted police officers? Where is the law-and-order crowd? Where are the people who talked about defunding the police? How do you think every police officer feels when one of their brethren is assaulted and then they are pardoned, and their own Senators, who represent thousands and thousands of police officers each in their States, won't even stand up for their fellow officer?

I just hope our Republican colleagues don't block this resolution. All of us, every one of us—it doesn't matter if you are Democrat or Republican, liberal or conservative—every one of us should be able to agree that people who attack police officers don't deserve Presidential pardons. If Republicans stand in the way of this resolution, what an awful message it sends to our own Capitol Police whom we see every day, who work so hard to keep us safe.

Let's be clear. The people who invaded the Capitol on January 6, whether engaged in violence or not, committed a very serious crime. I saw them. I was within 20, 30 feet of them. Now, because of fear of President Trump, the party on the other side says: Never mind.

One of the worst days in American history. There is no gray area here, particularly when it comes to people who attack police officers.

By handing out these pardons to convicted criminals, President Trump is effectively saying: You want to attack our brave police officers? That is OK.

Pardoning lawless rioters is not, not, not what Americans want the President to be prioritizing. They want to

see answers to problems that impact them: inflation, good-paying jobs, a better future. They sure as hell don't want to see OMB taking away monies that have been lawfully allocated that they desperately need in so many aspects of their lives.

Our Capitol Police deserve nothing less than our full and steadfast support for everything they do to keep us safe. The very least—the very least—we can do for them as Senators is to come together and declare that those convicted of attacking Capitol Police officers—we say clearly with one voice, let's hope—that these people do not—do not—deserve a pardon.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Washington.

Mrs. MURRAY. Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 42, my resolution condemning the pardons for individuals who were found guilty of assaulting Capitol Police officers, which was submitted earlier today; further, that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

**THE PRESIDING OFFICER.** Is there an objection?

The Republican whip.

Mr. BARRASSO. Mr. President, reserving the right to object, I heard the Senator from Washington State say we are now 1 week into the Trump administration. I am very grateful we are now 1 week beyond the Biden administration.

Democrats do not want a serious debate here about the use of Presidential pardon power. If they did want a serious conversation, they would talk about Joe Biden's pardons—over 8,000 of them. The previous President used his final days in office to grant clemency to 37 of 40 of the worst killers on death row.

President Biden said time and time again, oh, he wouldn't pardon his son Hunter—oh no. Not only did he pardon Hunter for the crimes for which he had been convicted, he pardoned him for 10 years of his additional criminal activity, which has not yet been discovered. Then, minutes before leaving office on Inauguration Day, Joe Biden gave preemptive, blanket pardons to five more members of his own family. If they weren't guilty, why would they need or accept pardons?

President Biden commuted the sentences of two men who killed a Sussex County police officer.

President Biden also commuted the sentence of a killer who executed—executed—two FBI agents in cold blood. The FBI Agents Association said Biden's pardon was a “cruel betrayal to the families and colleagues of these fallen agents.” They said that the Biden pardon of this coldblooded murderer was “a slap in the face of law enforcement.”

President Biden also commuted the sentence of a drug trafficker involved

in the murder of an 8-year-old boy and his mother. The Biden administration actually classified him, believe it or not, as a “non-violent” offender. Even the Democrat Senator from Connecticut said “someone dropped the ball” on granting that clemency.

In all, more than 8,000 criminals were pardoned or had their sentences reduced by Joe Biden. Now, that is more than any other President in history. It isn't even close.

This resolution that the Senate is asked to consider today does not condemn the Biden abuse of the pardon power. It does not condemn the pardons or the commutations of police officer killers, of murderers, of rapists. It ignores the pain and suffering of the victims and their families.

I oppose, as do my colleagues on this side of the aisle, any violence against police officers. I oppose pardons of violent criminals. These officers deserve our thanks and our prayers. They deserve not to be used in political games—games like the ones that the Senate Democrats are playing today on this very floor. Democrats should be ashamed, and Democrats should be embarrassed.

Therefore, I object.

**THE PRESIDING OFFICER.** Objection is heard.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I am deeply frustrated that is the response we got today. We cannot agree on something as simple as standing by the officers who keep this building safe, officers every one of us walks by every day? There are officers standing outside the floor right now keeping watch as we are forced to debate whether it was not OK to pardon the people who violently attacked them. I don't know how my colleagues who oppose this simple resolution can look them in the eye.

It is insulting enough that Speaker Johnson—someone who has a dedicated 24/7 detail—has refused to put up the plaque honoring the brave officers who kept us safe 4 years ago, but the fact that we can't pass a resolution as simple as the one I presented today, the fact that we can't all agree that we should side with the people who keep us safe over the people who are attacking us, is disgraceful. It is unworthy of this body and unworthy of the sacrifice our Capitol Police have demonstrated time and again. We owe them better. I will not stop pushing to make sure we show them we understand that.

The President may be able to grant pardons, commute sentences, release criminals, delete databases, but I will tell you here, he can take no action that will erase the past unless we let him. As long as I can stand, as long as I can speak, as long as I am here, I will not let him or anyone rewrite the history of the January 6 insurrection or erase the important lessons that we must learn from it.

**THE PRESIDING OFFICER.** The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of the resolution offered by my colleague from the State of Washington, and I thank her for that.

This is personal. For many of us, it is personal. We were here on the Senate floor on January 6, 2021. Vice President Pence was presiding. I was sitting at this very desk. A few minutes after 2 o'clock, the Secret Service came in and literally removed him from his chair.

We knew there were demonstrations outside, but we didn't know how serious or how violent they had become.

A few minutes after that, a Capitol policeman stood in front of this Chamber and said to all of us: Stay in this room. Just take your seats. This is going to be a safe room. There will be many people coming in here, and we will keep them safe.

We didn't know what was happening outside, but we knew something serious was going on.

We waited another 10 minutes, and the same Capitol policeman said: A change of orders—leave immediately and exit through that door.

We all filed out through that door and headed for one of the buildings on Capitol Hill where there was a safe space for Members of the Senate to meet.

I wasn't sure what was going on in the House of Representatives. I still don't know all the details. But the reality was the mob—the insurrectionist mob—was taking over the Capitol. Thousands of people were storming into this building—not for a peaceful demonstration by any means but, sadly, for violence and destruction.

That day was the worst day I can recall in the history of the Senate in terms of our respect for this building that has become a symbol—not only for the United States but for the world—for peace and democracy.

And I thought of those poor Capitol policemen who were asked to defend us with their lives. They were asked to risk their lives for us. And they did. Four or five of them lost their lives as a result of it, and over 140 were seriously injured. Some of the things that were done to them were outrageous. You have seen the videotape. We don't have to speculate on what it was. We saw it, as they tore down building structures, as they beat up on these cops as many of them faced death and knew at the time it was that serious.

The grimmest reality of those riots was the subsequent death of five of these law enforcement officers and the injuries to approximately 140 others, many of whom still pay that price to this day.

Last week, President Trump, who incited the violence, commuted the sentences of 14 individuals and granted full, complete, and unconditional pardons to approximately 1,500 others convicted of offenses related to the January 6 attack. Many of the perpetrators have shown a stunning lack of remorse following their violent assaults on the brave members of the U.S. Capitol Police and DC Metropolitan Police who

protected my life and the lives of so many others that day.

For example, last August, David Dempsey, just a few hours after receiving a 240-month prison sentence for attacking police on January 6 with a flagpole, crutches, pepper spray, and pieces of furniture, called in to a gathering of supporters outside the DC jail. In reference to Trump's opponents, Mr. Dempsey said:

Don't celebrate too hard man, because that sentence is only gonna last like 6 months.

He knew that if President Trump were elected and had the power, he would pardon him, despite what he had done to the Capitol Police.

Devlyn Thompson attempted to throw a speaker at police officers, which ended up hitting and injuring a fellow rioter, and hit a police officer with a metal baton.

Daniel "D.J." Rodriguez, a California man who drove a stun gun into an officer's neck during one of the most violent clashes of the Capitol riot, was sentenced to more than 12 years in prison before President Trump granted him clemency.

Andrew Taake pepper-sprayed police officers and hit one with a metal whip. He was supposed to serve 74 months in a Federal prison in Beaumont, TX, but he was pardoned by President Trump.

These are just a few—a few—of the hundreds of individuals President Trump decided to pardon in his unconscionable Executive order. The list of crimes committed by these thugs goes on for pages and pages and pages of court documents.

Winston Churchill said once:

Those who fail to learn from history are condemned to repeat it.

That is why we must continue sounding the alarm on the violence and chaos of that day to ensure it never happens again. We must be clear that violence for political purposes is never, never acceptable. It has no place in democracy.

The men and women who bravely defended the Members of this body deserve more, and we should honor them for their heroic efforts, not excuse the thugs who attacked this body and the ideals it represents. President Trump was wrong in pardoning these men who attacked the police.

I thank Senator MURRAY for introducing this resolution condemning President Trump's pardons of the January 6 insurrectionists who assaulted our brave law enforcement officers, and I am disgusted—disgusted—that our Republican colleagues won't join us in honoring the men and women who risk their lives every single day for us. They risk their lives for us, and Senator MURRAY has asked us to recognize that fact and say violence against them is never acceptable.

We couldn't even get a bipartisan vote for that. It is a shame it has reached that point, but it has.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KELLY. Mr. President, I stand before you today as the son of two police officers. Growing up in our family, service always came first. My mom was actually the first woman to become a police officer in our hometown of West Orange, NJ. Before that, she was working as a secretary and a waitress, often at the same time. Her becoming a cop meant more money for our family. It literally changed our lives.

One day, my mom was seriously injured in the line of duty. When on patrol, she got a call about a burglary at a department store. She rushed to that store to help. The criminal attacked her—attacked her pretty badly. She was injured, and her injuries forced her to retire. It ended her career.

Now, that was a risk that she took for our community as a police officer. These are the same risks we see officers make every single day across our country—in all 50 States, all the Territories, and here in Washington, DC.

Our New Jersey community and her union, they had her back. The very idea of her attacker being let off the hook would have been outrageous. It would have been shocking. And it is almost impossible to imagine because it simply would have never happened.

Yet that is exactly what did happen when the President, Donald Trump, pardoned hundreds of criminals who violently assaulted Capitol Police officers and DC Police officers on January 6. That was his priority on day one of his Presidency. It wasn't to lower the price of gas or groceries or housing; it was to let violent criminals off the hook for storming this building and attacking the police, leaving many of them bleeding and bruised or worse—in some cases much, much worse.

Now, how does this line up with backing the blue? I don't get it. These pardons are an insult to every man and woman, like my parents, who served and served our country in law enforcement.

President Trump is sending a message that violence against cops is OK when it is done for him. That is a message that all of us must reject unequivocally.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I rise together with my colleagues to speak in opposition to the President's action pardoning those who attacked this Capitol on January 6, 2021.

I was here that day. I shared that day with these colleagues, and we all have memories of it—memories that we never would have imagined and hope never to repeat.

But I am not going to talk about my experiences of the day. I am going to talk about a friend, a Virginian, Howie Liebengood, a Capitol Police officer who spent his career protecting this building and who died as a result of that day.

And the fact that President Trump would pardon the people who attacked

this Capitol, leading to Howie Liebengood's death, is a deep, deep stain on President Trump and, frankly, a stain on this body if we casually tolerate it.

Howie Liebengood is a Virginian who grew up in this building. His father was the Sergeant at Arms of the U.S. Senate and, prior to assuming that role, worked in other roles in the Senate. And Howie and his two siblings grew up coming to the Capitol and treating it like it was sort of their playground and their yard—running through the halls, meeting Senators, hearing their dad tell stories about what it was like to serve this article I branch as a patriotic American public servant.

When Howie came of age, he started a career that he enjoyed and worked together with his father for a number of years as a NASCAR driver, and he worked on the NASCAR circuit, kind of working his way up from minor league races to more significant races. But after a number of years of doing that—look, he was a child of the U.S. Senate. He was a child of this Capitol, and he decided that he would enter the training program to be a Capitol Police officer.

And he told his siblings—by this time, his father had passed. He told his siblings: I think my dad would be very, very proud of me.

Howie went through the academy and became a Capitol Police officer, and I came to know him, as I suspect many of my colleagues did, because he usually was staffing the Delaware door at the corner of Delaware and Constitution right here, the Delaware door into the Russell Building. And this is a door that—I know Senator MURRAY's office is right close to that door. It may be the closest office to that door, and mine is close as well.

We would come in in the morning, and Howie Liebengood would be there to greet us, to ask us a question about the procedural vote from the night before or what was on today. As much as he was a friend of mine, he was even more of a friend of my staff. My staff loved interacting with Howie. And he eventually served as a Capitol Police officer for 15 years.

He was here on January 6 when his beloved Capitol was attacked. And as devastating as that attack was for many of us, for Howie—who had made this place his whole life, who had really been raised in these halls—that attack was very devastating. In the aftermath of the attack, those working on the Capitol Police were put on extended hours, little sleep. Would there be more attacks? Where was this going? What would happen? It was a time of fear and anxiety and confusion.

And a few days later—within 3 days after that attack of January 6—Howie went to his home in Virginia. His wife Serena asked if he was doing OK. She could tell he was under enormous stress. And he said he just needed to sleep.

And Howie went upstairs and, using his own service revolver, ended his life.



Howie Liebengood would be alive today—Howie Liebengood would be alive today if President Trump hadn't urged people to gather to do something wild in Washington, DC, on January 6, 2021, and then urged those gathering to go up and raise hell at the Capitol. My friend would be alive if President Trump had not done what he did.

I have waited in vain, not naively, but with a hope that there might be some—some—sign of remorse over what happened, for the pain suffered by Serena Liebengood and Howie's siblings and family members, for other law enforcement officers, all of whom lived in Virginia, who lost their lives as a result of that day. Dozens of others were injured.

And I have waited for years to see if there might be some semblance of remorse shown by the President who inspired that attack, for the damage and pain and loss of life and injury that he has caused, and I have seen not a shred of it.

But these pardons are the ultimate injustice, are the ultimate injury. The family is still suffering. For them, it is salt in an unhealed wound and an injury that will never heal.

And so I join with my colleagues, in Howie's memory, in support of Serena, in support of Howie's family, to stand on this floor and deplore as strongly as I can—and words aren't sufficient to really explain how I feel about this, but I stand here to deplore as strongly as I can the pardons of these lawbreakers who gathered for a particular time, at a particular moment, in a particular place to conduct violence in the cause of a particular result: the overturning of the peaceful transfer of power.

And as I sit down, Mr. President, I will just say this: I lived in a military dictatorship in 1980 and 1981 in Honduras when the military ran everything. I know what authoritarianism is. I didn't live there for years like my Honduran friends, but I experienced it. I was very naive. I was 22 years old when I lived there, and I saw what it is like to have a society run by somebody who believes they are all-powerful, who can change any rule, who can foment violence, who can make sure that those who commit violence escape with impunity. I know what this is like, and we are in danger of moving into the same kind of authoritarian behavior when we casually pardon and excuse those who perpetrate violence to overturn our democracy. That is a big concept, but it all comes down to the effect that it has on individual people like my friend Howie Liebengood.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, many of us who were here on January 6 have pretty indelible memories. I am looking at Senator MURRAY, who has particularly harrowing memories. One of mine is, I was one of the last people out of the Senate, and by the time we got to the room where we were seques-

tered for our own protection from the mob, colleagues were irate, and they had been frightened.

There is footage of Republican Senators running through the halls to get away from the mob. I remember one of our colleagues shouting out that we should get back over here to vote even if it meant protesters would have to be shot—again, a Republican.

There were 600 of the rioters here who committed violence on police officers, and nearly 200 of them used weapons. They were convicted of this after all proper, fair procedures in an American court of law.

Then the notion of pardons started to come up, and we were basically shushed by our Republican colleagues. Oh, that will never happen.

The Vice President said: If you committed violence on January 6, you shouldn't be pardoned. In fact, he said "obviously"—"obviously you shouldn't be pardoned."

Another colleague in the Judiciary Committee chastised Democrats for asking the Attorney General nominee what she would do with respect to the violent January 6 protesters. Would she recommend that the President pardon them? And we were chastised for the absurdity of that question. That is an "absurd and unfair hypothetical to even ask."

Over in the House, JIM JORDAN said that he didn't think anybody violent was going to be pardoned. "I think," he said, "he is going to focus on . . . all the people who didn't commit any violence."

Another colleague on the Judiciary Committee said he was against any such pardons "for people who assaulted cops, threw stuff at cops, broke down doors, broke windows."

We heard this cascade of denial from the other side about these pardons. It was unfathomable that he would do this. It was wrong that he would do this. It was absurd that he would do this. And then he did it.

And what happened? Well, two things happened: One, over 1,000 people who have demonstrated their willingness to commit acts of political violence at the behest of Donald Trump were set loose on the streets. We haven't heard the last of them. There may be another call to arms.

"Will be wild!"

"Be there."

We haven't heard the last of them.

But just the leading edge, in only the week since we have been there—one has already been arrested for a violent confrontation with police officers, another was killed in a shooting incident when he refused to be arrested and engaged police officers with a weapon, and a third is in Rhode Island in our ACI, our adult correctional institute, for having challenged police officers in an armed standoff. Now, he was in prison when he was pardoned. Nobody in this pardon operation thought to understand that this guy actually was convicted again of violence against po-

lice officers and sentenced to a long term of imprisonment in my State.

So we know that there is going to be more violence from these people. We know that Trump now has an on-call assault team that he can use to launch political violence, just the way he did on January 6, and this is a dangerous situation.

This ought to be the easiest vote in the world. How you can even walk through these halls and look our Capitol Police officers in the eye—the ones who were there, the ones who took their lives in their hands to steer the mob away from vulnerable Senators—how you can look them in the eye if you haven't supported this, I don't know.

There is a word in the English language, "subservience." I think we need a word called "Trump-servience" in which things you know you shouldn't do you do anyway because you are either frightened of Trump or want to suck up to him.

This is not a great moment.

There is an effort, frankly, to erase that incident. For a long time: Oh, just peaceful protesters. This was all just, you know, happy people coming in to visit the Capitol, fun and games.

Yeah, so fun that we had Senators running down the aisles to get away from them; so fun that, to get back into this building, we had armed SWAT officers with automatic weapons lining the entire pathway back from where we were secured into this Chamber.

Just remember what our colleagues were saying in that time period, but the effort to erase this moment goes on. It occurred just recently in the Judiciary Committee when the Attorney General nominee said that there had been a peaceful transfer of power, like January 6 never happened.

I asked a question for the record, asked her to explain that. She said: Well, on Inauguration Day, it was peaceful.

Do you remember why it was peaceful on Inauguration Day? Because we had the Capitol of the United States surrounded by more soldiers, more police officers, more fencing, more snipers, more law enforcement and military safety people than had probably been the case since the Civil War. Yet now everything is peaceful.

We cannot forget what happened here. It is wrong to forget what happened here. It is an insult to this Capitol to forget what happened here. It is an insult to the men and women of the Capitol Police Department and the DC Police Department and the others who came in to fill in when they were overwhelmed by these brutal rioters.

So I am glad that Senator MURRAY did this. I appreciate very much the opportunity to speak on their behalf, both for the sake of those police officers and for the sake of the truth and for the sake of our history here. This deserves to be remembered.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mr. SCHIFF. Mr. President, 8 days ago, democracy and the rule of law were dealt another blow. It wasn't at the hands of a mob this time. No bear spray. No battering rams. No chants of "Hang Mike Pence" or "Where's Nancy?" echoing through these halls. This time when the blow came, it made barely a sound. No screaming rioters in military garb and Viking helmets—only a President in a suit and tie with the demure flourish of a pen.

Eight days ago, President Trump pardoned over 1,500 people who assaulted this Capitol, brutalized police officers, and sought to overthrow a free and fair election. Among them were the ring-leaders of the Proud Boys and the Oath Keepers—violent, unrepentant, White nationalists who orchestrated an insurrection; some who were convicted of seditious conspiracy, others of beating police officers, of dragging them into a mob, of bear-spraying them, of crushing them in a revolving door. Horrifying, sickening stuff.

With the flick of a wrist, their benefactor, their inspiration, Donald Trump, erased their crimes and handed them something unthinkable in a democratic society: absolution in the form of pardons and clemency.

This was not mercy; this was madness—1,550 pardons; 1550 acts of absolution for those who committed violence against our Constitution and against those who swore to defend it; 1,550 "get out of jail free" cards handed to individuals who tried to overturn a free and fair election.

Make no mistake, these pardons were a promise—a promise that if you commit violence in Donald Trump's name, you will be protected and you will be hailed, even glorified, for your violence; a promise that no matter how egregious your actions on behalf of this President may be, accountability will not find you; a promise that America will now have to live with the fear that January 6 may not be the last of the violence in service of this President.

Senator Kaine was saying that we have seen what happens when democracies falter, when leaders resort to violence and when those who were meant to stop them lose their will, when those who defy the rule of law are exalted instead of prosecuted. History is littered with the wreckage of nations whose leaders decided that violence for them was more important than justice, more important than the law, more important than the people.

Sadly, these pardons are not the last action the President will take to bend and subvert the rule of law to his will.

Already, we have seen this President and his Justice Department fire those who led a completely justified investigation into him, which led to indictments and, if allowed to proceed to a jury, would likely have led to his conviction.

We have seen his Justice Department announce an investigation into the investigators and those who prosecuted important cases against January 6 violent criminals.

We have seen this Justice Department, his Justice Department, reassign those who were viewed as not loyal enough.

We will see a lot more before the week, the month, and the year are out—much more. If we are to remain a democracy, we had better see much more done to stop it. In this body, in this vital check on the power of the Executive, we must see more done to stop it. We must draw a line here. We must draw a line now.

The Vice President argued that these pardons are about liberty. They are not. I ask you: What does liberty look like to the police officer who was beaten with a pole that once held the flag he was sworn to defend? What does liberty look like to the congressional staff who barricaded themselves in their offices, listening to the chaos outside? What does liberty look like to the families of those who died as a result of the violence that day?

Liberty and justice don't come from pardoning the perpetrators of violence; it comes from ensuring that violence is not repeated, condoned, absolved.

The question before us is simple, one that our Founders answered correctly and that today we must answer again: Are we a nation of laws or are we a nation of men or more specifically, of one man, above accountability, beyond reproach? Because make no mistake, we cannot be both.

What does it say if the Senate cannot and will not pass such a straightforward recognition of the law enforcement officers who protect us or a condemnation of the rioters who attacked them and tried to stop the peaceful transfer of power? It says that we are willing to see our cherished legacy die with a whimper, one sordid absolution after another. It is really that simple.

I urge my colleagues to join me, to join us, in condemning this most grotesque abuse of power. Condemn these pardons.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

#### TRUMP EXECUTIVE ORDERS

Ms. KLOBUCHAR. Mr. President, I thank the Senator from Washington and Senators SCHUMER and DURBIN for bringing us together to condemn the pardons and what happened, but I also want to first express my dissatisfaction about what is happening with this administration in just the first week.

It was only a week ago that we gathered in the Capitol Rotunda, and, as I said that day, there is a reason we have three branches of government under the Constitution.

The first article is article I, which establishes the Congress and makes very clear our job to have people's backs. And what has happened with an order in the middle of the night—just a letter from a bureaucrat, in which one person can—what?—basically get ahead of the Constitution—I think we have gathered here today saying: No.

This has real consequences for people's lives. I think about the mom who

didn't know this morning if she could send her kid to childcare. I think about the teenager—and I was contacted about this—in a cancer study, hoping that it is going to save his life. I think about the woman in an abusive relationship who has nowhere to go because her local domestic violence shelter couldn't take her in.

Our office heard today from a domestic violence organization in Minnesota that said it could not access critical funding.

We think about the first responders and the firefighters all over our country. We think about what we saw them doing in Los Angeles over the past month. Grants that pay for their equipment, funding that pays for them to allow them to hire firefighters—this is not acceptable.

It is not the executive branch's decision to make. It is Congress's job to direct funding through laws passed by both Chambers. In fact, the laws we are dealing with here clearly had bipartisan support. That is how they got in when we had one House that was Republican and one House that was Democratic. Now that switched, and they are both Republican. But the money and the funding were supported by both parties.

The American people have sent us here to represent our constituents, and that is what we are doing.

This chaos that we have seen today, with multiple groups and people not knowing what was happening, reminds me of the last Trump administration. We saw the same thing.

JANUARY 6

Just a few days ago, the President issued blanket pardons for the insurrectionists who desecrated this very building on January 6, 2021. It is a shocking display of disrespect for the law enforcement heroes who defended our democracy.

I will say, I have been critical of pardons from Presidents of both parties. I think we desperately need pardon reform. While it is the power of the President, when you look at what Governors do across the country, which actually have commissions set up that make recommendations on pardons, you could still have the power to pardon, but you could make recommendations and more thoroughly look at these cases on a case-by-case basis.

So January 6 and the assault on our democracy, many of us were there. I was the one with Senator Blunt, the former Senator of Missouri. We were the leads on the Rules Committee, and we were the ones, at 3:30 in the morning, when everyone had gone home, that made that walk with Vice President Pence. It was just the three of us and three pairs of young women holding the mahogany boxes with the electoral ballots that one of the young pages had the wherewithal, and the Parliamentary staff, to get out of the Chamber before it was invaded.

In the morning, when we made that walk, it was a celebration—pomp and



circumstance—everyone following behind us. And then that night, at 3:30 in the morning, we had officers with scratches on their faces, over 100 of them injured, and we made that walk over broken glass and by pillars spray-painted with racist vulgarities.

We made that walk, and democracy prevailed. Part of that democracy was to make sure that those who violated the law, those who assaulted the police officers, those who had members of our staff—people always focus on the Members of Congress, but so many members of our staffs were hiding. My staff was hiding in the little kitchen downstairs, with knives in their hands, for 3 hours, behind a door. Two of them were in this little closet off the kitchen. That story was repeated throughout the Capitol.

These were assaults. This was a violent mob that attacked our democracy and attacked brave men and women of the Capitol Police who were defending it.

Over the last 4 years, I have led bipartisan hearings to examine the events and the security failures. I did that with Senator Blunt and Senator Portman and Senator PETERS. We have worked. We have 103 recommendations that came out of the inspector general and dozens out of our committees, and Chief Manger has met the challenge—all 103 recommendations. We have increased morale. We have the fact that we have more police officers. We hired hundreds more.

Then came the gut punch of these pardons—the gut punch to justice, the gut punch to these police officers. They were the heroes that day, not the criminals that stormed the Capitol because they didn't like the election result. To pardon these criminals, many of them convicted of very serious felonies, is to endorse political violence. It is a slap in the face of the men and women of law enforcement who showed true patriotism that day, and it is truly an affront to our democracy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, we have several other colleagues who are going to come later to speak about this as well.

I wanted to thank everyone who is here today. We want to make it very clear that we will not forget what happened on January 6. I don't care what records they raise or what kind of new stories they want to tell. We know what happened. This country cannot forget.

And, today, we are here simply to say that the Senate disapproves of the pardons for individuals who were found guilty of assaulting Capitol police officers. I am disappointed that our Republican colleagues, today, refuse to join us.

I yield the floor.

The PRESIDING OFFICER (Mr. SHEEHY). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, on January 6, many of us stood right here toward the beginning of the day. In fact, most of us can remember, almost minute by minute, what occurred as we learned that the Capitol was under attack. It was under attack, not just metaphorically. It was actually under physical attack on that day by rioters who bore pipes and baseball bats and, yes, firearms and physically battered this place. And they threatened every one of us who was here.

They did more than threaten the police officers who defended the Capitol on that day. They actually assaulted those police officers. They attacked them brutally—sometimes with their own shields or with arms that they brought with them. They gave lasting, severe injuries to a number of them and, in some instances, contributed to their deaths. The mob violently attacked those police officers—punching them, kicking them, choking them, pepper-spraying them, plunging stun guns into their necks, beating them with all kinds of weapons, including flag poles, hockey sticks, as well as those baseball bats.

Many of us have heard Capitol Police officers recount their feelings on that day—terror, fear, guilt. They thought they would die. They even thought that that would be their last day, and some phoned their families to tell them as much. These brave officers suffer from severe and lasting injuries and trauma. Five died in the aftermath. All experienced some form of very severe pain and trauma.

Nearly 600 rioters were charged with assaulting law enforcement officers, and 170 of them were charged with using a deadly weapon or a dangerous weapon to commit the assault. True, they were not charged with killing anyone, but those charges against them were serious and severe. They were convicted by juries of everyday Americans who were instructed properly as to the law by judges who were simply following those statutes on the books, and they convicted those defendants, insurrectionists, rioters in proceedings that have been reaffirmed on appeal, where there were appeals, or where there were guilty pleas and an acknowledgment of responsibility from some.

Now, with clearly callous regard for the justice system, for those juries, for the prosecutors, for the judges, for the rule of law, the President has gifted them—gifted them—“full, complete, and unconditional” pardons—“full, complete, and unconditional” pardons—even after those proceedings of lawfully convicting them. Shame on him.

These sickening pardons are the ultimate show of disrespect for our police officers and a clear endorsement of political violence. His actions normalize political violence. They condone it—maybe even encourage it—because, from now on, those kinds of rioters who disrupt the lawful and peaceful

transition of power or any other functioning of our government can at least hope for and, under this President, maybe expect that they will never be held accountable.

These pardons are a betrayal not only of these officers—the Capitol Police—on that day, who defended and protected us and who literally were willing to lay down their lives for our democracy, but these abuses of pardons show that it is past time for Congress to enact reform and implement restraints on the pardon power. America elects Presidents, not Kings with unfettered power. The pardon power was lifted—taken from England—by the Founders, who saw the practice in the monarchy at that time. It was one of the only powers—maybe unique among powers—in its being totally unchecked. We need accountability and transparency, starting with this resolution—transparency and accountability, starting here.

But we also need the measure that I propose, the Pardon Transparency and Accountability Act, which will impose some guardrails and safeguards: a statement by the President explaining why he is doing a specific pardon, because it is supposed to be an individualized judgment; then a justice impact statement that gives the victim of that crime or any related offense the opportunity to be heard and state a position; the prosecutors an opportunity to state a view; and a disclosure as to what lobby—maybe even campaign contributions—have been involved.

Ultimately—and I know we are speaking to history here—there needs to be a change in the Constitution, an amendment, that, in effect, shares that pardon power with other branches of government. It may be that pardons are appropriate whether as an exercise of mercy or ultimate justice or a recognition of rehabilitation for whatever reason. Maybe we need the pardon power, but it should not be unchecked and absolute in the President. We are limited as to what we can do in reform because it is in the Constitution. What we can do without a constitutional amendment by statute is simply to require some explanation, a justice impact statement, fuller disclosure, and more transparency and accountability in the limited ways that the Constitution permits, but we need to begin with this resolution today—right away.

I urge my Republican colleagues who were protected on that awesomely terrible day and who now are silent—they are silent in the face of these sickening pardons—to join us. Come with us in condemning the violence that occurred and stand with the officers—the police, the law enforcement. Stand with the blue, and condemn the violence of that day. Stand with the officers who put their lives on the line and who suffered injury, maiming, and some deaths in the aftermath.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, the murder rate in the United States today—the global murder rate—is infinitesimal. It is a fraction of what it was 200 years ago, 400 years ago, 600 years ago—a fraction of what it likely was in the Bronze Age or in the days when native Tribes patrolled this land.

What we have seen over the course of global history is that human beings have decided that instead of advancing our social power or our economic power or our political power through violence, we are going to have law and order. We are going to have economies that reward merit. We are going to punish people who disobey those laws to protect the rest of us, and that has served us really, really well. Today, you are fundamentally less likely to be attacked, to be murdered by a neighbor, by somebody you have a contest with than you were centuries ago.

Donald Trump is throwing that out the window. Donald Trump is throwing out the window the idea that we only advance ourselves politically or economically or socially through non-violent means. What happened last week is that Donald Trump said to this country: If you use violence on my behalf, you are off the hook. If you beat the hell out of police officers, if you pound them over the head with metal poles, if you yank them by the neck and drag them into a crowd and hold them down so that people can stomp on them, if you tase police officers to the point that they suffer a heart attack, as long as you are doing that to advance my political power, you are off the hook.

The people who walked out of jail last week were convicted of viciously violent crimes. Yes, there were plenty of people who were convicted who didn't engage in that horrific violence, but I was here in this Chamber that day. I remember all of my Republican colleagues running out the door just like the Democrats did. I don't remember any of my Republican colleagues staying in the Chamber to greet the tourists. Everybody knew that our safety was in jeopardy. Democrats certainly knew our safety was in jeopardy because, as we found out, many of those protesters were looking for Democrats.

One of the most violent protesters who was let out of jail last week—in the middle of his sentence after he had beaten up police officers—went to the gallows, went to the noose that was constructed, and posted on social media: Too bad no Democrats here.

If you beat up a police officer for reasons other than perpetuating Donald Trump's power, you are still in jail. The only people who beat up police officers in the year 2021 who got let out of jail last week—the only ones—were the ones who beat up police officers to help Donald Trump. That sends a clear signal that your violence is excused if it is for Donald Trump's political purposes, and that puts all of our lives in jeopardy. That puts our democracy in

jeopardy when violence is excused. And what we are learning in the days following that unconscionable Executive order of pardoning the rioters—not some of the rioters, everyone—is that it is part of a plan.

Listen, I have done a lot of work across the aisle. I have such respect for my Republican colleagues. I have spent hours, weeks, days sitting in rooms, negotiating immigration bills and voting bills and public safety bills. But, man, you are watching this President trying to seize power right now, trying to make us irrelevant, trying to suppress political dissent. What happened last night is part of a story. A President can't be the only person in charge of who gets money or not in this country. That is corrupt because then the President can dole out money to his political friends or the friends of his billionaire friends. He can dole out money to States with Senators who are loyal to him. He can punish companies that are competitors with his billionaire friends or punish States represented by people who are disloyal to him.

That is not how our democracy works. We are in charge of making sure that taxpayer money is spread out evenly. That has nothing to do with loyalty or disloyalty to the leader.

A couple of days ago, all of the inspectors general just got fired. That is illegal, but they all got fired. Why? Because, if you are going to engage in corruption inside these Agencies, you don't want anybody to be watching.

So you have got to put this next to each other. You have got to understand the story. If you are trying to transition our democracy to a government of which only one person is in charge, you permit people to engage in violence on your behalf so as to intimidate the opposition into being silent. And I am just going to tell you, if you don't believe this, there are a lot of folks who don't support Donald Trump who are not going to show up to rallies, who are not going to participate in politics because they just learned that if they do and somebody hurts them, that person might be let off the hook. You excuse violence. You arrange government so you can operate in darkness, and you rig the rules so that nobody is in charge of dispensing money except for you. Violence is a legitimate tool of politics; one person in charge of doling out money; government decisions made in secret.

That is not a democracy; that is a recipe for corruption—for corruption.

So, yes, I am fuming mad about how my Republican colleagues talk about law and order and then mostly, with a few exceptions, either remain silent when the most violent January 6 protesters get pardoned or celebrate those pardons. But I also want to be clear that it stands in a context of actions taken during this first week that are undermining our democracy to the point of putting it on the brink of possible extinction as a means for funda-

mental corruption to take place inside our government. That should be unacceptable. That is unacceptable.

I am thankful to Senator MURRAY and others for bringing this down to the floor to raise this alarm bell.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I am so appreciative of my colleagues coming down here to talk about not only the January 6 pardons that President Trump has done but to stand with the men and women in law enforcement.

When I am home, quite often I will hear at times: Well, Democrats don't support law enforcement. They don't support the men and women who keep our communities safe.

That is just not true, as you can see today.

But here is what I know, and this is why this is devastating, I think, to so many men and women who not only are Capitol Police officers right here who defended this Capitol on January 6, who stand guard to protect us, but, honestly, for all of the men and women in law enforcement across this country who are paying attention and watching what this President does. Will he have their backs when the time comes? Will he be there to truly support them in their time of need when they are doing their job like he says he will?

We have spent the last decade hearing Donald Trump talk about law and order and cracking down on crime. Last fall, on a national podcast, he called for giving our law enforcement back their dignity. He said we need to give them their "dignity back." Just last week at the White House, at a press conference, he claimed to be a friend of the police.

Well, now, Donald Trump has been in office for just 1 week—although, I will be truthful, it seems like longer, but it has just been 1 week—and already, his actions have made it crystal clear that he does not mean what he says. In fact, from his actions that we have seen so far, he is actively working against the men and women in law enforcement, not only those here who work in this Capitol but across this country.

Let me put this in starker terms that I think my Republican colleagues will understand. Nevada families across my State have been torn apart by dangerous drugs like methamphetamine and opioids. That is true for so many families across the country, including, Mr. President, in your own State. It doesn't matter if they are Democrats or Republicans or libertarians or Independents, illicit drug trafficking is impacting everyone in this country.

But last week—just last week—Donald Trump pardoned the founder of Silk Road. What is Silk Road? It is an underground internet site that oversaw the trafficking of \$200 million in illegal drugs and other illicit trade. The founder of Silk Road was convicted by a jury of his peers and sentenced to life

in prison for participating in a criminal organization and distributing narcotics on the internet. In fact, we know after that trial that some Americans died after purchasing those illicit drugs on that website—a website that was specifically designed to skirt the law and support criminal activity. But now this founder, the founder of that website who was sentenced to life in prison, is walking free because Donald Trump pardoned him.

Donald Trump giving a full, unconditional pardon to this drug dealer and criminal profiteer is a slap in the face to the victims of this crisis and to law enforcement who work to promote our communities and to keep our communities safe.

What Donald Trump has done is not law and order; it is chaos. And it is not just with one pardon. Donald Trump has pardoned more than 130 individuals—130—who were convicted of assaulting police officers and some of them right here at the Capitol.

Like my colleagues you have heard, I was here that day. I will never forget it. I remember, in the Capitol, running into one of those police officers who had been pepper-sprayed by a rioter in Donald Trump's mob. At the same time while he was washing out his eyes, he was reassuring us Senators that, don't worry, I have your back, and I am standing guard. And he ran back out to the front of the Capitol. He was doing his job that day.

But do you know what else happened that day? As we all saw—we saw it on TV, and those of us who were here either saw it personally or later found out—those rioters and those insurrectionists actually came to the Capitol with weapons and zip ties. Now, if nobody knows what is a zip tie is, that is a handcuff. What were these rioters doing with weapons and zip ties coming into our Capitol?

They used WD-40 and bear spray on our officers—a perfect example, the officer I saw that morning—and they assaulted our officers with American flags—American flags. They were beating them with these poles of these American flags.

This is not some political conspiracy that Donald Trump would like to rewrite; these were insurrectionists. We all know. They posted online. You saw those videos. If you didn't watch it real time on TV, you saw those videos. We saw them shoving, punching, and attacking our law enforcement.

Now, instead of serving their time and facing the consequences for the dangerous actions that they committed against our officers, Donald Trump is telling them that not only were they wrongfully punished but, in fact, their behavior on that day is encouraged by him as long as—listen. Think about this. It is encouraged by him as long as they are doing his bidding. As long as they are doing his bidding, he does not have the backs of our law enforcement officers.

Criminals convicted of attacking law enforcement are now giving TV inter-

views. You have heard from some of my colleagues that they are giving interviews saying that President Trump's pardons have vindicated their actions.

This is an endorsement of political violence. These actions—what President Trump has done is an endorsement of political violence. Quite honestly, it is an insult to the men and women who risk their lives every day to keep our families safe.

Why do I know that? You don't have to trust what I am saying. Let me just ask you this: I cannot imagine anyone here in this room—when you have a problem, you have a concern about the safety of your family or friends at home or wherever you are, what is the first call you make? To 911 to get a law enforcement officer to come and stand and protect you.

I happen to know many law enforcement officers personally because I have spent a good part of my career as a prosecutor—not only here in this U.S. Capitol but as the attorney general of the State of Nevada. I have spent most of my life working with some great men and women in law enforcement.

Oh, by the way, I am married to one. My husband worked in Federal law enforcement his entire career. Like the men and women in law enforcement, his priority in doing his job was to keep people safe because that is what our law enforcement does. That is what they are trained to do—to put their lives on the line every single time—every single time—to keep our communities safe.

Let me just say it is not just the law enforcement officers—it is not a slap in the face to just those officers; it is to their families because when you are the spouse or the loved one of an officer who gets that call, sometimes in the middle of the night, and they are going out to address some sort of crime or activity that is happening in their community to keep our communities safe, you don't know if they are coming back.

There are two calls—the worst kinds you can get as a spouse of a law enforcement officer. The first one is from your spouse saying: I am in the hospital, but don't worry; everything is OK. The second one is not from your spouse, but it is from another law enforcement officer telling you that your husband or wife went out on a call and didn't come back. The sacrifices not only of our officers but their loved ones need to be considered.

If we truly believe in law and order and we truly believe that we should support them because they put their lives on the line every single day, then we should stand to have their backs. No matter how difficult it is, no matter your politics, no matter what is happening, we should always be there to support them.

You can imagine from what I am saying and my personal background that I will always stand up for law enforcement. I have passed legislation to support public safety under both adminis-

trations, Democratic and Republican. I will always speak out when our leaders act against law enforcement, whether they are a Democrat or a Republican.

Listen, I have heard some of my colleagues call out President Biden's pardons as an excuse not to call out Donald Trump's pardons, but let me just say I disagreed publicly with President Biden. I disagreed publicly with granting pardons to his family. I disagreed publicly when he gave clemency to Leonard Peltier, who was convicted of murdering two FBI agents. I disagreed with President Biden in commuting the sentence of Adrian Peeler, who was convicted of drug trafficking and murder.

I will tell you what, I also spoke out when President Biden nominated Adeel Mangi to be a Federal judge. I did not support him because of his affiliation with a group that wanted to let cop killers out of prison. Now, that was me standing up for law enforcement.

Believe me when I say this is not partisan. This is about standing up for the men and women who put their lives on the line every day despite the fact that you may be in the same party of the ongoing President. It shouldn't be hard.

Listen, everybody knows. Everyone knows in our communities that if you commit a violent crime in our communities, you should face the consequences.

But you know what, don't take my word for it. There are many police organizations out there—one of which is the largest organization of sworn law enforcement officers in the world, the Fraternal Order of Police—and they have condemned Trump's pardoning of those who assaulted Capitol Police officers on January 6.

But I will tell you what—I will tell you what—there are too many Members of this body who had the benefit of those Capitol Police officers on January 6 protecting their lives, too many who have been oddly silent to what Donald Trump has done in pardoning individuals who committed violent crimes against our police officers.

And you have heard that, earlier today, my Democratic colleagues and I, we cosponsored a resolution to condemn these pardons. You would think that it is very simple. Everybody should get on board. Everybody should have the back of a police officer. Even my Republican colleagues, who claim to be pro-law enforcement, should have signed this resolution and stood with it. But you heard what happened today: It was opposed.

The only thing I can tell you, Mr. President, in this day and age, is that if we truly believe in law and order and we want to work together to keep our communities safe, we have to not only talk about it, but we have to act, because the American people deserve better. The American people deserve a President who isn't going to release violent criminals back into our communities. The American people, they

deserve safety, and our law enforcement, who maintain that safety, they need to know we have their backs.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate resume legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

### U.S. SENATE SELECT COMMITTEE ON ETHICS RULES OF PROCEDURE

Mr. LANKFORD. Mr. President, in accordance with rule XXVI, paragraph 2 of the Standing Rules of the Senate, I ask unanimous consent, for myself as chairman of the Select Committee on Ethics and for Senator COONS, vice chairman of the committee, that the rules of procedure of the Select Committee on Ethics, which were adopted February 23, 1978, and revised November 1999, be printed in the CONGRESSIONAL RECORD for the 119th Congress.

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

#### RULES OF THE SELECT COMMITTEE ON ETHICS

##### PART I: ORGANIC AUTHORITY

##### SUBPART A—S. RES. 338 AS AMENDED

S. Res. 338, 88th Cong., 2d Sess. (1964)<sup>1</sup>

Resolved, That (a) there is hereby established a permanent select committee of the Senate to be known as the Select Committee on Ethics (referred to hereinafter as the "Select Committee") consisting of six Members of the Senate, of whom three shall be selected from members of the majority party and three shall be selected from members of the minority party. Members thereof shall be appointed by the Senate in accordance with the provisions of Paragraph 1 of Rule XXIV of the Standing Rules of the Senate at the beginning of each Congress. For purposes of paragraph 4 of Rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the Select Committee shall not be taken into account.

(b) Vacancies in the membership of the Select Committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made.

(c) (1) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations or reports, and matters relating to Senate Resolution 400, agreed to May 19, 1976.<sup>2</sup>

(2) Three members shall constitute a quorum for the transaction of routine business of the Select Committee not covered by the first paragraph of this subparagraph, including requests for opinions and interpretations concerning the Code of Official Con-

duct or any other statute or regulation under the jurisdiction of the Select Committee, if one member of the quorum is a member of the majority Party and one member of the quorum is a member of the minority Party. During the transaction of routine business any member of the Select Committee constituting the quorum shall have the right to postpone further discussion of a pending matter until such time as a majority of the members of the Select Committee are present.

(3) The Select Committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.<sup>3</sup>

(d) (1) A member of the Select Committee shall be ineligible to participate in—

(A) any preliminary inquiry or adjudicatory review relating to—

(i) the conduct of—

(I) such member;

(II) any officer or employee the member supervises; or

(III) any employee of any officer the member supervises; or

(ii) any complaint filed by the member; and

(B) the determinations and recommendations of the Select Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (A).

For purposes of this paragraph, a member of the Select Committee and an officer of the Senate shall be deemed to supervise any officer or employee consistent with the provision of paragraph 12 of Rule XXXVII of the Standing Rules of the Senate.

(2) A member of the Select Committee may, at the discretion of the member, disqualify himself or herself from participating in any preliminary inquiry or adjudicatory review pending before the Select Committee and the determinations and recommendations of the Select Committee with respect to any such preliminary inquiry or adjudicatory review. Notice of such disqualification shall be given in writing to the President of the Senate.

(3) Whenever any member of the Select Committee is ineligible under paragraph (1) to participate in any preliminary inquiry or adjudicatory review or disqualifies himself or herself under paragraph (2) from participating in any preliminary inquiry or adjudicatory review, another Senator shall, subject to the provisions of subsection (d), be appointed to serve as a member of the Select Committee solely for purposes of such preliminary inquiry or adjudicatory review and the determinations and recommendations of the Select Committee with respect to such preliminary inquiry or adjudicatory review. Any Member of the Senate appointed for such purposes shall be of the same party as the Member who is ineligible or disqualifies himself or herself.<sup>4</sup>

Sec. 2. (a) It shall be the duty of the Select Committee to—

(1) receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, violations of the Senate Code of Official Conduct<sup>5</sup> and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto;

(2) (A) recommend to the Senate by report or resolution by a majority vote of the full committee disciplinary action to be taken with respect to such violations which the Select Committee shall determine, after according to the individual concerned due notice and opportunity for a hearing, to have occurred;

(B) pursuant to subparagraph (A) recommend discipline, including—

(i) in the case of a Member, a recommendation to the Senate for expulsion, censure, payment of restitution, recommendation to a Member's party conference regarding the Member's seniority or positions of responsibility, or a combination of these; and

(ii) in the case of an officer or employee, dismissal, suspension, payment of restitution, or a combination of these;

(3) subject to the provisions of subsection (e), by a unanimous vote of 6 members, order that a Member, officer, or employee be reprimanded or pay restitution, or both, if the Select Committee determines, after according to the Member, officer, or employee due notice and opportunity for a hearing, that misconduct occurred warranting discipline less serious than discipline by the full Senate;

(4) in the circumstances described in subsection (d)(3), issue a public or private letter of admonition to a Member, officer, or employee, which shall not be subject to appeal to the Senate;

(5) recommend to the Senate, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, in the performance of their duties and the discharge of their responsibilities;

(6) by a majority vote of the full committee, report violations of any law, including the provision of false information to the Select Committee, to the proper Federal and State authorities; and

(7) develop and implement programs and materials designed to educate Members, officers, and employees about the laws, rules, regulations, and standards of conduct applicable to such individuals in the performance of their duties.

(b) For the purposes of this resolution—

(1) the term "sworn complaint" means a written statement of facts, submitted under penalty of perjury, within the personal knowledge of the complainant alleging a violation of law, the Senate Code of Official Conduct, or any other rule or regulation of the Senate relating to the conduct of individuals in the performance of their duties as Members, officers, or employees of the Senate;

(2) the term "preliminary inquiry" means a proceeding undertaken by the Select Committee following the receipt of a complaint or allegation of, or information about, misconduct by a Member, officer, or employee of the Senate to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred; and

(3) the term "adjudicatory review" means a proceeding undertaken by the Select Committee after a finding, on the basis of a preliminary inquiry, that there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred.

(c) (1) No—

(A) adjudicatory review of conduct of a Member or officer of the Senate may be conducted;

(B) report, resolution, or recommendation relating to such an adjudicatory review of conduct may be made; and

(C) letter of admonition pursuant to subsection (d)(3) may be issued, unless approved by the affirmative recorded vote of no fewer than 4 members of the Select Committee.

(2) No other resolution, report, recommendation, interpretative ruling, or advisory opinion may be made without an affirmative vote of a majority of the Members of the Select Committee voting.