WARNER) was added as a cosponsor of amendment No. 190 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 191

At the request of Mr. MANCHIN, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Alaska (Mr. BEGICH) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of amendment No. 191 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 192

At the request of Mr. UDALL of New Mexico, the names of the Senator from Kansas (Mr. MORAN), the Senator from Colorado (Mr. UDALL) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 192 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 195

At the request of Mr. COATS, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of amendment No. 195 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 202

At the request of Mr. CRUZ, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Texas (Mr. CORNYN), the Senator from Louisiana (Mr. VITTER), the Senator from Kentucky (Mr. PAUL), the Senator from Oklahoma (Mr. INHOFE), the Senator from Florida (Mr. RUBIO), the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 202 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Mr. REED):

S. 641. A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Health, Education, Labor, and Pensions.

Mr. WYDEN. Mr. President, I rise today to discuss the critical need in today's health care workforce for additional training related to palliative care. Palliative care is an interdisciplinary model of care focused on relieving the pain, stress and other debilitating symptoms of serious illness, such as cancer, cardiac disease, respiratory disease, kidney failure, Alzheimer's, AIDS, ALS, and MS. Its goal is to relieve suffering and provide the best possible quality of life for patients and their families.

Many people mistakenly believe that palliative care is only beneficial when a cure is not possible. Actually, palliative care is not dependent on a life-limiting prognosis and may actually help individuals recover by relieving symptoms such as pain, anxiety or loss of appetite while they are undergoing sometimes difficult medical treatments or procedures, such as surgery or chemotherapy. Palliative care is provided by a team of doctors, nurses, social workers, and other specialists who work with a patient's other health care providers to provide an extra layer of support, including assistance with difficult medical decision-making and coordination of care among specialists. Palliative care is appropriate for people of any age and at any stage in an illness, whether that illness is curable, chronic or life-threatening.

There is a specific type of palliative care, called hospice, for people for whom a cure is no longer possible and who likely have 6 months or less to live. Hospice care can be provided at one's home, a hospice facility, a hospital or a nursing home. Hospice care is about giving patients control, dignity and comfort so they have the best possible quality of life during the time they have. Hospice care also provides support and grief therapy for loved ones whose struggles are often cast aside or forgotten during treatment.

A growing evidence base has demonstrated that palliative care, including hospice, improves quality, controls cost and enhances patient and family satisfaction for the rapidly expanding population of individuals with serious or life-threatening illness. Palliative care may also prolong the lives of some seriously ill patients.

Over the last 10 years, the number of hospital-based palliative care programs has more than doubled due to the increasing number of Americans living with serious, complex and chronic illnesses and the realities of the care responsibilities faced by their families. Studies suggest that in states with more hospital-based palliative care programs, patients are less likely to die in the hospital, are likely to spend fewer days in the ICU, have better pain management and higher satisfaction with their health care.

As usual, Oregon is ahead of the curve and I'm proud to say that in a 2011 report ranking states on their citizens' access to hospital-based palliative care programs, Oregon was among the seven states who earned an ''A'' rating, with 88 percent of Oregon hospitals offering palliative care.

Unfortunately, many seriously ill patients and their families lack the type of access available to Oregonians. Palliative care is a relatively new medical specialty and more must be done to ensure an adequate, well-trained palliative care workforce is available to provide comprehensive symptom management, intensive communication and a level of care coordination that addresses the episodic and long-term nature of serious, chronic illness. I believe that, with Federal support, we can help address the workforce gap between those currently practicing in palliative care and hospice and the number of health care professionals required to care for this expanding patient population. That is why today I am introducing the ''Palliative Care and Hospice Education and Training Act'' or PCHETA. This authoring legislation focuses on three key areas to grow the palliative care and hospice workforce: education centers to expand interdisciplinary training in palliative and hospice care; training of physicians who plan to teach palliative medicine and fellowships to encourage re-training for mid-career physicians; and academic career awards and career incentive awards to support physicians and other health care providers who provide palliative and hospice care training.

With this legislation, patients and families who are facing serious or life-threatening illness will have access to the high-quality palliative care and hospice services that can maximize their quality of life. I urge my colleagues to join me in this effort.

By Mr. LEAHY (for himself, Mr. LEVIN, Ms. HIRONO, and Mr. BLUMENTHAL):

S. 645. A bill to amend the Immigration and Nationality Act to reaffirm the United States historic commitment to protecting refugees who are fleeing persecution or torture; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am pleased to reintroduce the Refugee Protection Act. The Senate will soon turn to comprehensive immigration reform and the changes to the refugee system contained in this bill are a critical component of fixing our broken immigration system. As we address the

many complex immigration issues facing our country, we must ensure that America upholds its longstanding commitment to refugee protection.

The Refugee Protection Act of 2013 reaffirms the commitments we made in ratifying the 1951 Refugee Convention, and will help to restore the United States as a global leader on human rights. This legislation seeks to repeal the most harsh, inefficient, and unnecessary elements of current law, and restore the United States to its rightful role as a safe and welcoming home for those suffering from persecution around the world.

During this challenging economic time, it can be tempting to look inward rather than to fulfill our global humanitarian commitments. I believe this bill is needed more now than ever. Millions of refugees remain displaced and warehoused in refugee camps in Eastern Africa, Southeast Asia, and other parts of the world. Ongoing political struggles in the Middle East and North Africa are causing dislocation of significant populations. We will continue to see genuine refugees who are in dire need of protection. The Refugee Protection Act helps ensure that America will continue to be a haven for these individuals and their families, just as it has been historically.

Since passage of the landmark Refugee Act of 1980, more than 2.6 million refugees and asylum seekers have been granted protection in the United States. In my home State of Vermont, I have seen how the admission of these refugees and asylum seekers, almost 5,600 in the last 20 years, has revitalized and enriched communities, resulting in the creation of new businesses, safer neighborhoods, and stronger schools. We are fortunate to have the Vermont Refugee Resettlement Program, with its decades of experience and award-winning volunteer program, leading this effort. Over the last 5 years, many of these new Vermonters have come from Bhutan, Burma, and the Congo. As they become small business owners, nurses, and soccer coaches, they contribute to the well-being of our communities and their culture enriches my historically Anglo-Saxon and French-Canadian state.

Vermonters have played a tremendous role in welcoming refugees and asylum-seekers to their communities. Many have hosted refugee families in their homes until suitable housing could be found. Despite this generous community support, however, Vermont's resettlement program is not without its challenges. We experience many of the same hurdles faced by resettlement efforts and receiving communities across the Nation. To help address these hurdles, the Refugee Protection Act of 2013 includes provisions that will help the nationwide resettlement effort operate more effectively.

In addition to support and improvement of the resettlement program, this bill concerns several areas of domestic asylum adjudication that are in need of significant reform. This bill would repeal the one-year filing deadline for asylum seekers, removing an unnecessary barrier to protection. The bill would allow arriving aliens and minors to seek asylum first before the Asylum Office, rather than referring those cases immediately to immigration court. The Asylum Office is well trained to screen for fraud and is able to handle a slight increase in its caseload. Meanwhile, as we have heard from many immigration experts, the immigration courts are overburdened, under-resourced, and facing steady increases in their caseloads.

The Refugee Protection Act ensures that persons who were victims of terrorism or persecution by terrorist groups will not be doubly victimized with a denial of protection in the United States. Vermont Immigration and Asylum Advocates, a legal aid provider and a collaborator in the New England Survivor of Torture and Trauma program, continues to see cases where persons granted asylum are later blocked from bringing their families to the United States or from applying for permanent residency by overly broad definitions in current law. This bill would help such persons prove their cases without taking any shortcuts that could harm national security. The bill also gives the President the authority to designate certain particularly vulnerable groups for expedited consideration. All refugees would still have to complete security and background checks prior to entry to the United States.

Finally, the bill recognizes the need to treat genuine asylum seekers as persons in need of protection, not as criminals. It calls for asylum seekers who can prove their identities and who pose no threat to the United States to be released from immigration detention. Vermont Immigration and Asylum Advocates, like other legal aid providers across the Nation, struggle to visit detention facilities located at great distance, or to reach clients who have been transferred to far away locations. I appreciate efforts made by the Obama administration to parole eligible asylum seekers and to improve the conditions of detention overall, but more must be done. The Refugee Protection Act will improve access to counsel so that asylum seekers with genuine claims can gain legal assistance in presenting their claims. It will require the Government to codify detention standards to ensure that reforms are meaningful and enforceable. These reforms are humane and fair, but they will also save taxpayer dollars because of the high costs associated with unnecessary detentions.

There is no question that the United States is a leader among nations in refugee protection, but we can do better. The refugees we welcome to our shores contribute to the fabric of our Nation, and enrich the communities where they settle. I urge all Senators to support the Refugee Protection Act of 2013.

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

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

S. 645

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Refugee Protection Act of 2013''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) ASYLUM SEEKER.—The term ''asylum seeker''—

(A) means—

(i) any applicant for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158);

(ii) any alien who indicates an intention to apply for asylum under that section; and

(iii) any alien who indicates an intention to apply for withholding of removal, pursuant to—

(I) section 241 of the Immigration and Nationality Act (8 U.S.C. 1231); or

(II) the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984;

(B) includes any individual described in subparagraph (A) whose application for asylum or withholding of removal is pending judicial review; and

(C) does not include an individual with respect to whom a final order denying asylum and withholding of removal has been entered if such order is not pending judicial review.

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

SEC. 3. ELIMINATION OF TIME LIMITS ON ASYLUM APPLICATIONS.

Section 208(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(2)) is amended—

(1) in subparagraph (A), by inserting ''or the Secretary of Homeland Security'' after ''Attorney General'' each place such term appears;

(2) by striking subparagraphs (B) and (D);

(3) by redesignating subparagraph (C) as subparagraph (B);

(4) in subparagraph (B), as redesignated, by striking ''subparagraph (D)'' and inserting ''subparagraphs (C) and (D)''; and

(5) by inserting after subparagraph (B), as redesignated, the following:

''(C) CHANGED CIRCUMSTANCES.—Notwithstanding subparagraph (B), an application for asylum of an alien may be considered if the alien demonstrates, to the satisfaction of the Attorney General, the existence of changed circumstances that materially affect the applicant's eligibility for asylum.

''(D) MOTION TO REOPEN ASYLUM CLAIM.—Notwithstanding subparagraph (B) or section 240(c)(7), an alien may file a motion to reopen an asylum claim during the 2-year period beginning on the date of the enactment of the Refugee Protection Act of 2013 if the alien—

''(i) was denied asylum based solely upon a failure to meet the 1-year application filing deadline in effect on the date on which the application was filed;

''(ii) was granted withholding of removal to the alien's country of nationality (or, if stateless, to the country of last habitual residence under section 241(b)(3));

''(iii) has not obtained lawful permanent residence in the United States pursuant to any other provision of law;

''(iv) is not subject to the safe third country exception in section 208(a)(2)(A) or a bar to asylum under section 208(b)(2) and should not be denied asylum as a matter of discretion; and

''(v) is physically present in the United States when the motion is filed.''.

SEC. 4. PROTECTING VICTIMS OF TERRORISM FROM BEING DEFINED AS TERRORISTS.

(a) TERRORIST ACTIVITIES.—Section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)) is amended to read as follows:

''(B) TERRORIST ACTIVITIES.—

''(i) IN GENERAL.—Except as provided in clause (ii) and subsection (d)(3)(B)(i), an alien is inadmissible if—

''(I) the alien has engaged in a terrorist activity;

''(II) a consular officer, the Attorney General, or the Secretary of Homeland Security knows, or has reasonable ground to believe, that the alien is engaged, or is likely to engage after entry, in any terrorist activity;

''(III) the alien has, under circumstances indicating an intention to cause death or serious bodily harm, incited terrorist activity;

''(IV) the alien is a representative of—

''(aa) a terrorist organization; or

''(bb) a political, social, or other group that endorses or espouses terrorist activity;

''(V) the alien is a member of a terrorist organization;

''(VI) the alien endorses or espouses terrorist activity or persuades others to endorse or espouse terrorist activity or support a terrorist organization;

''(VII) the alien has received military-type training (as defined in section 2339D(c)(1) of title 18, United States Code) from, or on behalf of, any organization that, at the time the training was received, was a terrorist organization; or

''(VIII) the alien is an officer, official, representative, or spokesman of the Palestine Liberation Organization.

''(ii) EXCEPTIONS.—

''(I) LACK OF KNOWLEDGE.—Clause (i)(V) shall not apply to an alien who is a member of a terrorist organization described in clause (iii)(V)(cc) if the alien demonstrates by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a terrorist organization.

''(II) DURESS.—Clause (i)(VII) and items (dd) through (ff) of clause (iii)(I) shall not apply to an alien who establishes that his or her actions giving rise to inadmissibility under such clause were committed under duress and the alien does not pose a threat to the security of the United States. In determining whether the alien was subject to duress, the Secretary of Homeland Security may consider, among relevant factors, the age of the alien at the time such actions were committed.

''(iii) DEFINITIONS.—In this section:

''(I) ENGAGE IN TERRORIST ACTIVITY.—The term 'engage in terrorist activity' means, in an individual capacity or as a member of an organization—

''(aa) to commit or to incite to commit, under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity;

''(bb) to prepare or plan a terrorist activity;

''(cc) to gather information on potential targets for terrorist activity;

''(dd) to solicit funds or other things of value for—

''(AA) a terrorist activity;

''(BB) a terrorist organization described in item (aa) or (bb) of clause (iii)(V); or

''(CC) a terrorist organization described in clause (iii)(V)(cc), unless the solicitor can demonstrate by clear and convincing evidence that he or she did not know, and should not reasonably have known, that the organization was a terrorist organization;

''(ee) to solicit any individual—

''(AA) to engage in conduct otherwise described in this subsection;

''(BB) for membership in a terrorist organization described in item (aa) or (bb) of clause (iii)(V); or

''(CC) for membership in a terrorist organization described in clause (iii)(V)(cc) unless the solicitor can demonstrate by clear and convincing evidence that he or she did not know, and should not reasonably have known, that the organization was a terrorist organization; or

''(ff) to commit an act that the actor knows, or reasonably should know, affords material support, including a safe house, transportation, communications, funds, transfer of funds or other material financial benefit, false documentation or identification, weapons (including chemical, biological, or radiological weapons), explosives, or training—

''(AA) for the commission of a terrorist activity;

''(BB) to any individual who the actor knows, or reasonably should know, has committed or plans to commit a terrorist activity;

''(CC) to a terrorist organization described in item (aa) or (bb) of clause (iii)(V) or to any member of such an organization; or

''(DD) to a terrorist organization described in clause (iii)(V)(cc), or to any member of such an organization, unless the actor can demonstrate by clear and convincing evidence that he or she did not know, and should not reasonably have known, that the organization was a terrorist organization.

''(II) MATERIAL SUPPORT.—The term 'material support' means support that is significant and of a kind directly relevant to terrorist activity.

''(III) REPRESENTATIVE.—The term 'representative' includes—

''(aa) an officer, official, or spokesman of an organization; and

''(bb) any person who directs, counsels, commands, or induces an organization or its members to engage in terrorist activity.

''(IV) TERRORIST ACTIVITY.—The term 'terrorist activity' means any activity which is unlawful under the laws of the place where it is committed (or which, if it had been committed in the United States, would be unlawful under the laws of the United States or any State) and which involves—

''(aa) the highjacking or sabotage of any conveyance (including an aircraft, vessel, or vehicle);

''(bb) the seizing or detaining, and threatening to kill, injure, or continue to detain, another individual in order to compel a third person (including a governmental organization) to do or abstain from doing any act as an explicit or implicit condition for the release of the individual seized or detained;

''(cc) a violent attack upon an internationally protected person (as defined in section 1116(b)(4) of title 18, United States Code) or upon the liberty of such a person;

''(dd) an assassination;

''(ee) the use, with the intent to endanger the safety of 1 or more individuals or to cause substantial damage to property, of any—

''(AA) biological agent, chemical agent, or nuclear weapon or device; or

''(BB) explosive, firearm, or other weapon or dangerous device (other than for mere personal monetary gain); or

''(ff) a threat, attempt, or conspiracy to carry out any of the activities described in items (aa) through (ee).

''(V) TERRORIST ORGANIZATION.—The term 'terrorist organization' means an organization—

''(aa) designated under section 219;

''(bb) otherwise designated, upon publication in the Federal Register, by the Secretary of State in consultation with or upon the request of the Attorney General or the Secretary of Homeland Security, as a terrorist organization, after finding that the organization engages in the activities described in items (aa) through (ff) of subclause (I); or

''(cc) that is a group of 2 or more individuals, whether organized or not, which engages in, or has a subgroup which engages in, the activities described in items (aa) through (ff) of subclause (I).''.

(b) CHILD SOLDIERS.—

(1) INADMISSIBILITY.—Section 212(a)(3)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(G)) is amended by adding at the end the following ''This subparagraph shall not apply to an alien who establishes that the actions giving rise to inadmissibility under this subparagraph were committed under duress or carried out while the alien was younger than 18 years of age.''.

(2) DEPORTABILITY.—Section 237(a)(4)(F) of such Act (8 U.S.C. 1227(a)(4)(F)) is amended—

(A) by redesignating subparagraph (F) as subparagraph (G);

(B) by redesignating subparagraph (E) (as added by section 5502(b)), as subparagraph (F); and

(C) in subparagraph (G), as redesignated, by adding at the end the following ''This subparagraph shall not apply to an alien who establishes that the actions giving rise to deportability under this subparagraph were committed under duress or carried out while the alien was younger than 18 years of age.''.

(c) TEMPORARY ADMISSION OF NONIMMIGRANTS.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

''(B)(i) The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may conclude, in such Secretary's sole, unreviewable discretion, that subsection (a)(3)(B) shall not apply to an alien or that subsection (a)(3)(B)(iii)(V)(cc) shall not apply to a group. The Secretary of State may not exercise discretion under this clause with respect to an alien after removal proceedings against the alien have commenced under section 240.''.

SEC. 5. PROTECTING CERTAIN VULNERABLE GROUPS OF ASYLUM SEEKERS.

(a) DEFINED TERM.—Section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)) is amended to read as follows:

''(42)(A) The term 'refugee' means any person who—

''(i)(I) is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided; and

''(II) is unable to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution, or a well-founded fear of persecution, on account of race, religion, nationality, membership in a particular social group, or political opinion; or

''(ii) in such circumstances as the President may specify, after appropriate consultation (as defined in section 207(e))—

''(I) is within the country of such person's nationality or, in the case of a person having no nationality, within the country in which such person is habitually residing; and

''(II) is persecuted, or who has a well-founded fear of persecution, on account of race, religion, nationality, membership in a particular social group, or political opinion.

''(B) The term 'refugee' does not include any person who 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.

''(C) For purposes of determinations under this Act—

''(i) a person who has been forced to abort a pregnancy or to undergo involuntary sterilization, or who has been persecuted for failure or refusal to undergo such a procedure or for other resistance to a coercive population control program, shall be deemed to have been persecuted on account of political opinion; and

''(ii) a person who has a well-founded fear that he or she will be forced to undergo such a procedure or subject to persecution for such failure, refusal, or resistance shall be deemed to have a well-founded fear of persecution on account of political opinion.

''(D) For purposes of determinations under this Act, any group whose members share a characteristic that is either immutable or fundamental to identity, conscience, or the exercise of the person's human rights such that the person should not be required to change it, shall be deemed a particular social group, without any additional requirement.''.

(b) CONDITIONS FOR GRANTING ASYLUM.—Section 208(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(1)(B)) is amended—

(1) in clause (i), by striking ''at least one central reason for persecuting the applicant'' and inserting ''a factor in the applicant's persecution or fear of persecution'';

(2) in clause (ii), by striking the last sentence and inserting the following: ''If the trier of fact determines that the applicant should provide evidence that corroborates otherwise credible testimony, the trier of fact shall provide notice and allow the applicant a reasonable opportunity to file such evidence unless the applicant does not have the evidence and cannot reasonably obtain the evidence.'';

(3) by redesignating clause (iii) as clause (iv);

(4) by inserting after clause (ii) the following:

''(iii) SUPPORTING EVIDENCE ACCEPTED.—Direct or circumstantial evidence, including evidence that the State is unable to protect the applicant or that State legal or social norms tolerate such persecution against persons like the applicant, may establish that persecution is on account of race, religion, nationality, membership in a particular social group, or political opinion.''; and

(5) in clause (iv), as redesignated, by striking '', without regard to whether an inconsistency, inaccuracy, or falsehood goes to the heart of the applicant's claim, or any other relevant factor.'' and inserting ''. If the trier of fact determines that there are inconsistencies or omissions, the alien shall be given an opportunity to explain and to provide support or evidence to clarify such inconsistencies or omissions.''.

(c) REMOVAL PROCEEDINGS.—Section 240(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1229a(c)(4)) is amended—

(1) in subparagraph (B), by striking the last sentence and inserting the following: ''If the trier of fact determines that the applicant should provide evidence that corroborates otherwise credible testimony, the trier of fact shall provide notice and allow the applicant a reasonable opportunity to file such evidence unless the applicant does not have the evidence and cannot reasonably obtain the evidence.''; and

(2) in subparagraph (C), by striking '', without regard to whether an inconsistency, inaccuracy, or falsehood goes to the heart of the applicant's claim, or any other relevant factor.'' and inserting ''. If the trier of fact determines that there are inconsistencies or omissions, the alien shall be given an opportunity to explain and to provide support or evidence to clarify such inconsistencies or omissions.''.

SEC. 6. EFFECTIVE ADJUDICATION OF PROCEEDINGS.

Section 240(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1229a(b)(4)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''In proceedings under this section, under regulations of the Attorney General'' and inserting ''The Attorney General shall promulgate regulations for proceedings under this section, under which—''

(2) in subparagraph (B), by striking '', and'' at the end and inserting a semicolon;

(3) by redesignating subparagraph (C) as subparagraph (D); and

(4) by inserting after subparagraph (B) the following:

''(C) the Attorney General, or the designee of the Attorney General, may appoint counsel to represent an alien if the fair resolution or effective adjudication of the proceedings would be served by appointment of counsel; and''.

SEC. 7. SCOPE AND STANDARD FOR REVIEW.

Section 242(b) of the Immigration and Nationality Act (8 U.S.C. 1252(b)) is amended—

(1) in paragraph (1), by adding at the end the following: ''The alien shall not be removed during such 30-day period, unless the alien indicates in writing that he or she wishes to be removed before the expiration of such period.''; and

(2) by striking paragraph (4) and inserting the following:

''(4) SCOPE AND STANDARD FOR REVIEW.—Except as provided in paragraph (5)(B), the court of appeals shall sustain a final decision ordering removal unless it is contrary to law, an abuse of discretion, or not supported by substantial evidence. The court of appeals shall decide the petition only on the administrative record on which the order of removal is based.''.

SEC. 8. EFFICIENT ASYLUM DETERMINATION PROCESS.

Section 235(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)) is amended—

(1) in clause (ii), by striking ''shall be detained for further consideration of the application for asylum.'' and inserting ''may, in the Secretary's discretion, be detained for further consideration of the application for asylum by an asylum officer designated by the Director of United States Citizenship and Immigration Services. The asylum officer, after conducting a nonadversarial asylum interview, may grant asylum to the alien under section 208 or refer the case to a designee of the Attorney General, for a de novo asylum determination, for relief under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, or for withholding of removal under section 241(b)(3).''; and

(2) in clause (iii)(IV)—

(A) by amending the subclause heading to read as follows:

''(IV) DETENTION.—''; and

(B) by striking ''shall'' and inserting ''may, in the Secretary's discretion,''.

SEC. 9. SECURE ALTERNATIVES PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish the Secure Alternatives Program (referred to in this section as the ''Program'') under which an alien who has been detained may be released under enhanced supervision—

(1) to prevent the alien from absconding;

(2) to ensure that the alien makes appearances related to such detention; and

(3) to authorize and promote the utilization of alternatives to detention of asylum seekers.

(b) PROGRAM REQUIREMENTS.—

(1) NATIONWIDE IMPLEMENTATION.—The Secretary shall facilitate the nationwide implementation of the Program.

(2) UTILIZATION OF ALTERNATIVES.—The Program shall utilize a continuum of alternatives based on the alien's need for supervision, which may include placement of the alien—

(A) with an individual or organizational sponsor; or

(B) in a supervised group home.

(3) PROGRAM ELEMENTS.—The Program shall include—

(A) individualized case management by an assigned case supervisor; and

(B) referral to community-based providers of legal and social services.

(4) RESTRICTIVE ELECTRONIC MONITORING.—

(A) IN GENERAL.—Restrictive electronic monitoring devices, such as ankle bracelets,

may not be used unless there is a demonstrated need for such enhanced monitoring.

(B) PERIODIC REVIEW.—The Secretary shall periodically review any decision to require the use of devices described in subparagraph (A).

(5) ALIENS ELIGIBLE FOR SECURE ALTERNATIVES PROGRAM.—

(A) IN GENERAL.—Asylum seekers denied parole under section 235(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)) shall be eligible to participate in the Program.

(B) PROGRAM DESIGN.—The Program shall be designed to ensure sufficient supervision of the population described in subparagraph (A).

(6) INDIVIDUALIZED DETERMINATIONS.—For aliens who pose a flight risk, the Secretary shall make an individualized determination as to whether this risk can be mitigated through the Program.

(7) RULEMAKING.—The Attorney General and the Secretary shall promulgate regulations establishing procedures for the review of any determination under this section by an immigration judge, unless the alien waives the right to such review.

(8) CONTRACTS.—The Secretary shall enter into contracts with qualified nongovernmental entities to implement the Program.

(9) OTHER CONSIDERATIONS.—In designing the Program, the Secretary shall—

(A) consult with relevant experts; and

(B) consider programs that have proven successful in the past, including the Appearance Assistance Program developed by the Vera Institute of Justice.

(c) PAROLE OF CERTAIN ALIENS.—Section 235(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)) is amended—

(1) by redesignating clause (v) as clause (vi); and

(2) by inserting after clause (iv) the following:

''(v) RELEASE.—

''(I) IN GENERAL.—Any alien subject to detention under this subsection who has been determined to have a credible fear of persecution shall be released from the custody of the Department of Homeland Security not later than 7 days after such determination unless the Secretary of Homeland Security demonstrates by substantial evidence that the alien—

''(aa) poses a risk to public safety, which may include a risk to national security; or

''(bb) is a flight risk, which cannot be mitigated through other conditions of release, such as bond or secure alternatives, that would reasonably ensure that the alien would appear for immigration proceedings.

''(II) NOTICE.—The Secretary of Homeland Security shall provide every alien and the alien's legal representative with written notification of the parole decision, including a brief explanation of the reasons for any decision to deny parole. The notification should be communicated to the alien orally or in writing, in a language the alien claims to understand.''.

SEC. 10. CONDITIONS OF DETENTION.

(a) IN GENERAL.—The Secretary shall promulgate regulations that—

(1) establish the conditions for the detention of asylum seekers that ensure a safe and humane environment; and

(2) include the rights and procedures set forth in subsections (c) through (e).

(b) DEFINITIONS.—In this section:

(1) DETAINEE.—The term ''detainee'' means an individual who is detained under the authority of U.S. Immigration and Customs Enforcement.

(2) DETENTION FACILITY.—The term ''detention facility'' means any Federal, State, or local government facility or privately owned and operated facility, which is being used to hold detainees longer than 72 hours.

(3) GROUP LEGAL ORIENTATION PRESENTATIONS.—The term ''group legal orientation presentations'' means live group presentations, supplemented by individual orientations, pro se workshops, and pro bono referrals, that—

(A) are carried out by private nongovernmental organizations;

(B) are presented to detainees;

(C) inform detainees about United States immigration law and procedures; and

(D) enable detainees to determine their eligibility for relief.

(4) SHORT-TERM DETENTION FACILITY.—The term ''short-term detention facility'' means any detention facility that is used to hold immigration detainees for not more than 72 hours.

(c) ACCESS TO LEGAL SERVICES.—

(1) LISTS OF LEGAL SERVICE PROVIDERS.—All detainees arriving at a detention facility shall promptly receive—

(A) access to legal information, including an on-site law library with up-to-date legal materials and law databases;

(B) free access to the necessary equipment and materials for legal research and correspondence, such as computers, printers, copiers, and typewriters;

(C) an accurate, updated list of free or low-cost immigration legal service providers that—

(i) are near such detention facility; and

(ii) can assist those with limited English proficiency or disabilities;

(D) confidential meeting space to confer with legal counsel; and

(E) services to send confidential legal documents to legal counsel, government offices, and legal organizations.

(2) GROUP LEGAL ORIENTATION PRESENTATIONS.—The Secretary shall establish procedures for regularly scheduled, group legal orientation presentations.

(3) GRANTS AUTHORIZED.—The Secretary shall establish a program to award grants to nongovernmental agencies for the purpose of developing, implementing, or expanding legal orientation programs available for all detainees at the detention facilities in which such programs are offered.

(4) VISITS.—Detainees shall be provided adequate access to contact visits from—

(A) legal service providers, including attorneys, paralegals, law graduates, law students, and representatives accredited by the Board of Immigration Appeals;

(B) consultants, as authorized under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)), before and during interviews in which determinations of credible fear of persecution are made; and

(C) individuals assisting in the provision of legal representation and documentation in support of the asylum seekers' cases, including interpreters, medical personnel, mental health providers, social welfare workers, expert and fact witnesses, and others.

(5) NOTIFICATION REQUIREMENT.—The Secretary shall establish procedures to provide detainees with adequate and prompt notice, in the language of the detainee, of their available release options and the procedures for requesting such options.

(6) LOCATION OF NEW DETENTION FACILITIES.—All detention facilities first used by the Department of Homeland Security after the date of the enactment of this Act shall be located within 50 miles of a community in which there is a demonstrated capacity to provide free or low-cost legal representation by—

(A) nonprofit legal aid organizations; or

(B) pro bono attorneys with expertise in asylum or immigration law.

(7) NOTIFICATION OF TRANSFERS.—The Secretary shall establish procedures requiring the prompt notification of the legal representative of a detainee before transferring such detainee to another detention facility.

(8) ACCESS TO TELEPHONES.—

(A) IN GENERAL.—Not later than 6 hours after the commencement of a detention of a detainee, the detainee shall be provided reasonable access to a telephone, with at least 1 working telephone available for every 25 detainees.

(B) CONTACTS.—Each detainee has the right to contact by telephone, free of charge—

(i) legal representatives;

(ii) nongovernmental organizations designated by the Secretary;

(iii) consular officials;

(iv) the United Nations High Commissioner for Refugees;

(v) Federal and State courts in which the detainee is, or may become, involved in a legal proceeding; and

(vi) all Government immigration agencies and adjudicatory bodies, including the Office of the Inspector General of the Department of Homeland Security and the Office for Civil Rights and Civil Liberties of the Department of Homeland Security, through confidential toll-free numbers.

(d) RELIGIOUS AND CULTURAL PROVISIONS.—

(1) ACCESS TO RELIGIOUS SERVICES.—Detainees shall be given full and equitable access to religious services, religious materials, opportunity for religious group study, and religious counseling appropriate to their religious beliefs and practices.

(2) CHAPLAINS.—Each detention facility shall have a chaplain, who shall be responsible for—

(A) managing the religious activities at the detention facility, including providing pastoral care and counseling to detainees; and

(B) facilitating access to pastoral care and counseling from external clergy or religious service providers who represent the faiths of the detainees at the facility.

(3) DIETARY NEEDS.—The Secretary shall ensure that the religious, medical, and cultural dietary needs of the detainees are met.

(4) QUALIFICATIONS OF STAFF.—The Secretary shall ensure that detention facility staff members are trained to recognize and address cultural and gender issues relevant to male, female, and child detainees.

(5) ACCESS TO DETENTION FACILITIES BY NONGOVERNMENTAL ORGANIZATIONS.—Nongovernmental organizations shall be provided reasonable access to a detention facility to—

(A) observe the conditions of detention outlined in this section;

(B) engage in teaching and training programs for the detainees detained at the facility; and

(C) provide legal or religious services to the detainees.

(e) LIMITATIONS ON SOLITARY CONFINEMENT, SHACKLING, AND STRIP SEARCHES.—

(1) EXTRAORDINARY CIRCUMSTANCES.—Solitary confinement, shackling, and strip searches of detainees—

(A) may not be used unless such techniques are necessitated by extraordinary circumstances in which the safety of other persons is at imminent risk; and

(B) may not be used for the purpose of humiliating detainees within or outside the detention facility.

(2) PROTECTED CLASSES.—Solitary confinement, shackling, and strip searches may not be used on pregnant women, nursing mothers, women in labor or delivery, or children who are younger than 18 years of age. Strip searches may not be conducted in the presence of children who are younger than 21 years of age.

(3) WRITTEN POLICIES.—Detention facilities shall—

(A) adopt written policies pertaining to the use of force and restraints; and

(B) train all staff on the proper use of such techniques and devices.

SEC. 11. TIMELY NOTICE OF IMMIGRATION CHARGES.

Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended by adding at the end the following:

''(f) NOTICE AND CHARGES.—Not later than 48 hours after the commencement of a detention of an individual under this section, the Secretary of Homeland Security shall—

''(1) file a Notice to Appear or other relevant charging document with the immigration court closest to the location at which the individual was apprehended; and

''(2) serve such notice or charging document on the individual.''.

SEC. 12. PROCEDURES FOR ENSURING ACCURACY AND VERIFIABILITY OF SWORN STATEMENTS TAKEN PURSUANT TO EXPEDITED REMOVAL AUTHORITY.

(a) IN GENERAL.—The Secretary shall establish quality assurance procedures to ensure the accuracy and verifiability of signed or sworn statements taken by employees of the Department of Homeland Security exercising expedited removal authority under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)).

(b) RECORDING OF INTERVIEWS.—

(1) IN GENERAL.—Any sworn or signed written statement taken from an alien as part of the record of a proceeding under section 235(b)(1)(A) of the Immigration and Nationality Act shall be accompanied by a recording of the interview which served as the basis for such sworn statement.

(2) CONTENT.—The recording shall include—

(A) a reading of the entire written statement to the alien in a language that the alien claims to understand; and

(B) the verbal affirmation by the alien of the accuracy of—

(i) the written statement; or

(ii) a corrected version of the written statement.

(3) FORMAT.—The recording shall be made in video, audio, or other equally reliable format.

(4) EVIDENCE.—Recordings of interviews under this subsection may be considered as evidence in any further proceedings involving the alien.

(c) EXEMPTION AUTHORITY.—

(1) EXEMPTED FACILITIES.—Subsection (b) shall not apply to interviews that occur at detention facilities exempted by the Secretary under this subsection.

(2) CRITERIA.—The Secretary, or the Secretary's designee, may exempt any detention facility if compliance with subsection (b) at that facility would impair operations or impose undue burdens or costs.

(3) REPORT.—The Secretary shall annually submit a report to Congress that identifies the facilities that have been exempted under this subsection.

(4) NO PRIVATE CAUSE OF ACTION.—Nothing in this subsection may be construed to create a private cause of action for damages or injunctive relief.

(d) INTERPRETERS.—The Secretary shall ensure that a professional fluent interpreter is used if—

(1) the interviewing officer does not speak a language understood by the alien; and

(2) there is no other Federal Government employee available who is able to interpret effectively, accurately, and impartially.

SEC. 13. STUDY ON THE EFFECT OF EXPEDITED REMOVAL PROVISIONS, PRACTICES, AND PROCEDURES ON ASYLUM CLAIMS.

(a) STUDY.—

(1) IN GENERAL.—The United States Commission on International Religious Freedom (referred to in this section as the ''Commission'') is authorized to conduct a study to determine whether immigration officers described in paragraph (2) are engaging in conduct described in paragraph (3).

(2) IMMIGRATION OFFICERS DESCRIBED.—An immigration officer described in this paragraph is an immigration officer performing duties under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)) with respect to aliens who—

(A) are apprehended after entering the United States; and

(B) may be eligible to apply for asylum under section 208 or 235 of such Act.

(3) CONDUCT DESCRIBED.—An immigration officer engages in conduct described in this paragraph if the immigration officer—

(A) improperly encourages an alien referred to in paragraph (2) to withdraw or retract claims for asylum;

(B) incorrectly fails to refer such an alien for an interview by an asylum officer to determine whether the alien has a credible fear of persecution (as defined in section 235(b)(1)(B)(v) of such Act (8 U.S.C. 1225(b)(1)(B)(v)));

(C) incorrectly removes such an alien to a country in which the alien may be persecuted; or

(D) detains such an alien improperly or under inappropriate conditions.

(b) REPORT.—Not later than 2 years after the date on which the Commission initiates the study under subsection (a), the Commission shall submit a report containing the results of the study to—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Foreign Relations of the Senate;

(4) the Committee on Homeland Security of the House of Representatives;

(5) the Committee on the Judiciary of the House of Representatives; and

(6) the Committee on Foreign Affairs of the House of Representatives.

(c) STAFF.—

(1) FROM OTHER AGENCIES.—

(A) IDENTIFICATION.—The Commission may identify employees of the Department of Homeland Security, the Department of Justice, and the Government Accountability Office that have significant expertise and knowledge of refugee and asylum issues.

(B) DESIGNATION.—At the request of the Commission, the Secretary, the Attorney General, and the Comptroller General of the United States shall authorize staff identified under subparagraph (A) to assist the Commission in conducting the study under subsection (a).

(2) ADDITIONAL STAFF.—The Commission may hire additional staff and consultants to conduct the study under subsection (a).

(3) ACCESS TO PROCEEDINGS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary and the Attorney General shall provide staff designated under paragraph (1) or hired under paragraph (2) with unrestricted access to all stages of all proceedings conducted under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)).

(B) EXCEPTIONS.—The Secretary and the Attorney General may not permit unrestricted access under subparagraph (A) if—

(i) the alien subject to a proceeding under such section 235(b) objects to such access; or

(ii) the Secretary or Attorney General determines that the security of a particular proceeding would be threatened by such access.

SEC. 14. REFUGEE OPPORTUNITY PROMOTION.

Section 209 of the Immigration and Nationality Act (8 U.S.C. 1159) is amended—

(1) in subsection (a)(1)(B), by striking ''one year,'' and inserting ''1 year (except as provided under subsection (d));'';

(2) in subsection (b)(2), by striking ''asylum,'' and inserting ''asylum (except as provided under subsection (d));''; and

(3) by adding at the end the following:

''(d) EXCEPTION TO PHYSICAL PRESENCE REQUIREMENT.—An alien who does not meet the 1-year physical presence requirement under subsection (a)(1)(B) or (b)(2), but who otherwise meets the requirements under subsection (a) or (b) for adjustment of status to that of an alien lawfully admitted for permanent residence, may be eligible for such adjustment of status if the alien—

''(1) is or was employed by—

''(A) the United States Government or a contractor of the United States Government overseas and performing work on behalf of the United States Government for the entire period of absence, which may not exceed 1 year; or

''(B) the United States Government or a contractor of the United States Government in the alien's country of nationality or last habitual residence for the entire period of absence, which may not exceed 1 year, and the alien was under the protection of the United States Government or a contractor while performing work on behalf of the United States Government during the entire period of employment; and

''(2) returned immediately to the United States upon the conclusion of the employment.''.

SEC. 15. PROTECTIONS FOR MINORS SEEKING ASYLUM.

(a) IN GENERAL.—Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) in subsection (a)(2), as amended by section 3, by amending subparagraph (E) to read as follows:

''(E) APPLICABILITY TO MINORS.—Subparagraphs (A), (B), and (C) shall not apply to an applicant who is younger than 18 years of age on the earlier of—

''(i) the date on which the asylum application is filed; or

''(ii) the date on which any Notice to Appear is issued.''; and

(2) in subsection (b)(3), by amending subparagraph (C) to read as follows:

''(C) INITIAL JURISDICTION.—An asylum officer (as defined in section 235(b)(1)(E)) shall have initial jurisdiction over any asylum application filed by an applicant who is younger than 18 years of age on the earlier of—

''(i) the date on which the asylum application is filed; or

''(ii) the date on which any Notice to Appear is issued.''.

(b) REINSTATEMENT OF REMOVAL.—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) in paragraph (5), by striking ''If the Attorney General'' and inserting ''Except as provided in paragraph (8), if the Secretary of Homeland Security''; and

(2) by adding at the end of the following:

''(8) APPLICABILITY OF REINSTATEMENT OF REMOVAL.—Paragraph (5) shall not apply to an alien who has reentered the United States illegally after having been removed or having departed voluntarily, under an order of removal, if the alien was younger than 18 years of age on the date on which the alien was removed or departed voluntarily under an order of removal.''.

SEC. 16. LEGAL ASSISTANCE FOR REFUGEES AND ASYLEES.

Section 412(c)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1522(c)(1)(A)) is amended—

(1) in clause (ii), by striking ''and'' at an end;

(2) by redesignating clause (iii) as clause (iv); and

(3) by inserting after clause (ii) the following:

''(iii) to provide legal services for refugees to assist them in obtaining immigration benefits for which they are eligible; and''.

SEC. 17. PROTECTION OF STATELESS PERSONS IN THE UNITED STATES.

(a) IN GENERAL.—Chapter 1 of title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by adding at the end the following:

''SEC. 210A. PROTECTION OF STATELESS PERSONS IN THE UNITED STATES.

''(a) DEFINED TERM.—

''(1) IN GENERAL.—In this section, the term 'de jure stateless person' means an individual who is not considered a national under the laws of any country. Individuals who have lost their nationality as a result of their voluntary action or knowing inaction after arrival in the United States shall not be considered de jure stateless persons.

''(2) DESIGNATION OF SPECIFIC DE JURE GROUPS.—The Secretary of Homeland Security, in consultation with the Secretary of State, may, in the discretion of the Secretary, designate specific groups of individuals who are considered de jure stateless persons, for purposes of this section.

''(b) MECHANISMS FOR REGULARIZING THE STATUS OF STATELESS PERSONS.—

''(1) RELIEF FOR INDIVIDUALS DETERMINED TO BE DE JURE STATELESS PERSONS.—The Secretary of Homeland Security or the Attorney General may, in his or her discretion, provide conditional lawful status to an alien who is otherwise inadmissible or deportable from the United States if the alien—

''(A) is a de jure stateless person;

''(B) applies for such relief;

''(C) is not inadmissible under paragraph (2) or (3) of section 212(a); and

''(D) is not described in section 241(b)(3)(B)(i).

''(2) WAIVERS.—The provisions under paragraphs (4), (5), (6)(A), (7)(A), and (9) of section 212(a) shall not be applicable to any alien seeking relief under paragraph (1). The Secretary of Homeland Security or the Attorney General may waive any other provision of such section (other than paragraph (2)(C) or subparagraph (A), (B), (C), or (E) of paragraph (3)) with respect to such an alien for humanitarian purposes, to assure family unity, or if it is otherwise in the public interest.

''(3) SUBMISSION OF PASSPORT OR TRAVEL DOCUMENT.—Any alien who seeks relief under this section shall submit to the Secretary of Homeland Security or the Attorney General—

''(A) any passport or travel document issued at any time to the alien (whether or not the passport or document has expired or been cancelled, rescinded, or revoked); or

''(B) an affidavit, sworn under penalty of perjury—

''(i) stating that the alien has never been issued a passport or travel document; or

''(ii) identifying with particularity any such passport or travel document and explaining why the alien cannot submit it.

''(4) WORK AUTHORIZATION.—The Secretary of Homeland Security may—

''(A) authorize an alien who has applied for relief under paragraph (1) to engage in employment in the United States while such application is being considered; and

''(B) provide such applicant with an employment authorized endorsement or other appropriate document signifying authorization of employment.

''(5) TREATMENT OF SPOUSE AND CHILDREN.—The spouse or child of an alien who has been granted conditional lawful status under paragraph (1) shall, if not otherwise eligible for admission under paragraph (1), be granted conditional lawful status under this section if accompanying, or following to join, such alien if—

''(A) the spouse or child is admissible (except as otherwise provided in paragraph (2)); and

''(B) the qualifying relationship to the principal beneficiary existed on the date on which such alien was granted conditional lawful status.

''(c) ADJUSTMENT OF STATUS.—

''(1) INSPECTION AND EXAMINATION.—At the end of the 5-year period beginning on the date on which an alien has been granted conditional lawful status under subsection (b), the alien may apply for lawful permanent residence in the United States if—

''(A) the alien has been physically present in the United States for at least 5 years;

''(B) the alien's conditional lawful status has not been terminated by the Secretary of Homeland Security or the Attorney General, pursuant to such regulations as the Secretary or the Attorney General may prescribe; and

''(C) the alien has not otherwise acquired permanent resident status.

''(2) REQUIREMENTS FOR ADJUSTMENT OF STATUS.—The Secretary of Homeland Security or the Attorney General, under such regulations as the Secretary or the Attorney General may prescribe, may adjust the status of an alien granted conditional lawful status under subsection (b) to that of an alien lawfully admitted for permanent residence if such alien—

''(A) is a de jure stateless person;

''(B) properly applies for such adjustment of status;

''(C) has been physically present in the United States for at least 5 years after being granted conditional lawful status under subsection (b);

''(D) is not firmly resettled in any foreign country; and

''(E) is admissible (except as otherwise provided under subsection (b)(2)) as an immigrant under this chapter at the time of examination of such alien for adjustment of status.

''(3) RECORD.—Upon approval of an application under this subsection, the Secretary of Homeland Security or the Attorney General shall establish a record of the alien's admission for lawful permanent residence as of the date that is 5 years before the date of such approval.

''(d) PROVING THE CLAIM.—In determining an alien's eligibility for lawful conditional status or adjustment of status under this subsection, the Secretary of Homeland Security or the Attorney General shall consider any credible evidence relevant to the application. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary or the Attorney General.

''(e) REVIEW.—

''(1) ADMINISTRATIVE REVIEW.—No appeal shall lie from the denial of an application by the Secretary, but such denial will be without prejudice to the alien's right to renew the application in proceedings under section 240.

''(2) MOTIONS TO REOPEN.—Notwithstanding any limitation imposed by law on motions to reopen removal, deportation, or exclusion proceedings, any individual who is eligible for relief under this section may file a motion to reopen removal or deportation proceedings in order to apply for relief under this section. Any such motion shall be filed not later than the later of—

''(A) 2 years after the date of the enactment of the Refugee Protection Act of 2013; or

''(B) 90 days after the date of entry of a final administrative order of removal, deportation, or exclusion.

''(f) LIMITATION.—

''(1) APPLICABILITY.—The provisions of this section shall only apply to aliens present in the United States.

''(2) SAVINGS PROVISION.—Nothing in this section may be construed to authorize or require—

''(A) the admission of any alien to the United States;

''(B) the parole of any alien into the United States; or

''(C) the grant of any motion to reopen or reconsider filed by an alien after departure or removal from the United States.''.

(b) JUDICIAL REVIEW.—Section 242(a)(2)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1252(a)(2)(B)(ii)) is amended by inserting ''or 210A'' after ''208(a)''.

(c) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by inserting after the item relating to section 210 the following:

''Sec. 210A. Protection of stateless persons in the United States.''.

SEC. 18. AUTHORITY TO DESIGNATE CERTAIN GROUPS OF REFUGEES FOR CONSIDERATION.

(a) IN GENERAL.—Section 207(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(1)) is amended—

(1) by inserting ''(A)'' before ''Subject to the numerical limitations''; and

(2) by adding at the end the following:

''(B)(i) The President, upon a recommendation of the Secretary of State made in consultation with the Secretary of Homeland Security, and after appropriate consultation, may designate specifically defined groups of aliens—

''(I) whose resettlement in the United States is justified by humanitarian concerns or is otherwise in the national interest; and

''(II) who—

''(aa) share common characteristics that identify them as targets of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion or of other serious harm; or

''(bb) having been identified as targets as described in item (aa), share a common need for resettlement due to a specific vulnerability.

''(ii) An alien who establishes membership in a group designated under clause (i) to the satisfaction of the Secretary of Homeland Security shall be considered a refugee for purposes of admission as a refugee under this section unless the Secretary determines that such 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.

''(iii) A designation under clause (i)—

''(I) may be revoked by the President at any time after notification to Congress;

''(II) if not revoked under subclause (I), shall expire at the end of the fiscal year; and

''(III) may be renewed by the President after appropriate consultation.

''(iv) Categories of aliens established under section 599D of Public Law 101–167 (8 U.S.C. 1157 note)—

''(I) shall be designated under clause (i) until the end of the first fiscal year commencing after the date of the enactment of the Refugee Protection Act of 2013; and

''(II) shall be eligible for designation thereafter at the discretion of the President.

''(v) An alien's admission under this subparagraph shall count against the refugee admissions goal under subsection (a).

''(vi) A designation under clause (i) shall not influence decisions to grant, to any alien, asylum under section 208, protection under section 241(b)(3), or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.''.

(b) WRITTEN REASONS FOR DENIALS OF REFUGEE STATUS.—Each decision to deny an application for refugee status of an alien who is within a category established under section 207(c)(1)(B) of the Immigration and Nationality Act, as added by subsection (a) shall be in writing and shall state, to the maximum extent feasible, the reason for the denial.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SEC. 19. MULTIPLE FORMS OF RELIEF.

(a) IN GENERAL.—Applicants for admission as refugees may simultaneously pursue admission under any visa category for which such applicants may be eligible.

(b) ASYLUM APPLICANTS WHO BECOME ELIGIBLE FOR DIVERSITY VISAS.—Section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

''(iv)(I) An asylum seeker in the United States who is notified that he or she is eligible for an immigrant visa pursuant to section 203(c) may file a petition with the district director that has jurisdiction over the district in which the asylum seeker resides (or, in the case of an asylum seeker who is or was in removal proceedings, the immigration court in which the removal proceeding is pending or was adjudicated) to adjust status to that of a permanent resident.

''(II) A petition under subclause (I) shall be filed not later than 30 days before the end of the fiscal year for which the petitioner received notice of eligibility for the visa and shall contain such information and be supported by such documentary evidence as the Secretary of State may require.

''(III) The district director or immigration court shall attempt to adjudicate each petition under this clause before the last day of the fiscal year for which the petitioner was selected. Notwithstanding clause (ii)(II), if the district director or immigration court is unable to complete such adjudication during such fiscal year, the adjudication and adjustment of the petitioner's status may take place after the end of such fiscal year.''.

SEC. 20. PROTECTION OF REFUGEE FAMILIES.

(a) CHILDREN OF REFUGEE OR ASYLEE SPOUSES AND CHILDREN.—A child of an alien who qualifies for admission as a spouse or child under section 207(c)(2)(A) or 208(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(2)(A) and 1158(b)(3)) shall be entitled to the same admission status as such alien if the child—

(1) is accompanying or following to join such alien; and

(2) is otherwise admissible under such section 207(c)(2)(A) or 208(b)(3).

(b) SEPARATED CHILDREN.—A child younger than 18 years of age who has been separated from the birth or adoptive parents of such child and is living under the care of an alien who has been approved for admission to the United States as a refugee shall be admitted as a refugee if—

(1) it is in the best interest of such child to be placed with such alien in the United States; and

(2) such child is otherwise admissible under section 207(c)(3) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(3)).

(c) ELIMINATION OF TIME LIMITS ON REUNIFICATION OF REFUGEE AND ASYLEE FAMILIES.—

(1) EMERGENCY SITUATION REFUGEES.—Section 207(c)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(2)(A)) is amended by striking ''A spouse or child (as defined in section 101(b)(1) (A), (B), (C), (D), or (E))'' and inserting, ''Regardless of when such refugee was admitted to the United States, a spouse or child (other than a child described in section 101(b)(1)(F))''.

(2) ASYLUM.—Section 208(b)(3)(A) of such Act (8 U.S.C. 1158(b)(3)(A)) is amended to read as follows:

''(A) IN GENERAL.—A spouse or child (other than a child described in section 101(b)(1)(F)) of an alien who was granted asylum under this subsection at any time may, if not otherwise eligible for asylum under this section, be granted the same status as the alien if accompanying or following to join such alien.''.

(d) TIMELY ADJUDICATION OF REFUGEE AND ASYLEE FAMILY REUNIFICATION PETITIONS.—Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended—

(1) in section 207(c)(2), as amended by subsection (c), by adding at the end the following:

''(D) The Secretary shall ensure that the application of an alien who is following to join a refugee who qualifies for admission under paragraph (1) is adjudicated not later than 90 days after the submission of such application.''; and

(2) in section 208(b)(3), as amended by section 15(a)(2), by adding at the end the following:

''(D) TIMELY ADJUDICATION.—The Secretary shall ensure that the application of each alien described in subparagraph (A) who applies to follow an alien granted asylum under this subsection is adjudicated not later than 90 days after the submission of such application.''.

SEC. 21. REFORM OF REFUGEE CONSULTATION PROCESS.

Section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) is amended—

(1) in subsection (a), by adding at the end the following:

''(5) All officers of the Federal Government responsible for refugee admissions or refugee resettlement shall treat the determinations made under this subsection and subsection (b) as the refugee admissions goal for the fiscal year.'';

(2) in subsection (d), by adding at the end the following:

''(4) Not later than 15 days after the last day of each calendar quarter, the President shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains—

''(A) the number of refugees who were admitted during the previous quarter;

''(B) the percentage of those arrivals against the refugee admissions goal for such quarter;

''(C) the cumulative number of refugees who were admitted during the fiscal year as of the end of such quarter;

''(D) the number of refugees to be admitted during the remainder of the fiscal year in order to meet the refugee admissions goal for the fiscal year; and

''(E) a plan that describes the procedural or personnel changes necessary to achieve the refugee admissions goal for the fiscal year.''; and

(3) in subsection (e)—

(A) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively;

(B) in the matter preceding subparagraph (A), as redesignated—

(i) by inserting ''(1)'' after ''(e)''; and

(ii) by inserting '', which shall be commenced not later than May 1 of each year and continue periodically throughout the remainder of the year, if necessary,'' after ''discussions in person'';

(C) by striking ''To the extent possible,'' and inserting the following:

''(2) To the extent possible''; and

(D) by adding at the end the following:

''(3)(A) The plans referred to in paragraph (1)(C) shall include estimates of—

''(i) the number of refugees the President expects to have ready to travel to the United States at the beginning of the fiscal year;

''(ii) the number of refugees and the stipulated populations the President expects to admit to the United States in each quarter of the fiscal year; and

''(iii) the number of refugees the President expects to have ready to travel to the United States at the end of the fiscal year.

''(B) The Secretary of Homeland Security shall ensure that an adequate number of refugees are processed during the fiscal year to fulfill the refugee admissions goals under subsections (a) and (b).''.

SEC. 22. ADMISSION OF REFUGEES IN THE ABSENCE OF THE ANNUAL PRESIDENTIAL DETERMINATION.

Section 207(a) of the Immigration and Nationality Act (8 U.S.C. 1157(a)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (1), (2), (3), and (4), respectively;

(3) in paragraph (1), as redesignated—

(A) by striking ''after fiscal year 1982''; and

(B) by adding at the end the following: ''If the President does not issue a determination under this paragraph before the beginning of a fiscal year, the number of refugees that may be admitted under this section in each quarter before the issuance of such determination shall be 25 percent of the number of refugees admissible under this section during the previous fiscal year.''; and

(4) in paragraph (3), as redesignated, by striking ''(beginning with fiscal year 1992)''.

SEC. 23. UPDATE OF RECEPTION AND PLACEMENT GRANTS.

Beginning with fiscal year 2014, not later than 30 days before the beginning of each fiscal year, the Secretary shall notify Congress of the amount of funds that the Secretary will provide in its Reception and Placement Grants in the coming fiscal year. In setting the amount of such grants each year, the Secretary shall ensure that—

(1) the grant amount is adjusted so that it is adequate to provide for the anticipated initial resettlement needs of refugees, including adjusting the amount for inflation and the cost of living;

(2) an amount is provided at the beginning of the fiscal year to each national resettlement agency that is sufficient to ensure adequate local and national capacity to serve the initial resettlement needs of refugees the Secretary anticipates the agency will resettle throughout the fiscal year; and

(3) additional amounts are provided to each national resettlement agency promptly upon the arrival of refugees that, exclusive of the amounts provided pursuant to paragraph (2), are sufficient to meet the anticipated initial resettlement needs of such refugees and support local and national operational costs in excess of the estimates described in paragraph (1).

SEC. 24. PROTECTION FOR ALIENS INTERDICTED AT SEA.

Section 241(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)) is amended—

(1) in the paragraph heading, by striking ''TO A COUNTRY WHERE ALIEN'S LIFE OR FREEDOM WOULD BE THREATENED'' and inserting ''OR RETURN IF REFUGEE'S LIFE OR FREEDOM WOULD BE THREATENED OR ALIEN WOULD BE SUBJECTED TO TORTURE'';

(2) in subparagraph (A)—

(A) by striking ''Notwithstanding'' and inserting the following:

''(i) LIFE OR FREEDOM THREATENED.—Notwithstanding''; and

(B) by adding at the end the following:

''(ii) ASYLUM INTERVIEW.—Notwithstanding paragraphs (1) and (2), a United States officer may not return any alien interdicted or otherwise encountered in international waters or United States waters who has expressed a fear of return to his or her country of departure, origin, or last habitual residence—

''(I) until such alien has had the opportunity to be interviewed by an asylum officer to determine whether that alien has a well-founded fear of persecution because of the alien's race, religion, nationality, membership in a particular social group, or political opinion, or because the alien would be subject to torture in that country; or

''(II) if an asylum officer has determined that the alien has such a well-founded fear of persecution or would be subject to torture in his or her country of departure, origin, or last habitual residence.'';

(3) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(4) by inserting after subparagraph (A) the following:

''(B) PROTECTIONS FOR ALIENS INTERDICTED IN INTERNATIONAL OR UNITED STATES WATERS.—The Secretary of Homeland Security shall issue regulations establishing a uniform procedure applicable to all aliens interdicted in international or United States waters that—

''(i) provides each alien—

''(I) a meaningful opportunity to express, through a translator who is fluent in a language the alien claims to understand, a fear of return to his or her country of departure, origin, or last habitual residence; and

''(II) in a confidential setting and in a language the alien claims to understand, information concerning the alien's interdiction, including the ability to inform United States officers about any fears relating to the alien's return or repatriation;

''(ii) provides each alien expressing such a fear of return or repatriation a confidential interview conducted by an asylum officer, in a language the alien claims to understand, to determine whether the alien's return to his or her country of origin or country of last habitual residence is prohibited because the alien has a well-founded fear of persecution—

''(I) because of the alien's race, religion, nationality, membership in a particular social group, or political opinion; or

''(II) because the alien would be subject to torture in that country;

''(iii) ensures that each alien can effectively communicate with United States officers through the use of a translator fluent in a language the alien claims to understand; and

''(iv) provides each alien who, according to the determination of an asylum officer, has a well-founded fear of persecution for the reasons specified in clause (ii) or would be subject to torture, an opportunity to seek protection in—

''(I) a country other than the alien's country of origin or country of last habitual residence in which the alien has family or other ties that will facilitate resettlement; or

''(II) if the alien has no such ties, a country that will best facilitate the alien's resettlement, which may include the United States.''.

SEC. 25. MODIFICATION OF PHYSICAL PRESENCE REQUIREMENTS FOR ALIENS SERVING AS TRANSLATORS.

(a) IN GENERAL.—Section 1059(e)(1) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 8 U.S.C. 1101 note) is amended to read as follows:

''(1) IN GENERAL.—

''(A) CONTINUOUS RESIDENCE.—An absence from the United States described in paragraph (2) shall not be considered to break any period for which continuous residence in the United States is required for naturalization under title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.).

''(B) PHYSICAL PRESENCE.—In the case of a lawful permanent resident, for an absence from the United States described in paragraph (2), the time spent outside of the United States in the capacity described in paragraph (2) shall be counted towards the accumulation of the required physical presence in the United States.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the amendment made by section 1(c)(2) of the Act entitled ''An Act to increase the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants, and for other purposes'', approved June 15, 2007 (Public Law 110–36; 121 Stat. 227).

SEC. 26. ASSESSMENT OF THE REFUGEE DOMESTIC RESETTLEMENT PROGRAM.

(a) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the domestic refugee resettlement programs operated by the Office of Refugee Resettlement.

(b) MATTERS TO BE STUDIED.—In the study required under subsection (a), the Comptroller General shall determine and analyze—

(1) how the Office of Refugee Resettlement defines self-sufficiency;

(2) if this definition is adequate in addressing refugee needs in the United States;

(3) the effectiveness of the Office of Refugee Resettlement programs in helping refugees to meet self-sufficiency;

(4) an analysis of the unmet needs of the programs;

(5) an evaluation of the Office of Refugee Resettlement's budgetary resources and projection of the amount of additional resources needed to fully address the unmet needs of refugees with regard to self-sufficiency;

(6) the role of community-based organizations in serving refugees in areas experiencing a high number of new refugee arrivals;

(7) an analysis of how community-based organizations can be better utilized and supported in the Federal domestic resettlement process; and

(8) recommendations on statutory changes to improve the Office of Refugee Resettlement and the domestic refugee program in relation to the matters analyzed under paragraphs (1) through (7).

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit a report to Congress that contains the results of the study required under subsection (a).

SEC. 27. REFUGEE ASSISTANCE.

(a) AMENDMENTS TO THE SOCIAL SERVICES FUNDING.—Section 412(c)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1522(c)(1)(B)) is amended to read as follows:

''(B) The funds available for a fiscal year for grants and contracts under subparagraph (A) shall be allocated among the States based on a combination of—

''(i) the total number or refugees (including children and adults) who arrived in the United States not more than 36 months before the beginning of such fiscal year and are actually residing in each State (taking into account secondary migration) as of the beginning of the fiscal year;

''(ii) the total number of all other eligible populations served by the Office during the period described who are residing in the State as of the beginning of the fiscal year; and

''(iii) projections on the number and nature of incoming refugees and other populations served by the Office during the subsequent fiscal year.''.

(b) REPORT ON SECONDARY MIGRATION.—Section 412(a)(3) of such Act (814 U.S.C. 1522(a)(3)) is amended—

(1) by striking ''a periodic'' and inserting ''an annual''; and

(2) by adding at the end the following: ''At the end of each fiscal year, the Assistant Secretary shall submit a report to Congress that describes the findings of the assessment, including States experiencing departures and arrivals due to secondary migration, likely reasons for migration, the impact of secondary migration on States hosting secondary migrants, availability of social services for secondary migrants in those States, and unmet needs of those secondary migrants.''.

(c) ASSISTANCE MADE AVAILABLE TO SECONDARY MIGRANTS.—Section 412(a)(1) of such Act (8 U.S.C. 1522(a)(1)) is amended by adding at the end the following:

''(C) When providing assistance under this section, the Assistant Secretary shall ensure that such assistance is provided to refugees who are secondary migrants and meet all other eligibility requirements for such services.''.

(d) NOTICE AND RULEMAKING.—Not later than 90 days after the date of enactment of this Act, but in no event later than 30 days before the effective date of the amendments made by this section, the Assistant Secretary shall—

(1) issue a proposed rule of the new formula by which grants and contracts are to be allocated pursuant to the amendments made by subsection (c); and

(2) solicit public comment.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SEC. 28. RESETTLEMENT DATA.

(a) IN GENERAL.—The Assistant Secretary of Health and Human Services for Refugee and Asylee Resettlement (referred to in this section as the ''Assistant Secretary'') shall expand the Office of Refugee Resettlement's data analysis, collection, and sharing activities in accordance with this section.

(b) DATA ON MENTAL AND PHYSICAL MEDICAL CASES.—The Assistant Secretary shall coordinate with the Centers for Disease Control, national resettlement agencies, community-based organizations, and State refugee health programs to track national and State trends on refugees arriving with Class A medical conditions and other urgent medical needs. In collecting information under this subsection, the Assistant Secretary shall utilize initial refugee health screening data, including history of severe trauma, torture, mental health symptoms, depression, anxiety and post traumatic stress disorder, recorded during domestic and international health screenings, and Refugee Medical Assistance utilization rate data.

(c) DATA ON HOUSING NEEDS.—The Assistant Secretary shall partner with State refugee programs, community-based organizations, and national resettlement agencies to collect data relating to the housing needs of refugees, including—

(1) the number of refugees who have become homeless; and

(2) the number of refugees at severe risk of becoming homeless.

(d) DATA ON REFUGEE EMPLOYMENT AND SELF-SUFFICIENCY.—The Assistant Secretary shall gather longitudinal information relating to refugee self-sufficiency and employment status for 2-year period beginning 1 year after the refugee's arrival.

(e) AVAILABILITY OF DATA.—The Assistant Secretary shall annually—

(1) update the data collected under this section; and

(2) submit a report to Congress that contains the updated data.

SEC. 29. PROTECTIONS FOR REFUGEES.

Section 209 (8 U.S.C. 1159) is amended—

(1) in subsection (a)(1), by striking ''return or be returned to the custody of the Department of Homeland Security for inspection and examination for admission to the United States as an immigrant in accordance with the provisions of sections 235, 240, and 241'' and inserting ''be eligible for adjustment of status as an immigrant to the United States'';

(2) in subsection (a)(2), by striking ''upon inspection and examination''; and

(3) in subsection (c), by adding at the end the following: ''An application for adjustment under this section may be filed up to 3 months before the date the applicant would first otherwise be eligible for adjustment under this section.''.

SEC. 30. EXTENSION OF ELIGIBILITY PERIOD FOR SOCIAL SECURITY BENEFITS FOR CERTAIN REFUGEES.

(a) EXTENSION OF ELIGIBILITY PERIOD.—

(1) IN GENERAL.—Section 402(a)(2)(M)(i) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(M)(i)) is amended—

(A) in subclause (I), by striking ''9-year'' and inserting ''10-year''; and

(B) in subclause (II), by striking ''2-year'' and inserting ''3-year''.

(2) CONFORMING AMENDMENT.—The heading for section 402(a)(2)(M)(i) of such Act is amended by striking ''TWO-YEAR EXTENSION'' and inserting ''EXTENSION''.

(3) EFFECTIVE DATE.—The amendments made by this subsection take effect on October 1, 2013.

(b) EXTENSION OF PERIOD FOR COLLECTION OF UNEMPLOYMENT COMPENSATION DEBTS RESULTING FROM FRAUD.—Paragraph (8) of section 6402(f) of the Internal Revenue Code of 1986 (relating to collection of unemployment compensation debts resulting from fraud) is amended by striking ''10 years'' and inserting ''10 years and 2 months''.

SEC. 31. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act, and the amendments made by this Act.

SEC. 32. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139), shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mr. REID:

S. 649. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; read the first time.

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. 649

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Safe Communities, Safe Schools Act of 2013''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—FIX GUN CHECKS ACT

SEC. 101. SHORT TITLE.

This title may be cited as the ''Fix Gun Checks Act of 2013''.

Subtitle A—Ensuring That All Individuals Who Should Be Prohibited From Buying a Gun Are Listed in the National Instant Criminal Background Check System

SEC. 111. REAUTHORIZATION OF NICS ACT RECORD IMPROVEMENT PROGRAM GRANTS.

(a) IN GENERAL.—Section 102(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) in paragraph (1)(C)—

(A) by striking clauses (ii) and (iii); and

(B) by redesignating clauses (iv), (v), and (vi) as clauses (ii), (iii), and (iv), respectively; and

(2) by striking paragraph (2) and inserting the following:

''(2) SCOPE.—

''(A) IN GENERAL.—The Attorney General, in determining the compliance of a State under this section or section 104 for the purpose of granting a waiver or imposing a loss of Federal funds, shall assess the total percentage of records provided by the State concerning any event occurring within the time period established by the Attorney General under subparagraph (B), which would disqualify a person from possessing a firearm under subsection (g) or (n) of section 922 of title 18, United States Code.

''(B) REGULATIONS.—Not later than 1 year after the date of enactment of the Fix Gun Checks Act of 2013, the Attorney General shall, through regulation, establish the time period described in subparagraph (A).''.

(b) IMPLEMENTATION ASSISTANCE TO STATES.—Section 103 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking subsection (a)(1) and inserting the following:

''(1) IN GENERAL.—From amounts made available to carry out this section and subject to section 102(b)(1)(B), the Attorney General shall make grants to States and Indian tribal governments, in a manner consistent with the National Criminal History Improvement Program, which shall be used by the States and Indian tribal governments, in conjunction with units of local government and State and local courts to—

''(A) establish and plan information and identification technologies for firearms eligibility determinations; and

''(B) make improvements or upgrade information and identification technologies for firearms eligibility determinations.'';

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

''(b) USE OF GRANT AMOUNTS.—

''(1) IN GENERAL.—Grants awarded to States or Indian tribes under subsection (a)(1) may only be used to—

''(A) create electronic systems, which provide accurate and up-to-date information that is directly related to checks under the National Instant Criminal Background Check System (referred to in this section as 'NICS'), including court disposition and corrections records;

''(B) assist States in establishing or enhancing their own capacities to perform NICS background checks;

''(C) supply accurate and timely information to the Attorney General concerning final dispositions of criminal records to databases accessed by NICS;

''(D) supply accurate and timely information to the Attorney General concerning the identity of persons who are prohibited from obtaining a firearm under section 922(g)(4) of title 18, United States Code, to be used by the Federal Bureau of Investigation solely to conduct NICS background checks;

''(E) supply accurate and timely court orders and records of misdemeanor crimes of domestic violence for inclusion in Federal and State law enforcement databases used to conduct NICS background checks; and

''(F) collect and analyze data needed to demonstrate levels of State compliance with this Act.

''(2) ADDITIONAL USES.—

''(A) IN GENERAL.—In addition to the uses described in paragraph (1)—

''(i) a grant awarded under subsection (a)(1)(A) may be used to assist States in establishing or enhancing a relief from disabilities program in accordance with section 105; and

''(ii) a grant awarded under subsection (a)(1)(B) may be used to maintain the relief

from disabilities program in accordance with section 105.

''(B) LIMITATION.—Not less than 3 percent and not more than 10 percent of each grant awarded under subsection (a)(1)(B) shall be used for the purpose described in subparagraph (A)(i) of this paragraph.

''(c) ELIGIBILITY.—To be eligible for a grant under section 103(a)(1)(B), a State shall certify, to the satisfaction of the Attorney General, that the State has implemented a relief from disabilities program in accordance with section 105.''; and

(3) by striking subsection (e) and inserting the following:

''(e) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are to be authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2014 through 2018.

''(2) LIMITATIONS.—

''(A) USE OF AMOUNTS AUTHORIZED.—Of the amounts authorized to be appropriated for each fiscal year under paragraph (1), not more than 30 percent may be used to carry out subsection (a)(1)(B) .

''(B) ALLOCATIONS.—A State may not be awarded more than 2 grants under subsection (a)(1)(B).''.

SEC. 112. PENALTIES FOR STATES THAT DO NOT MAKE DATA ELECTRONICALLY AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

(a) IN GENERAL.—Section 104(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) DISCRETIONARY REDUCTION.—

''(A) During the 2-year period beginning on the date on which the Attorney General publishes final rules required under section 102(b)(2)(B), the Attorney General may withhold not more than 3 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State provides less than 50 percent of the records required to be provided under sections 102 and 103.

''(B) During the 3-year period after the expiration of the period described in subparagraph (A), the Attorney General may withhold 4 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State provides less than 70 percent of the records required to be provided under sections 102 and 103.

''(2) MANDATORY REDUCTION.—After the expiration of the period referred to in paragraph (1)(B), the Attorney General shall withhold 5 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755), if the State provides less than 90 percent of the records required to be provided under sections 102 and 103.''.

(b) REPORTING OF STATE COMPLIANCE.—Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Attorney General shall publish, and make available on a publicly accessible website, a report that ranks the States by the ratio of number of records submitted by each State under sections 102 and 103 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) to the estimated total number of available records of the State.

SEC. 113. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), is amended by adding at the end the following:

''(F) APPLICATION TO FEDERAL COURTS.—In this paragraph—

''(i) the terms 'department or agency of the United States' and 'Federal department or agency' include a Federal court; and

''(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.''.

Subtitle B—Requiring a Background Check for Every Firearm Sale

SEC. 121. PURPOSE.

The purpose of this subtitle is to extend the Brady Law background check procedures to all sales and transfers of firearms.

SEC. 122. FIREARMS TRANSFERS.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended—

(1) by repealing subsection (s);

(2) by redesignating subsection (t) as subsection (s);

(3) in subsection (s), as redesignated—

(A) in paragraph (3)(C)(ii), by striking ''(as defined in subsection (s)(8))''; and

(B) by adding at the end the following:

''(7) In this subsection, the term 'chief law enforcement officer' means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual.''; and

(4) by inserting after subsection (s), as redesignated, the following:

''(t)(1) Beginning on the date that is 180 days after the date of enactment of the Fix Gun Checks Act of 2013, it shall be unlawful for any person who is not licensed under this chapter to transfer a firearm to any other person who is not licensed under this chapter, unless a licensed importer, licensed manufacturer, or licensed dealer has first taken possession of the firearm for the purpose of complying with subsection (s). Upon taking possession of the firearm, the licensee shall comply with all requirements of this chapter as if the licensee were transferring the firearm from the licensee's inventory to the unlicensed transferee.

''(2) Paragraph (1) shall not apply to—

''(A) bona fide gifts between spouses, between parents and their children, between siblings, or between grandparents and their grandchildren;

''(B) a transfer made from a decedent's estate, pursuant to a legal will or the operation of law;

''(C) a temporary transfer of possession that occurs between an unlicensed transferor and an unlicensed transferee, if —

''(i) the temporary transfer of possession occurs in the home or curtilage of the unlicensed transferor;

''(ii) the firearm is not removed from that home or curtilage during the temporary transfer; and

''(iii) the transfer has a duration of less than 7 days; and

''(D) a temporary transfer of possession without transfer of title made in connection with lawful hunting or sporting purposes if the transfer occurs—

''(i) at a shooting range located in or on premises owned or occupied by a duly incorporated organization organized for conservation purposes or to foster proficiency in firearms and the firearm is, at all times, kept within the premises of the shooting range;

''(ii) at a target firearm shooting competition under the auspices of or approved by a State agency or nonprofit organization and the firearm is, at all times, kept within the premises of the shooting competition; or

''(iii) while hunting or trapping, if—

''(I) the activity is legal in all places where the unlicensed transferee possesses the firearm;

''(II) the temporary transfer of possession occurs during the designated hunting season; and

''(III) the unlicensed transferee holds any required license or permit.

''(3) For purposes of this subsection, the term 'transfer'—

''(A) shall include a sale, gift, loan, return from pawn or consignment, or other disposition; and

''(B) shall not include temporary possession of the firearm for purposes of examination or evaluation by a prospective transferee while in the presence of the prospective transferee.

''(4)(A) Notwithstanding any other provision of this chapter, the Attorney General may implement this subsection with regulations.

''(B) Regulations promulgated under this paragraph—

''(i) shall include a provision setting a maximum fee that may be charged by licensees for services provided in accordance with paragraph (1); and

''(ii) shall include a provision requiring a record of transaction of any transfer that occurred between an unlicensed transferor and unlicensed transferee accordance with paragraph (1).''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 922.—Section 922(y)(2) of title 18, United States Code, is amended, in the matter preceding subparagraph (A), by striking '', (g)(5)(B), and (s)(3)(B)(v)(II)'' and inserting ''and (g)(5)(B)''.

(2) SECTION 925A.—Section 925A of title 18, United States Code, is amended, in the matter preceding paragraph (1), by striking ''subsection (s) or (t) of section 922'' and inserting ''section 922(s)''.

(3) NICS IMPROVEMENT AMENDMENTS ACT.—Section 103(f) of the NICS Improvement Amendments Act of 2007 is amended by striking ''section 922(t)'' and inserting ''section 922(s)''.

(4) CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2012.—Section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note) is amended by striking ''subsection 922(t)'' and inserting ''section 922(s)'' each place it appears.

SEC. 123. LOST AND STOLEN REPORTING.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end—

''(aa) It shall be unlawful for any person who lawfully possesses or owns a firearm that has been shipped or transported in, or has been possessed in or affecting, interstate or foreign commerce, to fail to report the theft or loss of the firearm, within 24 hours after the person discovers the theft or loss, to the Attorney General and to the appropriate local authorities.''.

(b) PENALTY.—Section 924(a)(1) of title 18, United States Code, is amended by striking subparagraph (B) and inserting the following:

''(B) knowingly violates subsection (a)(4), (f), (k), (q), or (aa) of section 922;''.

SEC. 124. EFFECTIVE DATE.

The amendments made by this title shall take effect 180 days after the date of enactment of this Act.

TITLE II—STOP ILLEGAL TRAFFICKING IN FIREARMS ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Stop Illegal Trafficking in Firearms Act of 2013''.

SEC. 202. HADIYA PENDLETON AND NYASIA PRYEAR-YARD ANTI-STRAW PURCHASING AND FIREARMS TRAFFICKING AMENDMENTS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

''§ 932. Straw purchasing of firearms

''(a) For purposes of this section—

''(1) the term 'crime of violence' has the meaning given that term in section 924(c)(3);

''(2) the term 'drug trafficking crime' has the meaning given that term in section 924(c)(2); and

''(3) the term 'purchase' includes the receipt of any firearm by a person who does not own the firearm—

''(A) by way of pledge or pawn as security for the payment or repayment of money; or

''(B) on consignment.

''(b) It shall be unlawful for any person (other than a licensed importer, licensed manufacturer, licensed collector, or licensed dealer) to knowingly purchase, or attempt or conspire to purchase, any firearm in or otherwise affecting interstate or foreign commerce—

''(1) from a licensed importer, licensed manufacturer, licensed collector, or licensed dealer for, on behalf of, or at the request or demand of any other person, known or unknown; or

''(2) from any person who is not a licensed importer, licensed manufacturer, licensed collector, or licensed dealer for, on behalf of, or at the request or demand of any other person, known or unknown, knowing or having reasonable cause to believe that such other person—

''(A) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding 1 year;

''(B) is a fugitive from justice;

''(C) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

''(D) has been adjudicated as a mental defective or has been committed to any mental institution;

''(E) is an alien who—

''(i) is illegally or unlawfully in the United States; or

''(ii) except as provided in section 922(y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26));

''(F) has been discharged from the Armed Forces under dishonorable conditions;

''(G) having been a citizen of the United States, has renounced his or her citizenship;

''(H) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this subparagraph shall only apply to a court order that—

''(i) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

''(ii)(I) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

''(II) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

''(I) has been convicted in any court of a misdemeanor crime of domestic violence;

''(J) intends to—

''(i) use, carry, possess, or sell or otherwise dispose of the firearm or ammunition in furtherance of a crime of violence or drug trafficking crime; or

''(ii) export the firearm or ammunition in violation of law;

''(K)(i) does not reside in any State; and

''(ii) is not a citizen of the United States; or

''(L) intends to sell or otherwise dispose of the firearm or ammunition to a person described in any of subparagraphs (A) through (K).

''(c)(1) Except as provided in paragraph (2), any person who violates subsection (b) shall be fined under this title, imprisoned for not more than 15 years, or both.

''(2) If a violation of subsection (b) is committed knowing or with reasonable cause to believe that any firearm involved will be used to commit a crime of violence, the person shall be sentenced to a term of imprisonment of not more than 25 years.

''(d) Subsection (b)(1) shall not apply to any firearm that is lawfully purchased by a person—

''(1) to be given as a bona fide gift to a recipient who provided no service or tangible thing of value to acquire the firearm, unless the person knows or has reasonable cause to believe such recipient is prohibited by Federal law from possessing, receiving, selling, shipping, transporting, transferring, or otherwise disposing of the firearm; or

''(2) to be given to a bona fide winner of an organized raffle, contest, or auction conducted in accordance with law and sponsored by a national, State, or local organization or association, unless the person knows or has reasonable cause to believe such recipient is prohibited by Federal law from possessing, purchasing, receiving, selling, shipping, transporting, transferring, or otherwise disposing of the firearm.

''§ 933. Trafficking in firearms

''(a) It shall be unlawful for any person to—

''(1) ship, transport, transfer, cause to be transported, or otherwise dispose of 2 or more firearms to another person in or otherwise affecting interstate or foreign commerce, if the transferor knows or has reasonable cause to believe that the use, carrying, or possession of a firearm by the transferee would be in violation of, or would result in a violation of, any Federal law punishable by a term of imprisonment exceeding 1 year;

''(2) receive from another person 2 or more firearms in or otherwise affecting interstate or foreign commerce, if the recipient knows or has reasonable cause to believe that such receipt would be in violation of, or would result in a violation of, any Federal law punishable by a term of imprisonment exceeding 1 year; or

''(3) attempt or conspire to commit the conduct described in paragraph (1) or (2).

''(b)(1) Except as provided in paragraph (2), any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 15 years, or both.

''(2) If a violation of subsection (a) is committed by a person in concert with 5 or more other persons with respect to whom such person occupies a position of organizer, leader, supervisor, or manager, the person shall be sentenced to a term of imprisonment of not more than 25 years.

''§ 934. Forfeiture and fines

''(a)(1) Any person convicted of a violation of section 932 or 933 shall forfeit to the United States, irrespective of any provision of State law—

''(A) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; and

''(B) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

''(2) The court, in imposing sentence on a person convicted of a violation of section 932 or 933, shall order, in addition to any other sentence imposed pursuant to section 932 or 933, that the person forfeit to the United States all property described in paragraph (1).

''(b) A defendant who derives profits or other proceeds from an offense under section 932 or 933 may be fined not more than the greater of—

''(1) the fine otherwise authorized by this part; and

''(2) the amount equal to twice the gross profits or other proceeds of the offense under section 932 or 933.''.

(b) TITLE III AUTHORIZATION.—Section 2516(1)(n) of title 18, United States Code, is amended by striking ''and 924'' and inserting '', 924, 932, or 933''.

(c) RACKETEERING AMENDMENT.—Section 1961(1)(B) of title 18, United States Code, is amended by inserting ''section 932 (relating to straw purchasing), section 933 (relating to trafficking in firearms),'' before ''section 1028''.

(d) MONEY LAUNDERING AMENDMENT.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by striking ''section 924(n)'' and inserting ''section 924(n), 932, or 933''.

(e) DIRECTIVE TO SENTENCING COMMISSION.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend its guidelines and policy statements to ensure that persons convicted of an offense under section 932 or 933 of title 18, United States Code, and other offenses applicable to the straw purchases and firearms trafficking of firearms are subject to increased penalties in comparison to those currently provided by the guidelines and policy statements for such straw purchasing and firearms trafficking offenses. The Commission shall also review and amend its guidelines and policy statements to reflect the intent of Congress that a person convicted of an offense under section 932 or 933 of title 18, United States Code, who is affiliated with a gang, cartel, organized crime ring, or other such enterprise should be subject to higher penalties than an otherwise unaffiliated individual.

(f) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by adding at the end the following:

''932. Straw purchasing of firearms.
''933. Trafficking in firearms.
''934. Forfeiture and fines.''.

SEC. 203. AMENDMENTS TO SECTION 922(d).

Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(3) by striking the matter following paragraph (9) and inserting the following:

''(10) intends to sell or otherwise dispose of the firearm or ammunition to a person described in any of paragraphs (1) through (9); or

''(11) intends to sell or otherwise dispose of the firearm or ammunition in furtherance of a crime of violence or drug trafficking offense or to export the firearm or ammunition in violation of law.

This subsection shall not apply with respect to the sale or disposition of a firearm or ammunition to a licensed importer, licensed manufacturer, licensed dealer, or licensed collector who pursuant to subsection (b) of section 925 is not precluded from dealing in firearms or ammunition, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925.''.

SEC. 204. AMENDMENTS TO SECTION 924(a).

Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''(d), (g),''; and

(2) by adding at the end the following:

''(8) Whoever knowingly violates subsection (d) or (g) of section 922 shall be fined under this title, imprisoned not more than 15 years, or both.''.

SEC. 205. AMENDMENTS TO SECTION 924(h).

Section 924 of title 18, United States Code, is amended by striking subsection (h) and inserting the following:

''(h)(1) Whoever knowingly receives or transfers a firearm or ammunition, or attempts or conspires to do so, knowing or having reasonable cause to believe that such firearm or ammunition will be used to commit a crime of violence (as defined in subsection (c)(3)), a drug trafficking crime (as defined in subsection (c)(2)), or a crime under the Arms Export Control Act (22 U.S.C. 2751 et seq.), the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.), or section 212(a)(2)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(C)) shall be imprisoned not more than 25 years, fined in accordance with this title, or both.

''(2) No term of imprisonment imposed on a person under this subsection shall run concurrently with any term of imprisonment imposed on the person under section 932.''.

SEC. 206. AMENDMENTS TO SECTION 924(k).

Section 924 of title 18, United States Code, is amended by striking subsection (k) and inserting the following:

''(k)(1) A person who, with intent to engage in or to promote conduct that—

''(A) is punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46;

''(B) violates any law of a State relating to any controlled substance (as defined in section 102 of the Controlled Substances Act, 21 U.S.C. 802); or

''(C) constitutes a crime of violence (as defined in subsection (c)(3)),

smuggles or knowingly brings into the United States a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.

''(2) A person who, with intent to engage in or to promote conduct that—

''(A) would be punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46, if the conduct had occurred within the United States; or

''(B) would constitute a crime of violence (as defined in subsection (c)(3)) for which the person may be prosecuted in a court of the United States, if the conduct had occurred within the United States,

smuggles or knowingly takes out of the United States a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.''.

SEC. 207. LIMITATION ON OPERATIONS BY THE DEPARTMENT OF JUSTICE.

The Department of Justice, and any of its law enforcement coordinate agencies, shall not conduct any operation where a Federal firearms licensee is directed, instructed, enticed, or otherwise encouraged by the Department of Justice to sell a firearm to an individual if the Department of Justice, or a coordinate agency, knows or has reasonable cause to believe that such an individual is purchasing on behalf of another for an illegal purpose unless the Attorney General, the Deputy Attorney General, or the Assistant Attorney General for the Criminal Division personally reviews and approves the operation, in writing, and determines that the agency has prepared an operational plan that includes sufficient safeguards to prevent firearms from being transferred to third parties without law enforcement taking reasonable steps to lawfully interdict those firearms.

TITLE III—SCHOOL AND CAMPUS SAFETY ENHANCEMENTS ACT

SEC. 301. SHORT TITLE.

This title may be cited as the ''School and Campus Safety Enhancements Act of 2013''.

SEC. 302. GRANT PROGRAM FOR SCHOOL SECURITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''Placement'' and inserting ''Installation''; and

(ii) by inserting ''surveillance equipment,'' after ''detectors,'';

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

''(5) Establishment of hotlines or tiplines for the reporting of potentially dangerous students and situations.''; and

(2) by adding at the end the following:

''(g) INTERAGENCY TASK FORCE.—

''(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of the School and Campus Safety Enhancements Act of 2013, the Director and the Secretary of Education, or the designee of the Secretary, shall establish an interagency task force to develop and promulgate a set of advisory school safety guidelines.

''(2) PUBLICATION OF GUIDELINES.—Not later than 1 year after the date of enactment of the School and Campus Safety Enhancements Act of 2013, the advisory school safety guidelines promulgated by the interagency task force shall be published in the Federal Register.

''(3) REQUIRED CONSULTATION.—In developing the final advisory school safety guidelines under this subsection, the interagency task force shall consult with stakeholders and interested parties, including parents, teachers, and agencies.''.

SEC. 303. APPLICATIONS.

Section 2702(a)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797b(a)(2)) is amended to read as follows:

''(2) be accompanied by a report—

''(A) signed by the heads of each law enforcement agency and school district with jurisdiction over the schools where the safety improvements will be implemented; and

''(B) demonstrating that each proposed use of the grant funds will be—

''(i) an effective means for improving the safety of 1 or more schools;

''(ii) consistent with a comprehensive approach to preventing school violence; and

''(iii) individualized to the needs of each school at which those improvements are to be made.''.

SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

Section 2705 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797e) is amended—

(1) by striking ''$30,000,000'' and inserting ''$40,000,000''; and

(2) by striking ''2001 through 2009'' and inserting ''2014 through 2023''.

SEC. 305. ACCOUNTABILITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a), as amended by section 302, is amended by adding at the end the following:

''(h) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this part to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

''(D) PRIORITY.—In awarding grants under this part, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this part.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this part during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Attorney General may not award a grant under this part to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this part and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this part may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this part, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host the conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

''(A) indicating whether—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

''(iii) all reimbursements required under paragraph (1)(E) have been made; and

''(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.''.

SEC. 306. CAMPUS SAFETY ACT OF 2013.

(a) SHORT TITLE.—This section may be cited as the ''Center to Advance, Monitor, and Preserve University Security Safety Act of 2013'' or the ''CAMPUS Safety Act of 2013''.

(b) NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY.—Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) is amended—

(1) in section 501 (42 U.S.C. 3751)—

(A) in subsection (a)(1)—

(i) in the matter preceding subparagraph (A), by inserting ''or purposes'' after ''one or more of the following programs''; and

(ii) by adding at the end the following:

''(H) Making subawards to institutions of higher education and other nonprofit organizations to assist the National Center for Campus Public Safety in carrying out the functions of the Center required under section 509(c).''; and

(B) in subsection (b)—

(i) in paragraph (1), by striking ''or'' at the end;

(ii) in paragraph (2), by striking the period and inserting ''; or''; and

(iii) by adding at the end the following:

''(3) institutions of higher education and other nonprofit organizations, for purposes of carrying out section 509.''; and

(2) by adding at the end the following:

''SEC. 509. NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY.

''(a) DEFINITION OF INSTITUTION OF HIGHER EDUCATION.—In this section, the term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(b) AUTHORITY TO ESTABLISH AND OPERATE CENTER.—The Attorney General may establish and operate a National Center for Campus Public Safety (referred to in this section as the 'Center').

''(c) FUNCTIONS OF THE CENTER.—The Center shall—

''(1) provide quality education and training for public safety personnel of institutions of higher education and their collaborative partners, including campus mental health agencies;

''(2) foster quality research to strengthen the safety and security of institutions of higher education;

''(3) serve as a clearinghouse for the identification and dissemination of information, policies, protocols, procedures, and best practices relevant to campus public safety, including off-campus housing safety, the prevention of violence against persons and property, and emergency response and evacuation procedures;

''(4) coordinate with the Secretary of Homeland Security, the Secretary of Education, State, local and tribal governments and law enforcement agencies, private and nonprofit organizations and associations, and other stakeholders, to develop protocols and best practices to prevent, protect against and respond to dangerous and violent situations involving an immediate threat to the safety of the campus community;

''(5) promote the development and dissemination of effective behavioral threat assessment and management models to prevent campus violence;

''(6) identify campus safety information (including ways to increase off-campus housing safety) and identify resources available from the Department of Justice, the Department of Homeland Security, the Department of Education, State, local, and tribal governments and law enforcement agencies, and private and nonprofit organizations and associations;

''(7) promote cooperation, collaboration, and consistency in prevention, response, and problem-solving methods among public safety and emergency management personnel of institutions of higher education and their campus- and non-campus-based collaborative partners, including law enforcement, emergency management, mental health services, and other relevant agencies;

''(8) disseminate standardized formats and models for mutual aid agreements and memoranda of understanding between campus security agencies and other public safety organizations and mental health agencies; and

''(9) report annually to Congress on activities performed by the Center during the previous 12 months.

''(d) COORDINATION WITH AVAILABLE RESOURCES.—In establishing the Center, the Attorney General shall—

''(1) coordinate with the Secretary of Homeland Security, the Secretary of Education, and appropriate State or territory officials;

''(2) ensure coordination with campus public safety resources within the Department of Homeland Security, including within the Federal Emergency Management Agency, and the Department of Education; and

''(3) coordinate within the Department of Justice and existing grant programs to ensure against duplication with the program authorized by this section.

''(e) REPORTING AND ACCOUNTABILITY.—At the end of each fiscal year, the Attorney General shall—

''(1) issue a report that assesses the impacts, outcomes and effectiveness of the grants distributed to carry out this section;

''(2) in compiling such report, assess instances of duplicative activity, if any, performed through grants distributed to carry out this section and other grant programs maintained by the Department of Justice, the Department of Education, and the Department of Homeland Security; and

''(3) make such report available on the Department of Justice website and submit such report to the Senate and House Judiciary Committees and the Senate and House Appropriations Committees.''.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall preclude public elementary and secondary schools or their larger governing agencies from receiving the informational and training benefits of the National Center for Campus Public Safety authorized under section 509 of the Omnibus Crime Control and Safe Streets Act of 1968, as added by this title.

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

S.J. Res. 12. A joint resolution to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission Act, 1920; to the Committee on Energy and Natural Resources.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 12

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONSENT AND APPROVAL OF AMENDMENTS.

In accordance with section 4 of Public Law 86–3 (73 Stat. 4) (commonly known as the ''Hawaii Statehood Admissions Act, 1959'') and section 204 of the Hawaiian Home Lands Recovery Act (48 U.S.C. note prec. 491; Public Law 104–42), the United States amends sections 208, 209, and 215 of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42) by giving its consent to the following amendments by the State of Hawaii adopted in the manner required for State legislation:

(1) Act 107, Section 1, of the Session Laws of Hawaii, 2000.

(2) Act 12, Section 1, of the Session Laws of Hawaii, 2002.

(3) Act 16, Section 1, of the Session Laws of Hawaii, 2005.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 86—HONORING THE ACCOMPLISHMENTS AND LEGACY OF CESAR ESTRADA CHAVEZ

Mr. MENENDEZ (for himself, Mr. REID, Mrs. BOXER, Mr. HEINRICH, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Mr. MERKLEY, Mrs. MURRAY, Ms. STABENOW, and Mr. UDALL of New Mexico) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 86

Whereas César Estrada Chávez was born on March 31, 1927, near Yuma, Arizona;

Whereas César Estrada Chávez spent his early years on a family farm;

Whereas, at the age of 10, César Estrada Chávez joined the thousands of migrant farm workers laboring in fields and vineyards