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Senate

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

PRAYER

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

Let us pray.

Almighty God, whose kingdom is above all earthly kingdoms, give our lawmakers this day clean hands and pure hearts to serve You for the glory of Your Name. Lord, equip them with grace, strength, and wisdom to face successfully the challenges that beset our Nation and world.

Infuse them with a creativity that will inspire them to do their work according to Your will, causing justice to roll down like waters and righteousness like a mighty stream.

Lord, give them peace of soul when their thoughts and plans are right and disturb them when they drift from what is best. Lead them in paths of integrity, courage, and truth.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The legislative clerk read the following letter:

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

To the Senate:

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

PATTY MURRAY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

AMENDING THE PERMANENT ELECTRONIC DUCK STAMP ACT OF 2013—Motion to Proceed—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2872, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 243, H.R. 2872, a bill to amend the Permanent Electronic Duck Stamp Act of 2013 to allow the Secretary of the Interior to issue electronic stamps under such Act, and for other purposes.

RECOGNITION OF THE MINORITY LEADER

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

BORDER SECURITY

Mr. MCCONNELL. Mr. President, over the weekend, President Biden once again refused to describe the situation at the southern border as a crisis. Apparently, according to the Commander in Chief, 10,000 illegal border crossings in a day—and the busiest month and year on record at the border—is, somehow, not a crisis.

Needless to say, I am glad that Senator LANKFORD and our colleagues working on meaningful border security policy don't share that view. I am glad that we may soon be able to address an urgent crisis with urgent action.

Negotiators are making headway toward the most significant border enhancements in almost 30 years. They are getting closer to delivering serious, lasting solutions to the unprecedented humanitarian and national security catastrophe that has unfolded on President Biden's watch. That is certainly good news.

Of course, our colleagues' work is also the linchpin of our broader efforts to address the national security challenges we face around the world, from Russian aggression in Europe to Iran-backed terror in Israel and the Middle East, to competition with China.

CHINA

Mr. President, an increasingly aggressive China represents the greatest strategic challenge of the century, and recent events in the Indo-Pacific remind us exactly what is at stake. The PRC is an expansionist, revisionist, and repressive power all at the same time. It wants to impose its will on its neighbors, regardless of their views or values, just like it does at home.

Just consider the free, fair, and hotly contested elections that took place in Taiwan this past Saturday. The people of Taiwan have resisted Beijing's blatant efforts to interfere in their politics, and the PRC is clearly unhappy with the outcome of the election, which saw the DPP maintain its hold on the Presidency.

But it wasn't just the results of Taiwan's elections that the PRC views as a threat. It is also the basic process

itself. The idea of self-determination—of citizens actually getting a choice—terrifies the leaders in Beijing.

Of course, it is impossible to watch Taiwan's defiant self-expression without thinking how fragile this autonomy can be. Just remember how swiftly the PRC has acted to snuff out forces of democracy in Hong Kong.

Right now, my old friend Jimmy Lai, prolific publisher and a proud Hongkonger, is on trial. He is facing the possibility of life in prison simply for committing the crime of journalism, of seeking to publish the truth at variance with the party's definition of it.

See, the Chinese Communist Party doesn't just fear its own people. It fears the pursuit of truth. And, on both counts, Beijing finds common cause with fellow authoritarians in Moscow, Tehran, and Pyongyang. These regimes, and the would-be imperialists who lead them, understand that their most precious currency isn't truth or legitimacy, but control and fear.

The PRC subjects its citizens to extensive surveillance, censorship, and repression. And in the case of ethnic minorities like the Uighurs, Beijing has employed detention, sterilization, and outright genocide.

Beijing fears difference. It fears dissent, and not just at home. The PRC's interference in Taiwan's democracy is emblematic of the shadow of intimidation Beijing hopes to cast further across that region.

The PRC is building a military with the capacity to bend Beijing's neighbors to its will. It is putting U.S. allies like the Philippines directly in its crosshairs. It is aiming to impose direct, prohibitive cost on the United States, and it isn't pinching pennies to achieve those aims.

For more than two decades, its investments in new military equipment and capabilities have grown by an average of 10 percent per year. So it has become quite fashionable in Washington to talk about how we are not taking competition with China seriously enough.

But the resource this competition demands most urgently is not a stern lecture from a climate diplomat. What America and our allies need most in the race to outcompete our top strategic adversary and systemic rival is hard power.

At its essence, winning the competition means credibly deterring Beijing's worst impulses, which, for us, means investing in American strength. Outcompeting the PRC will require greater investment in our military capabilities and in our industrial capacity to produce them.

The West cannot be caught unprepared for this challenge. We cannot afford to neglect the lessons of history.

The Senate has opportunities ahead to demonstrate that we understand what is at stake. We will have chances to take hard power investments seriously. We need to be ready to take them.

ELECTRIC VEHICLES

Mr. President, now on a related matter, the Biden administration is continuing to wage war on the affordable and reliable American energy that makes America competitive. The administration's climate policy isn't just weakening American workers and businesses; it is actually making China's economy stronger.

President Biden's EPA recently issued new emissions standards that, as several of my Republican colleagues pointed out last year, ''are so stringent they effectively mandate automakers to produce electric vehicles, even if Americans do not want them.''

The move is shockingly out of step with the needs of American consumers, the capacity of American industry, and our Nation's strategic interest. The whimsical desire for universal electric vehicles caters to the preferences of wealthy coastal liberals, but working families simply aren't buying it. The average EV on the market costs over $16,000 more than the average gas-powered car. As one automaker recently put it, the Biden administration has been ''far too focused on . . . the well-heeled one-to-two percenters . . . forgetting about the people where a car is not a luxury—it's a necessity.''

Sure enough, a $16,000 premium is more than most sensible Americans are willing to pay. Electric vehicles account for less than 8 percent of new vehicle sales in the United States. Less than 8 percent of Americans shopping for a new car are buying an EV. That, however, hasn't stopped the Biden administration from powering ahead for an absurd goal for electric vehicles to make up two-thirds of the car sales by 2032.

American businesses are not buying this nonsense either. In fact, auto dealers in Kentucky and across the Nation recently sounded alarm bells in a letter to the President. Here is what they said:

> This attempted electric vehicle mandate is unrealistic based on current and forecasted customer demand. Already, electric vehicles are stacking up on our lots.

And just earlier this month, Hertz announced plans to sell off a third of its electric vehicle rental fleet due to sparse demand and heavy repair costs.

Meanwhile, State utilities are becoming concerned that a massive uptick of EV use could overload power grids that are already on the edge of blackouts.

Talk about a lose-lose proposition. But there is one party that stands to benefit from Washington Democrats' climate scheme, and that is the Chinese Communist Party. As I mentioned before, China controls nearly 70 percent of the supply chain for the batteries required to manufacture EVs. A Chinese automaker just became the world's top seller of electric cars.

And thanks to Washington Democrats' so-called Inflation Reduction Act, leased cars from China qualify for a major tax credit. This means hard-working Americans like the Kentuckians I represent are directly subsidizing California millionaires and the CCP all at the same time.

So it is one thing for the Biden administration's outgoing climate czar to spend his time begging China to voluntarily engage in unenforceable green diplomacy, but it is quite another for Washington Democrats to forcibly create a pipeline that pumps working Americans' tax dollars into the pockets of our biggest strategic adversary.

It is time for President Biden to choose between the American people and a leftwing dream that communist China can't wait for us to realize.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

CONTINUING RESOLUTION

Mr. SCHUMER. Now, Mr. President, last night the Senate took an important step toward passing a temporary extension of government funding and avoiding an unnecessary government shutdown. We had a strong bipartisan vote last night with 68 Members in favor of moving forward with the CR, and that number would have been higher were it not for weather delays. It is a clear signal that majorities of both parties in the Senate want to pass this funding extension as quickly as we can.

If both sides continue working in good faith, we can have the CR passed by tomorrow. If both sides continue working in good faith, we can avoid a shutdown without last minute drama or needless anxiety for so many Americans.

There is every reason in the world to make this an easy, uncomplicated, and drama-free process. I urge my colleagues on both sides of the aisle to do just that, work in good faith. We are willing to cooperate, as always, with the other side to keep this process moving, but Republican Members need to be realistic and practical about how much time we have left before the shutdown deadline.

What the Senate cannot do right now is mimic the chaos in the House, where a vocal minority of hard-right rabble-rousers want to bully their way into making a shutdown happen. Amazingly, the hard right thinks preventing a shutdown is somehow a ''surrender,'' as the House Freedom Caucus suggested a few days ago.

Only in the bizarre world of the hard right is it a surrender to keep the government open. Only in the twisted logic of MAGA extremism is it a disaster to extend funding so that VA offices remain open, food inspectors remain on the job, nutrition funding remains in place. All of these programs

would be at risk if the government shuts down on Friday. But to the hard right, a shutdown is precisely the point. They want to create pain and chaos for the American people in order to bully their way into getting what they want.

But by now, many Republicans—even in the House—are exhausted by the hard right's bully tactics. The Republican majority can't get anything done over in the House because the hard right keeps sabotaging things on the floor—even their own appropriations bills. The hard right and the House Republican leadership's all-too-often willingness to go along with them is perhaps the biggest reason why this Republican majority is one of the least impressive, least productive, and least competent in modern history.

But for all their bullying and bluster, all their attempts at intimidation, the hard right's efforts are going to end in failure. If the majority of Senators and Representatives continue working in good faith—Democrat and Republican—we are going to keep the government open. We are going to continue on the appropriations process.

So I urge my colleagues, once again, let's work together. Let's work together to pass a CR quickly so we avoid a shutdown with time to spare.

SUPPLEMENTAL FUNDING

Mr. President, now on the supplemental, today I will join with congressional leaders from both sides of the aisle in both Houses to meet at the White House with President Biden and discuss the importance of passing the national security supplemental.

I expect the meeting with President Biden will reinforce something I have been saying all along: It is a matter of the highest national urgency that both parties keep working together to pass the supplemental. The vast majority of Members on both sides know we must do something on Ukraine. The eyes of history are upon this Chamber. We made a lot of good progress over the past 2 weeks, and I remain hopeful that things are headed in the right direction.

Reaching an agreement on the supplemental, of course, is very complex. Republicans have demanded that border provisions be included in exchange for Ukraine. Everyone knew that was never going to be easy.

Nevertheless, President Biden has made clear that he is willing to work with Republicans on border security. But as everyone knows, including Republican leadership, this has to be bipartisan.

The hard right—typical of them in the House—have insisted on passing a highly partisan bill, H.R. 2, word for word. That is not bipartisanship. Any agreement on an issue as complex and contentious as the border is going to have to have support from both sides of the aisle.

The work is not done on the supplemental, but I remain very hopeful that negotiations continue heading in the right direction.

Democrats are trying very hard to keep this process going, and I want to acknowledge the efforts of my Senate colleagues who have been at this for weeks. Passing the supplemental is one of the hardest things that the Senate has done in a very long time, but we must do everything in our power to finish the job. At stake is the security of our country, the survival of our friends in Ukraine, the safety of our friends in Israel, and nothing less—nothing less—than the future of Western democracy.

We cannot come up short in this pivotal moment. We must stay the course until the job is done.

BIPARTISAN TAX AGREEMENT

Mr. President, on the bipartisan tax agreement, yesterday Senate Finance Chairman WYDEN and House Ways and Means Chair SMITH announced a bipartisan, bicameral tax agreement with important wins for working families and for Main Street businesses. I am proud to support this bipartisan tax agreement because it will provide much needed relief for low-income families and keep American businesses competitive against the Chinese Communist Party.

The child tax credit alone will benefit as many as 60 million children in low-income households and lift nearly half a million kids out of poverty—half a million kids out of poverty. That is a really significant achievement, and it is a credit to Chairman WYDEN and all the negotiators.

Now, most Democrats, myself certainly included, wanted to restore full refundability to the child tax credit. This framework does go a good part of the way toward restoring full refundability. The best part is the biggest tax credits under this expanded CTC will go to low-income families, helping them afford basic necessities like groceries, diapers, baby formula, clothing, toiletries, and so much more.

Second, I am really happy that this framework expands the low-income tax credit or LIHTC. I made it clear to the negotiators from the beginning that any agreement must include provisions to support affordable housing or I couldn't support it.

I want to thank Senator CANTWELL for all the work she did to make sure that strong affordable housing provisions were included in the bill. She is a very influential member of the Finance Committee, and she and I have worked on low-income tax credit issues for a while.

Right now, housing is one of the biggest problems in our country. States like mine and yours, Mr. President, particularly, struggle with increasing the supply for affordable loans. The housing shortage affects everyone everywhere—urban, suburban, and rural areas. Thankfully, this tax package will support the construction of up to 200,000 new affordable homes by bolstering LIHTC allocations and providing greater financing flexibility for affordable housing construction.

In an era of divided government, when you have a House Republican majority constantly trying to put housing funding on the chopping block, the LIHTC is the best tool available to increase the supply of affordable housing. So I am proud of the expansion we secured in the agreement.

Of course, like everything nowadays, moving forward with this agreement will take continued cooperation from both sides in both Chambers. I hope my Republican colleagues will work with us in good faith because this could improve the lives of millions of working families and help Main Street businesses grow in today's economy.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. DURBIN pertaining to the introduction of S. 3597 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DURBIN. I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BORDER SECURITY

Mr. THUNE. Mr. President, over the weekend, a reporter asked President Biden if the situation at our southern border is a crisis.

''No,'' the President said. ''No.''

Well, I would express surprise, but, unfortunately, failing to recognize crises is pretty much par for the course for President Biden—see also his inflation crisis or his withdrawal from Afghanistan.

But the President's answer is still notable for the complete disconnection it shows from the reality at our southern border, and it demonstrates why it has become absolutely necessary for Congress to step in; because the situation at our southern border is, in fact, a crisis—a logistical crisis, a humanitarian crisis, and a national security crisis.

For the President's edification, I will just run through the numbers. We have had three recordbreaking years of illegal immigration at our southern border on President Biden's watch. Fiscal year 2021 saw a recordbreaking 1,734,686 migrant encounters at our southern border. Then fiscal year 2022 broke that record, and then fiscal year 2023 broke the 2022 record. If fiscal year 2024 continues on its current trajectory, we will end up breaking the record yet again.

December reportedly saw a staggering 302,000 migrant encounters at our southern border—the highest monthly number ever recorded—and I cannot emphasize enough just how large of a number that is. As my colleague from Pennsylvania said of September's border number, it is like having the city of Pittsburgh show up at the border in just 1 month.

American cities—blue cities now as well as border cities—are staggering under the influx of migrants. Major cities like Chicago and New York are running up big bills and have begged for more Federal money, and that is just to deal with a fraction of the number of migrants we saw cross the border in December alone.

But more than a logistical crisis—and, of course, a humanitarian crisis since migrants are exposed to significant dangers on their journeys to the border—this is a national security crisis. Our country cannot be secure while we have hundreds of thousands of individuals illegally flooding across our southern border every single month. The volume alone smooths the way for terrorists, criminals, and other dangerous individuals to enter our country—and there are dangerous individuals trying to enter our country.

In the first 2 months of fiscal year 2024, 30 individuals on the Terrorist Watchlist were apprehended attempting to cross our southern border; in other words, roughly, one every other day. Fiscal year 2023 saw 169 individuals on the Terrorist Watchlist apprehended at our southern border—a sharp increase over fiscal year 2022, which was itself a sharp increase over fiscal year 2021. That is a dangerous trajectory.

Of course, these numbers only refer to individuals the Border Patrol actually apprehended. Since October 1 alone, there have been more than 83,000 known ''got-aways.'' Those are individuals the Border Patrol saw but was unable to apprehend. And there is no telling how many unknown ''got-aways'' there have been over that same period. How many of those individuals were terrorists, criminals, or other dangerous individuals?

Well, the fact of the matter is, we have no way of knowing. What we do know is that dangerous people are trying to make their way into our country across our southern border, and there is no question that the chaos at our southern border is smoothing the way for them.

President Biden bears a lot of responsibility for the 3 years of chaos we have seen at our southern border. From the day that he took office, when he rescinded the declaration of a national emergency at our southern border, President Biden made it clear that border security was at the bottom of his priority list. And over the 3 years since, he has turned our southern border into a magnet for illegal migration—from repealing the border policies of his predecessor to misusing our asylum and parole systems, which are now providing temporary amnesty to hundreds of thousands of individuals who are here illegally.

As his answer to the reporter over the weekend once again made clear, he still does not understand the magnitude of the resulting crisis. In fact, he doesn't understand that it is a crisis at all.

So it is time for Congress to step in. After months of delay, Democrats have finally come to the table, and I am encouraged by the ongoing talks. I am hopeful that, in the coming days, we will see final agreement on real border security legislation—not cosmetic fixes or superficial tweaks but real reforms that will allow us to stem the flow at our southern border.

Senator LANKFORD deserves a ton of credit for staying at the negotiating table to hammer home the reality of the situation to Democrats and to craft long-term changes to our border policies that will decrease the flow to the border and remove individuals already within the country. I have to say, I am grateful for his hard work.

Three years of chaos is long enough. We owe it—we owe it—to the American people to get this crisis under control today.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I ask unanimous consent that I and Senator BROWN, the Senator from Ohio, be allowed to finish our remarks before the planned recess.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GOVERNMENT FUNDING

Mr. CORNYN. Mr. President, for the third time—third time—since late September, Congress is rushing to avert a government shutdown.

We have an annual appropriations process for the fiscal year, which ends at the end of September each year. But, for some reason, we find ourselves in a position where, frankly, we reflect embarrassingly the dysfunction here in Washington, DC, because of the way we deal with keeping the lights on and keeping the government up and running.

The Senate and the House both have failed to send a single regular appropriations bill to the President's desk. Just before the start of this fiscal year, we passed a stopgap bill to fund the government through mid-November. When that deadline rolled around, we punted again and set two separate deadlines. The first is this Friday, and the second is just 2 weeks after that.

Today, Congress is on track to kick the can down the road once again. The Senate is preparing to vote on a continuing resolution that will push these deadlines even further. The first will arrive on March 1, and the second will come on March 8. We can only wonder what is going to happen between now and March 1 and March 8 that will prevent us from another can kicked down the road.

None of this is inevitable. This is a result of planned dysfunction. It is embarrassing to find ourselves in this situation once again. This is not complicated. It is not physics. We are talking about the most basic duty of funding the government for a full year. This is one of the most fundamental responsibilities of Congress, but obviously it is not a priority for the majority leader, whose job it is to schedule votes in the Senate. In other words, none of us—not the Presiding Officer, not me, none of the 99 Senators—other than the majority leader can actually schedule something for a vote on the floor.

I know I must sound a little bit like a broken record, but it is important for everybody to remember that this roller coaster of last-minute stopgap funding bills is not inevitable. Congress has all year to plan and prepare for the end of the fiscal year. It is not a deadline that comes out of nowhere; it arrives like clockwork on September 30.

Despite the long runway, the Senate has failed to pass a single funding bill before the deadline. That wasn't because the individual bills were not available, it wasn't because they were divisive or ultrapartisan, and it certainly wasn't because of lack of time. The Senate Appropriations Committee passed all 12 regular appropriations bills in June and July—last June and last July. Each bill passed the committee with strong bipartisan support, and more than half of them passed unanimously. I think that would shock a lot of people who think Congress is polarized and irretrievably broken, that actually the Appropriations Committee could pass bipartisan appropriations bills and more than half of them unanimously.

So what is the deal? Well, the deal is the majority leader could have put the bills on the floor immediately. We could have been voting on funding bills last June. Instead, days, weeks, and months crept by without even an inch of progress. It was mid-September before Senator SCHUMER even attempted to put the first appropriations bill on the floor. We are now 3½ months into the fiscal year, and none of the 12 appropriations bills have been signed into law—not one.

Congress has developed a dangerous, dangerous habit of circumventing the normal processes for funding the government, and it is not without cost or consequences. It has been common to blow through the deadlines and rely on short-term funding bills to keep the lights on. I know of no business, large

or small, in the United States that could operate like this because you can't plan. All of your time is absorbed and energy absorbed in these efforts to keep the government from shutting down, and all of it is avoidable.

Now, there is no doubt that stopgap bills are better than government shutdowns, but it is not a good solution, especially for critical missions like national defense.

Here is the price the Nation pays for the failure to do our business on time. Short-term funding bills do avoid the most immediate consequences of a shutdown. They ensure that our troops are paid on time and that short-term operations can continue. But they have a decidedly negative impact on a full range of long-term projects, from recruitment to modernization.

During a continuing resolution, the Department of Defense can't even start some of the programs we authorized in the National Defense Authorization Act, which we passed in December. Our Nation's top military leaders have repeatedly emphasized the importance of full-year government funding bills. They have told us over and over again that reliable funding is a key to planning and preparing for the future.

I remember maybe about a year ago now having lunch—a bipartisan group of Senators—in the Senate Dining Room with Secretary Bob Gates.

Secretary Gates, a former Secretary of Defense, served, I want to say, under eight Presidents, and he is wise in the ways of Washington, DC, although he hadn't been back to Capitol Hill for some time before we had lunch.

I asked him for his suggestions and recommendations for how we can ensure the safety and security of the United States by making sure that our military was second to none and making sure that we maintain maximum deterrence so that wars wouldn't break out because people experienced or sensed a lack of will or preparation. He said the single most important thing—piece of advice he could give us is no more continuing resolutions. No more continuing resolutions—the single most important thing. What we have been doing time and time and time again is continuing resolutions—exactly the wrong thing when it comes to our national security and our standing in the world and our ability to deter aggressors in a very, very dangerous environment.

In short, timely, full-year appropriations support our long-term goals. You can't plan for a few weeks at a time. Long, full-year appropriations bills support our troops, boost our military readiness, restore credible deterrence, and maintain our ability to compete with our most formidable adversaries.

By continuing to move from one stopgap bill to another, we are shooting ourselves in the foot. We are weakening our own defense as China's military strength continues to grow and as we see more and more aggression on the part of Iran in the Middle East through various proxies like Hamas. We see Kim Jong Un in North Korea say he wants nothing to do with South Korea and has basically declared a state of war against South Korea. In Asia proper, China continues to threaten to attack Taiwan, creating a potentially catastrophic set of circumstances.

We need credible deterrence, and that credible deterrence comes with a first-class military, second to none, and an understanding that America is absolutely committed first and foremost to our national security.

Given the threats we face in the world today, from the Middle East to Europe and the Indo-Pacific, it is absolutely critical that Congress take defense funding seriously. It cannot be the last item on our to-do list; it should be priority No. 1. There are a lot of things Congress does that are not priorities, but national defense is our No. 1 priority—should be. Reliable funding for our defense is vital to our security. It should come before votes on nominees and virtually every other task on the Senate's agenda.

Well, watching this play out once again is like watching another bad movie. The characters miss the obvious warning signs, make bad decisions, and repeatedly stumble into danger. Throughout this movie, you can't help but think that no one is foolish enough to land in this situation or certainly to do so voluntarily, but, sadly, that is how I feel, looking at the majority leader's decisionmaking when it comes to funding the government and particularly national security.

At the end of September, Congress kicked the can to November. In November, we punted to January and February. Now Congress is on track to push the deadline once again, teeing us up for another fiscal cliff—actually, not just one but two of them—in March.

With each stopgap bill, we are sending the message that we are really not serious about our national security because we are weakening our defense, crippling our readiness, and hurting our long-term security.

Here in the Senate, the stakes are much higher than in this bad movie. We don't have the freedom to make poor decisions just to put on a show. So the bottom line is this: Congress has a duty to pass full-year, on-time appropriations bills. This is the absolute bare minimum when it comes to governing. It is time to get serious about debating, amending, and passing those regular appropriations bills.

I don't know what it is going to take to convince the majority leader that this is important, which is the reason I keep coming to the floor and talking about it. Hopefully somebody, somewhere, will be paying attention.

Congress failed to get the job done before the first deadline. We failed to get it done before the second deadline. We failed to get it done before the third deadline. We simply cannot, in good conscience, delay this process any further. There is far too much at stake.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REMEMBERING PAM ROSADO

Mr. BROWN. Mr. President, this is not the speech I really ever wanted to give. I appreciate being recognized to give it.

I ask my colleagues to join me in honoring Pam Rosado, a longtime member of my staff, dedicated public servant, and advocate, whom we lost last week.

I have known Pam from the community in her work as an advocate for unions and for social service agencies, and especially for people individually. And then she joined our office more than 4 years ago. I will get to that.

She embodied the true meaning of service. She spent her life fighting for others. She understood and supported the whole idea of dignity of work. She bettered our State. She bettered our country. She touched so many lives along the way.

She joined our staff in the beginning of 2019—almost 5 years ago—as a constituent advocate on our casework team.

We don't think about it enough around here, but the foundation of our work in these jobs—the foundation of our work—is individual service to individual people. We look at, you know, taxes and Medicare and Social Security and foreign policy and Ukraine. All of those things obviously are important. It is what we are elected to do. But, fundamentally, these jobs are about helping individual people when they have an issue—whether it is Social Security, whether it is Medicare, whether it is a passport, whether it is a tragedy in somebody's life—and we cut through redtape and do that.

Nobody, nobody represented that service—and I have a lot of people in my office who represent that service, and a lot of people, on their first day, they understand the importance of individual service. We just interviewed someone who joined our staff this week. I interviewed her several weeks ago, and what made me want to hire her is she said the most important thing in these jobs is helping people one at a time, individually. We forget that in this job far too often.

Pam joined our office about 5 years ago. Not long afterward, we were taking on a record caseload as Ohioans dealt with the effects of the pandemic. Too many workers were reaching out. So many people were reaching out to our office for assistance. The world was an uncertain place.

Pam was a rock for Ohioans. She was a rock for other staff persons because she had already had a life of service and, especially, was a mentor to young people in the office. And she was a source of hope. She made things happen.

We have calculated this. She worked on 1,331 cases in those 5 years. She was a relentless advocate, known for quick responses in care and handling. And for every case, she provided a space for Ohioans to be heard and showed unwavering kindness.

In letters people sent us and descriptions people gave of Pam during the time and since her death, the word ''kindness'' comes back over and over and over again. Humility is the foundation of virtue, and I would say kindness is too. And Pam understood that. She didn't bring that to our office; she had lived her life that way.

Ohioans were lucky to have Pam on their side. We were lucky to have her on our team. For some Ohioans, she resolved disputes with the Veterans Administration or the U.S. Postal Service. For others, she helped secure a federally compliant driver's license. One Ohioan shared that, because of Pam, he was able to return to his union job as a driver for UPS. And those jobs, because they have an effective union—something Pam understood—those jobs have good pay, good benefits, good retirement—again, because of an effective union at the bargaining table. Pam understood all of that, but this was a gentleman who needed a little bit of help to return to that job.

In the numerous notes she received, they thanked her for her dedication and determination in seeing her cases through. They wrote in for different reasons. Every letter shared heartfelt gratitude and warm wishes. In reading those letters, it is clear the impact that Pam had. Again, ''kindness''—we heard that word over and over.

''After receiving help from Pam,'' one Ohioan wrote in—I mean, people, after they get help, most of them don't think about writing in because we are the government, even though we are individual people in the government, and the caseworkers are doing what they do. But people don't think to write in. But an unusually high, an inordinate number of people wrote in to thank Pam Rosado.

This one Ohioan wrote:

There is tremendous value in being able to speak with a kind and understanding person after hours on the internet.

Then he wrote:

You are exceptional, Ms. Rosado.

My staff and I couldn't agree more. She was exceptional. She cared deeply for the people in her life, strangers whom she met through our office—or never met, only online or on the phone or a few coming in. But she cared deeply for the people in her life.

She was closest to her family, her friends, her colleagues, and, of course, every Ohioan who reached out. And action always accompanied that care. She wanted to help everyone have a better day, a better life. That makes a difference for so many Ohioans and so many of our colleagues.

To my staff—to the person, I believe—Pam was more than a coworker. She was a friend. She believed in her colleagues. She lifted them up. She knew our job was to help people individually, including coworkers.

Her joy, her spirit were infectious. She lit up every room she walked into. This past November, in a meeting that we did with all members of the staff, she greeted everyone with excitement as she reconnected with colleagues.

We have offices all over the State: Cleveland and Columbus and Cincinnati and Lorain. So they don't all see each other all the time.

And she met new members of our team. Whenever a staffwide email went out announcing a departure or a new hire—we have had members, people on our staff—it seems to be happening a good bit—who are called up to serve in the military or they are National Guard people, or whenever somebody leaves for a better job or retires or whatever it is, she was the first to respond with heartfelt congratulations, words of encouragement, and—several people told me—a smiley face emoji. She made every member of this office feel appreciated and welcomed, and that warmth touched each of us.

In the Cleveland office where she worked, her laugh filled the halls as she spoke with constituents and colleagues. When you heard her, you couldn't help but smile and laugh too. She made a difference for every member of our staff and for so many Ohioans. Our office is a better place because of Pam. Ohio is better because of her.

It wasn't just in our office. Throughout Pam's entire life, she served others and fought for others.

She served the community in a number of ways. She served on nonprofit boards. She was an active member of her church and community, and she was a mentor to aspiring advocates and policymakers.

Before joining our office—and this was the first time, I believe, years ago; I believe it was the first time I met Pam—she was the political director of the Service Employees International Union, a union that typically represents people who are not the highest income workers. They are people who, because they have a union, make a living wage and have the kind of benefits that unions bring. She was their political director.

She advocated for the United Labor Agency. She organized and taught classes to future union leaders about the history of the labor movement. Something, my God—I know that some people in this body don't think we should teach history, and many don't even think of the history of the labor movement. She understood that if you know the history of the labor movement, you know the history of the middle class, you know the history of the dignity of work. She taught about the fight for good jobs, good benefits, and what their union card means.

She dedicated a decade of her career to leading outreach for Policy Matters Ohio. She made sure their efforts were grounded in what workers needed and reached as many Ohioans as possible.

Her colleagues at Policy Matters recognize Pam's integral role in making the think tank and the labor movement what they are today. They recall Pam's ability to make things happen, whether it was planning a last-minute event or helping to secure an Ohioan's deserved interim benefits.

That ability made her an indispensable member of our team. Frankly, it made her an indispensable member of any team that she interacted with or was a part of.

Her legacy will be upheld by her friends, her family, and every member of our staff. We honor her memory. We grieve for her mother and her family. We will honor it by continuing her public service, her activism, her advocacy, and the work we believe in and she believed in, as we fight for Ohioans with her tenacity and dedication.

Today, our thoughts are with Pam's family, her friends, those who knew and loved Pam, my staff, all who had the privilege of working alongside her, and all who had the privilege of benefitting from her work. And that was a huge number of people in a State of 12 million.

This office will be forever grateful for our time with Pam. We will miss her every day. I am grateful for my years of time with Pam, on and off, in her different roles, and we were thrilled to have her as a member of our staff.

May she rest in peace.

RECESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:47 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. ROSEN).

AMENDING THE PERMANENT ELECTRONIC DUCK STAMP ACT OF 2013—Motion to Proceed—Continued

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Missouri.

CHAMPIONS OF MISSOURI

Mr. SCHMITT. Madam President, I rise to bring this body's attention to 13 extraordinary Missourians who truly embody the best that our great State has to offer. They represent the inaugural class of my office's new Champions of Missouri Program, which seeks to identify and honor Missourians who have gone above and beyond the call of duty, selflessly served their community, and achieved great things.

These 13 honorees span the State of Missouri—including St. Louis, Hermann, Kansas City, Wentzville, Sedalia, Springfield, Fulton, Memphis, Fredericktown, and the bootheel.

All of these honorees represent service, sacrifice, and success and make me proud to be a Missourian.

The first Missourian I want to honor today is Detective Sergeant Mason Griffith, who was tragically killed in the line of duty in March of 2023. Sergeant Griffith and Officer Adam Sullentrup of the Hermann Police Department responded to a disturbance call at a local gas station. When a shootout occurred, Sergeant Griffith was shot and sadly killed.

Sergeant Griffith served his community with distinction and truly had a servant's heart. In addition to serving the Hermann Police Department for 12 years, he was the chief of police in his hometown of Rosebud and a Reserve Deputy Sheriff in the Gasconade County Sheriff's Department.

Many describe Sergeant Griffith as one of the most kind and helpful people you would ever come across. His wife Jennifer and son Carson and friends are up in the Senate Gallery here today, and it was my distinct pleasure to present the CONGRESSIONAL RECORD honoring Sergeant Griffith to her and him earlier today.

While this is merely a small token of mine and Missouri's gratitude for your husband's service and sacrifice, it is my hope that his memory will continue in the hearts and minds of those touched by his life and his service. Thank you, Sergeant Griffith, for your unwavering commitment to safety in your community. You truly are a Champion of Missouri.

Another honoree is Officer Adam Sullentrup, who was with Sergeant Mason Griffith on that fateful disturbance call in March of 2023. Officer Sullentrup was shot and critically injured in what ultimately would be a 20-hour standoff with the suspect.

After spending 7 months in a Colorado rehab hospital to recover from his injuries, Officer Sullentrup was finally able to come home to his family right before Thanksgiving.

His community in Washington, MO, lined the highways to welcome him back home, a true testament to his character and his unwavering service to keeping his fellow Missourians safe.

My prayers are with him, his wife Michelle, and their entire family as he continues to recover. Thank you, Officer Sullentrup. You are truly a Champion of Missouri.

Next up is Captain Philip Gregory of Fredericktown, MO. Captain Gregory proudly served with the Missouri State Highway Patrol for over three decades, working to keep his community safe. Before joining the Missouri State Highway Patrol, Captain Gregory served as an EMT and a paramedic.

In his law enforcement career, Captain Gregory has served as a zone supervisor, a criminal investigator, a corporal, a sergeant, a lieutenant, an assistant division director, and, finally, a captain. After 30 years of service and sacrifice, Captain Gregory retired in August of 2023.

I wish him and his wife Tanya all the best in his hard-earned retirement. Thank you for your years of service to our great State, Captain Gregory. You are truly a champion for our great State.

Nancy Baumgartner Hanson is a resident of Fulton, MO, and has done truly incredible work for individuals with disabilities. Nancy saw a need in her community when her daughter Shelby, a decorated Special Olympics athlete, graduated high school and needed a safe and supporting place to start her adult life.

Nancy is leading the charge to put a WeBUILT in Fulton, which is a self-sustaining community development that provides a safe shelter for individuals with disabilities. It would be the first of its kind in Missouri.

Additionally, Nancy has hosted iCan Bike in Fulton for nearly a decade, which teaches individuals with disabilities how to ride a bike, fostering independence and confidence.

As the father of a son with disabilities, I know just how important these programs are in giving those living with disabilities more opportunities. Thank you, Nancy, for your great work that you have done to support those who sometimes need it most. You are truly a Champion of Missouri.

John Meehan has had a storied career and has been a mainstay in Sedalia, MO, for decades. Throughout his career, John served as vice president of Third National Bank from 1982 to 2009; served as Pettis County presiding commissioner from 2011 to 2014; served on the board of directors for the United Way in Sedalia, Pettis County, from 2008 to 2015; served as president of the board of directors for the Sedalia Area Chamber of Commerce from 2017 to 2018; and has served as council chairman of the Wesley United Methodist Church since 2016.

John also is an active member in civic organizations in the area. He spent a majority of his career aiming to make his community a better place. Thank you, John, for your commitment to Sedalia. You are truly a Champion of Missouri.

Next up, Kevin Jeffries and Justin Parrack were driving along the highway when they noticed a car veering off the road and into a median. The driver was having an untimely medical emergency. Kevin and Justin sprang into action, entering through the passenger door of the car, stopped the car, administered CPR, and ultimately saved the life of the driver.

For their heroic actions, Kevin and Justin were both bestowed with the Honorary Trooper Award, the highest civilian honor bestowed by the State Highway Patrol.

While Kevin and Justin both insist they aren't heroes, I think my fellow Missourians would agree with me that they are. Thank you, Kevin and Justin, for your swift thinking and decisive actions that saved a life. You are both truly Champions of Missouri.

Adam and Melinda Hendrix lost their 23-year-old son Justin to a heroin overdose in 2017. In his honor, Adam and Melinda started Justin Delivers Hope, a charity that has done unbelievable work to combat opioid abuse and addiction in their hometown of Wentzville and in the broader St. Louis region.

JDH has raised money for education efforts, distributed lifesaving Narcan to family members and friends of users, and has worked with local police departments to fund more canine units to fight drug-related crime. Since its founding, JDH has funded 18 canine units to work in local police departments in St. Charles, and those units have helped officers confiscate nearly 300 pounds of illegal drugs in 2022.

Thank you, Adam and Melinda, for honoring your son Justin by building a critical resource for those struggling with opioid abuse and addiction. You truly are Champions of Missouri.

Hannah Montgomery is an inspiration to her community. Hannah has been in a motorized wheelchair since January of 2020 due to a neurological disorder caused by inflammation of her spinal cord, but she hasn't let that keep her down. Hannah has been involved in her local 4–H program since she was 6 years old and has a passion for showing her pigs.

Hannah was recently selected as the Adair County SB40 Spotlight Award recipient for Kids Inclusion. Hannah's positive attitude, love for life, and perseverance in the face of adversity is something we can all learn from. Thank you, Hannah. You are truly a Champion of Missouri.

Jim Chappell ran Chappell's Restaurant and Sports Museum from 1986 to 2018, and Chappell's has become a Kansas City legend and so has Jim. For years and years, there was no better place to grab dinner, a beer, watch a Chiefs or Royals game than Chappell's. Jim's eclectic watering hole for the Kansas City sports diehards also featured a unique collection of rare sports memorabilia that Jim himself curated.

Outside of the walls of Chappell's, Jim demonstrated a tremendous spirit of service across business, civic, and community organizations. Thank you, Jim, for building a memorable safe haven for Kansas City sports fans and for fostering a stronger, deeper community. You truly are a Champion of Missouri.

The city of St. Louis recently welcomed its newest sports team, the St. Louis City Soccer Club. We had an extraordinary inaugural season in front of thousands and thousands of adoring fans. One City player, Miguel Perez, is an exemplary ambassador for St. Louis and the State of Missouri. Just 2 days after graduating from Pattonville High School, Miguel scored his first career MLS goal for St. Louis City. Hailing from St. Louis, Miguel has demonstrated an intense dedication to the sport that he loves and represents that playoff team with a lot of hard work and great work ethic. It is safe to assume we can expect great things from

Miguel, and we are certainly happy to have him in St. Louis. Miguel, you are truly a Champion of Missouri.

Last but not least, is Sheryl Lynnette Branch-Maxwell, affectionately known as Ms. Sherry. Ms. Sherry has dedicated her time and energy in empowering youth in Missouri's bootheel through education and mentorship. Ms. Sherry's work as a program educator at Lincoln University Cooperative Extension in Charleston, MO, has been pivotal in implemented programs focused on leadership, self-esteem, and anti-drug initiatives. Ms. Sherry has worked to improve the well-being and development of our youth in daycare facilities and Head Start centers. Thank you, Ms. Sherry, for spending your time and investing in the well-being of our State's children and young adults. You truly are a Champion of Missouri.

These Missourians have dedicated their time, energy, and efforts to improving the lives of others in their communities, and for that they should be commended and honored.

It is critical that we continue to honor ordinary Missourians who do extraordinary things. These 13 individuals represent the best of the ''Show-Me'' State and truly exemplify what it means to be a Champion of Missouri.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

AMERICAN HOSTAGES IN GAZA

Ms. ERNST. Madam President, these are the faces of the six Americans who have been at the mercy of Iran-backed Hamas for over 100 days. They are brothers, sons, husbands, fathers, and grandfathers. They range in age from 18 to 62.

Their families have been sick with worry. They have been sick with fear day after day, not knowing whether their loved ones are even alive. As they cry out for answers and action, the families have yet once again returned to Congress, looking for hope and looking for leadership. These requests should not go unanswered.

During Hamas's October 7 terrorist assault on Israel, I was in the Middle East leading a bicameral, bipartisan delegation to bring a message of peace and optimism for further normalization in the region. But Hamas shattered this dream for millions in the region and beyond.

We woke up to the terrible news on October 7, knowing that the world was altered and plans had changed. The delegation unanimously agreed that we needed to go into Israel immediately, as the first group on the ground to stand with our ally in the face of this devastation.

In Israel, we met with families in anguish after Hamas had taken our citizens—American citizens—hostage and had killed over 30 Americans in the initial assault.

Since then, I have remained in constant contact with these hostage families. I heard their calls on behalf of their loved ones: Bring them home. Bring them home now.

The response has only been words. Where is the action from this administration, and where is the outrage from our fellow Americans?

Still, over 100 days later, many do not know the status of their loved ones. That is why I returned with the same delegation from October, plus one, to the region at the beginning of this year—to build upon our work and press for the release of our American hostages; to tell the families and the heads of state in the region that the safe return of hostages is our No. 1 priority.

Back in Israel, we saw firsthand the impact of Hamas's brutality at kibbutz Nir Oz, a place that, pre-October 7, could have been described as an oasis in the desert, a gentle farming community of peace-loving people. We were guided through the wreckage by a gentleman who called this kibbutz home and whose own son is an American being held hostage. In this community of peace lovers, Hamas burned homes, they terrorized children, they killed the innocent, put bullets into bedrooms, and violated the very foundation of peace that the kibbutz stood for.

Armed with heart-wrenching stories from each of the hostage families, our delegation traveled to Egypt, Qatar, and Bahrain. Our message was clear: Bring Americans home. This was the message I delivered to the senior leaders and hostage negotiators in each of those countries. It is a message backed by the entire bicameral, bipartisan delegation. We pressed our partners in the region to bring Hamas back to the negotiating table and release our citizens immediately.

Still, we must do more. These hostage families deserve answers immediately, and it is clear they are desperately looking for action from President Biden and his team.

Shockingly, we are witnessing the absolute wrong action from the Biden administration staff. As American hostages sit in Gaza in tunnels, captives of Hamas, some of the Biden administration staff are staging walkouts and demanding a ceasefire with Hamas. It is unbelievable that they are standing up for terrorists torturing our American brothers and sisters. Without a doubt, these staff members should be fired. Where is their outrage against Hamas? Where is the protest demanding that Hamas release their fellow citizens?

In the face of the vacuum created by this administration, Congress has a role to play in bringing Americans home, and that is a role I have stepped into. And congressional pressure is working. Already, the world is witnessing some of the effects of this call to action. After meeting with leaders in Qatar, Qatari negotiators reportedly paved the way for Israel to send medicine to the hostages in Gaza for the first time since October 7.

I am glad to see Qatar has responded to our calls to action; however, this is only a first and a very modest step. More action is required, and I will continue to fight to get Americans home immediately. After all, every day that Hamas holds Americans captive is a win for evil. That is why I will continue to hold our partners' feet to the fire to reunite these families.

I encourage every Member in this body and every American to join me in pressuring Hamas to free our citizens. American lives are on the line. Folks, now is a time for choosing.

As these hostage families call out for the strength of America to reunite them with their loved ones, there should be only one response: Bring our hostages home now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

HONORING DEPUTY JUSTIN SMITH

Mr. BOOZMAN. Madam President, I rise today with my friend and colleague, Senator COTTON, to recognize the service and the sacrifice of Stone County Sheriff's Deputy Justin Smith, who was fatally wounded in the line of duty on January 2, 2024.

It takes a special person to wear a law enforcement officer's uniform. For Deputy Smith, being part of this select group of individuals called to serve and protect was a dream come true. He was a distinguished member of the law enforcement community for 24 years, honorably serving first as a corrections officer in Jackson and Independence Counties and then as a constable and deputy sheriff in Stone County, where he spent 14 years.

Deputy Smith loved his job. He loved working for the good of his family, friends, and neighbors. He was so proud to be in a position to make a difference in the lives of the Arkansans and took advantage of that opportunity on countless occasions.

Those who served alongside him recognized his compassion and the helpful influence he had on the youth he worked with—two marks of any special public servant. Stone County Sheriff Brandon Long described Deputy Smith as a team player who was always willing to go the extra mile. The sheriff said:

> There was never a time he was called to come in that he didn't show up.

By living his life dedicated to public service, he also instilled that passion in his family. His sons have taken up roles with a higher calling as well, one being a veteran, another currently serving in Active Duty in the Air Force, and another who followed directly in his father's footsteps by pursuing a career in law enforcement. They all benefited from the love of their dad, not only for them but for others, and the faithful way he went about showing it in every aspect of life.

As Deputy Smith knew, we depend on law enforcement officers to keep us safe. His death is a tragic reminder of the risks these men and women face each day, and it prompts us to ensure

we always offer the gratitude and respect they so richly deserve in exchange for the tremendous sacrifices that they make.

I join all Arkansans as we mourn the death of this hero.

I ask my colleagues to lift up Deputy Smith's wife Lori and his entire family, Stone County's law enforcement personnel, and all who loved him in prayer. We will forever remember him as the true hero he was.

I yield to my colleague, Senator COTTON.

Mr. COTTON. Madam President, today, I join Senator BOOZMAN in mourning the death of Stone County Deputy Sheriff Justin Smith.

On January 2, Deputy Smith was shot and killed in the line of duty while serving a warrant. With his passing, Arkansas has lost a selfless public servant, reflecting the very best in our State.

Deputy Smith grew up in Arkansas, and he worked in law enforcement for 24 years—first as a corrections officer and then at the Stone County Sheriff's Department, where he worked for the past 14 years.

Time and again, he went above and beyond the call of duty. Stone County Sheriff Brandon Long said of Deputy Smith:

> There was never a time he was called to come in that he didn't show up. He was the type of person that when his shift ended, if he needed to stay over, no questions asked.

Deputy Smith was a gregarious and generous man who made friends and smiled easily. He enjoyed hunting and spending time with his large family.

Deputy Smith is survived by his wife Lori, 3 sons, 2 daughters-in-law, 3 stepchildren, 4 siblings, and 14 grandchildren, along with many nieces, nephews, and cousins.

Our prayers and the prayers of all Arkansans are with his family in this time of pain and mourning.

One of his sons reflected:

> Perhaps the hardest part of all of this is that my dad only exists in memories and photos, and that's all we'll have left of him.

Those heartbreaking words reflect the terrible danger that our men and women in blue and their families endure every single day. It is one of the many reasons our police deserve the lasting gratitude and support of their communities, States, and our Nation.

That gratitude was on full display at Deputy Smith's funeral, where leaders from across the State attended, including Governor Sarah Sanders and Attorney General Tim Griffin. In fact, so many people wanted to honor Deputy Smith's life that the service had to be simulcast into a second church.

On behalf of a grateful State, Senator BOOZMAN and I want to thank Deputy Smith and his whole family for their service to Stone County and to Arkansas.

God bless them, and God bless Arkansas.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The junior Senator from California.

MAIDEN SPEECH

Ms. BUTLER. Madam President, before I begin my formal remarks, I would like to take a moment to acknowledge the delegation of California mayors who are here in the Gallery today.

Madam President, I rise today with gratitude, honored to be a Member of this esteemed body. I rise having never imagined that this opportunity to serve would be a part of my journey. But I am grateful to so many who have helped it become true.

I was appointed by Governor Gavin Newsom to serve the people of California after the passing of Senator Feinstein. No one could ever fill Senator Feinstein's shoes, but there are so many of us who stand on her shoulders. To both of them, I am grateful.

I also know that my presence in these hallowed Halls is only made possible by Senator Carol Moseley Braun and now-Vice President KAMALA HARRIS, both of whom were historic Members of this great Chamber. And to stand on their shoulders as the only Black woman in this Chamber today, I am eternally grateful.

I appreciate the sacrifice and support of my friends and my family and the leadership of EMILYs List, who allowed me to turn their lives inside out and upside down to meet this moment in our Nation's story. To my partner, Neneki Lee, and my daughter, Nylah Grace, who are in the Gallery, I am especially grateful.

Madam President, I know that I am the newest Senator to join this Chamber, and while I may be new to this title and to this institution, I am not new to the struggle and the work of justice. You see, I am the proud daughter of the South, born in Magnolia, MS, the youngest of three children. I am the granddaughter to Kary, a sharecropper from Louisiana, crippled at a young age by polio; the granddaughter to Lettie Ruth, a maid who had to take her children to the homes of the White families for whom she cleaned and children she cared for even as she worked to get her certificate as a nursing assistant.

My grandparents were patriots who had to be urgent about the promise of America for their 11 children, the promise that if they worked hard and played by the rules, that their children would never have to see sharecropping as their destiny.

My mother Sarah was number six. She had five in front and five behind. She was born in 1953, 1 year before the Brown v. Board of Education decision. Yet it would be 13 years before she and her classmates saw an integrated school or had any semblance of equal.

As an adult, my mom made ends meet by working sometimes three jobs in the same day—working as a classroom assistant for mostly special needs children. She worked as a certified nursing assistant, just as her mom before her. She was a security officer, a cashier at a gas station. But her full-time job was unpaid. For more than a decade, she was the primary caregiver for my father Delos, who died after suffering six heart attacks, angioplasty, and receiving a heart transplant from an 18-year-old who died in a motorcycle accident. My father passed when I was 15 years old.

Colleagues, my mother, too, needed to be urgent about the future of her three children. She knew she had to be and do everything and anything she could to ensure that we had the opportunities to break beyond the barriers of poverty and to chase our dreams.

I went on to be educated at the Jackson State University in Jackson, MS. I had professors who were lawyers and scholars and organizers in the civil rights movement, who were urgent about the young minds and lives they were there to educate, leaders like Dr. Mary Coleman, who chaired our political science department and at the same time was a part of the litigation team that sued the State of Mississippi for equal funding for its historically Black colleges; professors like Dr. Leslie-Burl McLemore, who taught in our lecture halls but also served as a model of leadership, becoming the president of our beloved university, the mayor of Jackson, MS, and today, at 83 years old, one of the first Black elected officials in his hometown of Walls, MS. They and others taught me the urgency of opportunity inherent in the promise of America, but they also were clear that the arc of our moral universe bends toward justice only when people keep our heart and our hands pushing it in that direction.

My time with workers, their families, and other leaders at SEIU was also formative because we built coalitions to win—to win healthcare benefits for healthcare workers who had never been able to see a doctor. We built a coalition to win to raise the minimum wage in California to $15 an hour when the average Californian was spending 40 percent of their disposable income on housing and on food. Together, we fought for environmental justice and to restore redemption and rehabilitation to our criminal justice system. We knew that we urgently needed to work to build the California that our children deserved.

I was able to continue that work during my time at EMILYs List, supporting pro-choice women who advanced values that united their communities at every level of government. We were intent on creating that new generation of leaders.

Madam President, today, I am clear that my time in the Senate can be no different, and I rise today urgent about the future of our Nation's children. I rise carrying the urgent hopes of my grandfather and my grandmother, the deferred dreams of my mother. I rise bearing witness to the urgent sense of action of my professors, who were determined to show that next generation of leaders that change is possible only when we choose to do it together.

There are those who believe that the greatest test of our democracy is coming this November. I would submit that it is already happening. It is happening in our high schools and on our college campuses around the country. That is where my sense of urgency really comes from today.

My impatience emerges from listening to my own child, who, at my staff holiday celebration just last year, shared the story of her elementary school lockdown as if it were commonplace.

My sense of urgency comes from the facts amplified by the American Psychological Association that 13 percent of high school girls had attempted suicide, while 30 percent had considered it. Those numbers rose to 20 percent for LGBTQ+ students. And amongst Black girls, the suicide rate rose 36½ percent.

My impatience was formed on June 24, 2022, when millions of women and girls across the country, just like my little girl, came home less free than their mothers and grandmothers the morning of the final Dobbs decision.

My urgency was affirmed this past weekend while I was home in California celebrating the legacy of Reverend Dr. Martin Luther King, Jr.

I had the opportunity to visit some of our State's best, brightest, and youngest minds. One of them is Jesus Francisco Estrada, Jr. He goes by ''Paco.''

Paco is going to turn 22 years old a week from today. He is a first-generation college student at Loyola Marymount University, and he is from South Central Los Angeles—he wanted me to make sure that I said between Green Meadows and Watts. His father is a member of UFCW Local 770, and he was the primary income earner in their house when he was working full time for over 20 years at a meat-processing and meat-cutting facility. Paco's mother was often too sick to work, as she suffered from a complex diabetes condition as well as having had a scare with cancer.

Paco shared with me that, his entire childhood, he had grown up watching and knowing that his family was not going to be able to secure housing month to month. He knew this because he knew that his father was barely making ends meet and that sometimes they couldn't afford the rent. He saw the stress this added to his father's already grueling responsibilities.

Then, 2 years ago, his younger sister had a psychotic episode that was later diagnosed as schizophrenia. As her condition progressed, she became violent in her behavior and once had to have the police come and take her away. As he had to be the translator for his Spanish-speaking parents about what was happening in his home that day, he said that he learned then, watching his sister be taken away, that police aren't equipped to deal with people with mental health disorders.

The challenges and headwinds of Paco's life are enough to set anyone back. Instead, he has chosen to live and to lead forward.

So my commitment to Paco, my urgency about the future of our children, my service to the people of California has to start with democracy and freedom, protecting and advancing its very ideals, determined to preserve it for those who must carry it forward. And I look forward to working with my colleagues to pass the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act.

Freedoms once thought to be protected by our Constitution for decades—like reproductive healthcare, abortion access, and equal opportunity—are being stripped away right in front of us. I am eager to get to work with my colleagues to pass legislation to restore these protections and do today what cannot be left as the unfinished business of generations to come.

My commitment to generation now includes a focus on their mental health and well-being. I am impatient to work with my colleague Senator PADILLA and others to improve access to mental health and eager to work with Senator BROWN and Senator SCOTT to advance the FEND Act to stop the spread of fentanyl in our communities and the killing of our children.

According to recent data gathered by the AFL–CIO, 80 percent of workers under 30 want to be in a union. I am urgently ready to stand with those workers and with my colleagues who are committed to taking on the corporations that would stand in their way.

We must pass legislation like the PRO Act and the Home and Community-Based Services Access Act to create the workforce necessary to provide the care in our communities, advancing economic opportunities for generation now, who will lead and work in the economy of the future. We must do all that we can to ensure the tools necessary to believe in the American dream again.

In closing, Madam President, while I am urgent, I am also filled with abiding hope. Generation now may be cynical, but they are not sitting it out. Even as they have had to question whether government could truly work for them, even as they have seen dysfunctional and bitter politics, their advocacy on behalf of themselves and their future deserves its own recognition.

The world watched as students from Marjory Stoneman Douglas High School in Parkland, FL, organized the March for Our Lives rally, bringing together almost 2 million people across the country to demand that Congress act on gun safety legislation. That rally became one of the largest student-led protests since the Vietnam war.

From the Women's March to the Black Lives Matter marches around the globe, the most racially and ethnically diverse generation of our time has shown up time and time again, demanding that we do better. Whether it is the movements for gun reform, environmental protection, racial justice, or your local barista's fight to join a union, young people are demonstrating their willingness to be the force, the energy, and the face of change.

While this is true across the Nation, it is especially true in my home State of California, the State home to the largest number of Gen Zers in our country.

One of them is Kamarie Brown, a 20-year-old student now at Spelman College, who discovered a passion for education equity. At just 17 years old, she was the first Black female ever to be selected to the student seat on the Los Angeles County School Board, the second largest school district in our Nation.

It is thanks to Kamarie's leadership that students in L.A. have access to greater resources that they need to thrive. She secured unanimous support for resolutions that leveraged district funding to improve the communities around her, beyond the walls of Crenshaw High School.

It is young leaders like Kamarie, who don't sit on their hands and stand idle as the world passes them by. It is the stories of Generation Now, who believe that their lives can add up to something more that truly inspires them.

As I take my seat, I offer again the clarion call that was shared with this body and the world almost 3 years ago to the day. On January 20, 2021, Amanda Gorman, the youngest person ever to serve as the inaugural poet, said this:

> [W]e are far from polished, far from pristine, but that doesn't mean that we are striving to forge a union that is perfect. We are striving to form a union with purpose, to compose a country committed to all cultures, colors, characters and conditions of man. And so we lift our gazes not to what stands between us but what stands before us. We close the divide because we know, to put our futures first, we must first put our differences aside.

If our children are our future, let us be urgent about the promise of America. It must be that we put our future first because their lives are depending on us today.

I yield the floor.

(Applause.)

The PRESIDING OFFICER. The Senator from West Virginia.

CLIMATE LEGISLATION

Mrs. CAPITO. Madam President, I rise today in light of the news that John Kerry, America's climate czar, will soon be leaving his post. Mr. Kerry's exit presents, I think, us with an opportunity to comprehensively reexamine the Biden administration's record on energy and the environment.

For 3 years now while Mr. Kerry has been there, we have had energy regulation after energy regulation, climate mandate after climate mandate; and President Biden has clearly and unapologetically put the American people last.

His Cabinet Secretaries and unelected staff members from the State Department to the EPA, from

the White House to the U.S. Department of Transportation, have followed his lead. They have pushed an unworkable, untenable agenda meant to appease the global climate community and environmental activists alike.

The problem is that these goals and proposals are completely detached from reality. Well, let's just start with Mr. Kerry's recent comments:

There shouldn't be any more coal-fired power plants permitted anywhere in the world.

Followed by him signing an international pledge to do just that.

Well, that is a big statement for someone in his position, yet he has outlined no plan to replace this baseload energy source that is critical to our Nation and, really, critical around the world, especially in these winter months on days like we see today and this past week where we have had record freezing—and below-freezing—temperatures.

He makes comments like this but does not acknowledge that States like mine—West Virginia—or States like Michigan, Minnesota, Kentucky, and Colorado all rely heavily on coal-fired power plants for our electricity.

Acknowledging this reality would not be wise for Mr. Kerry because decimating the entire electric grid of dozens of States across the country and the thousands—tens of thousands of jobs that go with it would not be a good look for the administration.

So they never quite get to the next point of what would happen if we actually followed what he is saying. But not to fear, the EPA has Mr. Kerry's back when it comes to threatening America's energy grid with policies that are just not based in reality.

Despite the Supreme Court knocking down the Obama administration's previous attempt to close down coal- and gas-fired power plants in West Virginia v. EPA, the Biden administration has doubled down on this reckless policy. The Clean Power Plan 2.0 is, again, designed to prematurely force the retirement of these power plants and require the use of technologies that are not nearly ready for prime time.

Unfortunately for the American people, by the time the courts catch up, as they did before, a lot of the damage is done. Jobs are lost, the electric grid is undetermined and undermined, and the lives of entire communities are disrupted. Believe me, I know this firsthand. We lived through this in West Virginia during the Obama administration, and I would not wish it on any other parts of this country.

But the Biden administration is not stopping there. In a mind-boggling display of irony, the EPA is simultaneously pushing a rapid transition to electric vehicles. What do you have to use for that? That would be more electricity.

So let's look at what happened this week. In Iowa, we saw how cold it was during the caucuses, below zero everywhere. Many Americans faced a cold snap this week across the country, but owners of EVs were stuck because, No. 1, the EVs couldn't hold a charge in the cold weather and, No. 2, they found they couldn't even charge them at the charging stations.

A rapid and unreasonable transition to these vehicles—and I am not anti-electric vehicle at all—with serious reliability concerns would also increase electricity demand as the Agency works to shut down reliable baseload energy sources of power. It makes no sense.

And, again, ignoring reality, the Biden administration just carries on. More recently, the EPA announced a tax on energy companies through a methane fee, using the Democrats' really disastrous Inflation Reduction Act to target and penalize American energy producers. And, currently, a complex set of cases is winding through the courts on the topic of the EPA's so-called good neighbor air regulation.

This policy would take away the authority of 23 States, mine included, to determine how best to regulate ozone and reduce emissions in their own borders, which is what the Clean Air Act calls for, an alarming consolidation of power for Washington bureaucrats.

The EPA's approach ignores the cooperative Federalism framework of the Clean Air Act and deprives the States of their rights to regulate first. Our States know our States better than the Federal Government. Twelve States have already been successful in convincing courts that this program has serious legal challenges and issues, and that the courts have issued stays of the rule.

And this was all followed then by the EPA's disastrous Waters of the U.S., better known in these Halls as WOTUS, which illegally expanded the jurisdiction of the Federal Government at the expense of American farmers, builders, and private landowners.

Unsurprisingly, this was roundly rejected by the Supreme Court—including a 9-to-0 agreement that the scope of the proposal went way too far.

Yet even as the highest Court in the land sends clear warning signals that President Biden's energy and environmental overreach is illegal, those down the street at 1600 Pennsylvania Avenue just don't seem to care.

We have seen the resounding theme of Federal overreach, not just at Departments and Agencies but also directly from the White House.

As the administration is touting investments being made in our Nation's infrastructure, a bill that I roundly and soundly supported and also helped to create, the White House Council on Environmental Quality—better known as CEQ—has actually proposed making it harder to build and complete these projects.

So on the one hand, we are going to create a huge program for infrastructure; on the other hand, we are going to restrict how you build, when you build, how much it costs to build, and if you can build at all. They have championed burdensome permitting rules and redtape regulations, none of which—none of which—were agreed to by this Congress. And the White House Office of Management and Budget—better known as OMB—published a governmentwide mandate on Agencies to consider its flawed ''social cost of greenhouse gases'' metrics.

Well, I have asked for transparency here because I want to know how these numbers are developed and used, and I have gotten no substantive answers in response. It is crickets over there when I ask these questions. All we have received are broad public pronouncements that these numbers are to be used by Departments and Agencies when purchasing any goods or services in this time of high inflation and supply cost issues and when reviewing any proposed energy or infrastructure projects as they see fit.

Again, the irony is astounding for those of us looking at this from a realistic point of view. The same White House boasting about infrastructure investments—I am going to repeat—and growth is simultaneously hamstringing itself with climate mandates and memos that will impact millions of workers, families, and employers across this country, with all of the details hidden out of the sight of the American people.

After 3 years, there is a clear message President Biden and Mr. Kerry need to hear, regulations meant to signal climate action that don't follow the law and aren't based in reality are not the answer.

There is a better way—one that will unite us and actually make our Nation and world healthier and stronger. I have said so many times that our energy and environmental policies do not have to be at odds. So instead of targeting natural gas production, which was the major reason America reduced its emissions in the last 20 years, we should continue to support it. Doing so will boost our American energy, make for a cleaner environment, a better environment, and help our allies abroad, all at the same time.

We can also support the future expansion of nuclear energy, which holds great promise. It is emissions free. It is a linchpin of America's energy grid by enacting these policies that will drive development here on our shores and help us grow.

And we could move ahead with permits for carbon capture, use, and storage, in States who want to harness innovative technologies like mine, create jobs, and protect the environment at the same time and use natural gas, coal, as long as we can, because it is abundant in this country.

There is room for all of that, if we would just stop the hyperbole and the alarmism that is so often encountered when discussing this issue. When I and so many Americans hear somebody say ''shut it all down'' comments from the ''climate czar'' that are then mirrored

in actual regulations from the Federal Government, it just is not helpful. And I believe that history will show and has shown that it only hurts us.

So as Mr. Kerry exits the administration, let's take stock of the path the Biden administration has taken us down. And it is clear we must reverse course; we must leave behind the unworkable proposals and job-killing overreach and work together to allow realistic solutions to thrive right here in America.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from North Carolina.

Mr. BUDD. Madam President, I want to thank the Senator from West Virginia for holding this event to highlight one of the biggest issues facing working families today, and that is the cost of energy in America.

Since President Biden took office, the overall price of energy has skyrocketed by almost 35 percent. And when you dig down into the numbers, individual sources of energy, the news doesn't get any better. Fuel oil is up nearly 50 percent; gas prices are up over 40 percent; natural gas is up over 27 percent.

You know, in real terms, everyday Americans are spending an extra $111 per month to fuel their car and to heat their home. Businesses of all sizes are having to spend thousands of dollars more to produce goods and to move them around the country.

So what is causing all of this? Well, if you ask President Biden, he trots out talking points blaming foreign conflicts for the rising prices. But, to be fair, turmoil in the Middle East and Russia certainly plays a part. But the real question is, Why is the United States so dependent on foreign nations in the first place? Why are we at the mercy of petty despots and dictators for the fuel that we need right here?

It is because President Biden has orchestrated an all-out assault on American energy, starting on his first day in office. The Biden administration stopped construction of the Keystone Pipeline; they canceled all remaining oil and gas leases from the Trump administration in the Arctic Refuge; and they shut down energy exploration on Federal lands. Make no mistake, this is a crisis of President Biden's own making.

In response, President Biden has grasped for a political solution to a policy problem. His administration began to tap the U.S. Strategic Petroleum Reserve. Now the SPR is designed for times of war, national disaster, or a true national emergency. President Biden, on the other hand, has used it over and over again to bail himself out of the political consequences of his anti-energy crusade.

The result? The SPR has declined by nearly 287 million barrels of crude oil since President Biden took office. Our Nation's emergency energy reserves are now at their lowest level since President Reagan's—President Reagan's—first term.

Our country is no longer well-positioned to deal with the next crisis because this President is tilting at windmills and pursuing a radical Green New Deal agenda. For example, this President's EPA is mandating that 67 percent of new car sales in the United States in 2032 be electric. The only problem is, in 2023, only roughly 8 percent—8 percent—of new car sales were EVs. It is clear that the consumer demand is nowhere near sufficient to satisfy his big government mandate.

Even so, if we are going to push such a drastic increase in electric vehicles, President Biden has to get serious about ways to produce enough reliable, affordable energy. He cannot continue to rely on our own emergency reserves to meet this supply. It is time for us to get back to an America-first energy plan: drill on our shores, refill our emergency reserves for a real crisis, and lower gas and electric prices for hard-working Americans.

In order to be a strong nation, we have to be a self-sufficient nation and energy dominant. We know what to do. All we need is the right leadership to get it done.

I yield the floor.

The PRESIDING OFFICER (Ms. BUTLER). The Senator from Nebraska.

Mrs. FISCHER. Madam President, last week the Biden administration announced over half a billion dollars in subsidies for electric vehicle, or EV, charging stations. That half billion follows 2 billion more that has already been handed out to States, despite the fact that only 4 percent of Americans own EVs.

This is a common trend for this administration: forcing untested, expensive solutions onto the American people in the name of climate change.

But according to the Wall Street Journal, only two federally funded EV charging stations have been built since Biden became President, even though billions of taxpayer dollars are subsidizing those projects.

And Americans remain hesitant to drive these expensive cars. Last year, 84 percent of Americans said they are not considering buying one. The EV malfunctions that have happened over the past few days of this winter weather that we have been having across my part of the country only serve to confirm their choices.

The administration's plan for massive adoption of EVs over the next 8 years is a pipedream. But there are realistic, practical reforms we can make that would benefit the environment without limiting freedom or harming our economy. One of them is approving the sale of gasoline blends with 15 percent ethanol, or E15.

My legislation, the Nationwide Consumer and Retailer Choice Act, would cut redtape and remove roadblocks to the sale of E15.

Today, California is the only State that hasn't approved the sale of this partially renewable fuel, an unusual stance for a State that styles itself as a leader in protecting the environment.

Should California join the other 49 States in approving E15, that nationwide approval would benefit our environment, our economy, and our energy independence.

Emissions from ethanol are 46 percent lower than from traditional gasoline. One study found that corn ethanol contributed to a reduction of 500 million tons in emissions between 2005 and 2019.

Studies show that if all the gas in California had been E15 in 2022, there would have been a 450 million-gallon reduction in petroleum consumption. That switch, it would have resulted in greenhouse gas savings of 2.2 billion metric tons, and that is in California alone. These environmental benefits would increase exponentially if E15 were used more across this country.

Not only do higher ethanol blends of gasoline emit less greenhouse gases, but the corn used in its production soaks up massive amounts of additional CO_2. This is a doubly positive effect that should please even the most skeptical of our environmental friends.

It has been proven by NASA—by the scientists at NASA with data that they have gathered from their satellites—that during the summer, the Corn Belt in the United States of America has more photosynthetic activity than even the Amazon rainforest.

Family farmers in the Corn Belt are helping our climate by producing cleaner fuel, and they don't have to own an EV to do it.

Unlike EV subsidies, E15 is a sensible way to advance environmental goals that do not weigh down our economy. This fuel does not require taxpayer money. It is cheap enough to be market driven. The average price of E15 during the 2022 summer driving season was 16 cents less per gallon than regular gas. In an age of record inflation, that makes a big difference.

It benefits retailers that can profit off of E15, and it benefits millions of American drivers who can switch to a more affordable fuel. Access to E15 will free retailers and consumers from a dependence on energy that is produced abroad. Instead, we will be relying on producers here at home.

This is the way that we can unleash American energy, prioritize our domestic production, and take advantage of the wonderful natural resources that we have.

California's approval would make E15 a nationwide fuel option, and my bill eliminates Federal regulatory roadblocks to the year-round nationwide sale of E15, a lower cost, lower carbon fuel.

Congress and President Biden must come together to pass legislation that will truly advance an ''all of the above'' approach to energy, one that uses many resources that we produce right here in America.

E15, the approval of that is a win. It is a win for family farmers who produce ethanol; it is a win for consumers at the gas pump; and it is a win

for our environment, which makes it a win also for American energy security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. RICKETTS. Madam President, over the last week, my home State of Nebraska has been hit by bitter winter storms. We have had subzero temperatures, snow, and high winds that have closed many roads across the State of Nebraska.

As always, in times like these, Nebraskans step up to help. I want to thank all of our first responders, whether they were snowplow drivers, law enforcement, firefighters, EMTs, other emergency personnel—all the folks who demonstrated their grit and service this last week to be able to help people out. And I especially want to thank Nebraska State Patrol for the over 1,400 drivers they assisted during this crippling winter weather.

Hospitals saw a number of frostbite injuries. Our farmers and ranchers continued to work to ensure our food supply here at home.

I want to thank my Federal delegation as well and will work with them to provide any support that is needed. I appreciate that Governor Jim Pillen declared a state of emergency and will also assist with any Federal assistance that may be needed for this emergency. As we recover from these storms, I stand ready to work with my colleagues.

It is also an opportunity for us to be able to think about how government can do better. Many times a storm like this will create situations where we need to tease out what we should do better for the next time. However, in this case, one of the lessons has become clear right away.

As we all know, the EPA has a mandate that they want all new cars and trucks sold by the year 2032—I shouldn't say all; two-thirds of all cars and trucks sold by the year 2032—to be electric vehicles. This weekend we saw why this is just a dumb idea. These EV mandates are burdensome and do not work in places like the upper Midwest, where we can see these bitter cold temperatures. We saw that EVs don't work well when the temperature drops so precipitously. It turns out they are just not reliable when the weather turns this cold.

FOX 32 in Chicago has a story which I am going to quote from here. They reported that ''public charging stations have turned into car graveyards over the past couple of days.''

The story goes on to describe ''dozens of [EV] owners trying desperately to power up their cars at the . . . supercharging station in Oak Brook. It was a scene mirrored with long lines and abandoned cars at scores of other charging stations around the Chicago area.''

Also in the story there was a driver who referred to all these stalled electric vehicles as ''dead robots.''

''Car graveyards'' and ''dead robots''—is that the future we want? I don't think so.

And this happened in Chicago, where there are a lot of EV charging stations. What about my home State of Nebraska, where we don't have as many?

President Biden's own Department of Energy map shows no EV chargers on a 244-mile stretch of highway from Broken Bow to Scotts Bluff. There is not a charging station within 65 miles of Mullen, NE. Many rural communities are more than an hour's drive away from a charging station in towns like Hyannis, Cody, Merriman, Kilgore, and Thedford.

Nebraska is the ''Beef State.'' I can guarantee you that electric trucks are not practical when you are hauling livestock. One cannot afford just to pull over and start charging for 2 hours or even longer when the temperature is below zero—cattle cannot tolerate it.

And the thing about not being able to charge at all—imagine EV ambulances that break down trying to get to a rural hospital or EV buses breaking down trying to connect people to their jobs.

These are very real considerations in States like mine. Nebraskans tell me over and over again: The east coast Washington bureaucrats have no idea what their policies will do in the Midwest of the United States.

Guess what. They are right because, as it turns out, EVs don't work in cold weather.

These bureaucrats on the east coast have no idea of the implications of what their policies are to people in the Midwest. These major winter storms are a reminder that, right now, EV's don't have the performance or the reliance or the range in cold weather to be able to work in the Midwest.

Imposing an EV mandate on Midwestern States like Nebraska is foolish, unworkable, and it is wrong. I urge President Biden to reconsider this terrible policy. Until he does, I will continue to fight here in the U.S. Senate with every tool at my disposal.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I am pleased to join my colleague from Nebraska and others in discussing the importance of continuing to develop our energy resources here in North Dakota. We have the most abundant energy resources in the world, and we need to use all of them to develop and continue to build an ''all of the above'' energy policy.

Much of the Nation continues to experience very cold temperatures—in some cases, really record cold temperatures. In my State of North Dakota, coal typically provides 35 to 40 percent of the 24/7 baseload power generation to not only our State but to other States in the region. We supply both the MISO and the SPP power pools with energy for our region that they can count on 24/7—baseload energy. In the coldest times or in the hottest times—at peak energy times—they know that those baseload powerplants are going to be there to keep the lights on, to keep the heat going, and to provide whatever other power needs are called for. That is 24/7 baseload power provided all the time.

Also, not only is it 24/7 energy when needed and at peak times, but according to the Energy Information Office, in their October 23 report, North Dakotans paid the lowest electricity prices in the country—the lowest in the country. Let's compare that, for example, to California. California paid four times as much for electricity during the same time period.

My colleague from Nebraska just talked about electric vehicles. Well, you need charging stations for those electric vehicles. Where is that electricity going to come from? Particularly, where is it going to come from at times when you have peak power needs? You still need that electricity for all of these different purposes.

We have to recognize that, even as we develop new technologies and do all of these things that people want, we have got to have that baseload power coming from somewhere. We simply can't take our baseload energy—our coal-fired electric—for granted, and our other sources have to be there. Again, we continue to develop new technologies and continue to press for the best possible environmental stewardship, but we have got to recognize that we need more energy and that we have got to continue to use all of our resources to generate that energy.

Access to affordable and reliable energy is not only a quality-of-life issue but, obviously, a public safety issue, and we have seen that with these record cold temperatures. That includes keeping our homes warm and our businesses running. It includes keeping the lights on for our critical infrastructure like hospitals, schools, police, fire departments, and many, many other public services that we depend on every single day.

But the reality is our electric grid only works when there is sufficient power generation available to meet demand in realtime. You can't not have that energy when you need it and expect the grid to keep working, and of course those vital needs to be met.

In its ''2023 Long-Term Reliability Assessment,'' the North American Electric Reliability Corporation, or NERC, as it is commonly referred to, is warning that our grid—our power grid—continues to face higher risks of blackouts and brownouts because of planned powerplant retirements alongside rising electricity demand.

Again, think about this. Whether it is electric vehicles, whether it is your computer or data processor, whatever it may be, we can continue to develop all of these new things—these new technologies and all of these things we want to do—but you have got to have the power to run them. When you go into the house and flip on that switch, where is that electricity coming from? People take it for granted, but if we

don't have the baseload out there, you can't take it for granted because it won't happen.

FERC's Commissioners emphasized these concerns in testimony before our Senate Energy Committee last year, of which I am a member, and that included Commissioner Christie, who noted:

> The United States is heading for a reliability crisis.

Once again, Commissioner Christie—one of the FERC Commissioners—said specifically in front of our Energy Committee that the United States is heading for a reliability crisis because of the lack of baseload generation. We need to take this seriously. It is a national security issue.

Despite these warnings, the Biden administration's Green New Deal approach and regulations continue to accelerate the problem. This includes the EPA's proposed Clean Power Plan 2.0 and an unworkable MATS standard—new rules that seek to drive up the cost of operations for our powerplants. Of course, at some point, those powerplants are no longer economical, and that forces them to shut down.

In addition to its powerplant regulations, the EPA is proposing a new methane regulation, including, in just this past week, a new tax on methane. That was authorized by the IRA legislation. Again, it is a tax that is not only going to reduce supply but that will drive up costs on consumers. Somebody has to pay for that. It gets passed down the line, and consumers pay for it. That means higher electricity costs—not only less electricity, less energy but higher costs to consumers.

The Interior Department continues to restrict access to our taxpayer-owned energy reserves, which also drives up the cost of energy production because we produce energy on Federal lands as well as on private lands. Producing less energy here at home means higher costs, but it also makes us dependent on sources of energy from other parts of the world—in many cases, parts of the world that are unstable and have environmental standards that are vastly inferior to our own here in this country.

Once again, we have got to find ways to make American energy production less expensive and more reliable. That means producing the energy here at home. That means having an environment that encourages energy development, not more regulation and more taxes which make it harder to produce energy and drive up costs. That means energy from all sources—right?—meaning tradition and renewable—all sources with the latest technology.

So, again, if we are going to continue to develop all of these wonderful new things that we want to utilize, we are going to have to have the energy to make sure that we can power them. We are going to have to have the energy to make sure that, on the coldest day, we are comfortable in our homes for our families and all of those we care about.

In my State of North Dakota, we have over 700 years of coal supply alone, and we are developing the latest, greatest technology to produce that coal and are doing it so that we have baseload electricity, dependable low cost, and the best environmental stewardship. We continue to do that. America leads the world in this kind of innovation. Let's empower that. Let's empower that. It is, again, all about our country producing electricity here at home so that we are truly not only energy independent but energy dominant.

In fact, developing resources like natural gas and LNG helps our allies so they are not depending on countries like Russia or countries that are adversarial to us and our allies but rather that are working together—America and our allies—on important things like energy development. We can do that, and that is the kind of thing that we should be doing.

A little over a decade ago, we cracked the code on the shale production. In places like the Bakken in my State of North Dakota and at the Permian in Texas, we have produced incredible amounts of energy as a result. Again, that is not only important in terms of our economy, it makes sure that we don't have to get energy from places like OPEC. We all know the incredible problems that that has created for us through the years when we can't produce that energy at home and have to look at players like OPEC.

The fact remains that coal, oil, and natural gas remain vital to our economic interests and to our national security because these resources are reliable and energy-dense compared, in many cases, to renewable energy, which only provides energy part of the time.

What do you do when you need energy and the Sun isn't shining and you are only dependent on solar energy? What do you do when you need energy, and you are relying on wind power, and the wind isn't blowing? We have got to have this baseload electricity.

Again, this is common sense. This is about having an energy policy that truly empowers this country to produce more energy; to do it with the best environmental stewardship; to make it reliable, dependable, affordable; to make sure it is there 24/7, every day—on the coldest day, on the hottest day—for whatever those growing needs are. Let's make sure we have that energy here at home. Let's not just be energy independent but energy dominant. We can do that in this country, and we need to do it in this country.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

WOMEN'S RIGHT TO KNOW ACT

Mrs. BLACKBURN. Madam President, this Friday is going to mark the beginning of the 51st annual March for Life, and we have got thousands of Americans and, indeed, hundreds of Tennesseans who are coming to our Nation's Capital to celebrate life, to talk about how to defend life, and to uphold the sanctity of life.

This is the second March for Life since the Supreme Court overturned Roe v. Wade. We know, with the Dobbs decision, it really sent the authority back to the States and to the people, and that is where it does belong. Across the Nation, we have seen States step up and take responsibility for the rules and regulations around abortion practices.

Now, one of these areas they have looked at is informed consent laws. This would require abortion providers to inform expectant mothers of all the medical risks to the mother and to the child because of this abortion procedure. What we know is that informed consent is a very important part of medical ethics.

According to the AMA's medical ethics code, this is what it says:

> Patients have the right to receive information and ask questions about treatments so that they can make well-considered decisions about care.

But not all States have informed consent laws, and there are abortion providers who withhold this information, which prevents these expectant mothers from understanding all of the risks that they face. A nationwide safeguard regarding informed consent is something that is long overdue.

So this week, I introduced the Women's Right to Know Act, which would set reasonable medical requirements for physicians to meet and protect the life of the mother and the child before the abortion can be performed. So they would have to meet these standards and give this information to the patients.

Now, the providers would be required to explain all of the medical risks associated with the abortion procedure, explain the probable gestational age and development features of the unborn child at the time the abortion is to be performed, and to present this information at least 24 hours in advance of an abortion procedure.

We think that this is essential legislation that will really do so much to raise the safety standards and protect the health of vulnerable women, and it will help to save lives.

IMMIGRATION

Madam President, last week, House Republicans launched their impeachment proceedings against Secretary Ali Mayorkas for a simple reason: The Secretary of Homeland Security does not believe in securing the homeland. We know that he has failed to carry out his duties, and we know it because of the numbers.

Over 8½ million illegal immigrants have come into this country on his watch. That includes 1.7 million or thereabouts of what are called known ''got-aways.'' These are people who can be seen on surveillance, but Border Patrol cannot get to them.

There are also tens of thousands of pounds of fentanyl that have been trafficked into this country, and once it is

across that border, it ends up in your towns, in your communities. This, we know, is happening.

In addition, there are hundreds of individuals on the Terror Watchlist who have been apprehended at the southern border, including 30 since the start of fiscal 2024.

In addition to this, there are thousands of individuals from countries of interest. We wonder why they are choosing to come to the country, but we do know many of them are young men. They are not coming with a family; they come separately.

These numbers alone would give reason for why the Secretary should be removed from office. His job is to secure the homeland. Obviously, with these numbers, with the concerns that come with these numbers, the homeland is not secure.

Ultimately, you have to look at the harm that this administration is inflicting on our country with its open border policies because those harms go way beyond the stats I have given you today.

These policies of this administration, of this Secretary, are failing this country. They are upending the rule of law, which is foundational to this democratic Republic. It is foundational.

At every opportunity, what is astounding to me is this administration continues to look for ways to make illegal legal. We have seen this action with Executive orders. We have seen this with Agency rules and regulations. We see it at the border as they try to find new ways—maybe it is using their app. Maybe it is letting you know that they are coming. But what they are trying to do is say: Discard the rule of law. We are going to give you a new way to come here. And by the way, we are doing everything we can to make illegal legal.

Does that make any sense at all? Of course not.

Under President Biden and this administration, illegally entering the country is something that they say: Well, we don't consider that to be a crime.

Now, if you or I, Madam President, were in Mexico and said ''Oh, the border crossing is backed up. We are just going to walk across the Rio Grande. We are going to just walk on back into the country because it is faster. We don't want to drive to the border crossing. We are here, there is the river, and we are just going to skip on over there,'' do you know what? We would be apprehended. And where would we be taken? We would be taken to jail. We would face prosecution. Think about that. Why is it that we would do that? Because it is illegal.

But to those who are trying to enter our country illegally—and by the way, it is not just from Central America. Border Patrol tells us we have had people from about 170 countries over the last year come to that southern border. And who is in charge of all of this? It is the cartels that work on the Mexico side of the border. They are big, global businesses, and they are bringing people from that many different countries to our southern border. They are bringing thousands of pounds of fentanyl. By the way, who creates the chemicals for fentanyl? China. They are in cahoots on this.

But it is so disappointing to me that at every opportunity, this administration is trying to make illegal legal. In doing that, what they are doing is putting lawbreakers ahead of law-abiding Americans.

Secretary Mayorkas last week admitted that 85 percent of the illegal immigrants who are apprehended at our border are released into the country—85 percent. These are people who are not being sent before a judge for an asylum hearing. These are individuals who are being given a notice to appear, and then they are waved on into the country. Then they are given a phone, they are given food, and they are given a plane ticket to wherever they want to go. And who pays for this? Who is footing the bill on this? We know who is paying for this. It is the hard-working taxpayer. They are bearing the cost for this.

With these hundreds of thousands of migrants crossing into our country each month—by the way, last month, 302,000 people. Think about the cities in your State. How many of them have more than 300,000 residents in that city? This is the number coming across that border.

What we have seen is that States are taking this matter into their own hands, States like Arizona and Texas that have constructed their own barriers across the southern border. What has the Biden administration done to them? Instead of saying ''Thank you for helping us carry out this duty to protect illegal entry into our country. Thank you for the assistance''—no, no. That is not what they have done. They are suing the States. They are suing them for trying to protect their property. This makes no sense.

Let's think about this. There is immigration law in this country. There is a way to come into this country. There is a way to ask for asylum. It is not to go pay a cartel and have them bring you across our border and enter the country illegally. So these States are saying: We are going to protect our sovereignty. By the way, we have ranchers and farmers who live here on the border. We are going to allow barriers to go up so that it helps to protect their private property.

This administration says: If you do that, we will sue you.

Under this administration, border agents are not putting up fences and razor wire. They are actually out there cutting the razor wire because this administration is telling them that is what they have to do. They don't want to do it, but they are being told they have to do it.

That is how far this administration is going to make illegal legal. They are saying to law-abiding citizens: You can't protect your ranch. You can't protect your farm. They are saying to Texas and Arizona: You can't put up containers. You can't put up razor wire. You cannot protect your State. We are going to make you sit by and watch as we violate Federal law.

Whoever would have thought—whoever would have thought—that you would have an administration going in here and finding ways to violate Federal law, but that is exactly what they are doing, and they are doing it every day.

Once the migrants have illegally come into the country, the administration doesn't just resettle them; they use taxpayer dollars to even pay for their healthcare. I have already mentioned they get a phone, food, clothing, and a plane ticket to wherever they want to go.

In fiscal year 2022, taxpayers shouldered the cost for $94.3 million of medical expenses for these migrants. In fiscal year 2021, Immigration and Customs Enforcement healthcare budgeted more than $74 million for the Department of Veterans Affairs to assist with outside referrals and medical claims processing. Think about this. The VA—the VA—is subsidizing healthcare for illegal immigrants. So while the VA is helping to treat migrants, more than 1 million veterans are waiting for staff to process their claims. Can you see the problem here?

We are talking about healthcare for our Nation's veterans, people who have raised their hands and have sworn an oath and have worn the uniform, men and women who have protected this Nation, and we have said: When you do this, we will provide your healthcare. But oh, no. Look at what is happening. Those who are illegally entering the country are being put in front of our Nation's veterans. And right now, we are seeing this backlog grow. There had been a quarter of a million claims about this time last year, and then it went to 400,000, and now we are at a million—a million. But those who have illegally come, they are put at the head of the line, and our veterans are at the back. Do you think that is fair? Is there anyone in this Chamber who thinks that is fair and that is right?

On top of this, we learn now that New York City—again, led by Democrats—in New York City, what are they doing? They are shutting down high schools, and they are sending kids home for remote learning. We tried that during COVID, right? It didn't work out very well, did it? But kids in New York are being forced to go home so that their school can be used as a shelter.

You know, it might be more appropriate if New York City took some of those Federal buildings where the workers are not showing up for work and used those for temporary housing. But allowing these facilities to be used and kids to be sent home and placed on remote learning—it is so inappropriate, and it is wrong. But at every step, my

Democratic colleagues have supported this administration's disastrous open border policies.

And for more than 7 months, they have refused to bring H.R. 2 to this floor for a vote. H.R. 2 is the House Republicans' Secure the Border Act. It would help end this crisis. In fact, since the House passed H.R. 2 and sent it over here to the Senate, the Senate Judiciary Committee has held 83 hearings—83 hearings and meetings since that bill was passed. H.R. 2 has never been brought up for 1 minute of discussion in this Chamber. It just shows you: Open border is this administration's policy. This is what they want.

Now, I think that it is very telling what the Democrats are for on this. Their inaction on what is a crucial issue and, indeed, the No. 1 issue with the American people reveals a lot about their priorities.

But I would have to ask my Democratic colleagues: Why is it that you are for illegal immigration? Why is it that you are working so hard to make illegal legal? What is it about circumventing the rule of law that you think is the right thing to do? Do you want to circumvent the rule of law and throw away all immigration policy? Or is it just you want to allow illegal entry into this country?

I will tell you what, Madam President: We need to know who is coming in this country and why they are coming. I would yield time on this floor to any Democrat who wanted to come and explain why you are working so hard to make illegal legal. I would like to hear that explanation because it seems, every time we turn around, you are looking for some way to codify illegal entry into this country.

How about abiding by the rule of law, because when you circumvent the rule of law, what do you do? You devalue our citizenship. What about the thousands of people who are working legally toward citizenship, who are spending money, who are spending time? Have any of you spent time going to a naturalization ceremony, a citizenship ceremony? Have you heard these stories of how hard people work, how they want to be a U.S. citizen?

But, oh, no. What some of you want to do is devalue that. You want to say: Let's make it OK for people to just waltz across the Rio Grande, walk in here, and enter this country illegally outside of the rule of law, wait 10 years to get an asylum hearing.

What is right about that? And you know the answer: Nothing is right. Nothing is right. And it is amazing to me. Give me an explanation of why you think you should preference people who illegally come in this country before our Nation's veterans and hard-working taxpayers. Why do you do that? Why do you think that that is OK?

I will tell you what right now: Tennesseans don't think that is OK. They don't think having a million people on the VA backlog for services is OK while you are spending millions of dollars for healthcare for veterans for processing claims. They don't think that sending outside referrals for them when veterans can't get into community care—this is not right.

I can't imagine an explanation from one of my Democratic colleagues that would say: I think that is what we ought to do. We ought to just say: Illegal immigrants, we are going to take care of you first, and everybody else to the back of the line.

But, in essence, that is what your actions are showing that you support. Your actions and inactions are showing that you think making illegal legal, that that is a really good thing.

And the other thing I don't get about all of this: Each and every one of you know you do not come to that southern border on your own; you have paid a cartel. People pay the cartels.

And then, Border Patrol will show you the bands and bracelets that are put on people. What it shows is the cartel and what this person needs to do to work out their fee, because not everybody can pay the $5,000 or $10,000 to the cartel to illegally come in this country and then have the U.S. taxpayer finish the job for them once they get to the U.S. border because they get their asylum claim, their notice to appear, their phone, their food, their clothes, their plane tickets, and their healthcare.

But they have a band on them, a tracking device, and that is what tells the cartel and their job. It may be going to a gang. It may be going to a work crew. It may be selling drugs—fentanyl—and pushing that into our communities. It may be that these people are part of a human trafficking ring, they are going to be put into human trafficking and sex trafficking.

So to my Democratic colleagues: Do you think this is compassionate? How do you say this defines compassion? It is beyond me. You all know that this is modern-day slavery. And if you haven't seen these bands, I think there are some of us that would show you these bands that people have to wear, will show you the Department of Homeland Security stats that shows that just a few years ago, human trafficking was a $500-million-a-year business. Today, DHS tells us it is a $150-billion-a-year profit center. That is right: $150 billion a year.

Let me tell you something. These women and children that are being sex trafficked, they are being mentally, physically, emotionally, sexually, and drug abused as they make these journeys. You all know that. But why would you say an open border is a compassionate policy? It is not.

This is a humanitarian crisis. This is a crisis where people are having their lives ruined. They are sold a bill of goods by a cartel who is incentivized because the cartel says: Biden said come on, border is open. The policy is an open border.

You know, it is imperative that we stand with the rule of law. I have got a couple of pieces of legislation that I filed hoping that they will help. One is the CONTAINER Act that would allow States to protect their portion of that southern border, give them the ability. They have got that right. If the Federal Government falls down on their job, they have got the right to protect their citizens, and they want to do that.

The other is No VA Resources for Illegal Aliens Act. This is something that I have done along with Senator TUBERVILLE to stop the administration's Department of Veterans Affairs from providing taxpayer-funded healthcare to illegal aliens or engaging in claims processing for anyone unlawfully present in the United States.

It is time that we secure this southern border and that we end this illegal entry into this country.

I yield the floor.

(Ms. CORTEZ MASTO assumed the Chair.)

(Mr. OSSOFF assumed the Chair.)

The PRESIDING OFFICER (Ms. HASSAN). The majority leader.

Mr. SCHUMER. Madam President, I know of no further debate on the motion to proceed.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the motion.

The motion was agreed to.

AMENDING THE PERMANENT ELECTRONIC DUCK STAMP ACT OF 2013

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2872) to amend the Permanent Electronic Duck Stamp Act of 2013 to allow the Secretary of the Interior to issue electronic stamps under such Act, and for other purposes.

ORDER OF PROCEDURE

Mr. SCHUMER. I ask unanimous consent that the only amendments in order to H.R. 2872 be the following: Paul No. 1384, Marshall Motion to Commit, Braun No. 1382, Murray No. 1381; and that at 12:30 p.m. tomorrow, Thursday, January 18, the Senate vote on adoption of the amendments in the order listed, with each subject to 60 affirmative votes required for adoption, with the exception of the Marshall Motion to Commit and Murray No. 1381; that there be 2 minutes for debate equally divided prior to each vote; further, that on disposition of the Braun amendment, the Murray substitute amendment No. 1381, as amended, if amended, be agreed to, the bill be considered read a third time, and the Senate vote on passage of the bill, as amended, if amended, with 60 affirmative votes required for passage, all without further intervening action or debate.

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

AMENDMENT NO. 1381

(Purpose: In the nature of a substitute.)

Mr. SCHUMER. I call up substitute amendment No. 1381.

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

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], for Mrs. MURRAY, proposes an amendment numbered 1381.

Mr. SCHUMER. I ask that further reading the amendment be dispensed with.

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

(The amendment is printed in the RECORD of January 16, 2024, under ''Text of Amendments.'')

Mr. SCHUMER. Madam President, there is good news. We have just agreed to lock in an agreement and pass a bill tomorrow that will fund the government and avoid an unnecessary government shutdown. This CR will give Congress time to continue working on the appropriations process to fund the government for the rest of the fiscal year. We hope that the House will take up this bill before the Friday deadline with bipartisan support. I appreciate the work of all the leaders to move forward with this CR.

And, in conclusion, I hope—truly hope—we will see the same bipartisanship we have seen tonight in the Senate continue as we tackle the very important supplemental and appropriations bills before us.

CONGRATULATING THE UNIVERSITY OF MICHIGAN WOLVERINES FOOTBALL TEAM

EXPRESSING SUPPORT FOR THE DESIGNATION OF OCTOBER 2023 AS NATIONAL CO-OP MONTH

REPEALING STANDING ORDERS RELATING TO FLOWERS IN THE SENATE CHAMBER

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Science, Commerce, and Transportation be discharged from further consideration of S. Res. 520 and that the Senate proceed to the en bloc consideration of the following resolutions: S. Res. 520, S. Res. 525, and S. Res. 526.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. I ask unanimous consent that the resolutions be agreed to, the preambles, where applicable, be agreed to, and that the motions to reconsider be considered made and laid upon the table all en bloc.

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

The resolution (S. Res. 520) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of January 11, 2024, under ''Submitted Resolutions.'')

The resolution (S. Res. 525) was agreed to.

The preamble was agreed to.

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

The resolution (S. Res. 526) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

MORNING BUSINESS

THE PROTECTING AND ENHANCING PUBLIC ACCESS TO CODES (PRO CODES) ACT

Mr. WYDEN. Madam President, ensuring Americans' right to access, read, and understand the law is critical to the functioning of our democracy. Whether text with the force of law is found in statute or regulation or whether it has been incorporated by reference, it is essential that all members of the public have fair and equitable access to the legal standards by which they must abide.

Unfortunately, I have concerns that the Protecting and Enhancing Public Access to Codes (Pro Codes) Act would hinder, rather than enhance, the public's access to technical or voluntary consensus standards that have been incorporated into law by reference. This bill explicitly allows standards-setting organizations to require that a member of the public create an account or agree to terms of service as a condition of access. Requiring that an interested party surrender personal information to, or enter into a binding contract with, a private entity in order to read the law raises concerns of privacy and fairness.

I am also troubled that the bill lacks robust standards for public accessibility. It does not require standards to be made available in print or in person, and it does not require standards to be searchable, machine-readable, or accessible to persons with disabilities. In this way, the Pro Codes Act risks creating barriers to access for many Americans, including researchers and reporters, those without reliable internet service, and individuals with visual impairments.

For these reasons, I will object to any unanimous consent agreement regarding the Pro Codes Act.

GUATEMALA

Mr. WELCH. Madam President, the inauguration of Bernardo Arevalo as President of Guatemala shortly after midnight on January 15 was a triumph for the people of Guatemala. Despite corrupt forces in the outgoing government, the Congress, and the Office of the Attorney General—who abused their authority in a flagrant attempt to subvert the result of a free and fair election that President Arevalo won overwhelmingly—in the end, Guatemala's democracy was preserved.

I want to congratulate the Guatemalan people for their courage and perseverance, especially the indigenous Mayan population who have suffered deprivation and indignity under successive governments whose officials cared far more about enriching themselves than improving the lives of the country's most vulnerable. It is long past time for Guatemala's indigenous leaders to have a central role in the national government.

I also want to commend the Biden administration, in particular U.S. Agency for International Development Administrator Samantha Power, Assistant Secretary of State Brian Nichols, Charge d'Affaires Patrick Ventrell, and the other U.S. Embassy staff, who in the months leading up to the election and late into the chaotic night of January 14 until Arevalo was finally sworn in, used a combination of diplomacy, sanctions, and advocacy to support a peaceful democratic transition of power. Without their sustained diplomatic engagement and the strong support of the international community, it is likely that the so-called Pact of the Corrupt would have prevailed in destroying Guatemala's fragile democracy.

President Arevalo faces immense challenges. Late last year, in an attempt to ensure that if he came to power he would be unable to govern effectively, the Congress slashed the national budget for the social programs and economic reforms necessary to carry out his anti-corruption, anti-poverty, pro-justice, and accountability vision for the country. The Guatemalan people expect him to deliver on his campaign promises, but the very forces that sought to prevent him from taking office have made clear that they will do every possible to prevent him from governing.

Despite these formidable obstacles, Bernardo Arevalo's remarkable ascendency to the Presidency offers Guatemala and the United States an opportunity that has not existed for generations. Hundreds of thousands of impoverished Guatemalans have fled their country, risking their lives in search of safety and a better life in the United States. In President Arevalo, we finally have a partner of integrity with whom we can focus on addressing the root causes of migration.

For generations, Guatemala's elites, including business and political leaders, have profited from a corrupt system at the expense of the best interests of the country. Tax revenues are a fraction of what they should be. Large areas of the country lack basic public services. Millions of Guatemalan children are malnourished and have no access to higher education. The justice system has been used to perpetuate the unjust and inequitable status quo.

If the Pact of the Corrupt had succeeded, Guatemala's business community would have also paid dearly. The choices were, and remain, stark. They can either help create the conditions

for new investment and economic growth or share responsibility for putting the country on a course leading to the scale of criminality and economic decline that have engulfed Nicaragua and Venezuela. With American companies relocating from China back to this hemisphere and with a Guatemalan President who believes in transparent and accountable governance, there is an opportunity for new investment and business partnerships in Guatemala unlike any time in recent memory. It is time for Guatemala's business leaders to embrace President Arevalo's vision for the country and to become real partners in the Guatemala's development.

I had the privilege of traveling to Guatemala in December as part of a bicameral congressional delegation led by Senator TIM KAINE. Our purpose was to show our support for Guatemala's democracy and for a peaceful transfer of power. We left Guatemala convinced that, while the outcome was far from certain, the people of that country would defend their democracy to the end. That is what they have done, and while the daunting challenges of governing lie ahead, they and President Arevalo deserve our congratulations and our strong support.

ADDITIONAL STATEMENTS

TRIBUTE TO CHRIS GEORGE

● Mr. BLUMENTHAL. Madam President, I rise today to recognize my friend and fellow Connecticut resident, Chris George, on the occasion of his retirement from Integrated Refugee & Immigrant Services—IRIS—after 18 years of remarkable leadership in resettling individuals and families seeking to build a new life in our country.

In 2005, Chris joined the organization that would later be known as IRIS, which operated out of a small office in New Haven with an eight-person staff. Over the following 18 years, Chris guided an enormous expansion of the organization, with 150 employees now helping to resettle 1,000 people per year across Connecticut. During Chris' tenure, IRIS has been at the center of Connecticut's response to refugees and other immigrants fleeing from persecution and violence, working with those displaced from Iraq, Afghanistan, Syria, the Democratic Republic of Congo, Ukraine, and many other places worldwide. Chris and IRIS performed lifesaving work to accommodate refugees, especially through the expansion of their community cosponsorship program.

The success of IRIS under Chris' leadership has made New Haven and Connecticut national leaders in refugee resettlement. In January 2023, the organization was selected by the U.S. Department of State as one of five agencies to lead a consortium of nonprofit organizations as a part of the launch of the Welcome Corps program. In this role, IRIS is responsible for coordinating and managing the newly created Welcome Corps program infrastructure, which includes vetting, certifying, and training private sponsors, as well as monitoring and evaluating the overall success of the program.

I have been deeply honored to work with Chris over the years and witness his incredible accomplishments firsthand. I will always remember collaborating with him closely during the evacuation of Americans and allies from Afghanistan in 2021. From the outset of the crisis, Chris worked tirelessly, oftentimes communicating with those trapped in Afghanistan directly in order to secure their safe evacuation. Chris was quick to recognize the complexities that the evacuation from Afghanistan presented and was able to secure humanitarian parole for hundreds of refugees resettling across Connecticut. Chris has also been a key contributor and spokesperson for the Afghan Adjustment Act, aiming to affirm the legal status of the refugees who have been able to make it to the United States. Chris and IRIS were critical in not only advocating for and assisting in the safe escape of these individuals from the Taliban, but also in helping them to find housing, connect with healthcare, enroll in school, find jobs, and learn English.

Chris has been a fierce advocate on behalf of all fleeing oppression across the world, and his remarkable career is a testament to his diligence, leadership, and compassion. Although he is stepping down from IRIS, he plans to continue advocating for humanitarian causes, including working at the newly created Welcome Corps. I applaud Mr. Chris George for his incredible work and hope my colleagues will join me in expressing our gratitude and admiration.●

TRIBUTE TO NILS BURINGRUD

● Mr. CRAMER. Madam President, I want to honor a very special North Dakota resident who turned 100 years old on January 11. Nils Martin Buringrud celebrated this landmark birthday in Fargo at a party with a small group of friends and later a dinner with his family.

Nils was born January 11, 1924, to Nils and Marthe Buringrud in Thief River Falls, MN. His father was a farmer, and the family moved near the Red River Valley community of Kelso, ND, in 1930. They moved 3 years later to a place a few miles away southwest of the community of Hillsboro. In 1943, they moved to a new home southeast of Hillsboro, where Nils lived until he graduated from high school in 1942.

That fall he moved to Spokane, WA, and then to McClellan Air Force Base near Sacramento, CA, where he worked in shipping airplane engines overseas to military bases in the Pacific. Nils returned home and helped farm for awhile before enlisting in the Marines in 1944 at the age of 22. During World War II, he served aboard an aircraft carrier that sailed through the Panama Canal and on to all the islands in the Pacific, along with Japan, China, India, and near the coast of Africa. He was an expert rifleman when the war ended.

After being discharged from the Marines, he farmed with his brother-in-law and sister and later delivered fuel to area farms. He married Elaine Ponto in 1947, and the newlyweds lived in a home on the Argusville farm of his brother-in-law and sister until 1949, when they bought a farmstead 3-and-a-half miles east of Gardner. There, they continued to farm and raised six children. Nils was active in the American Legion, and he and Elaine attended regular reunions with friends from his Marine unit. They lived there until 1993 when they sold their farm and moved to Fargo.

Elaine died in 2006 and Nils continues to reside in Fargo in the home they purchased in 1998. His daughter Marcia now lives with him, and his life is filled with the activities of his four children who are still living and 11 grandchildren. He continues to drive and walks about an hour daily, weather permitting. While not the oldest living veteran in North Dakota, his family believes he may the oldest to still have a valid drivers license.

North Dakota is home to more than 200 centenarians, and we consider them among our most treasured residents. Nils Buringrud embodies the very best of the Greatest Generation, growing up on a farm, moving out of State for awhile, enlisting to serve in World War II, and then returning home to raise a family and contribute to his community and State. He has remained a proud and active veteran, and his pioneer spirit, dignity, and hard work have brought him through many challenges and personal achievements. He is an inspiration to all of us.

On behalf of all North Dakotans, I thank Nils for his service to our country and wish him a happy 100th birthday. I hope you enjoy continued good health and vitality for years to come.●

RECOGNIZING WELTER STORAGE EQUIPMENT CO., INC.

Ms. ERNST. Madam President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Welter Storage Equipment Co., Inc., of Monticello, IA, as the Senate Small Business of the Week.

Welter Storage Equipment was founded by Lloyd and Joyce Welter in 1982 on their family farm in Monticello during the farm crisis of the 1980s. The farm crisis affected thousands of farmers and farming communities in Iowa, and many farmers had to find alternate forms of income to support themselves. Before launching Welter Storage

Equipment, Lloyd served in the U.S. Army from 1956 until 1958. Following his service, Lloyd saw a need in the Monticello community for shelving, pallet racks, and storage equipment. What began as an idea around the kitchen table grew, and in 1987, Welter Storage Equipment moved off the Welter family farm to its current headquarters location on South Main Street in Monticello.

Welter Storage Equipment sells both new and reconditioned warehouse equipment and office furniture acquired through auctions, liquidations, bankruptcies, closeouts, and more. They also provide storage equipment and forklifts. Over the years, Welter Storage Equipment has become a trusted local resource for office furniture and warehouse racks. The business is not only a community staple, but now sells products to customers across the United States.

Currently, the Welter Storage Equipment team operates in Cedar Rapids, Dubuque, and Monticello, with their Monticello location serving as the company's headquarters. Lloyd and Joyce's sons Ron, Dave, Dean, and Bob serve as the current owners and have seen three generations of the Welter family work at the family business. Lloyd Welter passed away in 2021, leaving behind a legacy of hard work, service, and dedication to entrepreneurial excellence.

Welter Storage Equipment is actively involved in the Monticello, Dubuque, and Cedar Rapids communities. In addition to employing more than 60 people, they have sponsored the Great Jones County Fair and have served as a business partner to the Dubuque Senior High School Drama Department. They were named a 2023 Business Hero by Animal Welfare Friends, a nonprofit that aims for the adoption and fostering of dogs and cats in the Monticello area. Due to the team's hard work, Welter Storage Equipment Company celebrated its 41st business anniversary in 2023.

Welter Storage Equipment's commitment to providing quality office, storage equipment, and furniture in Eastern Iowa is clear. I want to congratulate the Welter family and the entire team at Welter Storage Equipment for their dedication to the Monticello, Cedar Rapids, and Dubuque communities. I look forward to seeing their continued growth and success in Iowa.

TRIBUTE TO SHERYL ''SHERRY'' BRANCH-MAXWELL

● Mr. SCHMITT. Madam President, I rise today to recognize and celebrate the extraordinary contributions of an exceptional individual, Ms. Sheryl Lynette Branch-Maxwell of Charleston, MO, affectionately known as Ms. Sherry. Her dedication to service and her tireless efforts in improving the lives of Southeast Missourians exemplifies the spirit of selflessness and community stewardship that inspires us all.

For over four decades, Ms. Sherry has been a pillar of support for her community. Her journey began when she dedicated herself to the well-being and development of children in daycare facilities and Head Start Centers. Her commitment to nurturing youth extended beyond the classroom as she coordinated and directed summer food programs, ensuring children had access to essential nutrition during the summer months.

Ms. Sherry's leadership and commitment to her community organizations have significantly benefited the Bootheel region of Missouri. Her work as a program educator at Lincoln University Cooperative Extension in Charleston has been pivotal in implementing programs focused on leadership, self-esteem, and anti-drug initiatives.

Another commendable accomplishment is the development of the Kids' Beat initiative. This program became a beacon of hope offering guidance and support through more than 30 clubs across all counties of the Missouri Bootheel. Ms. Sherry's dedication to empowering youth through education and mentorship is truly commendable.

Sheryl Lynette Branch-Maxwell is truly a champion of Missouri. I ask my esteemed colleagues to join me in applauding Ms. Sherry, an exceptional individual whose dedication and contributions have made an indelible mark on the fabric of our community.●

TRIBUTE TO JIM CHAPPELL

● Mr. SCHMITT. Madam President, I rise today to honor an exceptional individual who has greatly impacted Missouri, Jim Chappell.

As founder and long-time owner of the beloved Chappell's Restaurant & Sports Museum, Jim Chappell has made an indelible impact on the culture and community of Kansas City, MO. Jim first captured the hearts of Kansas Citians through his restaurant, a cultural mainstay celebrating sports legends and hometown pride for over three decades. However, he is seen as far more than a successful restaurateur; Jim is a respected leader who has demonstrated a tremendous spirit of service across business, civic, and community organizations over his illustrious career.

Under his visionary leadership, Chappell's became far more than a place to grab drinks and watch the game; it emerged as a living museum and community touchstone, drawing praise as a one-of-a-kind local gem. The uniqueness of Chappell's Restaurant & Sports Museum was part of the reason USA Today selected it as ''the number one place in the country to watch the Super Bowl.'' Beyond the restaurant walls, Jim lends his talents to multiple Kansas City institutions as a board member shaping influential business, banking, and civic organizations.

His insights helped guide institutions like First Bank of Missouri, Valley View Bank, and the Kansas City Police Employees' Retirement System. Additionally, Jim upholds Kansas City's heritage through his involvement with groups like the Sons of the American Revolution and Native Sons & Daughters of Greater Kansas City. From preserving beloved traditions to promoting sports icons, he connects the community's past glories to its future potential.

Jim Chappell is truly a Champion of Missouri. Jim stands as a model Kansas Citian through his leadership, business success, and community spirit. His enduring passion for elevating local culture lays the groundwork for generations to come. Today, we commend this esteemed individual for his impact on Missourians. I wish to extend my heartfelt gratitude to Jim Chappell for his significant contributions to the Missouri community.●

TRIBUTE TO CAPTAIN PHILIP E. GREGORY

● Mr. SCHMITT. Madam President, I rise today to honor Captain Philip E. Gregory of Fredericktown, MO, for his service to the State of Missouri.

Captain Philip E. Gregory has been a servant leader, dedicated to keeping Missourians safe throughout his three decades of service with the Missouri State Highway Patrol. Gregory's career began in Southeast Missouri, and each patrol appointment across the State has given him the chance to give back to his community by working closely with local law enforcement and first responders.

Gregory's desire to serve his community started as early as high school where he worked in the fire service and then served as an EMT/paramedic. His career in law enforcement started when he turned 21 and has continued to this day. He credits his parents for instilling in him a strong work ethic, which provided the structure upon which he has built his career. Throughout his career, Gregory has served as a zone supervisor, a criminal investigator, a corporal, a sergeant, a lieutenant, an assistant division director, and a captain for the highway patrol. In each role, Gregory worked to better protect his neighbors. On August 1, 2023, after 30 years of dedicated service to Missouri, Captain Gregory retired.

Captain Philip Gregory is truly a Champion of Missouri. I wish Captain Gregory and his wife Tanya all the best in his well-earned retirement. Missourians are safer and better off because of his efforts and his service to his fellow Missourians.●

HONORING DETECTIVE SERGEANT MASON GRIFFITH

● Mr. SCHMITT. Madam President, I rise today to honor the life and memory of Detective Sergeant Mason Griffith, of Rosebud, MO. Sergeant Griffith served with the Hermann Police Department with distinction for over 12

years, until he was fatally shot on duty while responding to a call on March 12, 2023.

Sergeant Griffith made the ultimate sacrifice to protect the Hermann community. He, along with Officer Adam Sullentrup, who was also shot and put in critical condition, were responding to a disturbance at a local gas station when a shootout occurred. This incident led to a nearly 20-hour standoff with the suspect until the suspect was eventually taken into custody by Missouri Highway Patrol SWAT.

Sergeant Griffith sadly passed away at only 34 years old and truly had a servant's heart. Along with serving the Hermann Police Department for 12 years, he was also the chief of police in his hometown of Rosebud and a reserve deputy sheriff for the Gasconade County Sherriff's Office. He was a leader in his community and was described by many as one of the most caring and helpful people you could ever meet. Sergeant Griffith touched numerous lives during his life, and now, his memory lives on through his family and in his community.

Detective Sergeant Mason Griffith is truly a Champion of Missouri. His selfless service and dedication to his community inspires myself and all Missourians. Our State is safer because of Sergeant Griffith, and he truly is a hero. I ask my Senate colleagues to join me in honoring Sergeant Griffith's life, and I offer my deepest condolences to his wife Jennifer and their two children, who are in attendance today, for their loss.●

TRIBUTE TO NANCY BAUMGARTNER HANSON

● Mr. SCHMITT. Madam President, today I rise in recognition of a great Missourian, Nancy Baumgartner Hanson. She embodies someone who enriches their community as a service to others, loving their fellow neighbors and caring for them like family.

A resident of Fulton, MO, Nancy saw a need to create opportunities for adults with disabilities, in part because her daughter Shelby, a decorated Special Olympics athlete, recently graduated high school and was looking for a safe space to start her adult life. Not seeing options for her daughter, Nancy set out to build her own. WeBUILT is the first of its kind in Missouri. It is a self-sustaining community development that provides a safe shelter to adults with disabilities. It is maintained and owned by those living in the development.

In reporting on her efforts, a local television station reported, ''Ask any parent what they would do for their child, and most would say they would go to the ends of the Earth for them. We met one mom [Nancy] who is moving the Earth to help her adult daughter find freedom and independence.'' Indeed, the level of effort and dedication to find a solution for her daughter and create a big enough endeavor to share it with her community is a feat every Missourian should be proud of.

Further, Nancy's commitment to her family and community extends to empowering individuals with disabilities through programs like the iCan Bike camp. As the current host of iCan Bike in Fulton, Nancy teaches individuals with disabilities how to ride a bicycle. The program fosters independence and confidence. Nearing a decade of teaching, iCan Bike underscores Nancy's enduring commitment to making a positive difference in the lives of those with disabilities.

Nancy Baumgartner Hanson is truly a Champion of Missouri. Her accomplishments lie in the lives she has changed, the can-do attitude that she embodies to serve others, and the resulting community she has forged through her efforts. I am proud to represent her and highlight her remarkable contributions to Missouri in the U.S. Senate.●

TRIBUTE TO ADAM AND MELINDA HENDRIX

● Mr. SCHMITT. Madam President, I rise today to honor Adam and Melinda Hendrix of Wentzville, MO, for their inspirational work through their nonprofit, Justin Delivers Hope, or JDH.

In 2017, Adam and Melinda lost their 23-year-old son Justin to a heroin overdose. With this tragedy, the Hendrixes decided to devote themselves to helping other families who have experienced the loss of a loved one. Motivated by their loss to establish Justin Delivers Hope, this charity has done heroic work. JDH has raised money for the education and prevention of heroin and opiate abuse, distributed Narcan to family members and friends of users, and assisted local police departments by funding more K–9 units to fight drug-related crime.

Since its founding, JDH has raised enough money to fund 18 K–9 units to work in local police departments in St. Charles, MO. In 2022, these dogs have helped officers remove nearly 300 pounds of illegal drugs off the streets.

Adam and Melinda Hendrix are truly Champions of Missouri. Because of their efforts and compassion, the St. Louis community is safer and better equipped to address the tragic effects of drug abuse. I am proud to recognize both Adam and Melinda for their work on this important issue and wish them all the best as they continue to serve the citizens of Missouri.●

TRIBUTE TO KEVIN JEFFRIES AND JUSTIN PARRACK

● Mr. SCHMITT. Madam President, I rise today to recognize the courageous actions of Kevin Jeffries and Justin Parrack of Springfield, MO, who went above and beyond to rescue a distressed driver in their time of need.

While traveling along the highway, Kevin Jeffries and Justin Parrack noticed a driver veering off the road into the median, which was later understood to be due to an untimely medical emergency. These two exemplary men, acting in concert, swiftly entered through the passenger side door, brought the car to a halt, administered CPR, and ultimately saved the life of the driver.

In response to their feats of heroism, they have been honored with the prestigious Honorary Trooper Award, the highest civilian honor bestowed by the Missouri State Highway Patrol. When asked about the situation, Kevin Jeffries humbly remarked, ''Thank you, guys, for calling me a hero, but I just feel like I'm just Kevin,'' while Justin Parrack expressed, ''I wouldn't call myself a hero. I'm just a guy doing and trying to do the right thing.''

Both Kevin Jeffries and Justin Parrack are truly Champions of Missouri. The actions of these men are nothing short of heroic. They prevented further potential fatalities, injuries, or damages, and, most importantly, they saved the life of the driver. I ask my colleagues to join me in applauding these two remarkable individuals for their selfless and courageous actions.●

TRIBUTE TO JOHN MEEHAN

● Mr. SCHMITT. Madam President, I rise today to honor John Meehan of Sedalia, MO, for his investment in his community and willingness to serve his fellow Missourians.

John Meehan has been a dedicated member of various community chambers and nonprofits boards, applying his knowledge of the region and his desire to cultivate relationships to make the community better.

Throughout Meehan's varied career, he has served wherever there was opportunity, including as vice president of Third National Bank from 1982 to 2009, Pettis County Presiding Commissioner from 2011 to 2014, serving on the board of directors for the United Way in Sedalia-Pettis County from 2008 to 2015, as president of the board of directors for the Sedalia Area Chamber of Commerce from 2017 to 2018, and as council chairman of the Wesley United Methodist Church from 2016 to the present. He has even joined as a cohost of a morning talk show called ''Let's Talk,'' to promote local happenings throughout Sedalia.

John Meehan is truly a Champion of Missouri. Even in retirement, Meehan continues to be an active member of civic organizations like the Sedalia Noonday Optimist Club, the Lions Club of Sedalia, and the Sedalia Area Chamber of Commerce. I wish him and his wife Mary all the best in his retirement, though I suspect he will continue to remain quite active in his community. Missourians are better off because of his servant leadership and his dedication to his neighbors.●

TRIBUTE TO HANNAH MONTGOMERY

● Mr. SCHMITT. Madam President, I rise to recognize Hannah Montgomery of Memphis, MO, for her participation in 4–H and the inspiration she is to her community.

Hannah has been involved in her local community's 4–H program since she was 6 years old and is now 13. She has been in a motorized wheelchair since January 2020, due to a neurological disorder caused by inflammation of her spinal cord. Hannah has never let her physical limitations get in the way of her passion for showing her pigs, and her positive attitude always radiates through to everyone.

At such a young age, Hannah is an active member of her community, demonstrating great advocacy and inclusion for those in similar situations to her. This past August, she was selected as the Adair County SB40 Spotlight Award recipient for Kids Inclusion. Hannah continues to show her community perseverance and the power of a positive attitude.

Hannah Montgomery is truly a Champion of Missouri. She is an example to each and every one of us to pursue what we love, despite barriers that may come in our way. I am proud to honor her work in 4–H and recognize her parents as they have navigated Hannah's medical diagnosis. Missouri is a brighter place because of her, and I am excited to see all this young lady will accomplish in the future.●

TRIBUTE TO MIGUEL PEREZ

● Mr. SCHMITT. Madam President, I rise today to honor an impressive soccer player from my home State of Missouri, Miguel Perez. He has achieved athletic excellence and success at a young age. I am proud to highlight this talented soccer player who should be noted for his ability to perform on the pitch, as well as his desire to serve his neighbors.

Hailing from St. Louis, this young prodigy recently reached a significant career milestone. Two days after graduating from Pattonville High School, Miguel scored his first career Major League Soccer—MLS—goal as a new striker for the St. Louis City SC professional team. Miguel's ascent from local school sports to the pros proves his exceptional skill and work ethic on the field. Yet his achievement also encapsulates the realization of dreams for Miguel, his family, and the wider St. Louis community.

The son of Jackie and Luis Perez, who instilled values of discipline and public service in Miguel from a young age, Miguel grew up embracing soccer as a passion and outlet. During high school and now into his professional soccer career, he maintains academic rigor and community engagement, values modeled by his parents' commitments to Washington University's Orthopedic Department and the St. Louis County Police Department.

Miguel Perez is truly a Champion of Missouri. Furthermore, he is a champion of athletics for Missouri. His early successes in soccer mirror the resilience, character, and work ethic that define our community. I look forward to following his continued growth and career in the MLS. I wish to extend my heartfelt congratulations to Mr. Perez for his success and service to Missouri. St. Louis stands proud—''Who are we? S-T-L!''●

TRIBUTE TO OFFICER ADAM SULLENTRUP

● Mr. SCHMITT. Madam President, I rise today to honor Hermann Police Officer Adam Sullentrup, of Washington, MO. Officer Sullentrup was shot and critically injured on duty while responding to a call on March 12, 2023.

Officer Sullentrup put himself in the line of fire to protect the Hermann community. He, along with Detective Sergeant Mason Griffith, who was fatally shot during the call, were responding to a disturbance at a local gas station when the shootout occurred. This incident led to a nearly 20-hour standoff with the suspect until the suspect was eventually taken into custody by Missouri Highway Patrol SWAT.

After the March shooting, Officer Sullentrup spent 7 months in a Colorado rehabilitation hospital to begin recovering from his injuries. He was finally able to come home to his family a few days before Thanksgiving, a special gift for the holidays. After landing at Lambert Airport in St. Louis, he and his family were escorted back to his home in Washington, MO, by first responders from several agencies in the St. Louis region. His neighbors also lined 15 miles of highway along the route back to Washington to show their gratitude and to support him and his family. Officer Sullentrup has touched many lives during his time as an officer and continues to be an inspiration during his recovery.

Officer Adam Sullentrup is truly a Champion of Missouri. My State is fortunate to be inspired by his service to his community. I ask my Senate colleagues to join me in honoring Officer Sullentrup, and my thoughts and prayers are with him, his wife Michelle, and his entire family during his continued recovery. Officer Sullentrup continues to remain a beacon of hope for all Missourians.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3300. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Clinical Laboratory Improvement Amendments of 1988 (CLIA) Fees; Histocompatibility, Personnel, and Alternative Sanctions for Certificate of Waiver Laboratories'' (RIN0938–AT47) received during adjournment of the Senate in the Office of the President of the Senate on December 26, 2023; to the Committee on Finance.

EC–3301. A communication from the Security Officer II of the Office of Senate Security, transmitting, pursuant to law, a report regarding Brian Hook (OSS–2024–0004); to the Committee on Foreign Relations.

EC–3302. A communication from the Security Officer II of the Office of Senate Security, transmitting, pursuant to law, a report regarding Michael Pompeo (OSS–2024–0005); to the Committee on Foreign Relations.

EC–3303. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a Determination Under Section 614(a)(1) of the Foreign Assistance Act of 1961 to Provide Assistance to Ukraine (OSS–2023–1333); to the Committee on Foreign Relations.

EC–3304. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Publication, Coordination, and Reporting of International Agreements: Amendments, Correction'' (RIN1400–AF63) received in the Office of the President of the Senate on January 11, 2024; to the Committee on Foreign Relations.

EC–3305. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Determination Under Section 36(b)(1) of the Arms Export Control Act''; to the Committee on Foreign Relations.

EC–3306. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program and Faculty Research Abroad Fellowship Program'' (RIN1840–AD90) received in the Office of the President pro tempore of the Senate; to the Committee on Foreign Relations.

EC–3307. A communication from the Regulations Coordinator, Office of the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Action to Delay Effective Date Consistent With Congressionally Enacted Moratorium'' (RIN0936–AA14) received in the Office of the President of the Senate on January 10, 2024; to the Committee on Health, Education, Labor, and Pensions.

EC–3308. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Federal Independent Dispute Resolution (IDR) Process Administrative Fee and Certified IDR Entity Fee Ranges'' (RIN0938–AV39) received during adjournment of the Senate in the Office of the President of the Senate on December 26, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC–3309. A communication from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the Department of Labor's fiscal year 2022 Office of Workers' Compensation Programs annual report; to the Committee on Health, Education, Labor, and Pensions.

EC–3310. A communication from the Regulations Coordinator, Office for Civil Rights, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Safeguarding the Rights of Conscience as Protected by Federal Statutes'' (RIN0945–AA18) received in the Office

of the President of the Senate on January 10, 2024; to the Committee on Health, Education, Labor, and Pensions.

EC–3311. A communication from the Senior Policy Advisor, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Employee or Independent Contractor Classification Under the Fair Labor Standards Act'' (RIN1235–AA43) received in the Office of the President pro tempore; to the Committee on Health, Education, Labor, and Pensions.

EC–3312. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Federal Independent Dispute Resolution Process Administrative Fee and Certified Independent Dispute Resolution Entity Fee Ranges'' (RIN0938–AV39) received during adjournment of the Senate in the Office of the President of the Senate on December 26, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC–3313. A communication from the Regulations Coordinator, Office of the National Coordinator for Health IT, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Health Data, Technology, and Interoperability: Certification Program Updates, Algorithm Transparency, and Information Sharing'' (RIN0955–AA03) received in the Office of the President of the Senate on January 10, 2024; to the Committee on Health, Education, Labor, and Pensions.

EC–3314. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3602-EM in the Commonwealth of the Northern Mariana Islands having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC–3315. A communication from the Chair, National Transportation Safety Board, transmitting, pursuant to law, the Board's 2023 inventory list; to the Committee on Homeland Security and Governmental Affairs.

EC–3316. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees' Retirement System; Present Value Conversion Factors for Spouses of Deceased Separated Employees'' (RIN3206–AO55) received in the Office of the President of the Senate on January 8, 2024; to the Committee on Homeland Security and Governmental Affairs.

EC–3317. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Appointment of Current and Former Land Management Employees'' (RIN3206–AN28) received in the Office of the President of the Senate on January 8, 2024; to the Committee on Homeland Security and Governmental Affairs.

EC–3318. A communication from the Assistant Secretary for Administration, Department of Transportation, transmitting, pursuant to law, the Agency's fiscal year 2023 Federal Activities Inventory Reform (FAIR) Act submission of its commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC–3319. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report of a rule entitled ''Memorandum, Use of Project Labor Agreements on Federal Construction Projects (Note: OMB has concluded that this memorandum is not a 'rule' within the meaning of 5 U.S.C. 804(3). Nevertheless, out of an abundance of caution, OMB is submitting it to each House of the Congress and to the Comptroller General consistent with the procedures set forth in 5 U.S.C. 801(a))'' received during in the Office of the President of the Senate on December 20, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–3320. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–329, ''Children's National Hospital Research and Innovation Campus Equitable Tax Relief Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3321. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–330, ''Life and Health Insurance Guaranty Association Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3322. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–331, ''Motor Vehicle and Homeowner Insurance Prior Approval Rate Filing Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3323. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–332, ''Access to Emergency Medications Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3324. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–333, ''Prescription Drug Monitoring Program Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3325. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–343, ''Opioid Crisis and Juvenile Crime Public Emergencies Extension Authorization Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3326. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–342, ''Crime Victimization Survey Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3327. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Agency Financial Report for fiscal year 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–3328. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department's Agency Financial Report for fiscal year 2023; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–96. A resolution adopted by the City Commission of Miami, Florida, expressing its unanimous and unequivocal support of the State of Israel in its war against Hamas and its right to protect and defend its citizens in the wake of Hamas' unprecedented surprise attack on October 6, 2023, resulting in the killing and abduction of hundreds of innocent civilians; to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. PETERS for the Committee on Homeland Security and Governmental Affairs.

*Jeff Rezmovic, of Maryland, to be Chief Financial Officer, Department of Homeland Security.

*Hampton Y. Dellinger, of North Carolina, to be Special Counsel, Office of Special Counsel, for the term of five years.

*Cathy Ann Harris, of Maryland, to be Chairman of the Merit Systems Protection Board.

*Henry J. Kerner, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2030.

*Suzanne Elizabeth Summerlin, of Florida, to be General Counsel of the Federal Labor Relations Authority for a term of five years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHATZ (for himself, Mr. PADILLA, Ms. CORTEZ MASTO, Mrs. SHAHEEN, Ms. WARREN, Mr. WYDEN, and Mr. HEINRICH):

S. 3595. A bill to award grants to States to establish or improve, and carry out, Seal of Biliteracy programs to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language, and early language programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE:

S. 3596. A bill to amend the Mineral Leasing Act to amend references of gilsonite to asphaltite; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself and Mr. MARSHALL):

S. 3597. A bill to reauthorize programs relating to oral health promotion and disease prevention; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of Florida (for himself, Mr. OSSOFF, and Mr. CRUZ):

S. 3598. A bill to require the Secretary of Veterans Affairs to establish a comprehensive standard for timing between referrals and appointments for care from the Department of Veterans Affairs and to submit a report with respect to that standard, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KELLY (for himself and Mr. OSSOFF):

S. 3599. A bill to amend the Federal Election Campaign Act of 1971 to limit the authority of corporations to establish and operate separate segregated funds utilized for political purposes, including the establishment

or operation of a political committee, to nonprofit corporations, and for other purposes; to the Committee on Rules and Administration.

By Mr. RUBIO (for himself and Mr. VANCE):

S. 3600. A bill to enable an employer or employees to establish an employee involvement organization to represent the interests of employees, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROUNDS (for himself and Ms. SINEMA):

S. 3601. A bill to amend the Financial Stability Act of 2010 to require the Financial Stability Oversight Council to consider alternative approaches before determining that a U.S. nonbank financial company shall be supervised by the Board of Governors of the Federal Reserve System, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCOTT of Florida (for himself, Mr. TUBERVILLE, and Mr. ROUNDS):

S. 3602. A bill to amend title 18, United States Code, to penalize false communications to cause an emergency response, and for other purposes; to the Committee on the Judiciary.

By Mr. HAGERTY (for himself and Ms. LUMMIS):

S. 3603. A bill to establish an information-sharing pilot program to combat the illicit use of crypto assets; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. VANCE, Mr. BRAUN, Mrs. BLACKBURN, Mr. HAWLEY, Mr. SCHMITT, Mr. CRUZ, Mr. LANKFORD, and Mr. LEE):

S. 3604. A bill to amend title 1, United States Code, to clarify that certain tax exemptions are not treated as Federal financial assistance; to the Committee on Finance.

By Mr. PADILLA (for himself, Mr. CASSIDY, Mr. SCHATZ, and Ms. HIRONO):

S. 3605. A bill to require the Secretary of Transportation to develop guidelines and best practices for local evacuation route planning, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PADILLA (for himself and Ms. MURKOWSKI):

S. 3606. A bill to reauthorize the Earthquake Hazards Reduction Act of 1977, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE (for himself, Mr. BRAUN, Mrs. BLACKBURN, Mr. HAGERTY, Mr. RUBIO, Mr. THUNE, Mr. DAINES, and Mr. CRAMER):

S. 3607. A bill to amend the Internal Revenue Code of 1986 to provide that amounts paid for an abortion are not taken into account for purposes of the deduction for medical expenses; to the Committee on Finance.

By Mr. LEE (for himself, Mr. BRAUN, Mrs. BLACKBURN, Mr. HAGERTY, Mr. RUBIO, and Mr. CRAMER):

S. 3608. A bill to amend the Internal Revenue Code of 1986 to prohibit treatment of certain distributions and reimbursements for certain abortions as qualified medical expenses; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. SMITH (for herself and Mr. HOEVEN):

S. Res. 525. A resolution expressing support for the designation of October 2023 as ''National Co-Op Month'' and commending the cooperative business model and the member-owners, businesses, employees, farmers, ranchers, and practitioners who use the cooperative business model to positively impact the economy and society; considered and agreed to.

By Mrs. FISCHER (for herself and Ms. KLOBUCHAR):

S. Res. 526. A resolution repealing standing orders relating to flowers in the Senate Chamber; considered and agreed to.

ADDITIONAL COSPONSORS

S. 81

At the request of Mr. MARSHALL, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 81, a bill to provide a moratorium on all Federal research grants provided to any institution of higher education or other research institute that is conducting gain-of-function research.

S. 260

At the request of Mr. BROWN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 260, a bill to amend title XVIII of the Social Security Act to permit nurse practitioners and physician assistants to satisfy the documentation requirement under the Medicare program for coverage of certain shoes for individuals with diabetes.

S. 359

At the request of Mr. WHITEHOUSE, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 359, a bill to amend title 28, United States Code, to provide for a code of conduct for justices of the Supreme Court of the United States, and for other purposes.

S. 786

At the request of Mr. THUNE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 786, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 815

At the request of Mr. TESTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 815, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the ''Hello Girls''.

S. 956

At the request of Mr. KELLY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 956, a bill to amend title 10, United States Code, to improve dependent coverage under the TRICARE Young Adult Program.

S. 1007

At the request of Mr. MARKEY, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Pennsylvania (Mr. FETTERMAN) were added as cosponsors of S. 1007, a bill to establish in the Bureau of Democracy, Human Rights, and Labor of the Department of State a Special Envoy for the Human Rights of LGBTQI+ Peoples, and for other purposes.

S. 1300

At the request of Mr. CARDIN, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Colorado (Mr. BENNET), and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1300, a bill to require the Secretary of the Treasury to mint coins in recognition of the late Prime Minister Golda Meir and the 75th anniversary of the United States-Israel relationship.

S. 1705

At the request of Ms. COLLINS, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 1705, a bill to amend the Student Support and Academic Enrichment Grant program to promote career awareness in accounting as part of a well-rounded STEM educational experience.

S. 1863

At the request of Mr. COONS, the names of the Senator from California (Mr. PADILLA) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 1863, a bill to require the Secretary of Energy to conduct a study and submit a report on the greenhouse gas emissions intensity of certain products produced in the United States and in certain foreign countries, and for other purposes.

S. 1950

At the request of Mr. BOOKER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1950, a bill to extend the temporary order for fentanyl-related substances.

S. 1957

At the request of Mr. MARSHALL, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 1957, a bill to amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program to serve whole milk, and for other purposes.

S. 2337

At the request of Mr. DURBIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 2337, a bill to require the Administrator of the Environmental Protection Agency to promulgate certain limitations with respect to pre-production plastic pellet pollution, and for other purposes.

S. 2389

At the request of Mr. CASSIDY, the name of the Senator from Alabama (Mr. TUBERVILLE) was added as a cosponsor of S. 2389, a bill to require the Secretary of the Interior to conduct certain offshore lease sales under the Outer Continental Shelf Lands Act.

S. 2781

At the request of Mr. HEINRICH, the names of the Senator from California (Mr. PADILLA) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2781, a bill to promote remediation of abandoned

hardrock mines, and for other purposes.

S. 2839

At the request of Mr. BRAUN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 2839, a bill to clarify the maximum hiring target for new air traffic controllers, and for other purposes.

S. 2888

At the request of Mr. KING, the names of the Senator from Georgia (Mr. OSSOFF) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 2888, a bill to amend title 10, United States Code, to authorize representatives of veterans service organizations to participate in presentations to promote certain benefits available to veterans during preseparation counseling under the Transition Assistance Program of the Department of Defense, and for other purposes.

S. 2974

At the request of Mr. RUBIO, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from North Carolina (Mr. BUDD) were added as cosponsors of S. 2974, a bill to require public institutions of higher education to disseminate information on the rights of, and accommodations and resources for, pregnant students, and for other purposes.

S. 3080

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3080, a bill to amend title 49, United States Code, to authorize state of good repair grants to be used for public transportation resilience improvement, and for other purposes.

S. 3109

At the request of Mr. MARKEY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of S. 3109, a bill to require the Administrator of the Centers for Medicare & Medicaid Services and the Commissioner of Social Security to review and simplify the processes, procedures, forms, and communications for family caregivers to assist individuals in establishing eligibility for, enrolling in, and maintaining and utilizing coverage and benefits under the Medicare, Medicaid, CHIP, and Social Security programs respectively, and for other purposes.

S. 3176

At the request of Mr. WHITEHOUSE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3176, a bill to amend the Internal Revenue Code of 1986 to impose an excise tax on excessively disparate wages paid to chief executive officers.

S. 3194

At the request of Mr. PADILLA, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3194, a bill to amend title 5, United States Code, to achieve parity between the cost-of-living adjustment with respect to an annuity under the Federal Employees Retirement System and an annuity under the Civil Service Retirement System, and for other purposes.

S. 3276

At the request of Ms. DUCKWORTH, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 3276, a bill to amend the Immigration and Nationality Act to allow certain alien veterans to be paroled into the United States to receive health care furnished by the Secretary of Veterans Affairs.

S. 3280

At the request of Ms. DUCKWORTH, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 3280, a bill to require the Secretary of Homeland Security to establish a veterans visa program to permit veterans who have been removed from the United States to return as immigrants, and for other purposes.

S. 3286

At the request of Mr. CASEY, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 3286, a bill to require the Securities and Exchange Commission to amend the rules of the Commission relating to disclosures by advisors of private funds, and for other purposes.

S. 3358

At the request of Mr. MULLIN, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 3358, a bill to authorize livestock producers and their employees to take black vultures to prevent death, injury, or destruction to livestock, and for other purposes.

S. 3459

At the request of Ms. CORTEZ MASTO, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 3459, a bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for attorney fees and costs in connection with consumer claim awards.

S. 3490

At the request of Mr. TUBERVILLE, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 3490, a bill to prohibit the Secretary of Veterans Affairs from providing health care to, or engaging in claims processing for health care for, any individual unlawfully present in the United States who is not eligible for health care under the laws administered by the Secretary.

S. 3496

At the request of Mr. BRAUN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3496, a bill to amend the Energy Policy Act of 2005 to address measuring methane emissions, and for other purposes.

S. 3520

At the request of Mr. LEE, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of S. 3520, a bill to amend the Internal Revenue Code of 1986 to provide incentives for education.

S. 3536

At the request of Mr. BRAUN, the name of the Senator from Missouri (Mr. SCHMITT) was added as a cosponsor of S. 3536, a bill to amend the Individuals with Disabilities Education Act to require notification with respect to individualized education program teams, and for other purposes.

S. 3568

At the request of Mr. KAINE, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 3568, a bill to amend chapter 3081 of title 54, United States Code, to enhance the protection and preservation of America's battlefields.

S. 3576

At the request of Mrs. BLACKBURN, the names of the Senator from Oklahoma (Mr. MULLIN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 3576, a bill to authorize certain States to take certain actions on certain Federal land to secure an international border of the United States, and for other purposes.

S. 3587

At the request of Mr. RUBIO, the names of the Senator from Texas (Mr. CRUZ), the Senator from Missouri (Mr. HAWLEY) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors of S. 3587, a bill to require the Secretary of Homeland Security to immediately initiate removal proceedings for aliens whose visas are revoked on security or related grounds.

S.J. RES. 45

At the request of Mrs. SHAHEEN, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S.J. Res. 45, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S.J. RES. 49

At the request of Mr. CASSIDY, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S.J. Res. 49, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to a ''Standard for Determining Joint Employer Status''.

S.J. RES. 53

At the request of Mr. PAUL, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S.J. Res. 53, a joint resolution providing for congressional disapproval of the proposed foreign military sale to the Kingdom of

Saudi Arabia of certain defense articles and services.

S. CON. RES. 16

At the request of Mr. MERKLEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. Con. Res. 16, a concurrent resolution urging all countries to outlaw the dog and cat meat trade and to enforce existing laws against such trade.

S. CON. RES. 23

At the request of Mr. CASSIDY, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. Con. Res. 23, a concurrent resolution expressing the sense of Congress that a carbon tax would be detrimental to the economy of the United States.

S. RES. 333

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. Res. 333, a resolution designating 2024 as the Year of Democracy as a time to reflect on the contributions of the system of Government of the United States to a more free and stable world.

S. RES. 494

At the request of Mr. MERKLEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. Res. 494, a resolution expressing the need for the Federal Government to establish a national biodiversity strategy for protecting biodiversity for current and future generations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. MARSHALL):

S. 3597. A bill to reauthorize programs relating to oral health promotion and disease prevention; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Madam President, last week, we received remarkable news about a milestone in America's healthcare: A record 20 million Americans are now covered by health insurance under the Affordable Care Act.

This is a sign of progress as we improve the quality of life and healthcare protections under President Biden.

Having quality, affordable healthcare coverage means having peace of mind if you get a diagnosis, an accident, or if you need access to care and are facing medical debt.

I know this story. I have been there. I was a law student at Georgetown when my wife and I were blessed with the birth of our first child, a baby girl born with a serious medical condition. As a young father without insurance, I can tell you, there is no greater feeling of helplessness.

That is why Democrats have been committed to expanding health insurance to millions more Americans and ensuring it contains protections for patients with preexisting conditions.

But even with these successes, there are serious gaps in America's healthcare system, gaps which are unimaginable until you learn specifically what I mean.

I want to focus on one of them: access to dental care.

I spent the August recess last year visiting small towns in Southern Illinois. I met with the new mayor of Carbondale, IL, Carolin Harvey.

I asked her: OK. You have a U.S. Senator in your office, Mayor. What is your ask? What do you want?

Her answer: pediatric dentistry, of all things. I couldn't imagine that. I thought it would be a sewer line or a street or something for law enforcement—pediatric dentistry. She said: Senator, we just don't have enough dentists for kids in Southern Illinois. In fact, there are 10 rural counties in the State that have only 1 dentist to serve their community. In Lawrence County, there is 1 dentist for 15,000 people. That ratio—a local ratio—is 11 times worse than the national average.

What is the result of a shortage of dentists, particularly for kids? Patients' conditions worsen as they face delays to getting an examination.

My office was recently contacted about a child in Southern Illinois who was found to have tooth decay in her 18-month checkup. The patient is covered by Medicaid, and her parents had a hard time finding a dentist who would even see her.

Imagine this for a minute as I tell you this story, that you are a father or mother of a child who is 18 months old and has tooth decay and pain. After nearly a year, the patient was finally treated for severe tooth decay, erosion of the upper incisor teeth, and a large tooth abscess, but her condition did not improve after multiple rounds of antibiotics so her dentist called around to find a specialist to see her.

They were told by the specialist that ''unfortunately, we have over 200 patients on our [waiting] list, so we really cannot help [her].'' This child is going to have to develop a much worse condition known as facial cellulitis, then she can be sent to an emergency room and then ''we can see her.''

Listen to what I just said. You have a child who is a year and a half old, who has already been treated by a dentist, who has complications, who is trying to find her way back to the dentist and is being told: Sorry. There is a waiting list here of 200 people. Get to the end of the line, and wait.

Perhaps, though, there is a way out. If this child's condition worsens or is complicated, then maybe we can qualify under a new code under Medicaid to finally see her and treat her. In other words, this toddler had to develop deep-tissue infection—putting her at risk of sepsis, jaw damage, and other life-threatening illnesses—to get her decayed teeth pulled.

Imagine that as a parent, would you. Think about that for a minute.

Her dentist called a specialist in a neighboring State. Thankfully, they were able to perform emergency surgery to remove the decayed teeth but not before risking life-threatening illnesses.

That is the reality for people in the United States of America and in the State of Illinois today. That is unacceptable. In fact, it is embarrassing. So what are we going to do about it in Washington, with all our money and all our power?

Thankfully, there is a Federal program that can help. It is called the National Health Service Corps. It provides a scholarship and loan repayment to dental, medical, and mental health providers who work in rural and urban areas in need. It is the primary Federal program intended to build a pipeline of healthcare providers and address shortages such as the one I just described to you. Nationwide, there are 20,000 professionals serving in the National Health Service Corps, treating 21 million patients.

But $310 million in mandatory funding for this program will expire at the end of this month. We cannot allow this to happen. Senator MARCO RUBIO—a Republican from Florida—and I have a bipartisan measure to extend this program and nearly triple its funding. It is supported by more than 65 leading medical organizations. They know the reality on the ground for poor people in America, particularly in rural areas and urban areas in need.

The Senate HELP Committee passed a major bipartisan package last fall that included significant new funding for this program. I urge my Republican colleagues to join and support it.

But there is a lot more we need to do. For example, in Illinois, only one-quarter of practicing dentists accepts Medicaid. Think about that. Only one-quarter of practicing dentists accepts Medicaid. Since so few dentists take Medicaid patients, it means that kids in Illinois, with private insurance, are six times more likely to get a dental appointment than those who have Medicaid. In other words, if you are poor, that child complaining of a toothache is just going to have to take it. That, unfortunately, in my State and in many States, is reality.

Low reimbursement rates and arbitrary practices by companies that administer dental benefits under Medicaid contribute to this. So I recently sent a letter to the three major insurance providers—DentaQuest, Avesis, and Envolve—to understand their tactics and their corporate strategies and ensure they are not putting unnecessary barriers up for basic dental treatment.

I am also working with stakeholders to bring in Federal dollars to expand dental residency training programs, fund mobile clinics that drive into rural areas, and expand surgical capacity.

I might just say this as an aside. I am often asked the question: Why in the world do we treat dentistry as anything other than a medical specialty? It certainly is. If you have got a sore

tooth or a decayed tooth or a problem in your mouth, you want help, and you want it now; and you want a professional to provide it. They go through years and years of training. Yet, instead of being treated like a medical specialty like orthopedics or cardio, they are in a different category altogether. It makes no sense.

Today, I am announcing a new bill that I am introducing with Senator ROGER MARSHALL of Kansas. Our bipartisan legislation will authorize funding for the Centers for Disease Control and Prevention to enhance public health activities to improve dental care across America. It will support education, data collection, sealant treatments in schools, water fluoridation efforts, the development of the dental workforce, and community outreach efforts, such as the distribution of toothbrushes—the basics—to new parents and children.

Illinois has not received funding for this important work in nearly 20 years due to a lack of funding. I want to change that. If we improve the health of Americans, especially kids, then we must invest in preventing cavities, tooth decay, and infections. We must also ensure that patients have access to treatment, regardless of their ZIP Codes.

I appreciate the partnership of my colleague Senator MARSHALL, and I will be working to pass this bipartisan legislation quickly.

I want to say, just in closing, to the mayor, Carolin Harvey of Carbondale, IL, that you shocked me when you suggested pediatric dentistry was your ask. It told me a lot about you, your heart, and your caring for kids. Now that we know the reality of kids waiting for months and months and even years for basic dental treatment, let's do something about it, not just in Illinois but across this country. This is fundamental and basic, good health, and we need to make sure it is included in all healthcare coverage.

Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordere to be printed in the RECORD, as follows:

S. 3597

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Promoting Dental Health Act''.

SEC. 2. REAUTHORIZATION OF PROGRAMS.

Section 317M of the Public Health Service Act (42 U.S.C. 247b–14) is amended—

(1) in subsection (d)(2), by striking ''2010 through 2014'' and inserting ''2024 through 2028''; and

(2) in subsection (f), by striking ''2001 through 2005'' and inserting ''2024 through 2028''.

By Mr. PADILLA (for himself, Mr. CASSIDY, Mr. SCHATZ, and Ms. HIRONO):

S. 3605. A bill to require the Secretary of Transportation to develop guidelines and best practices for local evacuation route planning, and for other purposes; to the Committee on Environment and Public Works.

Mr. PADILLA. Madam President, I rise to introduce the Emergency Vehicle and Community, EVAC, Planning Act. This legislation would strengthen communities to incorporate emergency evacuation routes in the transportation planning process.

Specifically, this bill would direct the Department of Transportation, DOT, in consultation with the Federal Emergency Management Agency, FEMA, to develop and publicly disseminate guidance and best practices for States, territories, Indian Tribes, and local governments to utilize to ensure necessary considerations are taken for evacuation routes during local planning.

As we suffer from increasingly catastrophic natural disasters—from fires to hurricanes to flooding—efficient emergency evacuation routes can be the difference between life and death for our most vulnerable communities.

The 2018 Camp Fire tore through the town of Paradise, CA, incinerating roughly 19,000 homes, businesses, and other buildings. Eighty-five people perished. But one of the most horrifying aspects of this tragedy was that some of the victims were killed in their cars when flames overtook the backed-up traffic on the only road out of town.

We saw similar concerns in Louisiana during Hurricane Katrina, which resulted in efforts to improve evacuation route capacity, after nearly 100,000 residents were trapped inside the city of New Orleans.

And most recently in Lahaina, HI, a lack of evacuation routes contributed to making this the deadliest U.S. wildfire in more than a century. Press accounts detail the harrowing experience of people finding themselves caught in their cars, jammed together on narrow roads, surrounded by flames on three sides and the ocean on the fourth.

In the event of a natural disaster, people need to efficiently access evacuation routes that have been strategically designed to save lives and move people out of the area quickly.

Many cities, counties, and Tribal governments—especially those that are rural or low-income—that are the most vulnerable to disaster are also the least likely to have the resources and in-house expertise necessary to develop cornprehensive and efficient emergency evacuation routes.

I thank Senators CASSIDY, SCHATZ, and HIRONO for introducing this important legislation with me. I hope all of our colleagues will join us in supporting this bill to ensure communities are equipped with the guidelines and best practices necessary to bolster disaster preparedness and save lives.

By Mr. PADILLA (for himself and Ms. MURKOWSKI):

S. 3606. A bill to reauthorize the Earthquake Hazards Reduction Act of 1977, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. PADILLA. Madam President, I rise to introduce the NEHRP Reauthorization Act of 2023. This bipartisan legislation would reauthorize the National Earthquake Hazards Reduction Program, NEHRP, and improve the Nation's earthquake preparedness.

This bill would reauthorize the National Earthquake Hazards Reduction Program, NEHRP, and authorize a total of $175.4 million per year from fiscal year 2024 to 2028 across the four Federal Agencies responsible for long-term earthquake risk reduction under NEHRP: the Federal Emergency Management Agency, FEMA, the National Institute of Standards and Technology, NIST, the National Science Foundation, NSF, and the United States Geological Survey, USGS.

Specifically, the NEHRP Reauthorization Act of 2023 would authorize $10.6 million for FEMA, $5.9 million for NIST, $58 million for NSF, and $100.9 million for USGS per year from fiscal year 2024 to 2028. This funding would support research, development, and implementation activities related to earthquake safety and risk reduction.

In California and across the Nation, earthquakes threaten lives, infrastructure, and communities. NEHRP allows vulnerable communities across the State to better prepare and respond to earthquakes through crucial tools like the ShakeAlert Earthquake Early Warning System Program and working to advance the scientific understanding of earthquakes.

I want to thank Senator MURKOWSKI for introducing this important legislation with me in the Senate, and I hope all of our colleagues will join us in supporting this bipartisan bill to improve our nation's earthquake preparedness.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 525—EXPRESSING SUPPORT FOR THE DESIGNATION OF OCTOBER 2023 AS ''NATIONAL CO-OP MONTH'' AND COMMENDING THE COOPERATIVE BUSINESS MODEL AND THE MEMBER-OWNERS, BUSINESSES, EMPLOYEES, FARMERS, RANCHERS, AND PRACTITIONERS WHO USE THE COOPERATIVE BUSINESS MODEL TO POSITIVELY IMPACT THE ECONOMY AND SOCIETY

Ms. SMITH (for herself and Mr. HOEVEN) submitted the following resolution; which was considered and agreed to:

S. RES. 525

Whereas a cooperative—

(1) is a business that is owned and governed by its members, who are the individuals who use the business, create the products of the business, or manage the operation of the business; and

(2) operates under the 7 principles of—

(A) voluntary open membership;
(B) democratic control;
(C) owner economic participation;
(D) autonomy and independence;
(E) education, training, and information;
(F) cooperation among cooperatives; and
(G) concern for community;

Whereas cooperative entrepreneurs can be found in almost every economic sector in the United States, throughout all 50 States and the territories of the United States, and in every congressional district in the United States;

Whereas cooperatives help farmers increase incomes and become more resilient to economic business cycles by working together to plan and prepare for the future, while contributing significantly to the economic activity in the agriculture and food markets of the United States;

Whereas the roughly 1,700 agricultural cooperatives in the United States operate more than 9,500 facilities, employ a record $111,000,000,000 in assets, and generate more than $231,400,000,000 in business;

Whereas the majority of the 2,000,000 farmers in the United States belong to an agricultural cooperative;

Whereas agricultural cooperatives offer members the opportunity to access commodity value-added profits throughout the handling, processing, and distribution chains;

Whereas member-owners in agricultural cooperatives are dedicated to providing the highest quality product for consumers;

Whereas agricultural cooperatives add significant benefits to the economic well-being of rural areas of the United States by providing more than 250,000 jobs with annual wages totaling more than $11,000,000,000;

Whereas agricultural cooperatives provide resources to their member-owners, such as low-cost supplies, effective marketing, and services;

Whereas farmer members in agricultural cooperatives have the opportunity to pool resources and reinvest profits into the communities of the farmer members;

Whereas the principles of cooperation and the cooperative business model help smallholder farmers organize themselves and gain access to local and global markets, training, improved inputs, conservation programs, and aggregated sales and marketing;

Whereas the cooperative business model provides farmers ownership over their economic decisions, a focus on learning, and a broader understanding of environmental and social concerns;

Whereas the cooperative business model has been used throughout the history of the United States to advance civil rights and to help ensure that all people have equal access to economic opportunity;

Whereas cooperative values promote self-determination and democratic rights for all people;

Whereas the comprehensive global food security strategy established under section 5 of the Global Food Security Act of 2016 (22 U.S.C. 9304) (commonly known as ''Feed the Future'') and the Cooperative Development Program of the United States Agency for International Development use cooperative principles and the cooperative business model to advance international development, nutrition, resilience, and economic security;

Whereas the Interagency Working Group on Cooperative Development—

(1) is an interagency group that is coordinated and chaired by the Secretary of Agriculture to foster cooperative development and ensure coordination with Federal agencies and national and local cooperative organizations that have cooperative programs and interests; and

(2) as of the date of introduction of this resolution, has organized 11 meetings;

Whereas the bipartisan Congressional Cooperative Business Caucus unites Members of Congress to—

(1) create a better-informed electorate and a more educated public on the important role that cooperatives play in the economy of the United States and the world;

(2) promote the cooperative business model because that model ensures that consumers have access to high-quality goods and services at competitive prices and costs that improve the lives of individuals, families, and their communities; and

(3) address and correct awareness challenges among the public and within the Federal Government relating to what cooperatives look like, who participates in cooperatives, where cooperatives are located, and why individuals choose cooperatives;

Whereas the Bureau of the Census, as part of the 2017 and 2022 Economic Censuses, asked each business if the business was organized as a cooperative, and the responses of businesses yielded both quantitative and qualitative data on the effects and importance of cooperatives across the economy of the United States;

Whereas, throughout the rural United States, many utility service providers operate as cooperatives and are tasked with the delivery of public services, such as electricity, water, telecommunications, and broadband, in areas where investor-owned utility companies typically do not operate;

Whereas utility cooperatives have innovated to meet the evolving needs of their member-owners, create more resilient communities, and help rural individuals in the United States prosper;

Whereas electric cooperatives serve 56 percent of the landmass of the United States, including 92 percent of persistent poverty counties, and energy cooperatives power more than 21,500,000 homes, businesses, and schools;

Whereas there are approximately 260 telephone cooperatives in the United States with total annual revenues of $3,900,000,000;

Whereas, in the financial services sector, cooperatives, including credit unions, farm credit banks, and other financing organizations that lend to cooperatives, provide numerous benefits to the member-owners of those cooperatives;

Whereas, nationally, approximately 4,800 credit unions serve 138,000,000 members;

Whereas member-owners of cooperatives vote in board elections, and earned profits cycle back into cost-saving programs or return as dividend payments;

Whereas purchasing and shared service cooperatives allow independent and franchise businesses to thrive;

Whereas food cooperatives range in size from small, local institutions to multi-store regional giants that compete with chain stores with locations across the United States;

Whereas food cooperatives support local producers in all 50 States and reduce food insecurity;

Whereas, in the housing sector, housing cooperatives and resident-owned communities in which members own the building or land—

(1) are an alternative to conventional rental apartments, manufactured home parks, and condominiums; and

(2) empower each resident with ownership and responsibility;

Whereas housing cooperatives have roots dating to the late 1800s and are increasingly becoming a housing alternative for students at colleges throughout the United States;

Whereas shared equity housing cooperatives are a strategy for preserving long-term, affordable housing;

Whereas cooperatives allow residents of manufactured home communities to collectively purchase the land on which they live, providing stability and the opportunity to self-govern;

Whereas, as of 2023, 309 manufactured home communities are cooperatively owned;

Whereas the growth of worker cooperatives in the United States is allowing more workers to own and have greater control over their businesses;

Whereas many small businesses convert to cooperatives when faced with closure or a buyout, ensuring that such a business can continue to serve its community; and

Whereas the cooperative business model allows business owners to retire and transfer business ownership to employees or consumers, protecting local ownership and supporting local communities: Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation of ''National Co-Op Month'';

(2) commends the cooperative business model for—

(A) its contributions to the economy of the United States;

(B) the jobs it creates; and

(C) its positive impacts on local communities;

(3) expresses confidence in, and support for, cooperatives to continue their successes; and

(4) will be mindful in crafting legislation that affects business models that are not the cooperative business model so that the legislation does not adversely affect the cooperative business model.

SENATE RESOLUTION 526—REPEALING STANDING ORDERS RELATING TO FLOWERS IN THE SENATE CHAMBER

Mrs. FISCHER (for herself and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 526

Resolved,

SECTION 1. REPEAL OF RESTRICTION ON FLOWERS.

(a) IN GENERAL.—Senate Resolution 284 (58th Congress), agreed to February 24, 1905, is repealed.

(b) CONFORMING REPEAL.—Senate Resolution 221 (98th Congress), agreed to September 15, 1983, is repealed.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1382. Mr. BRAUN (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 1381 proposed by Mrs. MURRAY to the bill H.R. 2872, of 2013 to allow the Secretary of the Interior to issue electronic stamps under such Act, and for other purposes; which was ordered to lie on the table.

SA 1383. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1381 proposed by Mrs. MURRAY to the bill H.R. 2872, supra; which was ordered to lie on the table.

SA 1384. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1381 proposed by Mrs. MURRAY to the bill H.R. 2872, supra; which was ordered to lie on the table.

SA 1385. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1381 proposed by Mrs. MURRAY to the bill H.R. 2872, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1382. Mr. BRAUN (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 1381 proposed by Mrs. MURRAY to the bill H.R. 2872 of 2013 to allow the Secretary of the Interior to issue electronic stamps under such Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 13, after line 14, add the following:

SEC. 402. EXECUTIVE ORDER MANDATED INFLATION ACCOUNTABILITY AND REFORM.

(a) MANDATORY INFLATION FORECASTING.—

(1) IN GENERAL.—For any major Executive order, the President, acting through the Director of the Office of Management and Budget and the Chair of the Council of Economic Advisers, shall prepare and consider a statement estimating the inflationary effects of the Executive order, including whether the Executive order is determined to have no significant impact on inflation, is determined to have quantifiable inflationary impact on the consumer or producer price index (including a detailed description of such impact), or is determined likely to have a significant impact on inflation but the amount cannot be determined at the time the estimate is prepared. Any statement prepared under this paragraph shall incorporate the inflationary impact of the debt servicing costs associated with the applicable major Executive order. To the greatest extent practicable, any estimate of the inflationary impact of any major Executive order under this paragraph shall take into account the spending patterns of military personnel and of residents of non-metropolitan areas, including rural areas and farm households.

(2) CPI IMPACT DISAGGREGATED.—If an Executive order is determined to have a quantifiable inflationary impact on the consumer price index under paragraph (1), the statement required by such paragraph shall include the amount of such impact on the consumer price index in total and disaggregated by the Food, Energy, and All Items Less Food and Energy categories of the consumer price index (as such categories are determined by the Secretary of Labor in consultation with the Commissioner of the Bureau of Labor Statistics).

(b) AGENCY ASSISTANCE.—The head of each agency shall provide to the President, acting through the Director and the Chair, such information and assistance as the President, acting through the Director and the Chair, may reasonably request to assist the President, acting through the Director and the Chair, in carrying out this section.

(c) REPORTING.—Not later than 180 days after the date of the enactment of this Act, and every year thereafter, the President, acting through the Director and the Chair, shall publish on the public website of the Office of Management and Budget and submit to the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Budget and the Committee on Oversight and Accountability of the House of Representatives a report containing each statement prepared and considered under subsection (a) during the year.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to suggest that the task of combating inflation and bringing down the cost of living is the sole responsibility of the Executive Office of the President, and not also a key pursuit of the Senate during the 118th Congress through thoughtful, productive legislative action.

(e) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency'' has the meaning given such term in section 551 of title 5, United States Code.

(2) MAJOR EXECUTIVE ORDER.—The term ''major Executive order'' means any Executive order that would be projected (in a conventional cost estimate) to cause an annual gross budgetary or economic effect of at least $1,000,000, but does not include any such measure that—

(A) provides for emergency assistance or relief at the request of any State or local government or any official of a State or local government; or

(B) is necessary for the national security or the ratification or implementation of international treaty obligations.

(3) STATE.—The term ''State'' means each State of the United States, the District of Columbia, each commonwealth, territory, or possession of the United States, and each federally recognized Indian Tribe.

SA 1383. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1381 proposed by Mrs. MURRAY to the bill H.R. 2872 of 2013 to allow the Secretary of the Interior to issue electronic stamps under such Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

DIVISION C—SECURING THE BORDER

SEC. 1001. SHORT TITLE.

This division may be cited as the ''Secure the Border Act of 2024''.

TITLE I—BORDER SECURITY

SEC. 1101. DEFINITIONS.

In this title:

(1) CBP.—The term ''CBP'' means U.S. Customs and Border Protection.

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of U.S. Customs and Border Protection.

(3) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(4) OPERATIONAL CONTROL.—The term ''operational control'' has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367; 8 U.S.C. 1701 note).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(6) SITUATIONAL AWARENESS.—The term ''situational awareness'' has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

(7) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given such term in section 44801 of title 49, United States Code.

SEC. 1102. BORDER WALL CONSTRUCTION.

(a) IN GENERAL.—

(1) IMMEDIATE RESUMPTION OF BORDER WALL CONSTRUCTION.—Not later than seven days after the date of the enactment of this Act, the Secretary shall resume all activities related to the construction of the border wall along the border between the United States and Mexico that were underway or being planned for prior to January 20, 2021.

(2) USE OF FUNDS.—To carry out this section, the Secretary shall expend all unexpired funds appropriated or explicitly obligated for the construction of the border wall that were appropriated or obligated, as the case may be, for use beginning on October 1, 2019.

(3) USE OF MATERIALS.—Any unused materials purchased before the date of the enactment of this Act for construction of the border wall may be used for activities related to the construction of the border wall in accordance with paragraph (1).

(b) PLAN TO COMPLETE TACTICAL INFRASTRUCTURE AND TECHNOLOGY.—Not later than 90 days after the date of the enactment of this Act and annually thereafter until construction of the border wall has been completed, the Secretary shall submit to the appropriate congressional committees an implementation plan, including annual benchmarks for the construction of 200 miles of such wall and associated cost estimates for satisfying all requirements of the construction of the border wall, including installation and deployment of tactical infrastructure, technology, and other elements as identified by the Department prior to January 20, 2021, through the expenditure of funds appropriated or explicitly obligated, as the case may be, for use, as well as any future funds appropriated or otherwise made available by Congress.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate.

(2) TACTICAL INFRASTRUCTURE.—The term ''tactical infrastructure'' includes boat ramps, access gates, checkpoints, lighting, and roads associated with a border wall.

(3) TECHNOLOGY.—The term ''technology'' includes border surveillance and detection technology, including linear ground detection systems, associated with a border wall.

SEC. 1103. STRENGTHENING THE REQUIREMENTS FOR BARRIERS ALONG THE SOUTHERN BORDER.

Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Division C of Public Law 104–208; 8 U.S.C. 1103 note) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Secretary of Homeland Security shall take such actions as may be necessary (including the removal of obstacles to detection of illegal entrants) to design, test, construct, install, deploy, integrate, and operate physical barriers, tactical infrastructure, and technology in the vicinity of the southwest border to achieve situational awareness and operational control of the southwest border and deter, impede, and detect unlawful activity.'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''FENCING AND ROAD IMPROVEMENTS'' and inserting ''PHYSICAL BARRIERS'';

(B) in paragraph (1)—

(i) in the heading, by striking ''FENCING'' and inserting ''BARRIERS'';

(ii) by amending subparagraph (A) to read as follows:

''(A) REINFORCED BARRIERS.—In carrying out this section, the Secretary of Homeland Security shall construct a border wall, including physical barriers, tactical infrastructure, and technology, along not fewer than 900 miles of the southwest border until situational awareness and operational control of the southwest border is achieved.'';

(iii) by amending subparagraph (B) to read as follows:

''(B) PHYSICAL BARRIERS AND TACTICAL INFRASTRUCTURE.—In carrying out this section, the Secretary of Homeland Security shall deploy along the southwest border the most practical and effective physical barriers, tactical infrastructure, and technology available for achieving situational awareness and operational control of the southwest border.'';

(iv) in subparagraph (C)—

(I) by amending clause (i) to read as follows:

''(i) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall consult with the Secretary of the Interior, the Secretary of Agriculture, appropriate representatives of State, Tribal, and local governments, and appropriate private property owners in the United States to minimize the impact on natural resources, commerce, and sites of historical or cultural significance for the communities and residents located near the sites at which physical barriers, tactical infrastructure, and technology are to be constructed. Such consultation may not delay such construction for longer than seven days.''; and

(II) in clause (ii)—

(aa) in subclause (I), by striking ''or'' after the semicolon at the end;

(bb) by amending subclause (II) to read as follows:

''(II) delay the transfer to the United States of the possession of property or affect the validity of any property acquisition by the United States by purchase or eminent domain, or to otherwise affect the eminent domain laws of the United States or of any State; or''; and

(cc) by adding at the end the following new subclause:

''(III) create any right or liability for any party.''; and

(v) by striking subparagraph (D);

(C) in paragraph (2)—

(i) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(ii) by striking ''this subsection'' and inserting ''this section''; and

(iii) by striking ''construction of fences'' and inserting ''the construction of physical barriers, tactical infrastructure, and technology'';

(D) by amending paragraph (3) to read as follows:

''(3) AGENT SAFETY.—In carrying out this section, the Secretary of Homeland Security, when designing, testing, constructing, installing, deploying, integrating, and operating physical barriers, tactical infrastructure, or technology, shall incorporate such safety features into such design, test, construction, installation, deployment, integration, or operation of such physical barriers, tactical infrastructure, or technology, as the case may be, that the Secretary determines are necessary to maximize the safety and effectiveness of officers and agents of the Department of Homeland Security or of any other Federal agency deployed in the vicinity of such physical barriers, tactical infrastructure, or technology.''; and

(E) in paragraph (4), by striking ''this subsection'' and inserting ''this section'';

(3) in subsection (c)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall waive all legal requirements necessary to ensure the expeditious design, testing, construction, installation, deployment, integration, operation, and maintenance of the physical barriers, tactical infrastructure, and technology under this section. The Secretary shall ensure the maintenance and effectiveness of such physical barriers, tactical infrastructure, or technology. Any such action by the Secretary shall be effective upon publication in the Federal Register.'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

''(2) NOTIFICATION.—Not later than seven days after the date on which the Secretary of Homeland Security exercises a waiver pursuant to paragraph (1), the Secretary shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of such waiver.''; and

(4) by adding at the end the following new subsections:

''(e) TECHNOLOGY.—In carrying out this section, the Secretary of Homeland Security shall deploy along the southwest border the most practical and effective technology available for achieving situational awareness and operational control.

''(f) DEFINITIONS.—In this section:

''(1) ADVANCED UNATTENDED SURVEILLANCE SENSORS.—The term 'advanced unattended surveillance sensors' means sensors that utilize an onboard computer to analyze detections in an effort to discern between vehicles, humans, and animals, and ultimately filter false positives prior to transmission.

''(2) OPERATIONAL CONTROL.—The term 'operational control' has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367; 8 U.S.C. 1701 note).

''(3) PHYSICAL BARRIERS.—The term 'physical barriers' includes reinforced fencing, the border wall, and levee walls.

''(4) SITUATIONAL AWARENESS.—The term 'situational awareness' has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

''(5) TACTICAL INFRASTRUCTURE.—The term 'tactical infrastructure' includes boat ramps, access gates, checkpoints, lighting, and roads.

''(6) TECHNOLOGY.—The term 'technology' includes border surveillance and detection technology, including the following:

''(A) Tower-based surveillance technology.

''(B) Deployable, lighter-than-air ground surveillance equipment.

''(C) Vehicle and Dismount Exploitation Radars (VADER).

''(D) 3-dimensional, seismic acoustic detection and ranging border tunneling detection technology.

''(E) Advanced unattended surveillance sensors.

''(F) Mobile vehicle-mounted and manportable surveillance capabilities.

''(G) Unmanned aircraft systems.

''(H) Tunnel detection systems and other seismic technology.

''(I) Fiber-optic cable.

''(J) Other border detection, communication, and surveillance technology.

''(7) UNMANNED AIRCRAFT SYSTEM.—The term 'unmanned aircraft system' has the meaning given such term in section 44801 of title 49, United States Code.''.

SEC. 1104. BORDER AND PORT SECURITY TECHNOLOGY INVESTMENT PLAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commissioner, in consultation with covered officials and border and port security technology stakeholders, shall submit to the appropriate congressional committees a strategic 5-year technology investment plan (in this section referred to as the ''plan''). The plan may include a classified annex, if appropriate.

(b) CONTENTS OF PLAN.—The plan shall include the following:

(1) An analysis of security risks at and between ports of entry along the northern and southern borders of the United States.

(2) An identification of capability gaps with respect to security at and between such ports of entry to be mitigated in order to—

(A) prevent terrorists and instruments of terror from entering the United States;

(B) combat and reduce cross-border criminal activity, including—

(i) the transport of illegal goods, such as illicit drugs; and

(ii) human smuggling and human trafficking; and

(C) facilitate the flow of legal trade across the southwest border.

(3) An analysis of current and forecast trends relating to the number of aliens who—

(A) unlawfully entered the United States by crossing the northern or southern border of the United States; or

(B) are unlawfully present in the United States.

(4) A description of security-related technology acquisitions, to be listed in order of priority, to address the security risks and capability gaps analyzed and identified pursuant to paragraphs (1) and (2), respectively.

(5) A description of each planned security-related technology program, including objectives, goals, and timelines for each such program.

(6) An identification of each deployed security-related technology that is at or near the end of the life cycle of such technology.

(7) A description of the test, evaluation, modeling, and simulation capabilities, including target methodologies, rationales, and timelines, necessary to support the acquisition of security-related technologies pursuant to paragraph (4).

(8) An identification and assessment of ways to increase opportunities for communication and collaboration with the private sector, small and disadvantaged businesses, intragovernment entities, university centers of excellence, and federal laboratories to ensure CBP is able to engage with the market for security-related technologies that are available to satisfy its mission needs before engaging in an acquisition of a security-related technology.

(9) An assessment of the management of planned security-related technology programs by the acquisition workforce of CBP.

(10) An identification of ways to leverage already-existing acquisition expertise within the Federal Government.

(11) A description of the security resources, including information security resources, required to protect security-related technology from physical or cyber theft, diversion, sabotage, or attack.

(12) A description of initiatives to—

(A) streamline the acquisition process of CBP; and

(B) provide to the private sector greater predictability and transparency with respect to such process, including information relating to the timeline for testing and evaluation of security-related technology.

(13) An assessment of the privacy and security impact on border communities of security-related technology.

(14) In the case of a new acquisition leading to the removal of equipment from a port of entry along the northern or southern border of the United States, a strategy to consult with the private sector and community stakeholders affected by such removal.

(15) A strategy to consult with the private sector and community stakeholders with respect to security impacts at a port of entry described in paragraph (14).

(16) An identification of recent technological advancements in the following:

(A) Manned aircraft sensor, communication, and common operating picture technology.

(B) Unmanned aerial systems and related technology, including counter-unmanned aerial system technology.

(C) Surveillance technology, including the following:

(i) Mobile surveillance vehicles.

(ii) Associated electronics, including cameras, sensor technology, and radar.

(iii) Tower-based surveillance technology.

(iv) Advanced unattended surveillance sensors.

(v) Deployable, lighter-than-air, ground surveillance equipment.

(D) Nonintrusive inspection technology, including non-x-ray devices utilizing muon tomography and other advanced detection technology.

(E) Tunnel detection technology.

(F) Communications equipment, including the following:

(i) Radios.

(ii) Long-term evolution broadband.

(iii) Miniature satellites.

(c) LEVERAGING THE PRIVATE SECTOR.—To the extent practicable, the plan shall—

(1) leverage emerging technological capabilities, and research and development trends, within the public and private sectors;

(2) incorporate input from the private sector, including from border and port security stakeholders, through requests for information, industry day events, and other innovative means consistent with the Federal Acquisition Regulation; and

(3) identify security-related technologies that are in development or deployed, with or without adaptation, that may satisfy the mission needs of CBP.

(d) FORM.—To the extent practicable, the plan shall be published in unclassified form on the website of the Department.

(e) DISCLOSURE.—The plan shall include an identification of individuals not employed by the Federal Government, and their professional affiliations, who contributed to the development of the plan.

(f) UPDATE AND REPORT.—Not later than the date that is two years after the date on which the plan is submitted to the appropriate congressional committees pursuant to subsection (a) and biennially thereafter for ten years, the Commissioner shall submit to the appropriate congressional committees—

(1) an update of the plan, if appropriate; and

(2) a report that includes—

(A) the extent to which each security-related technology acquired by CBP since the initial submission of the plan or most recent update of the plan, as the case may be, is consistent with the planned technology programs and projects described pursuant to subsection (b)(5); and

(B) the type of contract and the reason for acquiring each such security-related technology.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate.

(2) COVERED OFFICIALS.—The term ''covered officials'' means—

(A) the Under Secretary for Management of the Department;

(B) the Under Secretary for Science and Technology of the Department; and

(C) the Chief Information Officer of the Department.

(3) UNLAWFULLY PRESENT.—The term ''unlawfully present'' has the meaning provided such term in section 212(a)(9)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)(ii)).

SEC. 1105. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following new section:

''SEC. 437. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

''(a) MAJOR ACQUISITION PROGRAM DEFINED.—In this section, the term 'major acquisition program' means an acquisition program of the Department that is estimated by the Secretary to require an eventual total expenditure of at least $100,000,000 (based on fiscal year 2023 constant dollars) over its lifecycle cost.

''(b) PLANNING DOCUMENTATION.—For each border security technology acquisition program of the Department that is determined to be a major acquisition program, the Secretary shall—

''(1) ensure that each such program has a written acquisition program baseline approved by the relevant acquisition decision authority;

''(2) document that each such program is satisfying cost, schedule, and performance thresholds as specified in such baseline, in compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

''(3) have a plan for satisfying program implementation objectives by managing contractor performance.

''(c) ADHERENCE TO STANDARDS.—The Secretary, acting through the Under Secretary for Management and the Commissioner of U.S. Customs and Border Protection, shall ensure border security technology acquisition program managers who are responsible for carrying out this section adhere to relevant internal control standards identified by the Comptroller General of the United States. The Commissioner shall provide information, as needed, to assist the Under Secretary in monitoring management of border security technology acquisition programs under this section.

''(d) PLAN.—The Secretary, acting through the Under Secretary for Management, in coordination with the Under Secretary for Science and Technology and the Commissioner of U.S. Customs and Border Protection, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a plan for testing, evaluating, and using independent verification and validation of resources relating to the proposed acquisition of border security technology. Under such plan, the proposed acquisition of new border security technologies shall be evaluated through a series of assessments, processes, and audits to ensure—

''(1) compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

''(2) the effective use of taxpayer dollars.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 436 the following new item:

''Sec. 437. Border security technology program management.''.

(c) PROHIBITION ON ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—No additional funds are authorized to be appropriated to carry out section 437 of the Homeland Security Act of 2002, as added by subsection (a).

SEC. 1106. U.S. CUSTOMS AND BORDER PROTECTION TECHNOLOGY UPGRADES.

(a) SECURE COMMUNICATIONS.—The Commissioner shall ensure that each CBP officer or agent, as appropriate, is equipped with a secure radio or other two-way communication device that allows each such officer or agent to communicate—

(1) between ports of entry and inspection stations; and

(2) with other Federal, State, Tribal, and local law enforcement entities.

(b) BORDER SECURITY DEPLOYMENT PROGRAM.—

(1) EXPANSION.—Not later than September 30, 2025, the Commissioner shall—

(A) fully implement the Border Security Deployment Program of CBP; and

(B) expand the integrated surveillance and intrusion detection system at land ports of entry along the northern and southern borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated $33,000,000 for fiscal years 2024 and 2025 to carry out paragraph (1).

(c) UPGRADE OF LICENSE PLATE READERS AT PORTS OF ENTRY.—

(1) UPGRADE.—Not later than two years after the date of the enactment of this Act, the Commissioner shall upgrade all existing license plate readers in need of upgrade, as determined by the Commissioner, on the northern and southern borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated $125,000,000 for fiscal years 2023 and 2024 to carry out paragraph (1).

SEC. 1107. U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.

(a) RETENTION BONUS.—To carry out this section, there is authorized to be appropriated up to $100,000,000 to the Commissioner to provide a retention bonus to any front-line U.S. Border Patrol law enforcement agent—

(1) whose position is equal to or below level GS-12 of the General Schedule;

(2) who has five years or more of service with the U.S. Border Patrol; and

(3) who commits to two years of additional service with the U.S. Border Patrol upon acceptance of such bonus.

(b) BORDER PATROL AGENTS.—Not later than September 30, 2025, the Commissioner shall hire, train, and assign a sufficient number of Border Patrol agents to maintain an active duty presence of not fewer than 22,000 full-time equivalent Border Patrol agents, who may not perform the duties of processing coordinators.

(c) PROHIBITION AGAINST ALIEN TRAVEL.—No personnel or equipment of Air and Marine Operations may be used for the transportation of non-detained aliens, or detained aliens expected to be administratively released upon arrival, from the southwest border to destinations within the United States.

(d) GAO REPORT.—If the staffing level required under this section is not achieved by the date associated with such level, the Comptroller General of the United States shall—

(1) conduct a review of the reasons why such level was not so achieved; and

(2) not later than September 30, 2027, publish on a publicly available website of the Government Accountability Office a report relating thereto.

SEC. 1108. ANTI-BORDER CORRUPTION ACT REAUTHORIZATION.

(a) HIRING FLEXIBILITY.—Section 3 of the Anti-Border Corruption Act of 2010 (6 U.S.C. 221; Public Law 111–376) is amended by striking subsection (b) and inserting the following new subsections:

''(b) WAIVER REQUIREMENT.—Subject to subsection (c), the Commissioner of U.S. Customs and Border Protection shall waive the application of subsection (a)(1)—

''(1) to a current, full-time law enforcement officer employed by a State or local law enforcement agency who—

''(A) has continuously served as a law enforcement officer for not fewer than three years;

''(B) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers for arrest or apprehension; and

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position;

''(2) to a current, full-time Federal law enforcement officer who—

''(A) has continuously served as a law enforcement officer for not fewer than three years;

''(B) is authorized to make arrests, conduct investigations, conduct searches, make seizures, carry firearms, and serve orders, warrants, and other processes;

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

''(D) holds a current Tier 4 background investigation or current Tier 5 background investigation; or

''(3) to a member of the Armed Forces (or a reserve component thereof) or a veteran, if such individual—

''(A) has served in the Armed Forces for not fewer than three years;

''(B) holds, or has held within the past five years, a Secret, Top Secret, or Top Secret/Sensitive Compartmented Information clearance;

''(C) holds, or has undergone within the past five years, a current Tier 4 background investigation or current Tier 5 background investigation;

''(D) received, or is eligible to receive, an honorable discharge from service in the Armed Forces and has not engaged in criminal activity or committed a serious military or civil offense under the Uniform Code of Military Justice; and

''(E) was not granted any waivers to obtain the clearance referred to in subparagraph (B).

''(c) TERMINATION OF WAIVER REQUIREMENT; SNAP-BACK.—The requirement to issue a waiver under subsection (b) shall terminate if the Commissioner of U.S. Customs and Border Protection (CBP) certifies to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that CBP has met all requirements pursuant to section 1107 of the Secure the Border Act of 2024 relating to personnel levels. If at any time after such certification personnel levels fall below such requirements, the Commissioner shall waive the application of subsection (a)(1) until such time as the Commissioner re-certifies to such Committees that CBP has so met all such requirements.''.

(b) SUPPLEMENTAL COMMISSIONER AUTHORITY; REPORTING; DEFINITIONS.—The Anti-Border Corruption Act of 2010 is amended by adding at the end the following new sections:

''SEC. 5. SUPPLEMENTAL COMMISSIONER AUTHORITY.

''(a) NONEXEMPTION.—An individual who receives a waiver under section 3(b) is not exempt from any other hiring requirements relating to suitability for employment and eligibility to hold a national security designated position, as determined by the Commissioner of U.S. Customs and Border Protection.

''(b) BACKGROUND INVESTIGATIONS.—An individual who receives a waiver under section 3(b) who holds a current Tier 4 background investigation shall be subject to a Tier 5 background investigation.

''(c) ADMINISTRATION OF POLYGRAPH EXAMINATION.—The Commissioner of U.S. Customs and Border Protection is authorized to administer a polygraph examination to an applicant or employee who is eligible for or receives a waiver under section 3(b) if information is discovered before the completion of a background investigation that results in a determination that a polygraph examination is necessary to make a final determination regarding suitability for employment or continued employment, as the case may be.

''SEC. 6. REPORTING.

''(a) ANNUAL REPORT.—Not later than one year after the date of the enactment of the Secure the Border Act of 2024, and annually thereafter while the waiver authority under section 3(b) is in effect, the Commissioner of U.S. Customs and Border Protection shall submit to Congress a report that includes, with respect to each such reporting period, the following:

''(1) Information relating to the number of waivers granted under such section 3(b).

''(2) Information relating to the percentage of applicants who were hired after receiving such a waiver.

''(3) Information relating to the number of instances that a polygraph was administered to an applicant who initially received such a waiver and the results of such polygraph.

''(4) An assessment of the current impact of such waiver authority on filling law enforcement positions at U.S. Customs and Border Protection.

''(5) An identification of additional authorities needed by U.S. Customs and Border Protection to better utilize such waiver authority for its intended goals.

''(b) ADDITIONAL INFORMATION.—The first report submitted under subsection (a) shall include the following:

''(1) An analysis of other methods of employment suitability tests that detect deception and could be used in conjunction with traditional background investigations to evaluate potential applicants or employees for suitability for employment or continued employment, as the case may be.

''(2) A recommendation regarding whether a test referred to in paragraph (1) should be adopted by U.S. Customs and Border Protection when the polygraph examination requirement is waived pursuant to section 3(b).

''SEC. 7. DEFINITIONS.

''In this Act:

''(1) FEDERAL LAW ENFORCEMENT OFFICER.—The term 'Federal law enforcement officer' means a 'law enforcement officer', as such term is defined in section 8331(20) or 8401(17) of title 5, United States Code.

''(2) SERIOUS MILITARY OR CIVIL OFFENSE.—The term 'serious military or civil offense' means an offense for which—

''(A) a member of the Armed Forces may be discharged or separated from service in the Armed Forces; and

''(B) a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Court-Martial, as pursuant to Army Regulation 635–200, chapter 14–12.

''(3) TIER 4; TIER 5.—The terms 'Tier 4' and 'Tier 5', with respect to background investigations, have the meaning given such terms under the 2012 Federal Investigative Standards.

''(4) VETERAN.—The term 'veteran' has the meaning given such term in section 101(2) of title 38, United States Code.''.

(c) POLYGRAPH EXAMINERS.—Not later than September 30, 2025, the Secretary shall increase to not fewer than 150 the number of trained full-time equivalent polygraph examiners for administering polygraphs under the Anti-Border Corruption Act of 2010, as amended by this section.

SEC. 1109. ESTABLISHMENT OF WORKLOAD STAFFING MODELS FOR U.S. BORDER PATROL AND AIR AND MARINE OPERATIONS OF CBP.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Commissioner, in coordination with the Under Secretary for Management, the Chief Human Capital Officer, and the Chief Financial Officer of the Department, shall implement a workload staffing model for each of the following:

(1) The U.S. Border Patrol.

(2) Air and Marine Operations of CBP.

(b) RESPONSIBILITIES OF THE COMMISSIONER.—Subsection (c) of section 411 of the Homeland Security Act of 2002 (6 U.S.C. 211), is amended—

(1) by redesignating paragraphs (18) and (19) as paragraphs (20) and (21), respectively; and

(2) by inserting after paragraph (17) the following new paragraphs:

''(18) implement a staffing model for the U.S. Border Patrol, Air and Marine Operations, and the Office of Field Operations that includes consideration for essential frontline operator activities and functions, variations in operating environments, present and planned infrastructure, present and planned technology, and required operations support levels to enable such entities to manage and assign personnel of such entities to ensure field and support posts possess adequate resources to carry out duties specified in this section;

''(19) develop standard operating procedures for a workforce tracking system within the U.S. Border Patrol, Air and Marine Operations, and the Office of Field Operations, train the workforce of each of such entities on the use, capabilities, and purpose of such system, and implement internal controls to ensure timely and accurate scheduling and reporting of actual completed work hours and activities;''.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act with respect to subsection (a) and paragraphs (18) and (19) of section 411(c) of the Homeland Security Act of 2002 (as amended by subsection (b)), and annually thereafter with respect to such paragraphs (18) and (19), the Secretary shall submit to the appropriate congressional committees a report that includes a status update on the following:

(A) The implementation of such subsection (a) and such paragraphs (18) and (19).

(B) Each relevant workload staffing model.

(2) DATA SOURCES AND METHODOLOGY REQUIRED.—Each report required under paragraph (1) shall include information relating to the data sources and methodology used to generate each relevant staffing model.

(d) INSPECTOR GENERAL REVIEW.—Not later than 90 days after the Commissioner develops the workload staffing models pursuant to subsection (a), the Inspector General of the Department shall review such models and provide feedback to the Secretary and the appropriate congressional committees with respect to the degree to which such models are responsive to the recommendations of the Inspector General, including the following:

(1) Recommendations from the Inspector General's February 2019 audit.

(2) Any further recommendations to improve such models.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Homeland Security of the House of Representatives; and

(2) the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 1110. OPERATION STONEGARDEN.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended by adding at the end the following new section:

''SEC. 2010. OPERATION STONEGARDEN.

''(a) ESTABLISHMENT.—There is established in the Department a program to be known as 'Operation Stonegarden', under which the Secretary, acting through the Administrator, shall make grants to eligible law enforcement agencies, through State administrative agencies, to enhance border security in accordance with this section.

''(b) ELIGIBLE RECIPIENTS.—To be eligible to receive a grant under this section, a law enforcement agency shall—

''(1) be located in—

''(A) a State bordering Canada or Mexico; or

''(B) a State or territory with a maritime border;

''(2) be involved in an active, ongoing, U.S. Customs and Border Protection operation coordinated through a U.S. Border Patrol sector office; and

''(3) have an agreement in place with U.S. Immigration and Customs Enforcement to support enforcement operations.

''(c) PERMITTED USES.—A recipient of a grant under this section may use such grant for costs associated with the following:

''(1) Equipment, including maintenance and sustainment.

''(2) Personnel, including overtime and backfill, in support of enhanced border law enforcement activities.

''(3) Any activity permitted for Operation Stonegarden under the most recent fiscal year Department of Homeland Security's Homeland Security Grant Program Notice of Funding Opportunity.

''(d) PERIOD OF PERFORMANCE.—The Secretary shall award grants under this section to grant recipients for a period of not fewer than 36 months.

''(e) NOTIFICATION.—Upon denial of a grant to a law enforcement agency, the Administrator shall provide written notice to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, including the reasoning for such denial.

''(f) REPORT.—For each of fiscal years 2024 through 2028 the Administrator shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that contains—

''(1) information on the expenditure of grants made under this section by each grant recipient; and

''(2) recommendations for other uses of such grants to further support eligible law enforcement agencies.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $110,000,000 for each of fiscal years 2024 through 2028 for grants under this section.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of section 2002 of the Homeland Security Act of 2002 (6 U.S.C. 603) is amended to read as follows:

''(a) GRANTS AUTHORIZED.—The Secretary, through the Administrator, may award grants under sections 2003, 2004, 2009, and 2010 to State, local, and Tribal governments, as appropriate.''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2009 the following new item:

''Sec. 2010. Operation Stonegarden.''.

SEC. 1111. AIR AND MARINE OPERATIONS FLIGHT HOURS.

(a) AIR AND MARINE OPERATIONS FLIGHT HOURS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall ensure that not fewer than 110,000 annual flight hours are carried out by Air and Marine Operations of CBP.

(b) UNMANNED AIRCRAFT SYSTEMS.—The Secretary, after coordination with the Administrator of the Federal Aviation Administration, shall ensure that Air and Marine Operations operate unmanned aircraft systems on the southern border of the United States for not less than 24 hours per day.

(c) PRIMARY MISSIONS.—The Commissioner shall ensure the following:

(1) The primary missions for Air and Marine Operations are to directly support the following:

(A) U.S. Border Patrol activities along the borders of the United States.

(B) Joint Interagency Task Force South and Joint Task Force East operations in the transit zone.

(2) The Executive Assistant Commissioner of Air and Marine Operations assigns the greatest priority to support missions specified in paragraph (1).

(d) HIGH DEMAND FLIGHT HOUR REQUIREMENTS.—The Commissioner shall—

(1) ensure that U.S. Border Patrol Sector Chiefs identify air support mission-critical hours; and

(2) direct Air and Marine Operations to support requests from such Sector Chiefs as a component of the primary mission of Air and Marine Operations in accordance with subsection (c)(1)(A).

(e) CONTRACT AIR SUPPORT AUTHORIZATIONS.—The Commissioner shall contract for air support mission-critical hours to meet the requests for such hours, as identified pursuant to subsection (d).

(f) SMALL UNMANNED AIRCRAFT SYSTEMS.—

(1) IN GENERAL.—The Chief of the U.S. Border Patrol shall be the executive agent with respect to the use of small unmanned aircraft by CBP for the purposes of the following:

(A) Meeting the unmet flight hour operational requirements of the U.S. Border Patrol.

(B) Achieving situational awareness and operational control of the borders of the United States.

(2) COORDINATION.—In carrying out paragraph (1), the Chief of the U.S. Border Patrol shall coordinate—

(A) flight operations with the Administrator of the Federal Aviation Administration to ensure the safe and efficient operation of the national airspace system; and

(B) with the Executive Assistant Commissioner for Air and Marine Operations of CBP to—

(i) ensure the safety of other CBP aircraft flying in the vicinity of small unmanned aircraft operated by the U.S. Border Patrol; and

(ii) establish a process to include data from flight hours in the calculation of got away statistics.

(3) CONFORMING AMENDMENT.—Paragraph (3) of section 411(e) of the Homeland Security Act of 2002 (6 U.S.C. 211(e)) is amended—

(A) in subparagraph (B), by striking ''and'' after the semicolon at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) carry out the small unmanned aircraft (as such term is defined in section 44801 of title 49, United States Code) requirements pursuant to subsection (f) of section 1111 of the Secure the Border Act of 2024; and''.

(g) SAVINGS CLAUSE.—Nothing in this section may be construed as conferring, transferring, or delegating to the Secretary, the Commissioner, the Executive Assistant Commissioner for Air and Marine Operations of CBP, or the Chief of the U.S. Border Patrol any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration relating to the use of airspace or aviation safety.

(h) DEFINITIONS.—In this section:

(1) GOT AWAY.—The term ''got away'' has the meaning given such term in section 1092(a)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(3)).

(2) TRANSIT ZONE.—The term ''transit zone'' has the meaning given such term in section 1092(a)(8) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(8)).

SEC. 1112. ERADICATION OF CARRIZO CANE AND SALT CEDAR.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary, in coordination with the heads of relevant Federal, State, and local agencies, shall hire contractors to begin eradicating the carrizo cane plant and any salt cedar along the Rio Grande River that impedes border security operations. Such eradication shall be completed—

(1) by not later than September 30, 2027, except for required maintenance; and

(2) in the most expeditious and cost-effective manner possible to maintain clear fields of view.

(b) APPLICATION.—The waiver authority under subsection (c) of section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by section 1103, shall apply to activities carried out pursuant to subsection (a).

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a strategic plan to eradicate all carrizo cane plant and salt cedar along the Rio Grande River that impedes border security operations by not later than September 30, 2027.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $7,000,000 for each of fiscal years 2024 through 2028 to the Secretary to carry out this subsection.

SEC. 1113. BORDER PATROL STRATEGIC PLAN.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act and biennially thereafter, the Commissioner, acting through the Chief of the U.S. Border Patrol, shall issue a Border Patrol Strategic Plan (referred to in this section as the ''plan'') to enhance the security of the borders of the United States.

(b) ELEMENTS.—The plan shall include the following:

(1) A consideration of Border Patrol Capability Gap Analysis reporting, Border Security Improvement Plans, and any other strategic document authored by the U.S. Border Patrol to address security gaps between ports of entry, including efforts to mitigate threats identified in such analyses, plans, and documents.

(2) Information relating to the dissemination of information relating to border security or border threats with respect to the efforts of the Department and other appropriate Federal agencies.

(3) Information relating to efforts by U.S. Border Patrol to—

(A) increase situational awareness, including—

(i) surveillance capabilities, such as capabilities developed or utilized by the Department of Defense, and any appropriate technology determined to be excess by the Department of Defense; and

(ii) the use of manned aircraft and unmanned aircraft;

(B) detect and prevent terrorists and instruments of terrorism from entering the United States;

(C) detect, interdict, and disrupt between ports of entry aliens unlawfully present in the United States;

(D) detect, interdict, and disrupt human smuggling, human trafficking, drug trafficking, and other illicit cross-border activity;

(E) focus intelligence collection to disrupt transnational criminal organizations outside of the international and maritime borders of the United States; and

(F) ensure that any new border security technology can be operationally integrated with existing technologies in use by the Department.

(4) Information relating to initiatives of the Department with respect to operational coordination, including any relevant task forces of the Department.

(5) Information gathered from the lessons learned by the deployments of the National Guard to the southern border of the United States.

(6) A description of cooperative agreements relating to information sharing with State, local, Tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the borders of the United States.

(7) Information relating to border security information received from the following:

(A) State, local, Tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the borders of the United States or in the maritime environment.

(B) Border community stakeholders, including representatives from the following:

(i) Border agricultural and ranching organizations.

(ii) Business and civic organizations.

(iii) Hospitals and rural clinics within 150 miles of the borders of the United States.

(iv) Victims of crime committed by aliens unlawfully present in the United States.

(v) Victims impacted by drugs, transnational criminal organizations, cartels, gangs, or other criminal activity.

(vi) Farmers, ranchers, and property owners along the border.

(vii) Other individuals negatively impacted by illegal immigration.

(8) Information relating to the staffing requirements with respect to border security for the Department.

(9) A prioritized list of Department research and development objectives to enhance the security of the borders of the United States.

(10) An assessment of training programs, including such programs relating to the following:

(A) Identifying and detecting fraudulent documents.

(B) Understanding the scope of CBP enforcement authorities and appropriate use of force policies.

(C) Screening, identifying, and addressing vulnerable populations, such as children and victims of human trafficking.

SEC. 1114. U.S. CUSTOMS AND BORDER PROTECTION SPIRITUAL READINESS.

Not later than one year after the enactment of this Act and annually thereafter for five years, the Commissioner shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the availability and usage of the assistance of chaplains, prayer groups, houses of worship, and other spiritual resources for members of CBP who identify as religiously affiliated and have attempted suicide, have suicidal ideation, or are at risk of suicide, and metrics on the impact such resources have in assisting religiously affiliated members who have access to and utilize such resources compared to religiously affiliated members who do not.

SEC. 1115. RESTRICTIONS ON FUNDING.

(a) ARRIVING ALIENS.—No funds are authorized to be appropriated to the Department to process the entry into the United States of aliens arriving in between ports of entry.

(b) RESTRICTION ON NONGOVERNMENTAL ORGANIZATION SUPPORT FOR UNLAWFUL ACTIVITY.—No funds are authorized to be appropriated to the Department for disbursement to any nongovernmental organization that facilitates or encourages unlawful activity, including unlawful entry, human trafficking, human smuggling, drug trafficking, and drug smuggling.

(c) RESTRICTION ON NONGOVERNMENTAL ORGANIZATION FACILITATION OF ILLEGAL IMMIGRATION.—No funds are authorized to be appropriated to the Department for disbursement to any nongovernmental organization to provide, or facilitate the provision of, transportation, lodging, or immigration legal services to inadmissible aliens who enter the United States after the date of the enactment of this Act.

SEC. 1116. COLLECTION OF DNA AND BIOMETRIC INFORMATION AT THE BORDER.

Not later than 14 days after the date of the enactment of this Act, the Secretary shall ensure and certify to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that CBP is fully compliant with Federal DNA and biometric collection requirements at United States land borders.

SEC. 1117. ERADICATION OF NARCOTIC DRUGS AND FORMULATING EFFECTIVE NEW TOOLS TO ADDRESS YEARLY LOSSES OF LIFE; ENSURING TIMELY UPDATES TO U.S. CUSTOMS AND BORDER PROTECTION FIELD MANUALS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than triennially thereafter, the Commissioner of U.S. Customs and Border Protection shall review and update, as necessary, the current policies and manuals of the Office of Field Operations related to inspections at ports of entry, and the U.S. Border Patrol related to inspections between ports of entry, to ensure the uniform implementation of inspection practices that will effectively respond to technological and methodological changes designed to disguise unlawful activity, such as the smuggling of drugs and humans, along the border.

(b) REPORTING REQUIREMENT.—Not later than 90 days after each update required under subsection (a), the Commissioner of U.S. Customs and Border Protection shall submit to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate a report that summarizes any policy and manual changes pursuant to subsection (a).

SEC. 1118. PUBLICATION BY U.S. CUSTOMS AND BORDER PROTECTION OF OPERATIONAL STATISTICS.

(a) IN GENERAL.—Not later than the seventh day of each month beginning with the second full month after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall publish on a publicly available website of the Department of Homeland Security information relating to the total number of alien encounters and nationalities, unique alien encounters and nationalities, gang affiliated apprehensions and nationalities, drug seizures, alien encounters included in the terrorist screening database and nationalities, arrests of criminal aliens or individuals wanted by law enforcement and nationalities, known got aways, encounters with deceased aliens, and all other related or associated statistics recorded by U.S. Customs and Border Protection during the immediately preceding month. Each such publication shall include the following:

(1) The aggregate such number, and such number disaggregated by geographic regions, of such recordings and encounters, including specifications relating to whether such recordings and encounters were at the southwest, northern, or maritime border.

(2) An identification of the Office of Field Operations field office, U.S. Border Patrol sector, or Air and Marine Operations branch making each recording or encounter.

(3) Information relating to whether each recording or encounter of an alien was of a single adult, an unaccompanied alien child, or an individual in a family unit.

(4) Information relating to the processing disposition of each alien recording or encounter.

(5) Information relating to the nationality of each alien who is the subject of each recording or encounter.

(6) The total number of individuals included in the terrorist screening database (as such term is defined in section 2101 of the Homeland Security Act of 2002 (6 U.S.C. 621)) who have repeatedly attempted to cross unlawfully into the United States.

(7) The total number of individuals included in the terrorist screening database who have been apprehended, including information relating to whether such individuals were released into the United States or removed.

(b) EXCEPTIONS.—If the Commissioner of U.S. Customs and Border Protection in any month does not publish the information required under subsection (a), or does not publish such information by the date specified in such subsection, the Commissioner shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding the reason relating thereto, as the case may be, by not later than the date that is two business days after the tenth day of such month.

(c) DEFINITIONS.—In this section:

(1) ALIEN ENCOUNTERS.—The term ''alien encounters'' means aliens apprehended, determined inadmissible, or processed for removal by U.S. Customs and Border Protection.

(2) GOT AWAY.—The term ''got away'' has the meaning given such term in section 1092(a) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223(a)).

(3) TERRORIST SCREENING DATABASE.—The term ''terrorist screening database'' has the meaning given such term in section 2101 of the Homeland Security Act of 2002 (6 U.S.C. 621).

(4) UNACCOMPANIED ALIEN CHILD.—The term ''unaccompanied alien child'' has the meaning given such term in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)).

SEC. 1119. ALIEN CRIMINAL BACKGROUND CHECKS.

(a) IN GENERAL.—Not later than seven days after the date of the enactment of this Act,

the Commissioner shall certify to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate that CBP has real-time access to the criminal history databases of all countries of origin and transit for aliens encountered by CBP to perform criminal history background checks for such aliens.

(b) STANDARDS.—The certification required under subsection (a) shall also include a determination whether the criminal history databases of a country are accurate, up to date, digitized, searchable, and otherwise meet the standards of the Federal Bureau of Investigation for criminal history databases maintained by State and local governments.

(c) CERTIFICATION.—The Secretary shall annually submit to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate a certification that each database referred to in subsection (b) which the Secretary accessed or sought to access pursuant to this section met the standards described in subsection (b).

SEC. 1120. PROHIBITED IDENTIFICATION DOCUMENTS AT AIRPORT SECURITY CHECKPOINTS; NOTIFICATION TO IMMIGRATION AGENCIES.

(a) IN GENERAL.—The Administrator may not accept as valid proof of identification a prohibited identification document at an airport security checkpoint.

(b) NOTIFICATION TO IMMIGRATION AGENCIES.—If an individual presents a prohibited identification document to an officer of the Transportation Security Administration at an airport security checkpoint, the Administrator shall promptly notify the Director of U.S. Immigration and Customs Enforcement, the Director of U.S. Customs and Border Protection, and the head of the appropriate local law enforcement agency to determine whether the individual is in violation of any term of release from the custody of any such agency.

(c) ENTRY INTO STERILE AREAS.—

(1) IN GENERAL.—Except as provided in paragraph (2), if an individual is found to be in violation of any term of release under subsection (b), the Administrator may not permit such individual to enter a sterile area.

(2) EXCEPTION.—An individual presenting a prohibited identification document under this section may enter a sterile area if the individual—

(A) is leaving the United States for the purposes of removal or deportation; or

(B) presents a covered identification document.

(d) COLLECTION OF BIOMETRIC INFORMATION FROM CERTAIN INDIVIDUALS SEEKING ENTRY INTO THE STERILE AREA OF AN AIRPORT.—Beginning not later than 120 days after the date of the enactment of this Act, the Administrator shall collect biometric information from an individual described in subsection (e) prior to authorizing such individual to enter into a sterile area.

(e) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who—

(1) is seeking entry into the sterile area of an airport;

(2) does not present a covered identification document; and

(3) the Administrator cannot verify is a national of the United States.

(f) PARTICIPATION IN IDENT.—Beginning not later than 120 days after the date of the enactment of this Act, the Administrator, in coordination with the Secretary, shall submit biometric data collected under this section to the Automated Biometric Identification System (IDENT).

(g) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(2) BIOMETRIC INFORMATION.—The term ''biometric information'' means any of the following:

(A) A fingerprint.

(B) A palm print.

(C) A photograph, including—

(i) a photograph of an individual's face for use with facial recognition technology; and

(ii) a photograph of any physical or anatomical feature, such as a scar, skin mark, or tattoo.

(D) A signature.

(E) A voice print.

(F) An iris image.

(3) COVERED IDENTIFICATION DOCUMENT.—The term ''covered identification document'' means any of the following, if the document is valid and unexpired:

(A) A United States passport or passport card.

(B) A biometrically secure card issued by a trusted traveler program of the Department of Homeland Security, including—

(i) Global Entry;

(ii) Nexus;

(iii) Secure Electronic Network for Travelers Rapid Inspection (SENTRI); and

(iv) Free and Secure Trade (FAST).

(C) An identification card issued by the Department of Defense, including such a card issued to a dependent.

(D) Any document required for admission to the United States under section 211(a) of the Immigration and Nationality Act (8 U.S.C. 1181(a)).

(E) An enhanced driver's license issued by a State.

(F) A photo identification card issued by a federally recognized Indian Tribe.

(G) A personal identity verification credential issued in accordance with Homeland Security Presidential Directive 12.

(H) A driver's license issued by a province of Canada.

(I) A Secure Certificate of Indian Status issued by the Government of Canada.

(J) A Transportation Worker Identification Credential.

(K) A Merchant Mariner Credential issued by the Coast Guard.

(L) A Veteran Health Identification Card issued by the Department of Veterans Affairs.

(M) Any other document the Administrator determines, pursuant to a rule making in accordance with section 553 of title 5, United States Code, will satisfy the identity verification procedures of the Transportation Security Administration.

(4) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given that term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(5) PROHIBITED IDENTIFICATION DOCUMENT.—The term ''prohibited identification document'' means any of the following (or any applicable successor form):

(A) U.S. Immigration and Customs Enforcement Form I–200, Warrant for Arrest of Alien.

(B) U.S. Immigration and Customs Enforcement Form I–205, Warrant of Removal/Deportation.

(C) U.S. Immigration and Customs Enforcement Form I–220A, Order of Release on Recognizance.

(D) U.S. Immigration and Customs Enforcement Form I–220B, Order of Supervision.

(E) Department of Homeland Security Form I–862, Notice to Appear.

(F) U.S. Customs and Border Protection Form I–94, Arrival/Departure Record (including a print-out of an electronic record).

(G) Department of Homeland Security Form I–385, Notice to Report.

(H) Any document that directs an individual to report to the Department of Homeland Security.

(I) Any Department of Homeland Security work authorization or employment verification document.

(6) STERILE AREA.—The term ''sterile area'' has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations, or any successor regulation.

SEC. 1121. PROHIBITION AGAINST ANY COVID–19 VACCINE MANDATE OR ADVERSE ACTION AGAINST DHS EMPLOYEES.

(a) LIMITATION ON IMPOSITION OF NEW MANDATE.—The Secretary may not issue any COVID–19 vaccine mandate unless Congress expressly authorizes such a mandate.

(b) PROHIBITION ON ADVERSE ACTION.—The Secretary may not take any adverse action against a Department employee based solely on the refusal of such employee to receive a vaccine for COVID–19.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the following:

(1) The number of Department employees who were terminated or resigned due to the COVID–19 vaccine mandate.

(2) An estimate of the cost to reinstate such employees.

(3) How the Department would effectuate reinstatement of such employees.

(d) RETENTION AND DEVELOPMENT OF UNVACCINATED EMPLOYEES.—The Secretary shall make every effort to retain Department employees who are not vaccinated against COVID–19 and provide such employees with professional development, promotion and leadership opportunities, and consideration equal to that of their peers.

SEC. 1122. CBP ONE APP LIMITATION.

(a) LIMITATION.—The Department may use the CBP One Mobile Application or any other similar program, application, internet-based portal, website, device, or initiative only for inspection of perishable cargo.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Commissioner shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the date on which CBP began using CBP One to allow aliens to schedule interviews at land ports of entry, how many aliens have scheduled interviews at land ports of entry using CBP One, the nationalities of such aliens, and the stated final destinations of such aliens within the United States, if any.

SEC. 1123. REPORT ON MEXICAN DRUG CARTELS.

Not later than 60 days after the date of the enactment of this Act, Congress shall commission a report that contains the following:

(1) A national strategy to address Mexican drug cartels, and a determination regarding whether there should be a designation established to address such cartels.

(2) Information relating to actions by such cartels that causes harm to the United States.

SEC. 1124. GAO STUDY ON COSTS INCURRED BY STATES TO SECURE THE SOUTHWEST BORDER.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study to examine the costs

incurred by individual States as a result of actions taken by such States in support of the Federal mission to secure the southwest border, and the feasibility of a program to reimburse such States for such costs.

(b) CONTENTS.—The study required under subsection (a) shall include consideration of the following:

(1) Actions taken by the Department of Homeland Security that have contributed to costs described in such subsection incurred by States to secure the border in the absence of Federal action, including the termination of the Migrant Protection Protocols and cancellation of border wall construction.

(2) Actions taken by individual States along the southwest border to secure their borders, and the costs associated with such actions.

(3) The feasibility of a program within the Department of Homeland Security to reimburse States for the costs incurred in support of the Federal mission to secure the southwest border.

SEC. 1125. REPORT BY INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter for five years, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report examining the economic and security impact of mass migration to municipalities and States along the southwest border. Such report shall include information regarding costs incurred by the following:

(1) State and local law enforcement to secure the southwest border.

(2) Public school districts to educate students who are aliens unlawfully present in the United States.

(3) Healthcare providers to provide care to aliens unlawfully present in the United States who have not paid for such care.

(4) Farmers and ranchers due to migration impacts to their properties.

(b) CONSULTATION.—To produce the report required under subsection (a), the Inspector General of the Department of Homeland Security shall consult with the individuals and representatives of the entities described in paragraphs (1) through (4) of such subsection.

SEC. 1126. OFFSETTING AUTHORIZATIONS OF APPROPRIATIONS.

(a) OFFICE OF THE SECRETARY AND EMERGENCY MANAGEMENT.—No funds are authorized to be appropriated for the Alternatives to Detention Case Management Pilot Program or the Office of the Immigration Detention Ombudsman for the Office of the Secretary and Emergency Management of the Department of Homeland Security.

(b) MANAGEMENT DIRECTORATE.—No funds are authorized to be appropriated for electric vehicles or St. Elizabeths campus construction for the Management Directorate of the Department of Homeland Security.

(c) INTELLIGENCE, ANALYSIS, AND SITUATIONAL AWARENESS.—There is authorized to be appropriated $216,000,000 for Intelligence, Analysis, and Situational Awareness of the Department of Homeland Security.

(d) U.S. CUSTOMS AND BORDER PROTECTION.—No funds are authorized to be appropriated for the Shelter Services Program for U.S. Customs and Border Protection.

SEC. 1127. REPORT TO CONGRESS ON FOREIGN TERRORIST ORGANIZATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for five years, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of foreign terrorist organizations attempting to move their members or affiliates into the United States through the southern, northern, or maritime border.

(b) DEFINITION.—In this section, the term ''foreign terrorist organization'' means an organization described in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 1128. ASSESSMENT BY INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY ON THE MITIGATION OF UNMANNED AIRCRAFT SYSTEMS AT THE SOUTHWEST BORDER.

Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of U.S. Customs and Border Protection's ability to mitigate unmanned aircraft systems at the southwest border. Such assessment shall include information regarding any intervention between January 1, 2021, and the date of the enactment of this Act, by any Federal agency affecting in any manner U.S. Customs and Border Protection's authority to so mitigate such systems.

TITLE II—IMMIGRATION ENFORCEMENT AND FOREIGN AFFAIRS

Subtitle A—Asylum Reform and Border Protection

SEC. 1201. SAFE THIRD COUNTRY.

Section 208(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(2)(A)) is amended—

(1) by striking ''if the Attorney General determines'' and inserting ''if the Attorney General or the Secretary of Homeland Security determines—'';

(2) by striking ''that the alien may be removed'' and inserting the following:

''(i) that the alien may be removed'';

(3) by striking '', pursuant to a bilateral or multilateral agreement, to'' and inserting ''to'';

(4) by inserting ''or the Secretary, on a case by case basis,'' before ''finds that'';

(5) by striking the period at the end and inserting ''; or''; and

(6) by adding at the end the following:

''(ii) that the alien entered, attempted to enter, or arrived in the United States after transiting through at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence en route to the United States, unless—

''(I) the alien demonstrates that he or she applied for protection from persecution or torture in at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence through which the alien transited en route to the United States, and the alien received a final judgment denying the alien protection in each country;

''(II) the alien demonstrates that he or she was a victim of a severe form of trafficking in which a commercial sex act was induced by force, fraud, or coercion, or in which the person induced to perform such act was under the age of 18 years; or in which the trafficking included the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery, and was unable to apply for protection from persecution in each country through which the alien transited en route to the United States as a result of such severe form of trafficking; or

''(III) the only countries through which the alien transited en route to the United States were, at the time of the transit, not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.''.

SEC. 1202. CREDIBLE FEAR INTERVIEWS.

Section 235(b)(1)(B)(v) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)(v)) is amended by striking ''there is a significant possibility'' and all that follows, and inserting '', taking into account the credibility of the statements made by the alien in support of the alien's claim, as determined pursuant to section 208(b)(1)(B)(iii), and such other facts as are known to the officer, the alien more likely than not could establish eligibility for asylum under section 208, and it is more likely than not that the statements made by, and on behalf of, the alien in support of the alien's claim are true.''.

SEC. 1203. CLARIFICATION OF ASYLUM ELIGIBILITY.

(a) IN GENERAL.—Section 208(b)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(1)(A)) is amended by inserting after ''section 101(a)(42)(A)'' the following: ''(in accordance with the rules set forth in this section), and is eligible to apply for asylum under subsection (a)''.

(b) PLACE OF ARRIVAL.—Section 208(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(1)) is amended—

(1) by striking ''or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters),''; and

(2) by inserting after ''United States'' the following: ''and has arrived in the United States at a port of entry (including an alien who is brought to the United States after having been interdicted in international or United States waters),''.

SEC. 1204. EXCEPTIONS.

Paragraph (2) of section 208(b) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)) is amended to read as follows:

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to an alien if the Secretary of Homeland Security or the Attorney General determines that—

''(i) the alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion;

''(ii) the alien has been convicted of any felony under Federal, State, tribal, or local law;

''(iii) the alien has been convicted of any misdemeanor offense under Federal, State, tribal, or local law involving—

''(I) the unlawful possession or use of an identification document, authentication feature, or false identification document (as those terms and phrases are defined in the jurisdiction where the conviction occurred), unless the alien can establish that the conviction resulted from circumstances showing that—

''(aa) the document or feature was presented before boarding a common carrier;

''(bb) the document or feature related to the alien's eligibility to enter the United States;

''(cc) the alien used the document or feature to depart a country wherein the alien has claimed a fear of persecution; and

''(dd) the alien claimed a fear of persecution without delay upon presenting himself

or herself to an immigration officer upon arrival at a United States port of entry;

''(II) the unlawful receipt of a Federal public benefit (as defined in section 401(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(c))), from a Federal entity, or the unlawful receipt of similar public benefits from a State, tribal, or local entity; or

''(III) possession or trafficking of a controlled substance or controlled substance paraphernalia, as those phrases are defined under the law of the jurisdiction where the conviction occurred, other than a single offense involving possession for one's own use of 30 grams or less of marijuana (as marijuana is defined under the law of the jurisdiction where the conviction occurred);

''(iv) the alien has been convicted of an offense arising under paragraph (1)(A) or (2) of section 274(a), or under section 276;

''(v) the alien has been convicted of a Federal, State, tribal, or local crime that the Attorney General or Secretary of Homeland Security knows, or has reason to believe, was committed in support, promotion, or furtherance of the activity of a criminal street gang (as defined under the law of the jurisdiction where the conviction occurred or in section 521(a) of title 18, United States Code);

''(vi) the alien has been convicted of an offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law, in which such intoxicated or impaired driving was a cause of serious bodily injury or death of another person;

''(vii) the alien has been convicted of more than one offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law;

''(viii) the alien has been convicted of a crime—

''(I) that involves conduct amounting to a crime of stalking;

''(II) of child abuse, child neglect, or child abandonment; or

''(III) that involves conduct amounting to a domestic assault or battery offense, including—

''(aa) a misdemeanor crime of domestic violence, as described in section 921(a)(33) of title 18, United States Code;

''(bb) a crime of domestic violence, as described in section 40002(a)(12) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)(12)); or

''(cc) any crime based on conduct in which the alien harassed, coerced, intimidated, voluntarily or recklessly used (or threatened to use) force or violence against, or inflicted physical injury or physical pain, however slight, upon a person—

''(AA) who is a current or former spouse of the alien;

''(BB) with whom the alien shares a child;

''(CC) who is cohabitating with, or who has cohabitated with, the alien as a spouse;

''(DD) who is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(EE) who is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(ix) the alien has engaged in acts of battery or extreme cruelty upon a person and the person—

''(I) is a current or former spouse of the alien;

''(II) shares a child with the alien;

''(III) cohabitates or has cohabitated with the alien as a spouse;

''(IV) is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(V) is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(x) the alien, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of the United States;

''(xi) there are serious reasons for believing that the alien has committed a serious nonpolitical crime outside the United States prior to the arrival of the alien in the United States;

''(xii) there are reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiii) the alien is described in subclause (I), (II), (III), (IV), or (VI) of section 212(a)(3)(B)(i) or section 237(a)(4)(B) (relating to terrorist activity), unless, in the case only of an alien inadmissible under subclause (IV) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in the Secretary's or the Attorney General's discretion, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiv) the alien was firmly resettled in another country prior to arriving in the United States; or

''(xv) there are reasonable grounds for concluding the alien could avoid persecution by relocating to another part of the alien's country of nationality or, in the case of an alien having no nationality, another part of the alien's country of last habitual residence.

''(B) SPECIAL RULES.—

''(i) PARTICULARLY SERIOUS CRIME; SERIOUS NONPOLITICAL CRIME OUTSIDE THE UNITED STATES.—

''(I) IN GENERAL.—For purposes of subparagraph (A)(x), the Attorney General or Secretary of Homeland Security, in their discretion, may determine that a conviction constitutes a particularly serious crime based on—

''(aa) the nature of the conviction;

''(bb) the type of sentence imposed; or

''(cc) the circumstances and underlying facts of the conviction.

''(II) DETERMINATION.—In making a determination under subclause (I), the Attorney General or Secretary of Homeland Security may consider all reliable information and is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) TREATMENT OF FELONIES.—In making a determination under subclause (I), an alien who has been convicted of a felony (as defined under this section) or an aggravated felony (as defined under section 101(a)(43)), shall be considered to have been convicted of a particularly serious crime.

''(IV) INTERPOL RED NOTICE.—In making a determination under subparagraph (A)(xi), an Interpol Red Notice may constitute reliable evidence that the alien has committed a serious nonpolitical crime outside the United States.

''(ii) CRIMES AND EXCEPTIONS.—

''(I) DRIVING WHILE INTOXICATED OR IMPAIRED.—A finding under subparagraph (A)(vi) does not require the Attorney General or Secretary of Homeland Security to find the first conviction for driving while intoxicated or impaired (including a conviction for driving while under the influence of or impaired by alcohol or drugs) as a predicate offense. The Attorney General or Secretary of Homeland Security need only make a factual determination that the alien previously was convicted for driving while intoxicated or impaired as those terms are defined under the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs).

''(II) STALKING AND OTHER CRIMES.—In making a determination under subparagraph (A)(viii), including determining the existence of a domestic relationship between the alien and the victim, the underlying conduct of the crime may be considered, and the Attorney General or Secretary of Homeland Security is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) BATTERY OR EXTREME CRUELTY.—In making a determination under subparagraph (A)(ix), the phrase 'battery or extreme cruelty' includes—

''(aa) any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury;

''(bb) psychological or sexual abuse or exploitation, including rape, molestation, incest, or forced prostitution, shall be considered acts of violence; and

''(cc) other abusive acts, including acts that, in and of themselves, may not initially appear violent, but that are a part of an overall pattern of violence.

''(IV) EXCEPTION FOR VICTIMS OF DOMESTIC VIOLENCE.—An alien who was convicted of an offense described in clause (viii) or (ix) of subparagraph (A) is not ineligible for asylum on that basis if the alien satisfies the criteria under section 237(a)(7)(A).

''(C) SPECIFIC CIRCUMSTANCES.—Paragraph (1) shall not apply to an alien whose claim is based on—

''(i) personal animus or retribution, including personal animus in which the alleged persecutor has not targeted, or manifested an animus against, other members of an alleged particular social group in addition to the member who has raised the claim at issue;

''(ii) the applicant's generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations absent expressive behavior in furtherance of a discrete cause against such organizations related to control of a State or expressive behavior that is antithetical to the State or a legal unit of the State;

''(iii) the applicant's resistance to recruitment or coercion by guerrilla, criminal, gang, terrorist, or other non-state organizations;

''(iv) the targeting of the applicant for criminal activity for financial gain based on wealth or affluence or perceptions of wealth or affluence;

''(v) the applicant's criminal activity; or

''(vi) the applicant's perceived, past or present, gang affiliation.

''(D) DEFINITIONS AND CLARIFICATIONS.—

''(i) DEFINITIONS.—For purposes of this paragraph:

''(I) FELONY.—The term 'felony' means—

''(aa) any crime defined as a felony by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime punishable by more than one year of imprisonment.

''(II) MISDEMEANOR.—The term 'misdemeanor' means—

''(aa) any crime defined as a misdemeanor by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime not punishable by more than one year of imprisonment.

''(ii) CLARIFICATIONS.—

''(I) CONSTRUCTION.—For purposes of this paragraph, whether any activity or conviction also may constitute a basis for removal is immaterial to a determination of asylum eligibility.

''(II) ATTEMPT, CONSPIRACY, OR SOLICITATION.—For purposes of this paragraph, all references to a criminal offense or criminal conviction shall be deemed to include any attempt, conspiracy, or solicitation to commit the offense or any other inchoate form of the offense.

''(III) EFFECT OF CERTAIN ORDERS.—

''(aa) IN GENERAL.—No order vacating a conviction, modifying a sentence, clarifying a sentence, or otherwise altering a conviction or sentence shall have any effect under this paragraph unless the Attorney General or Secretary of Homeland Security determines that—

''(AA) the court issuing the order had jurisdiction and authority to do so; and

''(BB) the order was not entered for rehabilitative purposes or for purposes of ameliorating the immigration consequences of the conviction or sentence.

''(bb) AMELIORATING IMMIGRATION CONSEQUENCES.—For purposes of item (aa)(BB), the order shall be presumed to be for the purpose of ameliorating immigration consequences if—

''(AA) the order was entered after the initiation of any proceeding to remove the alien from the United States; or

''(BB) the alien moved for the order more than one year after the date of the original order of conviction or sentencing, whichever is later.

''(cc) AUTHORITY OF IMMIGRATION JUDGE.—An immigration judge is not limited to consideration only of material included in any order vacating a conviction, modifying a sentence, or clarifying a sentence to determine whether such order should be given any effect under this paragraph, but may consider such additional information as the immigration judge determines appropriate.

''(E) ADDITIONAL LIMITATIONS.—The Secretary of Homeland Security or the Attorney General may by regulation establish additional limitations and conditions, consistent with this section, under which an alien shall be ineligible for asylum under paragraph (1).

''(F) NO JUDICIAL REVIEW.—There shall be no judicial review of a determination of the Secretary of Homeland Security or the Attorney General under subparagraph (A)(xiii).''.

SEC. 1205. EMPLOYMENT AUTHORIZATION.

Paragraph (2) of section 208(d) of the Immigration and Nationality Act (8 U.S.C. 1158(d)) is amended to read as follows:

''(2) EMPLOYMENT AUTHORIZATION.—

''(A) AUTHORIZATION PERMITTED.—An applicant for asylum is not entitled to employment authorization, but such authorization may be provided under regulation by the Secretary of Homeland Security. An applicant who is not otherwise eligible for employment authorization shall not be granted such authorization prior to the date that is 180 days after the date of filing of the application for asylum.

''(B) TERMINATION.—Each grant of employment authorization under subparagraph (A), and any renewal or extension thereof, shall be valid for a period of 6 months, except that such authorization, renewal, or extension shall terminate prior to the end of such 6 month period as follows:

''(i) Immediately following the denial of an asylum application by an asylum officer, unless the case is referred to an immigration judge.

''(ii) 30 days after the date on which an immigration judge denies an asylum application, unless the alien timely appeals to the Board of Immigration Appeals.

''(iii) Immediately following the denial by the Board of Immigration Appeals of an appeal of a denial of an asylum application.

''(C) RENEWAL.—The Secretary of Homeland Security may not grant, renew, or extend employment authorization to an alien if the alien was previously granted employment authorization under subparagraph (A), and the employment authorization was terminated pursuant to a circumstance described in subparagraph (B)(i), (ii), or (iii), unless a Federal court of appeals remands the alien's case to the Board of Immigration Appeals.

''(D) INELIGIBILITY.—The Secretary of Homeland Security may not grant employment authorization to an alien under this paragraph if the alien—

''(i) is ineligible for asylum under subsection (b)(2)(A); or

''(ii) entered or attempted to enter the United States at a place and time other than lawfully through a United States port of entry.''.

SEC. 1206. ASYLUM FEES.

Paragraph (3) of section 208(d) of the Immigration and Nationality Act (8 U.S.C. 1158(d)) is amended to read as follows:

''(3) FEES.—

''(A) APPLICATION FEE.—A fee of not less than $50 for each application for asylum shall be imposed. Such fee shall not exceed the cost of adjudicating the application. Such fee shall not apply to an unaccompanied alien child who files an asylum application in proceedings under section 240.

''(B) EMPLOYMENT AUTHORIZATION.—A fee may also be imposed for the consideration of an application for employment authorization under this section and for adjustment of status under section 209(b). Such a fee shall not exceed the cost of adjudicating the application.

''(C) PAYMENT.—Fees under this paragraph may be assessed and paid over a period of time or by installments.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit the authority of the Attorney General or Secretary of Homeland Security to set adjudication and naturalization fees in accordance with section 286(m).''.

SEC. 1207. RULES FOR DETERMINING ASYLUM ELIGIBILITY.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended by adding at the end the following:

''(f) RULES FOR DETERMINING ASYLUM ELIGIBILITY.—In making a determination under subsection (b)(1)(A) with respect to whether an alien is a refugee within the meaning of section 101(a)(42)(A), the following shall apply:

''(1) PARTICULAR SOCIAL GROUP.—The Secretary of Homeland Security or the Attorney General shall not determine that an alien is a member of a particular social group unless the alien articulates on the record, or provides a basis on the record for determining, the definition and boundaries of the alleged particular social group, establishes that the particular social group exists independently from the alleged persecution, and establishes that the alien's claim of membership in a particular social group does not involve—

''(A) past or present criminal activity or association (including gang membership);

''(B) presence in a country with generalized violence or a high crime rate;

''(C) being the subject of a recruitment effort by criminal, terrorist, or persecutory groups;

''(D) the targeting of the applicant for criminal activity for financial gain based on perceptions of wealth or affluence;

''(E) interpersonal disputes of which governmental authorities in the relevant society or region were unaware or uninvolved;

''(F) private criminal acts of which governmental authorities in the relevant society or region were unaware or uninvolved;

''(G) past or present terrorist activity or association;

''(H) past or present persecutory activity or association; or

''(I) status as an alien returning from the United States.

''(2) POLITICAL OPINION.—The Secretary of Homeland Security or the Attorney General may not determine that an alien holds a political opinion with respect to which the alien is subject to persecution if the political opinion is constituted solely by generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations and does not include expressive behavior in furtherance of a cause against such organizations related to efforts by the State to control such organizations or behavior that is antithetical to or otherwise opposes the ruling legal entity of the State or a unit thereof.

''(3) PERSECUTION.—The Secretary of Homeland Security or the Attorney General may not determine that an alien has been subject to persecution or has a well-founded fear of persecution based only on—

''(A) the existence of laws or government policies that are unenforced or infrequently enforced, unless there is credible evidence that such a law or policy has been or would be applied to the applicant personally; or

''(B) the conduct of rogue foreign government officials acting outside the scope of their official capacity.

''(4) DISCRETIONARY DETERMINATION.—

''(A) ADVERSE DISCRETIONARY FACTORS.—The Secretary of Homeland Security or the Attorney General may only grant asylum to an alien if the alien establishes that he or she warrants a favorable exercise of discretion. In making such a determination, the Attorney General or Secretary of Homeland Security shall consider, if applicable, an alien's use of fraudulent documents to enter the United States, unless the alien arrived in the United States by air, sea, or land directly from the applicant's home country without transiting through any other country.

''(B) FAVORABLE EXERCISE OF DISCRETION NOT PERMITTED.—Except as provided in subparagraph (C), the Attorney General or Secretary of Homeland Security shall not favorably exercise discretion under this section for any alien who—

''(i) has accrued more than one year of unlawful presence in the United States, as defined in sections 212(a)(9)(B)(ii) and (iii), prior to filing an application for asylum;

''(ii) at the time the asylum application is filed with the immigration court or is referred from the Department of Homeland Security, has—

''(I) failed to timely file (or timely file a request for an extension of time to file) any required Federal, State, or local income tax returns;

''(II) failed to satisfy any outstanding Federal, State, or local tax obligations; or

''(III) income that would result in tax liability under section 1 of the Internal Revenue Code of 1986 and that was not reported to the Internal Revenue Service;

''(iii) has had two or more prior asylum applications denied for any reason;

''(iv) has withdrawn a prior asylum application with prejudice or been found to have abandoned a prior asylum application;

''(v) failed to attend an interview regarding his or her asylum application with the Department of Homeland Security, unless the alien shows by a preponderance of the evidence that—

''(I) exceptional circumstances prevented the alien from attending the interview; or

''(II) the interview notice was not mailed to the last address provided by the alien or the alien's representative and neither the alien nor the alien's representative received notice of the interview; or

''(vi) was subject to a final order of removal, deportation, or exclusion and did not file a motion to reopen to seek asylum based on changed country conditions within one year of the change in country conditions.

''(C) EXCEPTIONS.—If one or more of the adverse discretionary factors set forth in subparagraph (B) are present, the Attorney General or the Secretary, may, notwithstanding such subparagraph (B), favorably exercise discretion under section 208—

''(i) in extraordinary circumstances, such as those involving national security or foreign policy considerations; or

''(ii) if the alien, by clear and convincing evidence, demonstrates that the denial of the application for asylum would result in exceptional and extremely unusual hardship to the alien.

''(5) LIMITATION.—If the Secretary or the Attorney General determines that an alien fails to satisfy the requirement under paragraph (1), the alien may not be granted asylum based on membership in a particular social group, and may not appeal the determination of the Secretary or Attorney General, as applicable. A determination under this paragraph shall not serve as the basis for any motion to reopen or reconsider an application for asylum or withholding of removal for any reason, including a claim of ineffective assistance of counsel, unless the alien complies with the procedural requirements for such a motion and demonstrates that counsel's failure to define, or provide a basis for defining, a formulation of a particular social group was both not a strategic choice and constituted egregious conduct.

''(6) STEREOTYPES.—Evidence offered in support of an application for asylum that promotes cultural stereotypes about a country, its inhabitants, or an alleged persecutor, including stereotypes based on race, religion, nationality, or gender, shall not be admissible in adjudicating that application, except that evidence that an alleged persecutor holds stereotypical views of the applicant shall be admissible.

''(7) DEFINITIONS.—In this section:

''(A) The term 'membership in a particular social group' means membership in a group that is—

''(i) composed of members who share a common immutable characteristic;

''(ii) defined with particularity; and

''(iii) socially distinct within the society in question.

''(B) The term 'political opinion' means an ideal or conviction in support of the furtherance of a discrete cause related to political control of a state or a unit thereof.

''(C) The term 'persecution' means the infliction of a severe level of harm constituting an exigent threat by the government of a country or by persons or an organization that the government was unable or unwilling to control. Such term does not include—

''(i) generalized harm or violence that arises out of civil, criminal, or military strife in a country;

''(ii) all treatment that the United States regards as unfair, offensive, unjust, unlawful, or unconstitutional;

''(iii) intermittent harassment, including brief detentions;

''(iv) threats with no actual effort to carry out the threats, except that particularized threats of severe harm of an immediate and menacing nature made by an identified entity may constitute persecution; or

''(v) non-severe economic harm or property damage.''.

SEC. 1208. FIRM RESETTLEMENT.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), as amended by this subtitle, is further amended by adding at the end the following:

''(g) FIRM RESETTLEMENT.—In determining whether an alien was firmly resettled in another country prior to arriving in the United States under subsection (b)(2)(A)(xiv), the following shall apply:

''(1) IN GENERAL.—An alien shall be considered to have firmly resettled in another country if, after the events giving rise to the alien's asylum claim—

''(A) the alien resided in a country through which the alien transited prior to arriving in or entering the United States and—

''(i) received or was eligible for any permanent legal immigration status in that country;

''(ii) resided in such a country with any non-permanent but indefinitely renewable legal immigration status (including asylee, refugee, or similar status, but excluding status of a tourist); or

''(iii) resided in such a country and could have applied for and obtained an immigration status described in clause (ii);

''(B) the alien physically resided voluntarily, and without continuing to suffer persecution or torture, in any one country for one year or more after departing his country of nationality or last habitual residence and prior to arrival in or entry into the United States, except for any time spent in Mexico by an alien who is not a native or citizen of Mexico solely as a direct result of being returned to Mexico pursuant to section 235(b)(3) or of being subject to metering; or

''(C) the alien is a citizen of a country other than the country in which the alien alleges a fear of persecution, or was a citizen of such a country in the case of an alien who renounces such citizenship, and the alien was present in that country after departing his country of nationality or last habitual residence and prior to arrival in or entry into the United States.

''(2) BURDEN OF PROOF.—If an immigration judge determines that an alien has firmly resettled in another country under paragraph (1), the alien shall bear the burden of proving the bar does not apply.

''(3) FIRM RESETTLEMENT OF PARENT.—An alien shall be presumed to have been firmly resettled in another country if the alien's parent was firmly resettled in another country, the parent's resettlement occurred before the alien turned 18 years of age, and the alien resided with such parent at the time of the firm resettlement, unless the alien establishes that he or she could not have derived any permanent legal immigration status or any non-permanent but indefinitely renewable legal immigration status (including asylum, refugee, or similar status, but excluding status of a tourist) from the alien's parent.''.

SEC. 1209. NOTICE CONCERNING FRIVOLOUS ASYLUM APPLICATIONS.

(a) IN GENERAL.—Section 208(d)(4) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(4)) is amended—

(1) in the matter preceding subparagraph (A), by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General'';

(2) in subparagraph (A), by striking ''and of the consequences, under paragraph (6), of knowingly filing a frivolous application for asylum; and'' and inserting a semicolon;

(3) in subparagraph (B), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(C) ensure that a written warning appears on the asylum application advising the alien of the consequences of filing a frivolous application and serving as notice to the alien of the consequence of filing a frivolous application.''.

(b) CONFORMING AMENDMENT.—Section 208(d)(6) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(6)) is amended by striking ''If the'' and all that follows and inserting:

''(A) IN GENERAL.—If the Secretary of Homeland Security or the Attorney General determines that an alien has knowingly made a frivolous application for asylum and the alien has received the notice under paragraph (4)(C), the alien shall be permanently ineligible for any benefits under this chapter, effective as the date of the final determination of such an application.

''(B) CRITERIA.—An application is frivolous if the Secretary of Homeland Security or the Attorney General determines, consistent with subparagraph (C), that—

''(i) it is so insufficient in substance that it is clear that the applicant knowingly filed the application solely or in part to delay removal from the United States, to seek employment authorization as an applicant for asylum pursuant to regulations issued pursuant to paragraph (2), or to seek issuance of a Notice to Appear in order to pursue Cancellation of Removal under section 240A(b); or

''(ii) any of the material elements are knowingly fabricated.

''(C) SUFFICIENT OPPORTUNITY TO CLARIFY.—In determining that an application is frivolous, the Secretary or the Attorney General, must be satisfied that the applicant, during the course of the proceedings, has had sufficient opportunity to clarify any discrepancies or implausible aspects of the claim.

''(D) WITHHOLDING OF REMOVAL NOT PRECLUDED.—For purposes of this section, a finding that an alien filed a frivolous asylum application shall not preclude the alien from seeking withholding of removal under section 241(b)(3) or protection pursuant to the Convention Against Torture.''.

SEC. 1210. TECHNICAL AMENDMENTS.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(D), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(B) in paragraph (3), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(C) in paragraph (3), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(3) in subsection (d)—

(A) in paragraph (1), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General'' each place such term appears; and

(B) in paragraph (5)—

(i) in subparagraph (A), by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(ii) in subparagraph (B), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''.

SEC. 1211. REQUIREMENT FOR PROCEDURES RELATING TO CERTAIN ASYLUM APPLICATIONS.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Attorney General shall establish procedures to expedite the adjudication of asylum applications for aliens—

(1) who are subject to removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a); and

(2) who are nationals of a Western Hemisphere country sanctioned by the United States, as described in subsection (b), as of January 1, 2023.

(b) WESTERN HEMISPHERE COUNTRY SANCTIONED BY THE UNITED STATES DESCRIBED.—Subsection (a) shall apply only to an asylum application filed by an alien who is a national of a Western Hemisphere country subject to sanctions pursuant to—

(1) the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6021 note);

(2) the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform Act of 2021 or the RENACER Act (50 U.S.C. 1701 note); or

(3) Executive Order 13692 (80 Fed. Reg. 12747; declaring a national emergency with respect to the situation in Venezuela).

(c) APPLICABILITY.—This section shall only apply to an alien who files an application for asylum after the date of the enactment of this Act.

Subtitle B—Border Safety and Migrant Protection

SEC. 1221. INSPECTION OF APPLICANTS FOR ADMISSION.

Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clauses (i) and (ii), by striking ''section 212(a)(6)(C)'' inserting ''subparagraph (A) or (C) of section 212(a)(6)''; and

(II) by adding at the end the following:

''(iv) INELIGIBILITY FOR PAROLE.—An alien described in clause (i) or (ii) shall not be eligible for parole except as expressly authorized pursuant to section 212(d)(5), or for parole or release pursuant to section 236(a).''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking ''asylum.'' and inserting ''asylum and shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).''; and

(II) in clause (iii)(IV)—

(aa) in the header by striking ''DETENTION'' and inserting ''DETENTION, RETURN, OR REMOVAL''; and

(bb) by adding at the end the following: ''The alien shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''Subject to subparagraphs (B) and (C),'' and inserting ''Subject to subparagraph (B) and paragraph (3),''; and

(II) by adding at the end the following: ''The alien shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).''; and

(ii) by striking subparagraph (C);

(C) by redesignating paragraph (3) as paragraph (5); and

(D) by inserting after paragraph (2) the following:

''(3) RETURN TO FOREIGN TERRITORY CONTIGUOUS TO THE UNITED STATES.—

''(A) IN GENERAL.—The Secretary of Homeland Security may return to a foreign territory contiguous to the United States any alien arriving on land from that territory (whether or not at a designated port of entry) pending a proceeding under section 240 or review of a determination under subsection (b)(1)(B)(iii)(III).

''(B) MANDATORY RETURN.—If at any time the Secretary of Homeland Security cannot—

''(i) comply with its obligations to detain an alien as required under clauses (ii) and (iii)(IV) of subsection (b)(1)(B) and subsection (b)(2)(A); or

''(ii) remove an alien to a country described in section 208(a)(2)(A),

the Secretary of Homeland Security shall, without exception, including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5), return to a foreign territory contiguous to the United States any alien arriving on land from that territory (whether or not at a designated port of entry) pending a proceeding under section 240 or review of a determination under subsection (b)(1)(B)(iii)(III).

''(4) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—The attorney general of a State, or other authorized State officer, alleging a violation of the detention, return, or removal requirements under paragraph (1), (2), or (3) that affects such State or its residents, may bring an action against the Secretary of Homeland Security on behalf of the residents of the State in an appropriate United States district court to obtain appropriate injunctive relief.''; and

(2) by adding at the end the following:

''(e) AUTHORITY TO PROHIBIT INTRODUCTION OF CERTAIN ALIENS.—If the Secretary of Homeland Security determines, in his discretion, that the prohibition of the introduction of aliens who are inadmissible under subparagraph (A) or (C) of section 212(a)(6) or under section 212(a)(7) at an international land or maritime border of the United States is necessary to achieve operational control (as defined in section 2 of the Secure Fence Act of 2006 (8 U.S.C. 1701 note)) of such border, the Secretary may prohibit, in whole or in part, the introduction of such aliens at such border for such period of time as the Secretary determines is necessary for such purpose.''.

SEC. 1222. OPERATIONAL DETENTION FACILITIES.

(a) IN GENERAL.—Not later than September 30, 2023, the Secretary of Homeland Security shall take all necessary actions to reopen or restore all U.S. Immigration and Customs Enforcement detention facilities that were in operation on January 20, 2021, that subsequently closed or with respect to which the use was altered, reduced, or discontinued after January 20, 2021. In carrying out the requirement under this subsection, the Secretary may use the authority under section 103(a)(11) of the Immigration and Nationality Act (8 U.S.C. 1103(a)(11)).

(b) SPECIFIC FACILITIES.—The requirement under subsection (a) shall include at a minimum, reopening, or restoring, the following facilities:

(1) Irwin County Detention Center in Georgia.

(2) C. Carlos Carreiro Immigration Detention Center in Bristol County, Massachusetts.

(3) Etowah County Detention Center in Gadsden, Alabama.

(4) Glades County Detention Center in Moore Haven, Florida.

(5) South Texas Family Residential Center.

(c) EXCEPTION.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Secretary of Homeland Security is authorized to obtain equivalent capacity for detention facilities at locations other than those listed in subsection (b).

(2) LIMITATION.—The Secretary may not take action under paragraph (1) unless the capacity obtained would result in a reduction of time and cost relative to the cost and time otherwise required to obtain such capacity.

(3) SOUTH TEXAS FAMILY RESIDENTIAL CENTER.—The exception under paragraph (1) shall not apply to the South Texas Family Residential Center. The Secretary shall take all necessary steps to modify and operate the South Texas Family Residential Center in the same manner and capability it was operating on January 20, 2021.

(d) PERIODIC REPORT.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until September 30, 2027, the Secretary of Homeland Security shall submit to the appropriate congressional committees a detailed plan for and a status report on—

(1) compliance with the deadline under subsection (a);

(2) the increase in detention capabilities required by this section—

(A) for the 90 day period immediately preceding the date such report is submitted; and

(B) for the period beginning on the first day of the fiscal year during which the report is submitted, and ending on the date such report is submitted;

(3) the number of detention beds that were used and the number of available detention beds that were not used during—

(A) the 90 day period immediately preceding the date such report is submitted; and

(B) the period beginning on the first day of the fiscal year during which the report is submitted, and ending on the date such report is submitted;

(4) the number of aliens released due to a lack of available detention beds; and

(5) the resources the Department of Homeland Security needs in order to comply with the requirements under this section.

(e) NOTIFICATION.—The Secretary of Homeland Security shall notify Congress, and include with such notification a detailed description of the resources the Department of Homeland Security needs in order to detain all aliens whose detention is mandatory or nondiscretionary under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.)—

(1) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach 90 percent of capacity;

(2) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach 95 percent of capacity; and

(3) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach full capacity.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on the Judiciary of the House of Representatives;

(2) the Committee on Appropriations of the House of Representatives;

(3) the Committee on the Judiciary of the Senate; and

(4) the Committee on Appropriations of the Senate.

Subtitle C—Preventing Uncontrolled Migration Flows in the Western Hemisphere

SEC. 1231. UNITED STATES POLICY REGARDING WESTERN HEMISPHERE COOPERATION ON IMMIGRATION AND ASYLUM.

It is the policy of the United States to enter into agreements, accords, and memoranda of understanding with countries in the Western Hemisphere, the purposes of which are to advance the interests of the United States by reducing costs associated with illegal immigration and to protect the human capital, societal traditions, and economic growth of other countries in the Western Hemisphere. It is further the policy of the United States to ensure that humanitarian and development assistance funding aimed at reducing illegal immigration is not expended on programs that have not proven to reduce illegal immigrant flows in the aggregate.

SEC. 1232. NEGOTIATIONS BY SECRETARY OF STATE.

(a) AUTHORIZATION TO NEGOTIATE.—The Secretary of State shall seek to negotiate agreements, accords, and memoranda of understanding between the United States, Mexico, Honduras, El Salvador, Guatemala, and other countries in the Western Hemisphere with respect to cooperation and burden sharing required for effective regional immigration enforcement, expediting legal claims by aliens for asylum, and the processing, detention, and repatriation of foreign nationals seeking to enter the United States unlawfully. Such agreements shall be designed to facilitate a regional approach to immigration enforcement and shall, at a minimum, provide that—

(1) the Government of Mexico authorize and accept the rapid entrance into Mexico of nationals of countries other than Mexico who seek asylum in Mexico, and process the asylum claims of such nationals inside Mexico, in accordance with both domestic law and international treaties and conventions governing the processing of asylum claims;

(2) the Government of Mexico authorize and accept both the rapid entrance into Mexico of all nationals of countries other than Mexico who are ineligible for asylum in Mexico and wish to apply for asylum in the United States, whether or not at a port of entry, and the continued presence of such nationals in Mexico while they wait for the adjudication of their asylum claims to conclude in the United States;

(3) the Government of Mexico commit to provide the individuals described in paragraphs (1) and (2) with appropriate humanitarian protections;

(4) the Government of Honduras, the Government of El Salvador, and the Government of Guatemala each authorize and accept the entrance into the respective countries of nationals of other countries seeking asylum in the applicable such country and process such claims in accordance with applicable domestic law and international treaties and conventions governing the processing of asylum claims;

(5) the Government of the United States commit to work to accelerate the adjudication of asylum claims and to conclude removal proceedings in the wake of asylum adjudications as expeditiously as possible;

(6) the Government of the United States commit to continue to assist the governments of countries in the Western Hemisphere, such as the Government of Honduras, the Government of El Salvador, and the Government of Guatemala, by supporting the enhancement of asylum capacity in those countries; and

(7) the Government of the United States commit to monitoring developments in hemispheric immigration trends and regional asylum capabilities to determine whether additional asylum cooperation agreements are warranted.

(b) NOTIFICATION IN ACCORDANCE WITH CASE-ZABLOCKI ACT.—The Secretary of State shall, in accordance with section 112b of title 1, United States Code, promptly inform the relevant congressional committees of each agreement entered into pursuant to subsection (a). Such notifications shall be submitted not later than 48 hours after such agreements are signed.

(c) ALIEN DEFINED.—In this section, the term ''alien'' has the meaning given such term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

SEC. 1233. MANDATORY BRIEFINGS ON UNITED STATES EFFORTS TO ADDRESS THE BORDER CRISIS.

(a) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 90 days thereafter until the date described in subsection (b), the Secretary of State, or the designee of the Secretary of State, shall provide to the appropriate congressional committees an in-person briefing on efforts undertaken pursuant to the negotiation authority provided by section 1232 to monitor, deter, and prevent illegal immigration to the United States, including by entering into agreements, accords, and memoranda of understanding with foreign countries and by using United States foreign assistance to stem the root causes of migration in the Western Hemisphere.

(b) TERMINATION OF MANDATORY BRIEFING.—The date described in this subsection is the date on which the Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, determines and certifies to the appropriate congressional committees that illegal immigration flows have subsided to a manageable rate.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

Subtitle D—Ensuring United Families at the Border

SEC. 1241. CLARIFICATION OF STANDARDS FOR FAMILY DETENTION.

(a) IN GENERAL.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended by adding at the end the following:

''(j) CONSTRUCTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, judicial determination, consent decree, or settlement agreement, the detention of any alien child who is not an unaccompanied alien child shall be governed by sections 217, 235, 236, and 241 of the Immigration and Nationality Act (8 U.S.C. 1187, 1225, 1226, and 1231). There is no presumption that an alien child who is not an unaccompanied alien child should not be detained.

''(2) FAMILY DETENTION.—The Secretary of Homeland Security shall—

''(A) maintain the care and custody of an alien, during the period during which the charges described in clause (i) are pending, who—

''(i) is charged only with a misdemeanor offense under section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)); and

''(ii) entered the United States with the alien's child who has not attained 18 years of age; and

''(B) detain the alien with the alien's child.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the amendments in this section to section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) are intended to satisfy the requirements of the Settlement Agreement in Flores v. Meese, No. 85–4544 (C.D. Cal), as approved by the court on January 28, 1997, with respect to its interpretation in Flores v. Johnson, 212 F. Supp. 3d 864 (C.D. Cal. 2015), that the agreement applies to accompanied minors.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to all actions that occur before, on, or after such date.

(d) PREEMPTION OF STATE LICENSING REQUIREMENTS.—Notwithstanding any other provision of law, judicial determination, consent decree, or settlement agreement, no State may require that an immigration detention facility used to detain children who have not attained 18 years of age, or families consisting of one or more of such children and the parents or legal guardians of such children, that is located in that State, be licensed by the State or any political subdivision thereof.

Subtitle E—Protection of Children

SEC. 1251. FINDINGS.

Congress makes the following findings:

(1) Implementation of the provisions of the Trafficking Victims Protection Reauthorization Act of 2008 that govern unaccompanied alien children has incentivized multiple surges of unaccompanied alien children arriving at the southwest border in the years since the bill's enactment.

(2) The provisions of the Trafficking Victims Protection Reauthorization Act of 2008 that govern unaccompanied alien children treat unaccompanied alien children from countries that are contiguous to the United States disparately by swiftly returning them to their home country absent indications of trafficking or a credible fear of return, but allowing for the release of unaccompanied alien children from noncontiguous countries into the interior of the United States, often to those individuals who paid to smuggle them into the country in the first place.

(3) The provisions of the Trafficking Victims Protection Reauthorization Act of 2008 governing unaccompanied alien children have enriched the cartels, who profit hundreds of millions of dollars each year by smuggling unaccompanied alien children to the southwest border, exploiting and sexually abusing many such unaccompanied alien children on the perilous journey.

(4) Prior to 2008, the number of unaccompanied alien children encountered at the southwest border never exceeded 1,000 in a single year.

(5) The United States is currently in the midst of the worst crisis of unaccompanied alien children in our nation's history, with over 350,000 such unaccompanied alien children encountered at the southwest border since Joe Biden became President.

(6) In 2022, during the Biden Administration, 152,057 unaccompanied alien children were encountered, the most ever in a single year and an over 400 percent increase compared to the last full fiscal year of the Trump Administration in which 33,239 unaccompanied alien children were encountered.

(7) The Biden Administration has lost contact with at least 85,000 unaccompanied alien children who entered the United States since Joe Biden took office.

(8) The Biden Administration dismantled effective safeguards put in place by the Trump Administration that protected unaccompanied alien children from being abused by criminals or exploited for illegal and dangerous child labor.

(9) A recent New York Times investigation found that unaccompanied alien children are

being exploited in the labor market and ''are ending up in some of the most punishing jobs in the country.''.

(10) The Times investigation found unaccompanied alien children, ''under intense pressure to earn money'' in order to ''send cash back to their families while often being in debt to their sponsors for smuggling fees, rent, and living expenses,'' feared ''that they had become trapped in circumstances they never could have imagined.''.

(11) The Biden Administration's Department of Health and Human Services Secretary Xavier Becerra compared placing unaccompanied alien children with sponsors, to widgets in an assembly line, stating that, ''If Henry Ford had seen this in his plant, he would have never become famous and rich. This is not the way you do an assembly line.''.

(12) Department of Health and Human Services employees working under Secretary Xavier Becerra's leadership penned a July 2021 memorandum expressing serious concern that ''labor trafficking was increasing'' and that the agency had become ''one that rewards individuals for making quick releases, and not one that rewards individuals for preventing unsafe releases.''.

(13) Despite this, Secretary Xavier Becerra pressured then-Director of the Office of Refugee Resettlement Cindy Huang to prioritize releases of unaccompanied alien children over ensuring their safety, telling her ''if she could not increase the number of discharges he would find someone who could'' and then-Director Huang resigned one month later.

(14) In June 2014, the Obama-Biden Administration requested legal authority to exercise discretion in returning and removing unaccompanied alien children from non-contiguous countries back to their home countries.

(15) In August 2014, the House of Representatives passed H.R. 5320, which included the Protection of Children Act.

(16) This subtitle ends the disparate policies of the Trafficking Victims Protection Reauthorization Act of 2008 by ensuring the swift return of all unaccompanied alien children to their country of origin if they are not victims of trafficking and do not have a fear of return.

SEC. 1252. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by amending the heading to read as follows: ''RULES FOR UNACCOMPANIED ALIEN CHILDREN.—'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''who is a national or habitual resident of a country that is contiguous with the United States'';

(II) in clause (i), by inserting ''and'' at the end;

(III) in clause (ii), by striking ''; and'' and inserting a period; and

(IV) by striking clause (iii); and

(iii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''(8 U.S.C. 1101 et seq.) may—'' and inserting ''(8 U.S.C. 1101 et seq.)—'';

(II) in clause (i), by inserting before ''permit such child to withdraw'' the following: ''may''; and

(III) in clause (ii), by inserting before ''return such child'' the following: ''shall''; and

(B) in paragraph (5)(D)—

(i) in the matter preceding clause (i), by striking '', except for an unaccompanied alien child from a contiguous country subject to exceptions under subsection (a)(2),'' and inserting ''who does not meet the criteria listed in paragraph (2)(A)''; and

(ii) in clause (i), by inserting before the semicolon at the end the following: '', which shall include a hearing before an immigration judge not later than 14 days after being screened under paragraph (4)'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting before the semicolon the following: ''believed not to meet the criteria listed in subsection (a)(2)(A)''; and

(ii) in subparagraph (B), by inserting before the period the following: ''and does not meet the criteria listed in subsection (a)(2)(A)''; and

(B) in paragraph (3), by striking ''an unaccompanied alien child in custody shall'' and all that follows, and inserting the following: ''an unaccompanied alien child in custody—

''(A) in the case of a child who does not meet the criteria listed in subsection (a)(2)(A), shall transfer the custody of such child to the Secretary of Health and Human Services not later than 30 days after determining that such child is an unaccompanied alien child who does not meet such criteria; or

''(B) in the case of a child who meets the criteria listed in subsection (a)(2)(A), may transfer the custody of such child to the Secretary of Health and Human Services after determining that such child is an unaccompanied alien child who meets such criteria.''; and

(3) in subsection (c)—

(A) in paragraph (3), by inserting at the end the following:

''(D) INFORMATION ABOUT INDIVIDUALS WITH WHOM CHILDREN ARE PLACED.—

''(i) INFORMATION TO BE PROVIDED TO HOMELAND SECURITY.—Before placing a child with an individual, the Secretary of Health and Human Services shall provide to the Secretary of Homeland Security, regarding the individual with whom the child will be placed, information on—

''(I) the name of the individual;

''(II) the social security number of the individual;

''(III) the date of birth of the individual;

''(IV) the location of the individual's residence where the child will be placed;

''(V) the immigration status of the individual, if known; and

''(VI) contact information for the individual.

''(ii) ACTIVITIES OF THE SECRETARY OF HOMELAND SECURITY.—Not later than 30 days after receiving the information listed in clause (i), the Secretary of Homeland Security, upon determining that an individual with whom a child is placed is unlawfully present in the United States and not in removal proceedings pursuant to chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), shall initiate such removal proceedings.''; and

(B) in paragraph (5)—

(i) by inserting after ''to the greatest extent practicable'' the following: ''(at no expense to the Government)''; and

(ii) by striking ''have counsel to represent them'' and inserting ''have access to counsel to represent them''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any unaccompanied alien child (as such term is defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) apprehended on or after the date that is 30 days after the date of the enactment of this Act.

SEC. 1253. SPECIAL IMMIGRANT JUVENILE STATUS FOR IMMIGRANTS UNABLE TO REUNITE WITH EITHER PARENT.

Section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) is amended—

(1) in clause (i), by striking '', and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law''; and

(2) in clause (iii)—

(A) in subclause (I), by striking ''and'' at the end;

(B) in subclause (II), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(III) an alien may not be granted special immigrant status under this subparagraph if the alien's reunification with any one parent or legal guardian is not precluded by abuse, neglect, abandonment, or any similar cause under State law;''.

SEC. 1254. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to limit the following procedures or practices relating to an unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))):

(1) Screening of such a child for a credible fear of return to his or her country of origin.

(2) Screening of such a child to determine whether he or she was a victim of trafficking.

(3) Department of Health and Human Services policy in effect on the date of the enactment of this Act requiring a home study for such a child if he or she is under 12 years of age.

Subtitle F—Visa Overstays Penalties

SEC. 1261. EXPANDED PENALTIES FOR ILLEGAL ENTRY OR PRESENCE.

Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended—

(1) in subsection (a) by inserting after ''for a subsequent commission of any such offense'' the following: ''or if the alien was previously convicted of an offense under subsection (e)(2)(A)'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''at least $50 and not more than $250'' and inserting ''not less than $500 and not more than $1,000''; and

(B) in paragraph (2), by inserting after ''in the case of an alien who has been previously subject to a civil penalty under this subsection'' the following: ''or subsection (e)(2)(B)''; and

(3) by adding at the end the following:

''(e) VISA OVERSTAYS.—

''(1) IN GENERAL.—An alien who was admitted as a nonimmigrant has violated this paragraph if the alien, for an aggregate of 10 days or more, has failed—

''(A) to maintain the nonimmigrant status in which the alien was admitted, or to which it was changed under section 248, including complying with the period of stay authorized by the Secretary of Homeland Security in connection with such status; or

''(B) to comply otherwise with the conditions of such nonimmigrant status.

''(2) PENALTIES.—An alien who has violated paragraph (1)—

''(A) shall—

''(i) for the first commission of such a violation, be fined under title 18, United States Code, or imprisoned not more than 6 months, or both; and

''(ii) for a subsequent commission of such a violation, or if the alien was previously convicted of an offense under subsection (a), be fined under such title 18, or imprisoned not more than 2 years, or both; and

''(B) in addition to, and not in lieu of, any penalty under subparagraph (A) and any

other criminal or civil penalties that may be imposed, shall be subject to a civil penalty of—

''(i) not less than $500 and not more than $1,000 for each violation; or

''(ii) twice the amount specified in clause (i), in the case of an alien who has been previously subject to a civil penalty under this subparagraph or subsection (b).''.

Subtitle G—Immigration Parole Reform

SEC. 1271. IMMIGRATION PAROLE REFORM.

Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended to read as follows:

''(5)(A) Except as provided in subparagraphs (B) and (C) and section 214(f), the Secretary of Homeland Security, in the discretion of the Secretary, may temporarily parole into the United States any alien applying for admission to the United States who is not present in the United States, under such conditions as the Secretary may prescribe, on a case-by-case basis, and not according to eligibility criteria describing an entire class of potential parole recipients, for urgent humanitarian reasons or significant public benefit. Parole granted under this subparagraph may not be regarded as an admission of the alien. When the purposes of such parole have been served in the opinion of the Secretary, the alien shall immediately return or be returned to the custody from which the alien was paroled. After such return, the case of the alien shall be dealt with in the same manner as the case of any other applicant for admission to the United States.

''(B) The Secretary of Homeland Security may grant parole to any alien who—

''(i) is present in the United States without lawful immigration status;

''(ii) is the beneficiary of an approved petition under section 203(a);

''(iii) is not otherwise inadmissible or removable; and

''(iv) is the spouse or child of a member of the Armed Forces serving on active duty.

''(C) The Secretary of Homeland Security may grant parole to any alien—

''(i) who is a national of the Republic of Cuba and is living in the Republic of Cuba;

''(ii) who is the beneficiary of an approved petition under section 203(a);

''(iii) for whom an immigrant visa is not immediately available;

''(iv) who meets all eligibility requirements for an immigrant visa;

''(v) who is not otherwise inadmissible; and

''(vi) who is receiving a grant of parole in furtherance of the commitment of the United States to the minimum level of annual legal migration of Cuban nationals to the United States specified in the U.S.-Cuba Joint Communiqué on Migration, done at New York September 9, 1994, and reaffirmed in the Cuba-United States: Joint Statement on Normalization of Migration, Building on the Agreement of September 9, 1994, done at New York May 2, 1995.

''(D) The Secretary of Homeland Security may grant parole to an alien who is returned to a contiguous country under section 235(b)(3) to allow the alien to attend the alien's immigration hearing. The grant of parole shall not exceed the time required for the alien to be escorted to, and attend, the alien's immigration hearing scheduled on the same calendar day as the grant, and to immediately thereafter be escorted back to the contiguous country. A grant of parole under this subparagraph shall not be considered for purposes of determining whether the alien is inadmissible under this Act.

''(E) For purposes of determining an alien's eligibility for parole under subparagraph (A), an urgent humanitarian reason shall be limited to circumstances in which the alien establishes that—

''(i)(I) the alien has a medical emergency; and

''(II)(aa) the alien cannot obtain necessary treatment in the foreign state in which the alien is residing; or

''(bb) the medical emergency is life-threatening and there is insufficient time for the alien to be admitted to the United States through the normal visa process;

''(ii) the alien is the parent or legal guardian of an alien described in clause (i) and the alien described in clause (i) is a minor;

''(iii) the alien is needed in the United States in order to donate an organ or other tissue for transplant and there is insufficient time for the alien to be admitted to the United States through the normal visa process;

''(iv) the alien has a close family member in the United States whose death is imminent and the alien could not arrive in the United States in time to see such family member alive if the alien were to be admitted to the United States through the normal visa process;

''(v) the alien is seeking to attend the funeral of a close family member and the alien could not arrive in the United States in time to attend such funeral if the alien were to be admitted to the United States through the normal visa process;

''(vi) the alien is an adopted child with an urgent medical condition who is in the legal custody of the petitioner for a final adoption-related visa and whose medical treatment is required before the expected award of a final adoption-related visa; or

''(vii) the alien is a lawful applicant for adjustment of status under section 245 and is returning to the United States after temporary travel abroad.

''(F) For purposes of determining an alien's eligibility for parole under subparagraph (A), a significant public benefit may be determined to result from the parole of an alien only if—

''(i) the alien has assisted (or will assist, whether knowingly or not) the United States Government in a law enforcement matter;

''(ii) the alien's presence is required by the Government in furtherance of such law enforcement matter; and

''(iii) the alien is inadmissible, does not satisfy the eligibility requirements for admission as a nonimmigrant, or there is insufficient time for the alien to be admitted to the United States through the normal visa process.

''(G) For purposes of determining an alien's eligibility for parole under subparagraph (A), the term 'case-by-case basis' means that the facts in each individual case are considered and parole is not granted based on membership in a defined class of aliens to be granted parole. The fact that aliens are considered for or granted parole one-by-one and not as a group is not sufficient to establish that the parole decision is made on a 'case-by-case basis'.

''(H) The Secretary of Homeland Security may not use the parole authority under this paragraph to parole an alien into the United States for any reason or purpose other than those described in subparagraphs (B), (C), (D), (E), and (F).

''(I) An alien granted parole may not accept employment, except that an alien granted parole pursuant to subparagraph (B) or (C) is authorized to accept employment for the duration of the parole, as evidenced by an employment authorization document issued by the Secretary of Homeland Security.

''(J) Parole granted after a departure from the United States shall not be regarded as an admission of the alien. An alien granted parole, whether as an initial grant of parole or parole upon reentry into the United States, is not eligible to adjust status to lawful permanent residence or for any other immigration benefit if the immigration status the alien had at the time of departure did not authorize the alien to adjust status or to be eligible for such benefit.

''(K)(i) Except as provided in clauses (ii) and (iii), parole shall be granted to an alien under this paragraph for the shorter of—

''(I) a period of sufficient length to accomplish the activity described in subparagraph (D), (E), or (F) for which the alien was granted parole; or

''(II) 1 year.

''(ii) Grants of parole pursuant to subparagraph (A) may be extended once, in the discretion of the Secretary, for an additional period that is the shorter of—

''(I) the period that is necessary to accomplish the activity described in subparagraph (E) or (F) for which the alien was granted parole; or

''(II) 1 year.

''(iii) Aliens who have a pending application to adjust status to permanent residence under section 245 may request extensions of parole under this paragraph, in 1-year increments, until the application for adjustment has been adjudicated. Such parole shall terminate immediately upon the denial of such adjustment application.

''(L) Not later than 90 days after the last day of each fiscal year, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives and make available to the public, a report—

''(i) identifying the total number of aliens paroled into the United States under this paragraph during the previous fiscal year; and

''(ii) containing information and data regarding all aliens paroled during such fiscal year, including—

''(I) the duration of parole;

''(II) the type of parole; and

''(III) the current status of the aliens so paroled.''.

SEC. 1272. IMPLEMENTATION.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle and the amendments made by this subtitle shall take effect on the date that is 30 days after the date of the enactment of this Act.

(b) EXCEPTIONS.—Notwithstanding subsection (a), each of the following exceptions apply:

(1) Any application for parole or advance parole filed by an alien before the date of the enactment of this Act shall be adjudicated under the law that was in effect on the date on which the application was properly filed and any approved advance parole shall remain valid under the law that was in effect on the date on which the advance parole was approved.

(2) Section 212(d)(5)(J) of the Immigration and Nationality Act, as added by section 1271, shall take effect on the date of the enactment of this Act.

(3) Aliens who were paroled into the United States pursuant to section 212(d)(5)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)(A)) before January 1, 2023, shall continue to be subject to the terms of parole that were in effect on the date on which their respective parole was approved.

SEC. 1273. CAUSE OF ACTION.

Any person, State, or local government that experiences financial harm in excess of $1,000 due to a failure of the Federal Government to lawfully apply the provisions of this subtitle or the amendments made by this subtitle shall have standing to bring a civil action against the Federal Government in an appropriate district court of the United States for appropriate relief.

SEC. 1274. SEVERABILITY.

If any provision of this subtitle or any amendment by this subtitle, or the application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this subtitle and the application of such provision or amendment to any other person or circumstance shall not be affected.

Subtitle H—Legal Workforce

SEC. 1281. EMPLOYMENT ELIGIBILITY VERIFICATION PROCESS.

(a) IN GENERAL.—Section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)) is amended to read as follows:

''(b) EMPLOYMENT ELIGIBILITY VERIFICATION PROCESS.—

''(1) NEW HIRES, RECRUITMENT, AND REFERRAL.—The requirements referred to in paragraphs (1)(B) and (3) of subsection (a) are, in the case of a person or other entity hiring, recruiting, or referring an individual for employment in the United States, the following:

''(A) ATTESTATION AFTER EXAMINATION OF DOCUMENTATION.—

''(i) ATTESTATION.—During the verification period (as defined in subparagraph (E)), the person or entity shall attest, under penalty of perjury and on a form, including electronic format, designated or established by the Secretary by regulation not later than 6 months after the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, that it has verified that the individual is not an unauthorized alien by—

''(I) obtaining from the individual the individual's social security account number or United States passport number and recording the number on the form (if the individual claims to have been issued such a number), and, if the individual does not attest to United States nationality under subparagraph (B), obtaining such identification or authorization number established by the Department of Homeland Security for the alien as the Secretary of Homeland Security may specify, and recording such number on the form; and

''(II) examining—

''(aa) a document relating to the individual presenting it described in clause (ii); or

''(bb) a document relating to the individual presenting it described in clause (iii) and a document relating to the individual presenting it described in clause (iv).

''(ii) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION AND ESTABLISHING IDENTITY.—A document described in this subparagraph is an individual's—

''(I) unexpired United States passport or passport card;

''(II) unexpired permanent resident card that contains a photograph;

''(III) unexpired employment authorization card that contains a photograph;

''(IV) in the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I–94 or Form I–94A, or other documentation as designated by the Secretary specifying the alien's nonimmigrant status as long as the period of status has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified in the documentation;

''(V) passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I–94 or Form I–94A, or other documentation as designated by the Secretary, indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI; or

''(VI) other document designated by the Secretary of Homeland Security, if the document—

''(aa) contains a photograph of the individual and biometric identification data from the individual and such other personal identifying information relating to the individual as the Secretary of Homeland Security finds, by regulation, sufficient for purposes of this clause;

''(bb) is evidence of authorization of employment in the United States; and

''(cc) contains security features to make it resistant to tampering, counterfeiting, and fraudulent use.

''(iii) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION.—A document described in this subparagraph is an individual's social security account number card (other than such a card which specifies on the face that the issuance of the card does not authorize employment in the United States).

''(iv) DOCUMENTS ESTABLISHING IDENTITY OF INDIVIDUAL.—A document described in this subparagraph is—

''(I) an individual's unexpired State issued driver's license or identification card if it contains a photograph and information such as name, date of birth, gender, height, eye color, and address;

''(II) an individual's unexpired United States military identification card;

''(III) an individual's unexpired Native American tribal identification document issued by a tribal entity recognized by the Bureau of Indian Affairs; or

''(IV) in the case of an individual under 18 years of age, a parent or legal guardian's attestation under penalty of law as to the identity and age of the individual.

''(v) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary of Homeland Security finds, by regulation, that any document described in clause (i), (ii), or (iii) as establishing employment authorization or identity does not reliably establish such authorization or identity or is being used fraudulently to an unacceptable degree, the Secretary may prohibit or place conditions on its use for purposes of this paragraph.

''(vi) SIGNATURE.—Such attestation may be manifested by either a handwritten or electronic signature.

''(B) INDIVIDUAL ATTESTATION OF EMPLOYMENT AUTHORIZATION.—During the verification period (as defined in subparagraph (E)), the individual shall attest, under penalty of perjury on the form designated or established for purposes of subparagraph (A), that the individual is a citizen or national of the United States, an alien lawfully admitted for permanent residence, or an alien who is authorized under this Act or by the Secretary of Homeland Security to be hired, recruited, or referred for such employment. Such attestation may be manifested by either a handwritten or electronic signature. The individual shall also provide that individual's social security account number or United States passport number (if the individual claims to have been issued such a number), and, if the individual does not attest to United States nationality under this subparagraph, such identification or authorization number established by the Department of Homeland Security for the alien as the Secretary may specify.

''(C) RETENTION OF VERIFICATION FORM AND VERIFICATION.—

''(i) IN GENERAL.—After completion of such form in accordance with subparagraphs (A) and (B), the person or entity shall—

''(I) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during a period beginning on the date of the recruiting or referral of the individual, or, in the case of the hiring of an individual, the date on which the verification is completed, and ending—

''(aa) in the case of the recruiting or referral of an individual, 3 years after the date of the recruiting or referral; and

''(bb) in the case of the hiring of an individual, the later of 3 years after the date the verification is completed or one year after the date the individual's employment is terminated; and

''(II) during the verification period (as defined in subparagraph (E)), make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of an individual.

''(ii) CONFIRMATION.—

''(I) CONFIRMATION RECEIVED.—If the person or other entity receives an appropriate confirmation of an individual's identity and work eligibility under the verification system within the time period specified, the person or entity shall record on the form an appropriate code that is provided under the system and that indicates a final confirmation of such identity and work eligibility of the individual.

''(II) TENTATIVE NONCONFIRMATION RECEIVED.—If the person or other entity receives a tentative nonconfirmation of an individual's identity or work eligibility under the verification system within the time period specified, the person or entity shall so inform the individual for whom the verification is sought. If the individual does not contest the nonconfirmation within the time period specified, the nonconfirmation shall be considered final. The person or entity shall then record on the form an appropriate code which has been provided under the system to indicate a final nonconfirmation. If the individual does contest the nonconfirmation, the individual shall utilize the process for secondary verification provided under subsection (d). The nonconfirmation will remain tentative until a final confirmation or nonconfirmation is provided by the verification system within the time period specified. In no case shall an employer terminate employment of an individual because of a failure of the individual to have identity and work eligibility confirmed under this section until a nonconfirmation becomes final. Nothing in this clause shall apply to a termination of employment for any reason other than because of such a failure. In no case shall an employer rescind the offer of employment to an individual because of a failure of the individual to have identity and work eligibility confirmed under this subsection until a nonconfirmation becomes final. Nothing in this subclause shall apply to a recission of the offer of employment for any reason other than because of such a failure.

''(III) FINAL CONFIRMATION OR NONCONFIRMATION RECEIVED.—If a final confirmation or nonconfirmation is provided by the verification system regarding an individual, the person or entity shall record on the form an appropriate code that is provided under the system and that indicates a confirmation or nonconfirmation of identity and work eligibility of the individual.

''(IV) EXTENSION OF TIME.—If the person or other entity in good faith attempts to make an inquiry during the time period specified and the verification system has registered that not all inquiries were received during such time, the person or entity may make an inquiry in the first subsequent working day in which the verification system registers that it has received all inquiries. If the verification system cannot receive inquiries at all times during a day, the person or entity merely has to assert that the entity attempted to make the inquiry on that day for the previous sentence to apply to such an inquiry, and does not have to provide any additional proof concerning such inquiry.

''(V) CONSEQUENCES OF NONCONFIRMATION.—

''(aa) TERMINATION OR NOTIFICATION OF CONTINUED EMPLOYMENT.—If the person or other entity has received a final nonconfirmation regarding an individual, the person or entity may terminate employment of the individual (or decline to recruit or refer the individual). If the person or entity does not terminate employment of the individual or proceeds to recruit or refer the individual, the person or entity shall notify the Secretary of Homeland Security of such fact through the verification system or in such other manner as the Secretary may specify.

''(bb) FAILURE TO NOTIFY.—If the person or entity fails to provide notice with respect to an individual as required under item (aa), the failure is deemed to constitute a violation of subsection (a)(1)(A) with respect to that individual.

''(VI) CONTINUED EMPLOYMENT AFTER FINAL NONCONFIRMATION.—If the person or other entity continues to employ (or to recruit or refer) an individual after receiving final nonconfirmation, a rebuttable presumption is created that the person or entity has violated subsection (a)(1)(A).

''(D) EFFECTIVE DATES OF NEW PROCEDURES.—

''(i) HIRING.—Except as provided in clause (iii), the provisions of this paragraph shall apply to a person or other entity hiring an individual for employment in the United States as follows:

''(I) With respect to employers having 10,000 or more employees in the United States on the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, on the date that is 6 months after such date of enactment.

''(II) With respect to employers having 500 or more employees in the United States, but less than 10,000 employees in the United States, on the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, on the date that is 12 months after such date of enactment.

''(III) With respect to employers having 20 or more employees in the United States, but less than 500 employees in the United States, on the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, on the date that is 18 months after such date of enactment.

''(IV) With respect to employers having one or more employees in the United States, but less than 20 employees in the United States, on the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, on the date that is 24 months after such date of enactment.

''(ii) RECRUITING AND REFERRING.—Except as provided in clause (iii), the provisions of this paragraph shall apply to a person or other entity recruiting or referring an individual for employment in the United States on the date that is 12 months after the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024.

''(iii) AGRICULTURAL LABOR OR SERVICES.—With respect to an employee performing agricultural labor or services, this paragraph shall not apply with respect to the verification of the employee until the date that is 36 months after the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024. For purposes of the preceding sentence, the term 'agricultural labor or services' has the meaning given such term by the Secretary of Agriculture in regulations and includes agricultural labor as defined in section 3121(g) of the Internal Revenue Code of 1986, agriculture as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to delivery for storage of any agricultural or horticultural commodity in its unmanufactured state, all activities required for the preparation, processing or manufacturing of a product of agriculture (as such term is defined in such section 3(f)) for further distribution, and activities similar to all the foregoing as they relate to fish or shellfish facilities. An employee described in this clause shall not be counted for purposes of clause (i).

''(iv) EXTENSIONS.—

''(I) ON REQUEST.—Upon request by an employer having 50 or fewer employees, the Secretary shall allow a one-time 6-month extension of the effective date set out in this subparagraph applicable to such employer. Such request shall be made to the Secretary and shall be made prior to such effective date.

''(II) FOLLOWING REPORT.—If the study under section 1284 of the Secure the Border Act of 2024 has been submitted in accordance with such section, the Secretary of Homeland Security may extend the effective date set out in clause (iii) on a one-time basis for 12 months.

''(v) TRANSITION RULE.—Subject to paragraph (4), the following shall apply to a person or other entity hiring, recruiting, or referring an individual for employment in the United States until the effective date or dates applicable under clauses (i) through (iii):

''(I) This subsection, as in effect before the enactment of subtitle H of title II of the Secure the Border Act of 2024.

''(II) Subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), as in effect before the effective date in section 1287(c) of subtitle H of title II of the Secure the Border Act of 2024.

''(III) Any other provision of Federal law requiring the person or entity to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), as in effect before the effective date in section 1287(c) of the Secure the Border Act of 2024, including Executive Order 13465 (8 U.S.C. 1324a note; relating to Government procurement).

''(E) VERIFICATION PERIOD DEFINED.—

''(i) IN GENERAL.—For purposes of this paragraph:

''(I) In the case of recruitment or referral, the term 'verification period' means the period ending on the date recruiting or referring commences.

''(II) In the case of hiring, the term 'verification period' means the period beginning on the date on which an offer of employment is extended and ending on the date that is three business days after the date of hire, except as provided in clause (iii). The offer of employment may be conditioned in accordance with clause (ii).

''(ii) JOB OFFER MAY BE CONDITIONAL.—A person or other entity may offer a prospective employee an employment position that is conditioned on final verification of the identity and employment eligibility of the employee using the procedures established under this paragraph.

''(iii) SPECIAL RULE.—Notwithstanding clause (i)(II), in the case of an alien who is authorized for employment and who provides evidence from the Social Security Administration that the alien has applied for a social security account number, the verification period ends three business days after the alien receives the social security account number.

''(2) REVERIFICATION FOR INDIVIDUALS WITH LIMITED WORK AUTHORIZATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a person or entity shall make an inquiry, as provided in subsection (d), using the verification system to seek reverification of the identity and employment eligibility of all individuals with a limited period of work authorization employed by the person or entity during the three business days after the date on which the employee's work authorization expires as follows:

''(i) With respect to employers having 10,000 or more employees in the United States on the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, beginning on the date that is 6 months after such date of enactment.

''(ii) With respect to employers having 500 or more employees in the United States, but less than 10,000 employees in the United States, on the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, beginning on the date that is 12 months after such date of enactment.

''(iii) With respect to employers having 20 or more employees in the United States, but less than 500 employees in the United States, on the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, beginning on the date that is 18 months after such date of enactment.

''(iv) With respect to employers having one or more employees in the United States, but less than 20 employees in the United States, on the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, beginning on the date that is 24 months after such date of enactment.

''(B) AGRICULTURAL LABOR OR SERVICES.—With respect to an employee performing agricultural labor or services, or an employee recruited or referred by a farm labor contractor (as defined in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801)), subparagraph (A) shall not apply with respect to the reverification of the employee until the date that is 36 months after the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024. For purposes of the preceding sentence, the term 'agricultural labor or services' has the meaning given such term by the Secretary of Agriculture in regulations and includes agricultural labor as defined in section 3121(g) of the Internal Revenue Code of 1986, agriculture as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to delivery for storage of any agricultural or horticultural commodity in its unmanufactured state, all activities required for the preparation, processing, or manufacturing of a product of agriculture (as such term is defined in such section 3(f)) for further distribution, and activities similar to all the foregoing as they relate to fish or shellfish facilities. An employee described in this subparagraph shall not be counted for purposes of subparagraph (A).

''(C) REVERIFICATION.—Paragraph (1)(C)(ii) shall apply to reverifications pursuant to this paragraph on the same basis as it applies to verifications pursuant to paragraph (1), except that employers shall—

''(i) use a form designated or established by the Secretary by regulation for purposes of this paragraph; and

''(ii) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during the period beginning on the date the reverification commences and ending on the date that is the later of 3 years after the date of such reverification or 1 year after the date the individual's employment is terminated.

''(3) PREVIOUSLY HIRED INDIVIDUALS.—

''(A) ON A MANDATORY BASIS FOR CERTAIN EMPLOYEES.—

''(i) IN GENERAL.—Not later than the date that is 6 months after the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, an employer shall make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of any individual described in clause (ii) employed by the employer whose employment eligibility has not been verified under the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

''(ii) INDIVIDUALS DESCRIBED.—An individual described in this clause is any of the following:

''(I) An employee of any unit of a Federal, State, or local government.

''(II) An employee who requires a Federal security clearance working in a Federal, State, or local government building, a military base, a nuclear energy site, a weapons site, or an airport or other facility that requires workers to carry a Transportation Worker Identification Credential (TWIC).

''(III) An employee assigned to perform work in the United States under a Federal contract, except that this subclause—

''(aa) is not applicable to individuals who have a clearance under Homeland Security Presidential Directive 12 (HSPD 12 clearance), are administrative or overhead personnel, or are working solely on contracts that provide Commercial Off The Shelf goods or services as set forth by the Federal Acquisition Regulatory Council, unless they are subject to verification under subclause (II); and

''(bb) only applies to contracts over the simple acquisition threshold as defined in section 2.101 of title 48, Code of Federal Regulations.

''(B) ON A MANDATORY BASIS FOR MULTIPLE USERS OF SAME SOCIAL SECURITY ACCOUNT NUMBER.—In the case of an employer who is required by this subsection to use the verification system described in subsection (d), or has elected voluntarily to use such system, the employer shall make inquiries to the system in accordance with the following:

''(i) The Commissioner of Social Security shall notify annually employees (at the employee address listed on the Wage and Tax Statement) who submit a social security account number to which more than one employer reports income and for which there is a pattern of unusual multiple use. The notification letter shall identify the number of employers to which income is being reported as well as sufficient information notifying the employee of the process to contact the Social Security Administration Fraud Hotline if the employee believes the employee's identity may have been stolen. The notice shall not share information protected as private, in order to avoid any recipient of the notice from being in the position to further commit or begin committing identity theft.

''(ii) If the person to whom the social security account number was issued by the Social Security Administration has been identified and confirmed by the Commissioner, and indicates that the social security account number was used without their knowledge, the Secretary and the Commissioner shall lock the social security account number for employment eligibility verification purposes and shall notify the employers of the individuals who wrongfully submitted the social security account number that the employee may not be work eligible.

''(iii) Each employer receiving such notification of an incorrect social security account number under clause (ii) shall use the verification system described in subsection (d) to check the work eligibility status of the applicable employee within 10 business days of receipt of the notification.

''(C) ON A VOLUNTARY BASIS.—Subject to paragraph (2), and subparagraphs (A) through (C) of this paragraph, beginning on the date that is 30 days after the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, an employer may make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of any individual employed by the employer. If an employer chooses voluntarily to seek verification of any individual employed by the employer, the employer shall seek verification of all individuals employed at the same geographic location or, at the option of the employer, all individuals employed within the same job category, as the employee with respect to whom the employer seeks voluntarily to use the verification system. An employer's decision about whether or not voluntarily to seek verification of its current workforce under this subparagraph may not be considered by any government agency in any proceeding, investigation, or review provided for in this Act.

''(D) VERIFICATION.—Paragraph (1)(C)(ii) shall apply to verifications pursuant to this paragraph on the same basis as it applies to verifications pursuant to paragraph (1), except that employers shall—

''(i) use a form designated or established by the Secretary by regulation for purposes of this paragraph; and

''(ii) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during the period beginning on the date the verification commences and ending on the date that is the later of 3 years after the date of such verification or 1 year after the date the individual's employment is terminated.

''(4) EARLY COMPLIANCE.—

''(A) FORMER E-VERIFY REQUIRED USERS, INCLUDING FEDERAL CONTRACTORS.—Notwithstanding the deadlines in paragraphs (1) and (2), beginning on the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, the Secretary is authorized to commence requiring employers required to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), including employers required to participate in such program by reason of Federal acquisition laws (and regulations promulgated under those laws, including the Federal Acquisition Regulation), to commence compliance with the requirements of this subsection (and any additional requirements of such Federal acquisition laws and regulation) in lieu of any requirement to participate in the E-Verify Program.

''(B) FORMER E-VERIFY VOLUNTARY USERS AND OTHERS DESIRING EARLY COMPLIANCE.—Notwithstanding the deadlines in paragraphs (1) and (2), beginning on the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, the Secretary shall provide for the voluntary compliance with the requirements of this subsection by employers voluntarily electing to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) before such date, as well as by other employers seeking voluntary early compliance.

''(5) COPYING OF DOCUMENTATION PERMITTED.—Notwithstanding any other provision of law, the person or entity may copy a document presented by an individual pursuant to this subsection and may retain the copy, but only (except as otherwise permitted under law) for the purpose of complying with the requirements of this subsection.

''(6) LIMITATION ON USE OF FORMS.—A form designated or established by the Secretary of Homeland Security under this subsection and any information contained in or appended to such form, may not be used for purposes other than for enforcement of this Act and any other provision of Federal criminal law.

''(7) GOOD FAITH COMPLIANCE.—

''(A) IN GENERAL.—Except as otherwise provided in this subsection, a person or entity is considered to have complied with a requirement of this subsection notwithstanding a technical or procedural failure to meet such requirement if there was a good faith attempt to comply with the requirement.

''(B) EXCEPTION IF FAILURE TO CORRECT AFTER NOTICE.—Subparagraph (A) shall not apply if—

''(i) the failure is not de minimus;

''(ii) the Secretary of Homeland Security has explained to the person or entity the basis for the failure and why it is not de minimus;

''(iii) the person or entity has been provided a period of not less than 30 calendar days (beginning after the date of the explanation) within which to correct the failure; and

''(iv) the person or entity has not corrected the failure voluntarily within such period.

''(C) EXCEPTION FOR PATTERN OR PRACTICE VIOLATORS.—Subparagraph (A) shall not apply to a person or entity that has engaged or is engaging in a pattern or practice of violations of subsection (a)(1)(A) or (a)(2).

''(8) SINGLE EXTENSION OF DEADLINES UPON CERTIFICATION.—In a case in which the Secretary of Homeland Security has certified to the Congress that the employment eligibility verification system required under subsection (d) will not be fully operational by the date that is 6 months after the date of the enactment of subtitle H of title II of the Secure the Border Act of 2024, each deadline established under this section for an employer to make an inquiry using such system shall be extended by 6 months. No other extension of such a deadline shall be made except as authorized under paragraph (1)(D)(iv).''.

(b) DATE OF HIRE.—Section 274A(h) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)) is amended by adding at the end the following:

''(4) DEFINITION OF DATE OF HIRE.—As used in this section, the term 'date of hire' means the date of actual commencement of employment for wages or other remuneration, unless otherwise specified.''.

SEC. 1282. EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.

Section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) is amended to read as follows:

''(d) EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.—

''(1) IN GENERAL.—Patterned on the employment eligibility confirmation system established under section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Secretary of Homeland Security shall establish and administer a verification system through which the Secretary (or a designee of the Secretary, which may be a nongovernmental entity)—

''(A) responds to inquiries made by persons at any time through a toll-free electronic media concerning an individual's identity and whether the individual is authorized to be employed; and

''(B) maintains records of the inquiries that were made, of verifications provided (or

not provided), and of the codes provided to inquirers as evidence of their compliance with their obligations under this section.

''(2) INITIAL RESPONSE.—The verification system shall provide confirmation or a tentative nonconfirmation of an individual's identity and employment eligibility within 3 working days of the initial inquiry. If providing confirmation or tentative nonconfirmation, the verification system shall provide an appropriate code indicating such confirmation or such nonconfirmation.

''(3) SECONDARY CONFIRMATION PROCESS IN CASE OF TENTATIVE NONCONFIRMATION.—In cases of tentative nonconfirmation, the Secretary shall specify, in consultation with the Commissioner of Social Security, an available secondary verification process to confirm the validity of information provided and to provide a final confirmation or nonconfirmation not later than 10 working days after the date on which the notice of the tentative nonconfirmation is received by the employee. The Secretary, in consultation with the Commissioner, may extend this deadline once on a case-by-case basis for a period of 10 working days, and if the time is extended, shall document such extension within the verification system. The Secretary, in consultation with the Commissioner, shall notify the employee and employer of such extension. The Secretary, in consultation with the Commissioner, shall create a standard process of such extension and notification and shall make a description of such process available to the public. When final confirmation or nonconfirmation is provided, the verification system shall provide an appropriate code indicating such confirmation or nonconfirmation.

''(4) DESIGN AND OPERATION OF SYSTEM.—The verification system shall be designed and operated—

''(A) to maximize its reliability and ease of use by persons and other entities consistent with insulating and protecting the privacy and security of the underlying information;

''(B) to respond to all inquiries made by such persons and entities on whether individuals are authorized to be employed and to register all times when such inquiries are not received;

''(C) with appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information;

''(D) to have reasonable safeguards against the system's resulting in unlawful discriminatory practices based on national origin or citizenship status, including—

''(i) the selective or unauthorized use of the system to verify eligibility; or

''(ii) the exclusion of certain individuals from consideration for employment as a result of a perceived likelihood that additional verification will be required, beyond what is required for most job applicants;

''(E) to maximize the prevention of identity theft use in the system; and

''(F) to limit the subjects of verification to the following individuals:

''(i) Individuals hired, referred, or recruited, in accordance with paragraph (1) or (4) of subsection (b).

''(ii) Employees and prospective employees, in accordance with paragraph (1), (2), (3), or (4) of subsection (b).

''(iii) Individuals seeking to confirm their own employment eligibility on a voluntary basis.

''(5) RESPONSIBILITIES OF COMMISSIONER OF SOCIAL SECURITY.—As part of the verification system, the Commissioner of Social Security, in consultation with the Secretary of Homeland Security (and any designee of the Secretary selected to establish and administer the verification system), shall establish a reliable, secure method, which, within the time periods specified under paragraphs (2) and (3), compares the name and social security account number provided in an inquiry against such information maintained by the Commissioner in order to validate (or not validate) the information provided regarding an individual whose identity and employment eligibility must be confirmed, the correspondence of the name and number, and whether the individual has presented a social security account number that is not valid for employment. The Commissioner shall not disclose or release social security information (other than such confirmation or nonconfirmation) under the verification system except as provided for in this section or section 205(c)(2)(I) of the Social Security Act.

''(6) RESPONSIBILITIES OF SECRETARY OF HOMELAND SECURITY.—As part of the verification system, the Secretary of Homeland Security (in consultation with any designee of the Secretary selected to establish and administer the verification system), shall establish a reliable, secure method, which, within the time periods specified under paragraphs (2) and (3), compares the name and alien identification or authorization number (or any other information as determined relevant by the Secretary) which are provided in an inquiry against such information maintained or accessed by the Secretary in order to validate (or not validate) the information provided, the correspondence of the name and number, whether the alien is authorized to be employed in the United States, or to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States.

''(7) UPDATING INFORMATION.—The Commissioner of Social Security and the Secretary of Homeland Security shall update their information in a manner that promotes the maximum accuracy and shall provide a process for the prompt correction of erroneous information, including instances in which it is brought to their attention in the secondary verification process described in paragraph (3).

''(8) LIMITATION ON USE OF THE VERIFICATION SYSTEM AND ANY RELATED SYSTEMS.—

''(A) NO NATIONAL IDENTIFICATION CARD.—Nothing in this section shall be construed to authorize, directly or indirectly, the issuance or use of national identification cards or the establishment of a national identification card.

''(B) CRITICAL INFRASTRUCTURE.—The Secretary may authorize or direct any person or entity responsible for granting access to, protecting, securing, operating, administering, or regulating part of the critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))) to use the verification system to the extent the Secretary determines that such use will assist in the protection of the critical infrastructure.

''(9) REMEDIES.—If an individual alleges that the individual would not have been dismissed from a job or would have been hired for a job but for an error of the verification mechanism, the individual may seek compensation only through the mechanism of the Federal Tort Claims Act, and injunctive relief to correct such error. No class action may be brought under this paragraph.''.

SEC. 1283. RECRUITMENT, REFERRAL, AND CONTINUATION OF EMPLOYMENT.

(a) ADDITIONAL CHANGES TO RULES FOR RECRUITMENT, REFERRAL, AND CONTINUATION OF EMPLOYMENT.—Section 274A(a) of the Immigration and Nationality Act (8 U.S.C. 1324a(a)) is amended—

(1) in paragraph (1)(A), by striking ''for a fee'';

(2) in paragraph (1), by amending subparagraph (B) to read as follows:

''(B) to hire, continue to employ, or to recruit or refer for employment in the United States an individual without complying with the requirements of subsection (b).''; and

(3) in paragraph (2), by striking ''after hiring an alien for employment in accordance with paragraph (1),'' and inserting ''after complying with paragraph (1),''.

(b) DEFINITION.—Section 274A(h) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)), as amended by section 1281(b), is further amended by adding at the end the following:

''(5) DEFINITION OF RECRUIT OR REFER.—As used in this section, the term 'refer' means the act of sending or directing a person who is in the United States or transmitting documentation or information to another, directly or indirectly, with the intent of obtaining employment in the United States for such person. Only persons or entities referring for remuneration (whether on a retainer or contingency basis) are included in the definition, except that union hiring halls that refer union members or nonunion individuals who pay union membership dues are included in the definition whether or not they receive remuneration, as are labor service entities or labor service agencies, whether public, private, for-profit, or nonprofit, that refer, dispatch, or otherwise facilitate the hiring of laborers for any period of time by a third party. As used in this section, the term 'recruit' means the act of soliciting a person who is in the United States, directly or indirectly, and referring the person to another with the intent of obtaining employment for that person. Only persons or entities referring for remuneration (whether on a retainer or contingency basis) are included in the definition, except that union hiring halls that refer union members or nonunion individuals who pay union membership dues are included in this definition whether or not they receive remuneration, as are labor service entities or labor service agencies, whether public, private, for-profit, or nonprofit that recruit, dispatch, or otherwise facilitate the hiring of laborers for any period of time by a third party.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act, except that the amendments made by subsection (a) shall take effect 6 months after the date of the enactment of this Act insofar as such amendments relate to continuation of employment.

SEC. 1284. GOOD FAITH DEFENSE.

Section 274A(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(a)(3)) is amended to read as follows:

''(3) GOOD FAITH DEFENSE.—

''(A) DEFENSE.—An employer (or person or entity that hires, employs, recruits, or refers (as defined in subsection (h)(5)), or is otherwise obligated to comply with this section) who establishes that it has complied in good faith with the requirements of subsection (b)—

''(i) shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good-faith reliance on information provided through the system established under subsection (d); and

''(ii) has established compliance with its obligations under subparagraphs (A) and (B) of paragraph (1) and subsection (b) absent a showing by the Secretary of Homeland Security, by clear and convincing evidence, that the employer had knowledge that an employee is an unauthorized alien.

''(B) MITIGATION ELEMENT.—For purposes of subparagraph (A)(i), if an employer proves by a preponderance of the evidence that the employer uses a reasonable, secure, and established technology to authenticate the identity of the new employee, that fact shall be taken into account for purposes of determining good faith use of the system established under subsection (d).

''(C) FAILURE TO SEEK AND OBTAIN VERIFICATION.—Subject to the effective dates and other deadlines applicable under subsection (b), in the case of a person or entity in the United States that hires, or continues to employ, an individual, or recruits or refers an individual for employment, the following requirements apply:

''(i) FAILURE TO SEEK VERIFICATION.—

''(I) IN GENERAL.—If the person or entity has not made an inquiry, under the mechanism established under subsection (d) and in accordance with the timeframes established under subsection (b), seeking verification of the identity and work eligibility of the individual, the defense under subparagraph (A) shall not be considered to apply with respect to any employment, except as provided in subclause (II).

''(II) SPECIAL RULE FOR FAILURE OF VERIFICATION MECHANISM.—If such a person or entity in good faith attempts to make an inquiry in order to qualify for the defense under subparagraph (A) and the verification mechanism has registered that not all inquiries were responded to during the relevant time, the person or entity can make an inquiry until the end of the first subsequent working day in which the verification mechanism registers no nonresponses and qualify for such defense.

''(ii) FAILURE TO OBTAIN VERIFICATION.—If the person or entity has made the inquiry described in clause (i)(I) but has not received an appropriate verification of such identity and work eligibility under such mechanism within the time period specified under subsection (d)(2) after the time the verification inquiry was received, the defense under subparagraph (A) shall not be considered to apply with respect to any employment after the end of such time period.''.

SEC. 1285. PREEMPTION AND STATES' RIGHTS.

Section 274A(h)(2) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(2)) is amended to read as follows:

''(2) PREEMPTION.—

''(A) SINGLE, NATIONAL POLICY.—The provisions of this section preempt any State or local law, ordinance, policy, or rule, including any criminal or civil fine or penalty structure, insofar as they may now or hereafter relate to the hiring, continued employment, or status verification for employment eligibility purposes, of unauthorized aliens.

''(B) STATE ENFORCEMENT OF FEDERAL LAW.—

''(i) BUSINESS LICENSING.—A State, locality, municipality, or political subdivision may exercise its authority over business licensing and similar laws as a penalty for failure to use the verification system described in subsection (d) to verify employment eligibility when and as required under subsection (b).

''(ii) GENERAL RULES.—A State, at its own cost, may enforce the provisions of this section, but only insofar as such State follows the Federal regulations implementing this section, applies the Federal penalty structure set out in this section, and complies with all Federal rules and guidance concerning implementation of this section. Such State may collect any fines assessed under this section. An employer may not be subject to enforcement, including audit and investigation, by both a Federal agency and a State for the same violation under this section. Whichever entity, the Federal agency or the State, is first to initiate the enforcement action, has the right of first refusal to proceed with the enforcement action. The Secretary must provide copies of all guidance, training, and field instructions provided to Federal officials implementing the provisions of this section to each State.''.

SEC. 1286. REPEAL.

(a) IN GENERAL.—Subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is repealed.

(b) REFERENCES.—Any reference in any Federal law, Executive order, rule, regulation, or delegation of authority, or any document of, or pertaining to, the Department of Homeland Security, Department of Justice, or the Social Security Administration, to the employment eligibility confirmation system established under section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is deemed to refer to the employment eligibility confirmation system established under section 274A(d) of the Immigration and Nationality Act, as amended by section 1282.

(c) EFFECTIVE DATE.—This section shall take effect on the date that is 30 months after the date of the enactment of this Act.

(d) CLERICAL AMENDMENT.—The table of sections in section 1(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, is amended by striking the items relating to subtitle A of title IV.

SEC. 1287. PENALTIES.

Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) is amended—

(1) in subsection (e)(1)—

(A) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(B) in subparagraph (D), by striking ''Service'' and inserting ''Department of Homeland Security'';

(2) in subsection (e)(4)—

(A) in subparagraph (A), in the matter before clause (i), by inserting '', subject to paragraph (10),'' after ''in an amount'';

(B) in subparagraph (A)(i), by striking ''not less than $250 and not more than $2,000'' and inserting ''not less than $2,500 and not more than $5,000'';

(C) in subparagraph (A)(ii), by striking ''not less than $2,000 and not more than $5,000'' and inserting ''not less than $5,000 and not more than $10,000'';

(D) in subparagraph (A)(iii), by striking ''not less than $3,000 and not more than $10,000'' and inserting ''not less than $10,000 and not more than $25,000''; and

(E) by moving the margin of the continuation text following subparagraph (B) two ems to the left and by amending subparagraph (B) to read as follows:

''(B) may require the person or entity to take such other remedial action as is appropriate.'';

(3) in subsection (e)(5)—

(A) in the paragraph heading, strike ''PAPERWORK'';

(B) by inserting '', subject to paragraphs (10) through (12),'' after ''in an amount'';

(C) by striking ''$100'' and inserting ''$1,000'';

(D) by striking ''$1,000'' and inserting ''$25,000''; and

(E) by adding at the end the following: ''Failure by a person or entity to utilize the employment eligibility verification system as required by law, or providing information to the system that the person or entity knows or reasonably believes to be false, shall be treated as a violation of subsection (a)(1)(A).'';

(4) by adding at the end of subsection (e) the following:

''(10) EXEMPTION FROM PENALTY FOR GOOD FAITH VIOLATION.—In the case of imposition of a civil penalty under paragraph (4)(A) with respect to a violation of subsection (a)(1)(A) or (a)(2) for hiring or continuation of employment or recruitment or referral by person or entity and in the case of imposition of a civil penalty under paragraph (5) for a violation of subsection (a)(1)(B) for hiring or recruitment or referral by a person or entity, the penalty otherwise imposed may be waived or reduced if the violator establishes that the violator acted in good faith.

''(11) MITIGATION ELEMENT.—For purposes of paragraph (4), the size of the business shall be taken into account when assessing the level of civil money penalty.

''(12) AUTHORITY TO DEBAR EMPLOYERS FOR CERTAIN VIOLATIONS.—

''(A) IN GENERAL.—If a person or entity is determined by the Secretary of Homeland Security to be a repeat violator of paragraph (1)(A) or (2) of subsection (a), or is convicted of a crime under this section, such person or entity may be considered for debarment from the receipt of Federal contracts, grants, or cooperative agreements in accordance with the debarment standards and pursuant to the debarment procedures set forth in the Federal Acquisition Regulation.

''(B) DOES NOT HAVE CONTRACT, GRANT, AGREEMENT.—If the Secretary of Homeland Security or the Attorney General wishes to have a person or entity considered for debarment in accordance with this paragraph, and such a person or entity does not hold a Federal contract, grant, or cooperative agreement, the Secretary or Attorney General shall refer the matter to the Administrator of General Services to determine whether to list the person or entity on the List of Parties Excluded from Federal Procurement, and if so, for what duration and under what scope.

''(C) HAS CONTRACT, GRANT, AGREEMENT.—If the Secretary of Homeland Security or the Attorney General wishes to have a person or entity considered for debarment in accordance with this paragraph, and such person or entity holds a Federal contract, grant, or cooperative agreement, the Secretary or Attorney General shall advise all agencies or departments holding a contract, grant, or cooperative agreement with the person or entity of the Government's interest in having the person or entity considered for debarment, and after soliciting and considering the views of all such agencies and departments, the Secretary or Attorney General may refer the matter to any appropriate lead agency to determine whether to list the person or entity on the List of Parties Excluded from Federal Procurement, and if so, for what duration and under what scope.

''(D) REVIEW.—Any decision to debar a person or entity in accordance with this paragraph shall be reviewable pursuant to part 9.4 of the Federal Acquisition Regulation.

''(13) OFFICE FOR STATE AND LOCAL GOVERNMENT COMPLAINTS.—The Secretary of Homeland Security shall establish an office—

''(A) to which State and local government agencies may submit information indicating potential violations of subsection (a), (b), or (g)(1) that were generated in the normal course of law enforcement or the normal course of other official activities in the State or locality;

''(B) that is required to indicate to the complaining State or local agency within five business days of the filing of such a complaint by identifying whether the Secretary will further investigate the information provided;

''(C) that is required to investigate those complaints filed by State or local government agencies that, on their face, have a substantial probability of validity;

''(D) that is required to notify the complaining State or local agency of the results of any such investigation conducted; and

''(E) that is required to report to the Congress annually the number of complaints received under this paragraph, the States and localities that filed such complaints, and the resolution of the complaints investigated by the Secretary.''; and

(5) by amending paragraph (1) of subsection (f) to read as follows:

''(1) CRIMINAL PENALTY.—Any person or entity which engages in a pattern or practice of violations of subsection (a) (1) or (2) shall be fined not more than $5,000 for each unauthorized alien with respect to which such a violation occurs, imprisoned for not more than 18 months, or both, notwithstanding the provisions of any other Federal law relating to fine levels.''.

SEC. 1288. FRAUD AND MISUSE OF DOCUMENTS.

Section 1546(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''identification document,'' and inserting ''identification document or document meant to establish work authorization (including the documents described in section 274A(b) of the Immigration and Nationality Act),''; and

(2) in paragraph (2), by striking ''identification document'' and inserting ''identification document or document meant to establish work authorization (including the documents described in section 274A(b) of the Immigration and Nationality Act),''.

SEC. 1289. PROTECTION OF SOCIAL SECURITY ADMINISTRATION PROGRAMS.

(a) FUNDING UNDER AGREEMENT.—Effective for fiscal years beginning on or after October 1, 2023, the Commissioner of Social Security and the Secretary of Homeland Security shall enter into and maintain an agreement which shall—

(1) provide funds to the Commissioner for the full costs of the responsibilities of the Commissioner under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section 1282, including—

(A) acquiring, installing, and maintaining technological equipment and systems necessary for the fulfillment of the responsibilities of the Commissioner under such section 274A(d), but only that portion of such costs that are attributable exclusively to such responsibilities; and

(B) responding to individuals who contest a tentative nonconfirmation provided by the employment eligibility verification system established under such section;

(2) provide such funds annually in advance of the applicable quarter based on estimating methodology agreed to by the Commissioner and the Secretary (except in such instances where the delayed enactment of an annual appropriation may preclude such quarterly payments); and

(3) require an annual accounting and reconciliation of the actual costs incurred and the funds provided under the agreement, which shall be reviewed by the Inspectors General of the Social Security Administration and the Department of Homeland Security.

(b) CONTINUATION OF EMPLOYMENT VERIFICATION IN ABSENCE OF TIMELY AGREEMENT.—In any case in which the agreement required under subsection (a) for any fiscal year beginning on or after October 1, 2023, has not been reached as of October 1 of such fiscal year, the latest agreement between the Commissioner and the Secretary of Homeland Security providing for funding to cover the costs of the responsibilities of the Commissioner under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) shall be deemed in effect on an interim basis for such fiscal year until such time as an agreement required under subsection (a) is subsequently reached, except that the terms of such interim agreement shall be modified by the Director of the Office of Management and Budget to adjust for inflation and any increase or decrease in the volume of requests under the employment eligibility verification system. In any case in which an interim agreement applies for any fiscal year under this subsection, the Commissioner and the Secretary shall, not later than October 1 of such fiscal year, notify the Committee on Ways and Means, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives and the Committee on Finance, the Committee on the Judiciary, and the Committee on Appropriations of the Senate of the failure to reach the agreement required under subsection (a) for such fiscal year. Until such time as the agreement required under subsection (a) has been reached for such fiscal year, the Commissioner and the Secretary shall, not later than the end of each 90-day period after October 1 of such fiscal year, notify such Committees of the status of negotiations between the Commissioner and the Secretary in order to reach such an agreement.

SEC. 1290. FRAUD PREVENTION.

(a) BLOCKING MISUSED SOCIAL SECURITY ACCOUNT NUMBERS.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program in which social security account numbers that have been identified to be subject to unusual multiple use in the employment eligibility verification system established under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section 1282, or that are otherwise suspected or determined to have been compromised by identity fraud or other misuse, shall be blocked from use for such system purposes unless the individual using such number is able to establish, through secure and fair additional security procedures, that the individual is the legitimate holder of the number.

(b) ALLOWING SUSPENSION OF USE OF CERTAIN SOCIAL SECURITY ACCOUNT NUMBERS.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program which shall provide a reliable, secure method by which victims of identity fraud and other individuals may suspend or limit the use of their social security account number or other identifying information for purposes of the employment eligibility verification system established under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section 1282. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

(c) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD'S IDENTITY.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program which shall provide a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the employment eligibility verification system established under 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section 1282. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

SEC. 1291. USE OF EMPLOYMENT ELIGIBILITY VERIFICATION PHOTO TOOL.

An employer who uses the photo matching tool used as part of the E-Verify System shall match the photo tool photograph to both the photograph on the identity or employment eligibility document provided by the employee and to the face of the employee submitting the document for employment verification purposes.

SEC. 1292. IDENTITY AUTHENTICATION EMPLOYMENT ELIGIBILITY VERIFICATION PILOT PROGRAMS.

Not later than 24 months after the date of the enactment of this Act, the Secretary of Homeland Security, after consultation with the Commissioner of Social Security and the Director of the National Institute of Standards and Technology, shall establish by regulation not less than 2 Identity Authentication Employment Eligibility Verification pilot programs, each using a separate and distinct technology (the ''Authentication Pilots''). The purpose of the Authentication Pilots shall be to provide for identity authentication and employment eligibility verification with respect to enrolled new employees which shall be available to any employer that elects to participate in either of the Authentication Pilots. Any participating employer may cancel the employer's participation in the Authentication Pilot after one year after electing to participate without prejudice to future participation. The Secretary shall report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate the Secretary's findings on the Authentication Pilots, including the authentication technologies chosen, not later than 12 months after commencement of the Authentication Pilots.

SEC. 1293. INSPECTOR GENERAL AUDITS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Social Security Administration shall complete audits of the following categories in order to uncover evidence of individuals who are not authorized to work in the United States:

(1) Workers who dispute wages reported on their social security account number when they believe someone else has used such number and name to report wages.

(2) Children's social security account numbers used for work purposes.

(3) Employers whose workers present significant numbers of mismatched social security account numbers or names for wage reporting.

(b) SUBMISSION.—The Inspector General of the Social Security Administration shall submit the audits completed under subsection (a) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate for review of the evidence of individuals who are not authorized to work in the United States. The Chairmen of those Committees shall then determine information to be shared with the Secretary of Homeland Security so that such Secretary can investigate the unauthorized employment demonstrated by such evidence.

SEC. 1294. AGRICULTURE WORKFORCE STUDY.

Not later than 36 months after the date of the enactment of this Act, the Secretary of the Department of Homeland Security, in consultation with the Secretary of the Department of Agriculture, shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, a report that includes the following:

(1) The number of individuals in the agricultural workforce.

(2) The number of United States citizens in the agricultural workforce.

(3) The number of aliens in the agricultural workforce who are authorized to work in the United States.

(4) The number of aliens in the agricultural workforce who are not authorized to work in the United States.

(5) Wage growth in each of the previous ten years, disaggregated by agricultural sector.

(6) The percentage of total agricultural industry costs represented by agricultural labor during each of the last ten years.

(7) The percentage of agricultural costs invested in mechanization during each of the last ten years.

(8) Recommendations, other than a path to legal status for aliens not authorized to work in the United States, for ensuring United States agricultural employers have a workforce sufficient to cover industry needs, including recommendations to—

(A) increase investments in mechanization;

(B) increase the domestic workforce; and

(C) reform the H–2A program.

SEC. 1295. SENSE OF CONGRESS ON FURTHER IMPLEMENTATION.

It is the sense of Congress that in implementing the E-Verify Program, the Secretary of Homeland Security shall ensure any adverse impact on the Nation's agricultural workforce, operations, and food security are considered and addressed.

SEC. 1296. REPEALING REGULATIONS.

The rules relating to ''Temporary Agricultural Employment of H–2A Nonimmigrants in the United States'' (87 Fed. Reg. 61660 (Oct. 12, 2022)) and to ''Adverse Effect Wage Rate Methodology for the Temporary Employment of H–2A Nonimmigrants in Non-Range Occupations in the United States'' (88 Fed. Reg. 12760 (Feb. 28, 2023)) shall have no force or effect, may not be reissued in substantially the same form, and any new rules that are substantially the same as such rules may not be issued.

SA 1384. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1381 proposed by Mrs. MURRAY to the bill H.R. 2872, of 2013 to allow the Secretary of the Interior to issue electronic stamps under such Act, and for other purposes,; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FOREIGN ASSISTANCE TO THE PALESTINIAN AUTHORITY OR ANY OTHER PALESTINIAN GOVERNING ENTITY IN THE WEST BANK AND GAZA.

(a) FINDINGS.—Congress makes the following findings:

(1) On October 7, 2023, the terrorist organization Hamas conducted a brutal attack against Israel, killing some 1,200 innocent men, women, and children, and taking approximately 250 people hostage.

(2) At least 33 United States citizens lost their lives in the October 7, 2023, attack.

(3) At least 6 United States citizens remain unaccounted for and presumed taken captive by Hamas.

(4) Hamas continues to fire rockets indiscriminately toward Israel.

(5) Hamas was designated as a foreign terrorist organization by the United States in October 1997.

(6) On November 26, 2023, a spokesperson for the Israel Defense Forces said that 770 ''terrorism events'' were carried out by Palestinians in the West Bank since October 7, 2023, including shootings and hurling stones and Molotov cocktails.

(7) The United States provided more than $7,600,000,000 in bilateral assistance to Palestinians in the West Bank and Gaza since 1993.

(8) The United States obligated more than $280,000,000 to the West Bank and Gaza in 2023.

(9) The Department of State's West Bank and Gaza 2022 Human Rights Report identified significant human rights issues with respect to the Palestinian Authority, including credible reports of unlawful or arbitrary killings by Palestinian Authority officials, torture or cruel, inhumane, or degrading treatment or punishments by Palestinian Authority officials, arbitrary arrest or detention of political prisoners and detainees, and significant problems with the independence of the judiciary.

(10) The report identified the Palestinian Authority committing arbitrary or unlawful interference with privacy; serious restrictions on freedom of expression and media, including violence, threats of violence, unjustified detentions and prosecutions of journalists, and censorship; and serious restrictions on internet freedom.

(11) The report identified the Palestinian Authority committing substantial interference with the freedom of peaceful assembly and freedom of association, including harassment of nongovernmental organizations, serious and unreasonable restrictions on political participation, including no national elections since 2006, and serious government corruption.

(12) The report found that the Palestinian Authority did not adequately investigate or hold accountable gender-based violence, and crimes, violence, and threats of violence motivated by anti-Semitism.

(b) PROHIBITION ON ASSISTANCE TO PALESTINIAN AUTHORITY AND OTHER GOVERNING ENTITIES IN THE WEST BANK AND GAZA.—

(1) IN GENERAL.—Except as provided under paragraph (2) and notwithstanding any other provision of law, no amounts may be obligated or expended to provide any direct United States assistance, loan guarantee, or debt relief to the Palestinian Authority or any other Palestinian governing entity in the West Bank and Gaza.

(2) EXCEPTION.—The prohibition under paragraph (1) shall have no effect for a fiscal year if the President certifies to Congress during that fiscal year that—

(A) the Palestinian Authority, or other Palestinian governing entity in the West Bank and Gaza, has—

(i) formally recognized the right of Israel to exist as a Jewish state;

(ii) publicly recognized the state of Israel;

(iii) renounced terrorism;

(iv) purged all individuals with terrorist ties from security services;

(v) terminated funding of anti-American and anti-Israel incitement;

(vi) publicly renounced Hamas and the October 7, 2023, attacks perpetrated by Hamas on Israel; and

(vii) honored previous diplomatic agreements; and

(B) all hostages abducted on October 7, 2023, and held in territory governed by the Palestinian Authority or other Palestinian governing authority have been released.

(c) REQUEST FOR INFORMATION ON HUMAN RIGHTS PRACTICES BY THE PALESTINIAN AUTHORITY OR ANY OTHER PALESTINIAN GOVERNING ENTITY IN THE WEST BANK AND GAZA.—

(1) IN GENERAL.—Not later than 30 days after the date of the adoption of this resolution, the Secretary of State, in collaboration with the Assistant Secretary of State for Democracy, Human Rights, and Labor and the Office of the Legal Adviser, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the human rights practices of the Palestinian Authority, or any other Palestinian governing entity in the West Bank and Gaza.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) all available credible information concerning alleged violations of internationally recognized human rights by the Palestinian Authority or any other Palestinian governing entity in the West Bank and Gaza, including—

(i) the denial of the right to life to Israeli citizens, Jewish individuals, women and girls, or any other minority group; and

(ii) the use of torture or cruel, inhumane, or degrading treatment or punishment, prolonged detention without charges and trial, causing the disappearance of persons by the abduction and clandestine detention of those persons, and other flagrant denial of the right to life, liberty, or the security of person;

(B) a description of the steps that the United States Government has taken to—

(i) promote respect for and observance of human rights as part of the activities of the Palestinian Authority or any other Palestinian governing entity in the West Bank and Gaza;

(ii) discourage any practices that are inimical to internationally recognized human rights; and

(iii) publicly or privately call attention to, and disassociate the United States and any foreign assistance provided for the Palestinian Authority or any other Palestinian governing entity in the West Bank and Gaza from, any practices described in clause (ii);

(C) a description of the intended uses of all foreign assistance provided by the United States to the Palestinian Authority or any other Palestinian governing entity in the West Bank and Gaza; and

(D) a list of international organizations that—

(i) accept financial contributions from the United States Government; and

(ii) provide assistance of any kind to the Palestinian Authority or any other Palestinian governing entity in the West Bank and Gaza.

SA 1385. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1381 proposed by Mrs. MURRAY to the bill H.R. 2872, of 2013 to allow the Secretary of the Interior to issue electronic stamps under such Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, between lines 13 and 14, insert the following:

SEC. 102. TWENTY-FIVE PERCENT REDUCTION IN CONTINUING FUNDING EXCEPT FOR DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION, AND DEPARTMENT OF VETERANS AFFAIRS AND RESCISSION OF IRS ENFORCEMENT FUNDS.

Division A of the Continuing Appropriations Act, 2024 and Other Extensions Act (Public Law 118–15), as amended by section 101 of this division, is further amended by adding after section 148 the following:

''SEC. 149. (a) Except as provided in subsection (b), the rate for operations provided by section 101 of this division is hereby reduced by 25.0 percent.

''(b) The rate for operations shall not be reduced under subsection (a) with respect to the appropriation Act described in section 101(3) (relating to the Department of Defense Appropriations Act, 2023) or the appropriation Act described in section 101(10) (relating to the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2023).

''SEC. 150. Of the unobligated balances of amounts appropriated or otherwise made available for enforcement activities of the

Internal Revenue Service by section 10301(1)(A)(ii) of Public Law 117–169 (commonly known as the ''Inflation Reduction Act of 2022'') as of the date of enactment of this Act, $30,000,000,000 are hereby rescinded.''.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator RON WYDEN, intend to object to proceeding to S. 835, a bill to amend title 17, United States Code, to reaffirm the importance of, and include requirements for, works incorporated by reference into law, and for other purposes, dated January 17, 2024.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have four requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, January 17, 2024, at 10 a.m., to conduct a classified briefing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, January 17, 2024, at 9:30 a.m., to conduct a business meeting.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, January 17, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, January 17, 2024, at 10 a.m., to conduct a hearing.

ORDERS FOR THURSDAY, JANUARY 18, 2024

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 11 a.m. on Thursday, January 18; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of H.R. 2872.

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

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:10 p.m., adjourned until Thursday, January 18, 2024, at 11 a.m.