

Mr. KAINE, Mr. BLUMENTHAL, and Mrs. MURRAY):

S. 5560. A bill to improve fairness and accountability with respect to the arrest and detention of noncitizens; to the Committee on the Judiciary.

Mr. DURBIN. Mr. 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 ordered to be printed in the RECORD, as follows:

S. 5560

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 “Immigration Warrants Reform Act of 2026”.

SEC. 2. INSPECTION OF NONCITIZENS.

Section 235(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(2)(A)) is amended—

(1) by striking “an alien” each place such term appears and inserting “a noncitizen”;

(2) by striking “the alien” and inserting “a noncitizen”; and

(3) by inserting “at the border (and who is not or was not paroled)” after “applicant for admission”.

SEC. 3. ARREST, DETENTION, AND RELEASE OF NONCITIZENS.

Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended—

(1) in the section heading, by striking “ALIENS” and inserting “NONCITIZENS”; and

(2) by striking subsections (a) and (b) and inserting the following:

“(a) ARREST, DETENTION, AND RELEASE.—

“(1) IN GENERAL.—Upon the issuance of an administrative warrant described in paragraph (4), a noncitizen may be arrested and detained pending a decision on whether the noncitizen will be removed from the United States.

“(2) RELEASE.—Except as provided in subsection (c), the Department of Homeland Security may release a detained noncitizen on his or her own recognizance or subject to such conditions as may be necessary to facilitate the noncitizen’s attendance with future proceedings and to prevent any danger to the community.

“(3) PERIODIC REVIEW.—

“(A) IN GENERAL.—A detained noncitizen is entitled to seek a custody review every 60 days from an immigration judge or an appropriate district court of the United States that may release the noncitizen on his or her own recognizance or subject to such conditions as may be necessary to facilitate the noncitizen’s attendance with future proceedings and to prevent any danger to the community.

“(B) BURDEN OF PROOF.—In any proceeding under subparagraph (A), the burden of proof shall be on the Secretary of Homeland Security to establish, by clear and convincing evidence, that the noncitizen is a flight risk from attending future proceedings or a danger to the community.

“(4) REQUIREMENTS FOR ADMINISTRATIVE WARRANT.—All administrative warrants for the arrest of a noncitizen shall—

“(A) accurately document individualized probable cause of the noncitizen’s removability under section 212 or section 237;

“(B) be signed by a supervising officer of the Department of Homeland Security at least 24 hours in advance of its execution;

“(C) be issued concurrently with, or based on, a previously existing notice to appear pursuant to section 239(a); and

“(D) be served on the noncitizen with such notice to appear at the time of arrest.

“(b) REVOCATION OF RELEASE.—The Secretary of Homeland Security may, at any time, upon an individualized determination that there is probable cause to find that a noncitizen presents a danger to the community—

“(1) revoke a release authorized under subsection (a)(2);

“(2) rearrest the noncitizen pursuant to a warrant described in subsection (a)(4); and

“(3) detain the noncitizen.”.

SEC. 4. POWERS OF IMMIGRATION OFFICERS AND EMPLOYEES WITHOUT A WARRANT.

Section 287(a) of the Immigration and Nationality Act (8 U.S.C. 1357(a)) is amended—

(1) by striking the matter preceding paragraph (1) and all that follows through the end of paragraph (2) and inserting the following:

“(1) UNAUTHORIZED ENTRY.—Any officer or employee of the Department of Homeland Security authorized under regulations prescribed by the Secretary of Homeland Security shall have power, without a warrant, to arrest any noncitizen who, in the presence or view of the officer or employee, is entering or attempting to enter the United States at any time or place other than as designated by the Department of Homeland Security or an immigration officer.

“(2) INTERIOR ARRESTS.—

“(A) IN GENERAL.—Any officer or employee of the Department of Homeland Security authorized under regulations prescribed by the Secretary of Homeland Security shall have power, without a warrant, to arrest any noncitizen who is physically present in the United States if the officer or employee has probable cause to believe such individual—

“(i) is a noncitizen;

“(ii) is subject to removal under section 212 or section 237;

“(iii) presents an imminent danger to the community, which requires immediate arrest; and

“(iv) is likely to escape before a warrant can be obtained for such arrest.

“(B) DOCUMENTATION.—Not later than 12 hours after each arrest carried out pursuant to subparagraph (A), the officer or employee making the arrest shall submit a sworn, written statement, under penalty of perjury, to a supervisory immigration officer or employee that includes an individualized assessment of probable cause regarding the factors described in clauses (i) through (iv) of subparagraph (A) that are required for such warrantless arrest.

“(C) JUDICIAL REVIEW.—Not later than 24 hours after each arrest carried out pursuant to subparagraph (A), an immigration judge or an appropriate district court of the United States shall—

“(i) examine whether such arrest met the requirements under subparagraph (A) based on available evidence, including—

“(I) the sworn statement submitted pursuant to subparagraph (B); and

“(II) in-person testimony from the individual who was arrested;

“(ii) make individualized findings of whether the arresting officer or employee has established probable cause as to the factors described in clauses (i) through (iv) of subparagraph (A) that are required to make a warrantless arrest; and

“(iii) if the judge or court determines that the Department has not established such probable cause and the individual arrested does not present an imminent danger to the community, the judge or the court shall order the prompt release of the individual.”;

(2) in paragraph (3), by striking “(3) within a reasonable distance” and inserting the following:

“(3) OTHER POWERS.—Any officer or employee of the Department of Homeland Security

authorized under regulations prescribed by the Secretary of Homeland Security shall have power, without a warrant—

“(A) within a reasonable distance”.

SEC. 5. CONFORMING AMENDMENTS.

Section 287(a) of the Immigration and Nationality Act (8 U.S.C. 1357(a)) is further amended—

(1) in paragraph (5), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses 2 ems to the right;

(2) by redesignating paragraphs (4) and (5) as subparagraphs (B) and (C), respectively, and by moving such subparagraphs 2 ems to the right;

(3) in paragraph (3), as redesignated—

(A) by striking “aliens” each place such term appears and inserting “noncitizens”; and

(B) in subparagraph (C)(ii), by striking “reasonable grounds to believe” and inserting “probable cause”; and

(4) in the undersigned matter following paragraph (3)(C)(ii), as redesignated—

(A) by striking “under paragraph (5)(B)” each place it appears and inserting “under paragraph (3)(C)(ii)”;

(B) by inserting “or the Secretary of Homeland Security” after “Attorney General”; and

(C) by striking “Service” each place such term appears and inserting “Department of Homeland Security”.

By Mr. PADILLA:

S. 5563. A bill to direct the Administrator of the National Oceanic and Atmospheric Administration to study the impacts of the dumping of certain waste in the San Pedro Basin, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. PADILLA. Mr. President, I rise today to introduce the Ocean Protection and DDT Reduction Act. This bill would direct NOAA, in consultation with EPA and DOD, to study and address the impacts of historical toxic waste dumping, especially dichlorodiphenyltrichloroethane, DDT, and other industrial and military wastes, in the San Pedro Basin off the coast of California.

Dumping of industrial, chemical, and military waste off the Southern California coast occurred from the 1930s until it was banned in 1972 by the Ocean Dumping Act. This included the dumping of DDT, radioactive materials, alkaline and oil waste, and unexploded ordnance and munitions across 14 sites along the coastline from San Diego to Santa Monica.

In addition to the dumping of chemical waste barrels, millions of pounds of DDT and PCBs were discharged through sewer outfall pipes. Roughly 110 tons of DDT ended up in the sediments of the Palos Verdes Shelf, and in 1996, EPA added this 17 square-mile underwater site as a Superfund site.

Recent studies have found tens of thousands of degrading and leaking barrels of DDT and hazardous waste on the ocean floor at a depth of 3,000 ft deep and 8 to 24 miles from the coast of Southern California, posing potential risks to marine life, fisheries, and public health.

New images from 2020 that showed corroded metal barrels with mysterious

“halos” in the deep ocean off Los Angeles prompted a Scripps study supported by NOAA, which found that these barrels were leaking caustic alkaline waste.

This bill would support important research and coordination on the scope and impacts of the dumped covered waste in the San Pedro Basin and the potential of bioremediation, as well as require a report to Congress after 3 years. The bill would also establish a grant program for academic and research institutions to study the mapping, movement, breakdown, and bioaccumulation of contaminants.

Due to slow degradation, DDT is an ongoing hazard to humans and wildlife, with bioaccumulation found in sea lions, dolphins, bottom-feeding fish, and condors. Supporting further research is crucial to addressing the impacts of the toxic waste dumping.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 898—EXPRESSING THE SENSE OF THE SENATE THAT THE ADDITIONAL TARIFFS IMPOSED ON CANADIAN GOODS UNDER SECTION 338 OF THE TARIFF ACT OF 1930 AND THE RHETORIC SURROUNDING THE BILATERAL RELATIONSHIP BETWEEN CANADA AND THE UNITED STATES HARM UNITED STATES CONSUMERS AND BUSINESSES AND THE TARIFFS SHOULD BE RESCINDED

Ms. ROSEN submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 898

Whereas Canada is one of the strongest allies of the United States, among the largest trading partners of the United States, and the leading source of foreign visitors to many travel destinations in the United States;

Whereas Canada was the top source of international visitors to the United States in 2024, with 20,400,000 visits generating \$20,500,000,000 in spending and supporting 140,000 United States jobs, according to the United States Travel Association;

Whereas President Donald J. Trump has used increasingly hostile rhetoric toward Canada, disrespecting the neighbor of the United States to the north by claiming it will become the “51st State” and calling its Prime Minister “Governor”;

Whereas, as a result of President Trump’s hostility toward Canada, travel by citizens of Canada to the United States dropped 25 percent from 2024 to 2025;

Whereas President Trump has further inflamed tensions by attempting to rename Lake Ontario as Lake America;

Whereas, on July 20, 2026, President Trump announced that he would impose tariffs of 50 percent ad valorem on certain Canadian goods under section 338 of the Tariff Act of 1930 (19 U.S.C. 1338), the first time a president has expressly cited that statute to impose tariffs;

Whereas the cost-raising tariffs went into effect on August 22, 2026;

Whereas the Government of Canada imposed retaliatory tariffs on United States goods worth \$27,600,000,000 in Canadian dollars, starting on September 8, 2026;

Whereas rising costs from the tariffs imposed under section 338 of the Tariff Act of 1930 compound existing affordability pressures facing United States families in housing, transportation, and everyday goods; and

Whereas United States businesses that rely on Canadian imports or cross-border supply chains face increased costs, disrupted planning, and reduced competitiveness as a result of President Trump’s tariffs: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the additional tariffs imposed on Canadian goods under section 338 of the Tariff Act of 1930 (19 U.S.C. 1338), and the rhetoric surrounding the bilateral relationship between the United States and Canada, harm United States consumers and businesses;

(2) the President should rescind the imposition of the tariffs on Canadian goods; and

(3) the President should immediately stop inflaming tensions with Canada and refrain from needlessly harming the bilateral relationship with a close ally of the United States, including by ceasing reference to Canada as the “51st State” and attempting to rename Lake Ontario.

SENATE RESOLUTION 899—RECOGNIZING SUICIDE AS A SERIOUS PUBLIC HEALTH PROBLEM AND EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER AS “NATIONAL SUICIDE PREVENTION MONTH”

Mr. MURPHY (for himself, Mr. TILLIS, Mr. REED, Mr. PETERS, Mrs. CAPITO, and Mr. JUSTICE) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 899

Whereas suicide is the 10th leading cause of death in the United States and the second leading cause of death among individuals between 10 and 34 years of age;

Whereas, according to the Centers for Disease Control and Prevention (referred to in this preamble as the “CDC”), 1 individual in the United States dies by suicide every 11 minutes, resulting in around 49,000 deaths each year in the United States;

Whereas, according to the Department of Veterans Affairs, 6,400 veterans die by suicide annually, the equivalent of nearly 18 veteran suicides per day;

Whereas, between 2001 and 2024, the suicide rate in the United States increased by 28 percent from 10.7 suicides for every 100,000 individuals to 13.7 suicides for every 100,000 individuals;

Whereas it is estimated that there are approximately 2,200,000 suicide attempts each year in the United States;

Whereas more than half of individuals who die by suicide did not have a known mental health condition;

Whereas, according to the CDC, many factors contribute to suicide among individuals with and without known mental health conditions, including challenges related to relationships, substance use, physical health, and stress regarding work, money, legal problems, or housing;

Whereas, according to the CDC, suicide results in an estimated \$500,000,000,000 each year in combined medical costs, the impact of lives cut short, lost work, and quality of life costs in the United States; and

Whereas the stigma associated with mental health conditions and suicidality hinders suicide prevention by discouraging at-risk individuals from seeking life-saving help and

can further traumatize survivors of suicide loss and individuals with lived experience of suicide: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes suicide as a serious and preventable public health problem of the United States and each State;

(2) supports the designation of September as “National Suicide Prevention Month”;

(3) declares suicide prevention as a priority;

(4) acknowledges that no single suicide prevention program or effort will be appropriate for all populations or communities;

(5) promotes awareness that there is no single cause of suicide; and

(6) supports strategies to increase access to high-quality mental health and suicide prevention services and substance-use disorder treatments.

SENATE RESOLUTION 900—EXPRESSING SUPPORT FOR THE DESIGNATION OF THE SECOND MONDAY IN OCTOBER 2026 AS “INDIGENOUS PEOPLES’ DAY” TO CELEBRATE AND HONOR INDIGENOUS PEOPLES AND THEIR SHARED HISTORY AND CULTURE

Mr. HEINRICH (for himself, Mr. LUJÁN, Mr. KING, Mr. SANDERS, Ms. WARREN, Mr. SCHATZ, Ms. SMITH, Mr. GALLEGO, Mr. HICKENLOOPER, Mr. KAINE, Ms. HIRONO, Mr. MERKLEY, Mr. SCHIFF, Mr. PADILLA, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 900

Whereas currently over 200 municipalities, 17 States, and the District of Columbia celebrate or recognize “Indigenous Peoples’ Day” on the second Monday of October;

Whereas Columbus Day is a Federal holiday, established by Congress in 1968 (by the Act entitled “An Act to provide for uniform annual observances of certain legal public holidays on Mondays, and for other purposes”, approved June 28, 1968 (82 Stat. 250)), and is officially recognized by some cities and States around the United States on the second Monday of October;

Whereas Columbus Day does not currently provide an opportunity to reflect on the stories and perseverance of the Indigenous Peoples of the lands that are now part of the United States;

Whereas, prior to Western contact, Indigenous Peoples lived and flourished in the lands that are now part of the United States for thousands of years;

Whereas Western contact with the lands that are now part of the United States led to the suppression, forced assimilation, and genocide of Indigenous Peoples and their cultures;

Whereas the Senate recognizes and values the vast contributions made to the United States by Indigenous Peoples’ knowledge, science, philosophy, arts, and culture;

Whereas the Senate recognizes its responsibility to honor the history, traditions, and cultural contributions of the Indigenous Peoples of the United States; and

Whereas the second Monday in October 2026 would be an appropriate date to designate as “Indigenous Peoples’ Day”: Now, therefore, be it

Resolved, That the Senate—

(1) honors and recognizes the unique contributions Indigenous Peoples have made to the United States of America;

(2) encourages the people of the United States to observe “Indigenous Peoples’ Day”