

genocide that occurred against the Jewish people.

Ms. Wax is such a survivor. She combined her 100th birthday with constantly reminding people of the horrors of Nazi Germany and what was done to the Jewish people.

So, this morning, it was my honor to present her with a flag flown over the Capitol, expressing the Senate's recognition of her extraordinary life.

After enduring so much tragedy during one of the darkest chapters of human history, Pina has dedicated her life to teaching, loving, learning, and preserving the memory of the Holocaust.

And even at 100 years old, she is showing no signs of slowing down. She is whip smart, as energetic as ever, and still going very, very strong. People like her give all of us hope that, in the end, compassion and courage will always endure over hatred and fear—always.

Long Island is lucky to have her; New York is proud to call her one of our own; and the world is much better off because of her.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

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

LAKEN RILEY ACT

Mr. THUNE. Mr. President, by now, I think a lot of Americans know the story of Laken Riley, a 22-year-old nursing student at Augusta University in Georgia with her whole life ahead of her. Laken was murdered last February while out on a run at the Athens campus of the University of Georgia.

Her killer was arrested the next day, and it quickly became clear that he should never have had the opportunity to get near Laken Riley because he should never have been in the country in the first place. Laken's killer had entered the country illegally, been released into the interior, and had subsequently been arrested in New York City and later issued a citation for shoplifting in Georgia a few short months before Laken's murder.

After his New York City arrest, he was released before Immigration and Customs Enforcement could issue a detainer—a request that police hold an individual—so that he could be taken into immigration custody. So this individual, here in the United States illegally and subsequently involved in two crimes, was free on the University of Georgia campus last February when Laken Riley went running.

It is already a problem that we are releasing huge numbers of individuals here illegally into the interior of the country. It is unthinkable that an individual like Laken's killer would be released back into society. Laken's killer should have been detained long before he had a chance to get near her last February.

Shortly after Laken was killed, Senator KATIE BRITT, together with Senator BUDD, introduced legislation that

would require Immigration and Customs Enforcement to detain individuals charged with theft, burglary, or shoplifting. It is a commonsense measure that should be an unquestioned "yes" for every Senator, and I am very pleased that the Senate is finally taking up this bill after Democrats blocked a vote on it last year.

The fact that 33 Democratic Senators voted in favor of moving to the bill on Thursday was an encouraging sign that at least some Democrats might be serious about wanting to work with Republicans to address border and immigration security, and I hope that proves to be true. It would be incredibly disappointing if Democrats move to the bill simply to attempt to load it down with poison pills or unrelated measures.

This is not—I emphasize "not"—a comprehensive immigration bill. It is an attempt to right one wrong: the fact that individuals already here illegally who have been charged with various property crimes are not required to be detained by Immigration and Customs Enforcement. It is an attempt to ensure that no other family will have to suffer the pain suffered by Laken Riley's. So I hope that Democrats will work with us in a serious fashion to actually pass this legislation.

After 4 years of chaos at our southern border under President Biden, there is a lot of work to be done on both the immigration and border security fronts. The kind of unchecked illegal immigration that we have experienced at our southern border under President Biden serves as an invitation to terrorists, criminals, and other dangerous individuals to enter our country.

Currently, Senate Republicans are working on a major package that will include substantial funding for a variety of border and immigration security needs, including increasing the number of Immigration and Customs Enforcement officers and Border Patrol agents, increasing detention space, and providing the barriers and technology that we need to secure the border. I look forward to taking up that package.

In the meantime, however, we have a bill before us today that will address one problem in current immigration law and, perhaps, prevent other families from suffering the pain that Laken Riley's has suffered. Let's get it done.

MEASURE PLACED ON THE CALENDAR—H.R. 23

Mr. THUNE. Mr. President, before I yield the floor, I understand that there is a bill at the desk due a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 23) 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.

Mr. THUNE. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

LAKEN RILEY ACT—Motion To Proceed—Continued

The ACTING PRESIDENT pro tempore. The Democratic whip.

LAKEN RILEY ACT

Mr. DURBIN. Mr. President, later today, the Senate will vote on the motion to proceed to legislation known as the Laken Riley Act.

The loss of a child is something no parent should have to endure. My thoughts and prayers are with the family of Laken Riley—by any measure, an outstanding young woman. We should do everything possible to make sure this type of tragedy never occurs again.

But I do have concerns about some of the language in this legislation.

Let me give you an example. This bill would mandate immigration detention for an undocumented immigrant if they are arrested for shoplifting—even if they are never charged or convicted for that offense.

Most people, having paid a little attention to law enforcement review, television, movies, know the process. You steal a candy bar, a hand on the shoulder, clerk says: Wait a minute. What are you doing here? Next thing you know a policeman is called in; he arrests you for shoplifting. They then take you in and charge you with that crime. You make a plea, guilty or not guilty. Ultimately, it is resolved by a trial of some nature. That is the ordinary process.

The question is whether someone should be deported the very first time that the hand reaches your shoulder with candy bar in hand but no charge of any crime. That is what this bill does. That is going a little bit too far as far as I am personally concerned.

This bill would mandate immigrant detention if they are arrested for shoplifting, not convicted, even if they are never charged or convicted.

Current law requires mandatory detention of individuals with serious criminal convictions by Immigration and Customs Enforcement, better known as ICE. This has been on the books for a long time. It is the right thing to do. I don't want dangerous people coming into this country, and I don't want anyone dangerous and undocumented to stay in this country, period.

Existing law gives ICE discretion to detain undocumented immigrants on a case-by-case basis. ICE assesses each case individually so the Agency's limited resources are used effectively to protect national security and public safety.

This bill, as currently written, would eliminate ICE's discretion to prioritize

detention and deportation of dangerous individuals. Instead, it requires—requires—ICE to treat a child arrested for shoplifting candy the same as an adult convicted of child abuse. Why?

In practice, this would overwhelm ICE detention facilities and make America less safe. Let me tell you some of the numbers of this what appears to be simple bill. ICE told my office that this legislation would require them to detain more than 65,000 immigrants, but Congress has only provided ICE with funding to detain 42,000, and the Agency is already holding nearly that many.

So if this legislation becomes law, ICE would be forced to release tens of thousands of other immigrants who were detained under ICE's current policies, which prioritize those who pose a threat to public safety.

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

It would require Federal courts to prioritize these cases to the greatest extent possible. This would rob Federal judges of the ability to control their courtrooms and grind their dockets to a halt.

These standing provisions would also undermine the supremacy of the Federal Government over immigration and border security, which is established by our Constitution.

They could also dramatically reduce legal immigration to our country. Because of the way it is drafted, the Department of State, under any administration, could be blocked from issuing any visas to nationals from a certain country, like India or China.

Perhaps some of my colleagues think they are pretty good policy goals, but they have nothing to do with the tragic murder of this young woman.

If we are going to consider this bill, we must have a chance to offer amendments to fix a few of these problems and assure the bill would accomplish its goal.

NOMINATION OF PAMELA JO BONDI

Mr. President, this week the Senate Judiciary Committee will hold a confirmation hearing for Pam Bondi—President-elect Trump's choice for Attorney General. I appreciated meeting with Ms. Bondi last week to discuss issues of great importance to the American people. She is impressive. She is clearly a professional, a trusted attorney, and has an amazing background. I appreciated meeting with her.

The significance of the Attorney General cannot be overstated. The Department of Justice is responsible for safeguarding civil rights and liberties, promoting public safety, and ensuring economic opportunity and fairness. An independent Attorney General is essential. The Justice Department leader must be loyal to the Constitution above all else—including the President.

But during his first term, then-President Trump used the Department of

Justice as his personal attorneys. He tried to thwart the Mueller investigation, protect political allies, and even overturn the result of the 2020 Presidential election.

Unfortunately, Mr. Trump has pledged that during his second term he will weaponize the Justice Department to seek revenge on his political enemies. The President-elect has made it clear that he values one thing above all else in an Attorney General: loyalty. I have no reason to believe President-elect Trump has changed his litmus test for Attorney General or his views on how the Justice Department should operate.

In fact, I fear that he found someone who can pass his loyalty test. We will see at the hearing.

The obvious concern with Ms. Bondi is whether she will follow the bipartisan tradition of the post-Watergate era and oversee an independent Department of Justice that upholds the rule of law.

Ms. Bondi is one of four personal lawyers to President-elect Trump whom he has already selected for Department of Justice positions. She was a leader in an effort to overturn the 2020 election; she has echoed the President's calls for prosecuting his political opponents; and she has a troubling history of unflinching loyalty to the President-elect.

In addition, she has a record of hostility to fundamental civil rights, including reproductive rights, voting rights, and LGBTQ rights.

Every President has the right to nominate individuals to serve in key Cabinet positions. However, the Senate has the constitutional duty to provide advice and consent on these nominations. This week's hearing will provide an opportunity to learn more about her, her nomination, and her vision.

The American people deserve an Attorney General who will protect their fundamental rights, demonstrate independence and integrity, and remain faithful to the Constitution, the country, and the rule of law.

I yield the floor.

(Mr. BUDD assumed the Chair.)

The PRESIDING OFFICER (Mr. KENNEDY). The Senator from Massachusetts.

TIKTOK BAN

Mr. MARKEY. Mr. President, I rise today to address the profound economic, social, and political importance of TikTok's creators and the serious consequences of a nationwide TikTok ban.

When the Senate passed legislation last year authorizing a ban on TikTok, it was bundled with essential foreign aid measures. Critically, the Senate never held a direct vote on the TikTok ban itself. This rushed process left many of my colleagues with the impression that ByteDance, TikTok's parent company, would divest from the platform, rendering the ban unnecessary, as its proponents had suggested.

Back in April, I took to this Chamber floor to warn that such an approach

was ill-considered. Today, with TikTok on the brink of being banned in the United States, my concerns have become a reality because what we are learning is that the TikTok law is indeed a TikTok ban.

As the January 19 deadline approaches, TikTok creators and users across the Nation are understandably alarmed. They are uncertain about the future of the platform, their accounts, and the vibrant online communities they have cultivated.

Supporters of the law have often dismissed TikTok as trivial, characterizing it as a platform dominated by juvenile dance videos and seemingly inconsequential content. They were wrong then, and they are wrong now. TikTok, like all social media platforms, has flaws, but TikTok is also critical for millions of creators to earn a living, for young people to express themselves, and for Americans of all ages to foster community, share a laugh, and learn something new. Yes, sometimes these laughs come from the shared experience of attempting to learn and recreate a funny dance video, but just as often, TikTok provides a space for meaningful political conversations on everything from gun violence to climate change.

Most recently, TikTok users have been sharing harrowing videos of the devastating wildfires that have destroyed thousands of homes in California. These personal videos have provided a firsthand account of the tragedy, creating a virtual gathering space for shared stories, mutual support, and urgent calls for assistance to this climate change-created catastrophe.

Over the past 24 hours, I have received millions of views on my TikTok videos advocating for an end to the ban. One of these videos has over 20,000 comments and counting. That is tens of thousands of users reaching out to make their voices heard. I have been tagged in hundreds of stories over the past 24 hours as TikTok users have posted short videos explaining why TikTok is important for their lives.

Meredith Lynch, a writer and comedian from my home State of Massachusetts, currently residing in Los Angeles, said:

Here in Los Angeles I know I personally—and I know so many other people have been relying on this app during the fires. It is a way in which we are spreading [information that the] community [needs], it is a way in which we are spreading resources.

Rae, a user who has recently been diagnosed with thyroid cancer, explained:

Because of TikTok I was able to come on here and share my story . . . I was able to participate in the creator rewards program. That money is going to help me pay for my cancer surgery.

Mary, a disability rights advocate and low-income, single mother living in Rhode Island, shared that she plays ukulele on TikTok for tips, which pays for her groceries. She explained:

While the district failed me, I found a community on TikTok.

This is just a small sample of the thousands of stories that TikTok users are posting about the app's importance in their lives.

If my colleagues remain unmoved by these personal accounts, they should consider the political implications of the TikTok ban. The 170 million Americans that use TikTok each month will be furious when their favorite platform goes dark. That is 170 million Americans—170 million reasons to think very carefully about their position on the TikTok ban.

Make no mistake, these communities cannot be replicated on another app. Creators and small businesses cannot rebuild their audiences overnight. Many have stated that thanks to TikTok's unique culture, it is impossible to develop a similar following on another platform. Users cannot transfer their followers and communities to a new platform.

A ban would dismantle a one-of-a-kind informational and cultural ecosystem, silencing millions in the process.

The stakes are very high over the next week, and that is why I will soon introduce the Extend the TikTok Deadline Act to extend the deadline by which ByteDance must sell TikTok or face a ban, and it should be extended by an additional 270 days.

Now that my colleagues understand that the TikTok ban is real, we need time to have a deeper conversation about how to address the national security risk caused by ByteDance's ownership of TikTok. We need time to understand the ban's implication on TikTok's creators and users. We need time to consider alternative ideas.

This legislation does not repeal the original legislation; it merely allows for more time.

Let me be clear. TikTok has its problems. Like every social media platform, TikTok poses a serious risk to the privacy and mental health of our young people in our country. In fact, TikTok paid a fine for violating my law, the Children's Online Privacy Protection Act, just a few years ago. I am proud of my law, and I am proud that the Federal Trade Commission took action under my law. But they have also done the same kind of action against American companies and fined them for doing the very same thing to children in our country online. So it is not just a TikTok issue; it is American companies that actually set the example for how young people in our country get abused.

Last year, I sent a letter to the Department of Justice urging it to quickly review the allegations that TikTok had violated COPPA yet again. I will continue to hold TikTok accountable for such behavior, but I will hold every American company, from Instagram to Facebook, all the way down the line, that is doing the very same thing to the children in our country.

A ban on TikTok does not solve the problem because young people in our

country are still going to be going to American sites that will abuse them. And the Surgeon General tells us that there is a mental health crisis amongst young people in our country. This doesn't solve the problem. If we are going to deal with it, let's deal with it, but let's step back and understand that it is not just a TikTok issue; it is social media in general.

A TikTok ban would impose serious consequences on millions of Americans who depend upon the app for social connections and for their economic livelihood. We cannot allow this to happen.

I will urge the U.S. Senate to adopt my legislation to give the whole process an additional 270 days for us to debate it in a way in which we did not debate it last year on the Senate floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask that the vote begin at this moment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON MOTION TO PROCEED

The question occurs on the motion to proceed.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Oklahoma (Mr. MULLIN).

Further, if present and voting: the Senator from South Carolina (Mr. GRAHAM) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Washington (Mrs. MURRAY), the Senator from California (Mr. PADILLA), and the Senator from California (Mr. SCHIFF) are necessarily absent.

The result was announced—yeas 82, nays 10, as follows:

[Rollcall Vote No. 2 Leg.]

YEAS—82

Alsobrooks	Cruz	King
Baldwin	Curtis	Klobuchar
Banks	Daines	Lankford
Barrasso	Duckworth	Lee
Bennet	Durbin	Lummis
Blackburn	Ernst	Marshall
Blumenthal	Fischer	McConnell
Blunt Rochester	Gallego	McCormick
Boozman	Gillibrand	Moran
Britt	Grassley	Moreno
Budd	Hagerty	Murkowski
Cantwell	Hassan	Murphy
Capito	Hawley	Ossoff
Cassidy	Heinrich	Paul
Collins	Hickenlooper	Peters
Cooms	Hoeven	Reed
Cornyn	Hyde-Smith	Ricketts
Cortez Masto	Johnson	Risch
Cotton	Kaine	Rosen
Cramer	Kelly	Rounds
Crapo	Kennedy	Rubio

Schmitt	Sullivan	Welch
Schumer	Thune	Whitehouse
Scott (FL)	Tillis	Wicker
Scott (SC)	Tuberville	Wyden
Shaheen	Van Hollen	Young
Sheehy	Warner	
Slotkin	Warnock	

NAYS—10

Booker	Markey	Smith
Hirono	Merkley	Warren
Kim	Sanders	
Luján	Schatz	

NOT VOTING—6

Fetterman	Mullin	Padilla
Graham	Murray	Schiff

The motion was agreed to.

LAKEN RILEY ACT

The PRESIDING OFFICER (Mr. SULLIVAN). The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 5) to require the Secretary of Homeland Security to take into custody aliens who have been charged in the United States with theft, and for other purposes.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 8

Mr. THUNE. Mr. President, I call up Ernst amendment No. 8.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. Thune], for Ms. Ernst, proposes an amendment numbered 8.

Mr. THUNE. Mr. President, I ask that the reading be dispensed with.

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

The amendment is as follows:

(Purpose: To include crimes resulting in death or serious bodily injury to the list of offenses that, if committed by an inadmissible alien, require mandatory detention)

Beginning on page 2, strike line 15 and all that follows through page 3, line 2, and insert the following:

"(ii) is charged with, is arrested for, is convicted of, admits having committed, or admits committing acts which constitute the essential elements of any burglary, theft, larceny, or shoplifting offense, or any crime that results in death or serious bodily injury to another person,";

(2) by redesignating paragraph (2) as paragraph (4); and

(3) by inserting after paragraph (1) the following:

"(2) DEFINITION.—For purposes of paragraph (1)(E), the terms 'burglary', 'theft', 'larceny', 'shoplifting', and 'serious bodily injury' have the meanings given such terms in the jurisdiction in which the acts occurred.

MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate 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.