

## NAYS—198

|               |                |                  |
|---------------|----------------|------------------|
| Barber        | Grayson        | Negrete McLeod   |
| Barrow (GA)   | Green, Al      | Nolan            |
| Bass          | Green, Gene    | O'Rourke         |
| Beatty        | Grijalva       | Owens            |
| Becerra       | Gutiérrez      | Pallone          |
| Bera (CA)     | Hahn           | Pascrell         |
| Bishop (GA)   | Hastings (FL)  | Pastor (AZ)      |
| Bishop (NY)   | Heck (WA)      | Payne            |
| Blumenauer    | Higgins        | Pelosi           |
| Bonamici      | Himes          | Perlmutter       |
| Brady (PA)    | Hinojosa       | Peters (CA)      |
| Braley (IA)   | Holt           | Peters (MI)      |
| Brown (GA)    | Honda          | Pingree (ME)     |
| Brown (FL)    | Horsford       | Pocan            |
| Brownley (CA) | Hoyer          | Polis            |
| Bustos        | Huffman        | Price (NC)       |
| Butterfield   | Israel         | Quigley          |
| Capps         | Jackson Lee    | Rahall           |
| Capuano       | Jeffries       | Rangel           |
| Cárdenas      | Johnson (GA)   | Richmond         |
| Carney        | Johnson, E. B. | Roybal-Allard    |
| Carson (IN)   | Jones          | Ruiz             |
| Cartwright    | Kaptur         | Ruppersberger    |
| Castor (FL)   | Keating        | Rush             |
| Castro (TX)   | Kelly (IL)     | Ryan (OH)        |
| Chu           | Kennedy        | Sánchez, Linda   |
| Cicilline     | Kildee         | T.               |
| Clark (MA)    | Kilmer         | Sanchez, Loretta |
| Clarke (NY)   | Kind           | Sarbanes         |
| Clay          | Kirkpatrick    | Schakowsky       |
| Cleaver       | Kuster         | Schiff           |
| Clyburn       | Langevin       | Schneider        |
| Cohen         | Larsen (WA)    | Schrader         |
| Connolly      | Larson (CT)    | Schwartz         |
| Conyers       | Lee (CA)       | Scott (VA)       |
| Cooper        | Levin          | Scott, David     |
| Costa         | Lewis          | Serrano          |
| Courtney      | Lipinski       | Sewell (AL)      |
| Crowley       | Loeb sack      | Shea-Porter      |
| Cuellar       | Lofgren        | Sherman          |
| Cummings      | Lowenthal      | Sinema           |
| Davis (CA)    | Lowe y         | Sires            |
| Davis, Danny  | Lujan Grisham  | Slaughter        |
| DeFazio       | (NM)           | Smith (WA)       |
| DeGette       | Luján, Ben Ray | Speier           |
| Delaney       | (NM)           | Swalwell (CA)    |
| DeLauro       | Lynch          | Takano           |
| DelBene       | Maffei         | Thompson (CA)    |
| Deutch        | Maloney,       | Thompson (MS)    |
| Dingell       | Carolyn        | Tierney          |
| Doggett       | Maloney, Sean  | Titus            |
| Doyle         | Matsui         | Tonko            |
| Duckworth     | McCarthy (NY)  | Tsongas          |
| Edwards       | McCollum       | Van Hollen       |
| Ellison       | McDermott      | Vargas           |
| Engel         | McGovern       | Veasey           |
| Enyart        | McIntyre       | Vela             |
| Eshoo         | McNerney       | Velázquez        |
| Esty          | Meeks          | Visclosky        |
| Farr          | Meng           | Walz             |
| Fattah        | Michaud        | Wasserman        |
| Foster        | Miller, George | Schultz          |
| Frankel (FL)  | Moore          | Waters           |
| Fudge         | Moran          | Waxman           |
| Gabbard       | Murphy (FL)    | Welch            |
| Gallo         | Nadler         | Wilson (FL)      |
| Garamendi     | Napolitano     | Yarmuth          |
| Garcia        | Neal           |                  |

## NOT VOTING—8

|            |          |            |
|------------|----------|------------|
| Crawford   | Hanna    | Price (GA) |
| DesJarlais | McKeon   | Smith (TX) |
| Hanabusa   | Nunnelee |            |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1149

So the previous question was ordered.  
The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 205, not voting 7, as follows:

[Roll No. 472]

## AYES—220

|               |                 |               |
|---------------|-----------------|---------------|
| Aderholt      | Graves (MO)     | Petri         |
| Amash         | Griffin (AR)    | Pittenger     |
| Amodei        | Griffith (VA)   | Pitts         |
| Bachmann      | Grimm           | Poe (TX)      |
| Barletta      | Guthrie         | Pompeo        |
| Barr          | Hall            | Price (GA)    |
| Barton        | Hanna           | Reed          |
| Benishek      | Harper          | Reichert      |
| Bentivolio    | Harris          | Renacci       |
| Bilirakis     | Hastings (WA)   | Ribble        |
| Black         | Heck (NV)       | Rice (SC)     |
| Blackburn     | Hensarling      | Rigell        |
| Boustany      | Herrera Beutler | Roby          |
| Brady (TX)    | Holding         | Roe (TN)      |
| Bridenstine   | Hudson          | Rogers (AL)   |
| Brooks (AL)   | Huelskamp       | Rogers (KY)   |
| Brooks (IN)   | Huizenga (MI)   | Rogers (MI)   |
| Buchanan      | Hultgren        | Rohrabacher   |
| Bucshon       | Hunter          | Rokita        |
| Burgess       | Hurt            | Rooney        |
| Calvert       | Issa            | Ros-Lehtinen  |
| Camp          | Jenkins         | Roskam        |
| Campbell      | Johnson (OH)    | Ross          |
| Cantor        | Johnson, Sam    | Rothfus       |
| Capito        | Jolly           | Royce         |
| Carter        | Jordan          | Ryunan        |
| Cassidy       | Joyce           | Ryan (WI)     |
| Chabot        | Kelly (PA)      | Salmon        |
| Chaffetz      | King (NY)       | Sanford       |
| Clawson (FL)  | Kingston        | Scalise       |
| Coble         | Kinzingler (IL) | Schock        |
| Coffman       | Kline           | Schweikert    |
| Cole          | Labrador        | Scott, Austin |
| Collins (GA)  | LaMalfa         | Sensenbrenner |
| Collins (NY)  | Lamborn         | Sessions      |
| Conaway       | Lance           | Shimkus       |
| Cook          | Lankford        | Shuster       |
| Cotton        | Latham          | Simpson       |
| Cramer        | Latta           | Smith (MO)    |
| Crawford      | LoBiondo        | Smith (NE)    |
| Crenshaw      | Long            | Smith (NJ)    |
| Culberson     | Lucas           | Smith (TX)    |
| Daines        | Luetkemeyer     | Southerland   |
| Davis, Rodney | Lummis          | Stewart       |
| Denham        | Marchant        | Stivers       |
| Dent          | Marino          | Stutzman      |
| DeSantis      | Massie          | Terry         |
| Diaz-Balart   | McAllister      | Thompson (PA) |
| Duffy         | McCarthy (CA)   | Thornberry    |
| Duncan (SC)   | McClintock      | Tiberi        |
| Duncan (TN)   | McHenry         | Tipton        |
| Ellmers       | McKinley        | Turner        |
| Farenthold    | McMorris        | Upton         |
| Fincher       | Rodgers         | Valadao       |
| Fitzpatrick   | Meadows         | Wagner        |
| Fleischmann   | Meehan          | Walberg       |
| Fleming       | Messer          | Walden        |
| Flores        | Mica            | Walorski      |
| Forbes        | Miller (FL)     | Weber (TX)    |
| Fortenberry   | Miller (MI)     | Webster (FL)  |
| Fox           | Miller, Gary    | Wenstrup      |
| Franks (AZ)   | Mullin          | Westmoreland  |
| Frelinghuysen | Mulvaney        | Whitfield     |
| Gardner       | Murphy (PA)     | Williams      |
| Garrett       | Neugebauer      | Wilson (SC)   |
| Gerlach       | Noem            | Wittman       |
| Gibbs         | Nugent          | Wolf          |
| Gibson        | Nunes           | Womack        |
| Gingrey (GA)  | Olson           | Woodall       |
| Goodlatte     | Palazzo         | Yoder         |
| Gowdy         | Paulsen         | Yoho          |
| Granger       | Pearce          | Young (AK)    |
| Graves (GA)   | Perry           | Young (IN)    |

## NOES—205

|               |             |              |
|---------------|-------------|--------------|
| Barber        | Butterfield | Cohen        |
| Barrow (GA)   | Capps       | Connolly     |
| Bass          | Capuano     | Conyers      |
| Beatty        | Cárdenas    | Cooper       |
| Becerra       | Carney      | Costa        |
| Bera (CA)     | Carson (IN) | Courtney     |
| Bishop (GA)   | Cartwright  | Crowley      |
| Bishop (NY)   | Castor (FL) | Cuellar      |
| Blumenauer    | Castro (TX) | Cummings     |
| Bonamici      | Chu         | Davis (CA)   |
| Brady (PA)    | Cicilline   | Davis, Danny |
| Braley (IA)   | Clark (MA)  | DeFazio      |
| Brown (GA)    | Clarke (NY) | DeGette      |
| Brown (FL)    | Clay        | Delaney      |
| Brownley (CA) | Cleaver     | DeLauro      |
| Bustos        | Clyburn     | DelBene      |

|                |                |                  |
|----------------|----------------|------------------|
| Deutch         | Langevin       | Posey            |
| Dingell        | Larsen (WA)    | Price (NC)       |
| Doggett        | Larson (CT)    | Quigley          |
| Doyle          | Lee (CA)       | Rahall           |
| Duckworth      | Levin          | Rangel           |
| Edwards        | Lewis          | Richmond         |
| Ellison        | Lipinski       | Roybal-Allard    |
| Engel          | Loeb sack      | Ruiz             |
| Enyart         | Lofgren        | Ruppersberger    |
| Eshoo          | Lowenthal      | Rush             |
| Esty           | Lowe y         | Ryan (OH)        |
| Farr           | Lujan Grisham  | Sánchez, Linda   |
| Fattah         | (NM)           | T.               |
| Foster         | Luján, Ben Ray | Sanchez, Loretta |
| Frankel (FL)   | (NM)           | Sarbanes         |
| Fudge          | Lynch          | Schakowsky       |
| Gabbard        | Maffei         | Schiff           |
| Gallo          | Maloney,       | Schneider        |
| Garamendi      | Carolyn        | Schrader         |
| Garcia         | Maloney, Sean  | Schwartz         |
| Gohmert        | Matheson       | Scott (VA)       |
| Gosar          | Matsui         | Scott, David     |
| Grayson        | McCarthy (NY)  | Serrano          |
| Green, Al      | McCollum       | Sewell (AL)      |
| Green, Gene    | McDermott      | Shea-Porter      |
| Grijalva       | McGovern       | Sherman          |
| Gutiérrez      | McIntyre       | Sinema           |
| Hahn           | McNerney       | Sires            |
| Hastings (FL)  | Meeks          | Slaughter        |
| Heck (WA)      | Meng           | Smith (WA)       |
| Higgins        | Michaud        | Speier           |
| Himes          | Miller, George | Stockman         |
| Hinojosa       | Moore          | Swalwell (CA)    |
| Holt           | Moran          | Takano           |
| Honda          | Murphy (FL)    | Thompson (CA)    |
| Horsford       | Nadler         | Thompson (MS)    |
| Hoyer          | Napolitano     | Tierney          |
| Huffman        | Neal           | Titus            |
| Israel         | Negrete McLeod | Tonko            |
| Jackson Lee    | Nolan          | Tsongas          |
| Jeffries       | O'Rourke       | Van Hollen       |
| Johnson (GA)   | Owens          | Vargas           |
| Johnson, E. B. | Pallone        | Veasey           |
| Jones          | Pascrell       | Vela             |
| Kaptur         | Pastor (AZ)    | Velázquez        |
| Keating        | Payne          | Visclosky        |
| Kelly (IL)     | Pelosi         | Walz             |
| Kennedy        | Perlmutter     | Wasserman        |
| Kildee         | Peters (CA)    | Schultz          |
| Kilmer         | Peters (MI)    | Waters           |
| Kind           | Peterson       | Waxman           |
| King (IA)      | Pingree (ME)   | Welch            |
| Kirkpatrick    | Pocan          | Wilson (FL)      |
| Kuster         | Polis          | Yarmuth          |

## NOT VOTING—7

|            |          |          |
|------------|----------|----------|
| Bachus     | Hanabusa | Nunnelee |
| Byrne      | Hartzler |          |
| DesJarlais | McKeon   |          |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1156

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. HARTZLER. Mr. Speaker, on Thursday, July 31, 2014, I was unable to vote. Had I been present, I would have voted as follows: on rollcall No. 472, "yea."

## SECURE THE SOUTHWEST BORDER ACT OF 2014

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to House Resolution 696, I call up the bill (H.R. 5230) making supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5230

*Be it enacted by the Senate and House of Representatives of the United States of America in*

Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2014, and for other purposes, namely:

**DIVISION A—SUPPLEMENTAL  
APPROPRIATIONS AND RESCISSIONS**

**TITLE I**

**DEPARTMENT OF HOMELAND SECURITY  
U.S. CUSTOMS AND BORDER PROTECTION  
SALARIES AND EXPENSES**

For an additional amount for “Salaries and Expenses”, \$71,000,000, to remain available until September 30, 2015, for necessary expenses to apprehend, transport, and provide temporary shelter associated with the significant rise in unaccompanied alien children and alien adults accompanied by an alien minor at the Southwest Border of the United States, including related activities to secure the border, disrupt transnational crime, and the necessary acquisition, construction, improvement, repair, and management of facilities: *Provided*, That not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the House of Representatives and the Senate an obligation and quarterly expenditure plan for these funds: *Provided further*, That the Secretary shall provide to such Committees quarterly updates on the expenditure of these funds.

**U.S. IMMIGRATION AND CUSTOMS  
ENFORCEMENT**

**SALARIES AND EXPENSES**

For an additional amount for “Salaries and Expenses”, \$334,000,000, to remain available until September 30, 2015, for necessary expenses to respond to the significant rise in unaccompanied alien children and alien adults accompanied by an alien minor at the Southwest Border of the United States, including for enforcement of immigration and customs law, including detention and removal operations, of which \$262,000,000 shall be for Custody Operations and \$72,000,000 shall be for Transportation and Removal operations: *Provided*, That not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the House of Representatives and the Senate an obligation and quarterly expenditure plan for these funds: *Provided further*, That the Secretary shall provide to such Committees quarterly updates on the expenditure of these funds.

**GENERAL PROVISIONS—THIS TITLE**

**(INCLUDING RESCISSION)**

SEC. 101. Notwithstanding any other provision of law, none of the funds provided by this title shall be available for obligation or expenditure through a reprogramming or transfer of funds that proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the House of Representatives or the Senate for a different purpose than for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request for approval shall be submitted to such Committees.

SEC. 102. The Secretary of Homeland Security shall provide to the Congress quarterly reports that include: (1) the number of apprehensions at the border delineated by unaccompanied alien children and alien adults accompanied by an alien minor; (2) the number of claims of a credible fear of persecution delineated by unaccompanied alien children and alien adults accompanied by an alien minor, and the number of determinations of valid claims of a credible fear of persecution delineated by unaccompanied alien children

and alien adults accompanied by an alien minor; (3) the number of unaccompanied alien children and alien adults accompanied by an alien minor granted asylum by an immigration judge, delineated by year of apprehension; (4) the number of alien adults accompanied by an alien minor in detention facilities, alternatives to detention, and other non-detention forms of supervision; and (5) the number of removals delineated by unaccompanied alien children and alien adults accompanied by an alien minor.

SEC. 103. Of the unobligated balance available for “Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief Fund”, \$405,000,000 is rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on a budget or the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That no amounts may be rescinded from the amounts that were designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 104. Notwithstanding any other provision of law, grants awarded under sections 2003 or 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605) using funds provided under the heading “Federal Emergency Management Agency—State and Local Programs” in division F of Public Law 113-76, division D of Public Law 113-6, or division D of Public Law 112-74 may be used by State and local law enforcement and public safety agencies within local units of government along the Southwest Border of the United States for costs incurred during the award period of performance for personnel, overtime, travel, costs related to combating illegal immigration and drug smuggling, and costs related to providing humanitarian relief to unaccompanied alien children and alien adults accompanied by an alien minor who have entered the United States.

**TITLE II**

**DEPARTMENT OF DEFENSE—MILITARY  
MILITARY PERSONNEL**

**NATIONAL GUARD PERSONNEL, ARMY**

For an additional amount for “National Guard Personnel, Army”, \$12,419,000, to remain available until September 30, 2015, for necessary expenses related to the Southwest Border of the United States.

**NATIONAL GUARD PERSONNEL, AIR FORCE**

For an additional amount for “National Guard Personnel, Air Force”, \$2,258,000, to remain available until September 30, 2015, for necessary expenses related to the Southwest Border of the United States.

**OPERATION AND MAINTENANCE**

**OPERATION AND MAINTENANCE, ARMY**

**NATIONAL GUARD**

For an additional amount for “Operation and Maintenance, Army National Guard”, \$15,807,000, to remain available until September 30, 2015, for necessary expenses related to the Southwest Border of the United States.

**OPERATION AND MAINTENANCE, AIR NATIONAL  
GUARD**

For an additional amount for “Operation and Maintenance, Air National Guard”, \$4,516,000, to remain available until September 30, 2015, for necessary expenses related to the Southwest Border of the United States.

**GENERAL PROVISION—THIS TITLE**

**(RESCISSION)**

SEC. 201. Of the unobligated balances of amounts appropriated in title II of division C

of Public Law 113-76 for “Operation and Maintenance, Defense-Wide”, \$35,000,000 is hereby rescinded to reflect excess cash balances in Department of Defense Working Capital Funds.

**TITLE III**

**DEPARTMENT OF JUSTICE**

**GENERAL ADMINISTRATION**

**ADMINISTRATIVE REVIEW AND APPEALS**

For an additional amount for “Administrative Review and Appeals” for necessary expenses to respond to the significant rise in unaccompanied alien children and alien adults accompanied by an alien minor at the Southwest Border of the United States, \$22,000,000, to remain available until September 30, 2015, of which \$12,900,000 shall be for additional temporary immigration judges and related expenses, and \$9,100,000 shall be for technology for judges to expedite the adjudication of immigration cases.

**GENERAL PROVISION—THIS TITLE**

**(RESCISSION)**

SEC. 301. Of the unobligated balances available for “Department of Justice—Legal Activities—Assets Forfeiture Fund”, \$22,000,000 is hereby permanently rescinded.

**TITLE IV**

**GENERAL PROVISIONS—THIS TITLE**

**REPATRIATION AND REINTEGRATION**

SEC. 401. (a) REPATRIATION AND REINTEGRATION.—Of the funds appropriated in titles III and IV of division K of Public Law 113-76, and in prior Acts making appropriations for the Department of State, foreign operations, and related programs, for assistance for the countries in Central America, up to \$40,000,000 shall be made available for such countries for repatriation and reintegration activities: *Provided*, That funds made available pursuant to this section may be obligated notwithstanding subsections (c) and (e) of section 7045 of division K of Public Law 113-76.

(b) REPORT.—Prior to the initial obligation of funds made available pursuant to this section, but not later than 15 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2015, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a report on the obligation of funds made available pursuant to this section by country and the steps taken by the government of each country to—

(1) improve border security;

(2) enforce laws and policies to stem the flow of illegal entries into the United States;

(3) enact laws and implement new policies to stem the flow of illegal entries into the United States, including increasing penalties for human smuggling;

(4) conduct public outreach campaigns to explain the dangers of the journey to the Southwest Border of the United States and to emphasize the lack of immigration benefits available; and

(5) cooperate with United States Federal agencies to facilitate and expedite the return, repatriation, and reintegration of illegal migrants arriving at the Southwest Border of the United States.

(c) SUSPENSION OF ASSISTANCE.—The Secretary of State shall suspend assistance provided pursuant to this section to the government of a country if such government is not making significant progress on each item described in paragraphs (1) through (5) of subsection (b): *Provided*, That assistance may only be resumed if the Secretary reports to the appropriate congressional committees that subsequent to the suspension of assistance such government is making significant

progress on each of the items enumerated in such subsection.

(d) **NOTIFICATION REQUIREMENT.**—Funds made available pursuant to this section shall be subject to the regular notification procedures of the Committees on Appropriations of the House of Representatives and the Senate.

**(RESCISSION)**

**SEC. 402.** Of the unexpended balances available to the President for bilateral economic assistance under the heading “Economic Support Fund” from prior Acts making appropriations for the Department of State, foreign operations, and related programs, \$197,000,000 is rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

**TITLE V**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**ADMINISTRATION FOR CHILDREN AND FAMILIES  
REFUGEE AND ENTRANT ASSISTANCE**

For an additional amount for “Refugee and Entrant Assistance”, \$197,000,000, to be merged with and available for the same time period and for the same purposes as the funds made available under this heading in division H of Public Law 113–76 “for carrying out such sections 414, 501, 462, and 235”: *Provided*, That of this amount, \$47,000,000 shall be for the Social Services and Targeted Assistance programs.

This division may be cited as the “Secure the Southwest Border Supplemental Appropriations Act, 2014”.

**DIVISION B—SECURE THE SOUTHWEST BORDER ACT OF 2014**

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This division may be cited as the “Secure the Southwest Border Act of 2014”.

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

Sec. 1. Short title; table of contents.

**TITLE I—PROTECTING CHILDREN**

Sec. 101. Repatriation of unaccompanied alien children.

Sec. 102. Expedited due process and screening of unaccompanied alien children.

Sec. 103. Due process protections for unaccompanied alien children present in the United States.

Sec. 104. Emergency immigration judge resources.

Sec. 105. Protecting children from human traffickers, sex offenders, and other criminals.

Sec. 106. Inclusion of additional grounds for per se ineligibility for asylum.

**TITLE II—USE OF NATIONAL GUARD TO IMPROVE BORDER SECURITY**

Sec. 201. National Guard support for border operations.

**TITLE III—NATIONAL SECURITY AND FEDERAL LANDS PROTECTION**

Sec. 301. Prohibition on actions that impede border security on certain Federal land.

Sec. 302. Sense of Congress on placement of unauthorized aliens at military installations.

**TITLE I—PROTECTING CHILDREN**

**SEC. 101. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.**

Section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthoriza-

tion Act of 2008 (8 U.S.C. 1232(a)) is amended—

(1) in paragraph (2)—

(A) by amending the paragraph heading to read as follows: “RULES FOR UNACCOMPANIED ALIEN CHILDREN”;

(B) in subparagraph (A), in the matter preceding clause (i), by striking “who is a national or habitual resident of a country that is contiguous with the United States”; and

(C) in subparagraph (C)—

(i) by amending the subparagraph heading to read as follows: “AGREEMENTS WITH FOREIGN COUNTRIES”; and

(ii) in the matter preceding clause (i), by striking “countries contiguous to the United States” and inserting “Canada, El Salvador, Guatemala, Honduras, Mexico, and any other foreign country that the Secretary determines appropriate”; and

(2) in paragraph (5)(D)—

(A) in the subparagraph heading, by striking “PLACEMENT IN REMOVAL PROCEEDINGS” and inserting “EXPEDITED DUE PROCESS AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN”;

(B) in the matter preceding clause (i), by striking “, except for an unaccompanied alien child from a contiguous country subject to the exceptions under subsection (a)(2), shall be—” and inserting “who meets the criteria listed in paragraph (2)(A)—”;

(C) by striking clause (i) and inserting the following:

“(i) shall be placed in a proceeding in accordance with section 235B of the Immigration and Nationality Act, which shall commence not later than 7 days after the screening of an unaccompanied alien child described in paragraph (4);”;

(D) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(E) by inserting after clause (i) the following:

“(ii) may not be placed in the immediate custody of a nongovernmental sponsor or otherwise released from the custody of the United States Government until the child is repatriated unless the child is the subject of an order under section 235B(e)(1) of the Immigration and Nationality Act;”;

(F) in clause (iii), as redesignated, by inserting “is” before “eligible”; and

(G) in clause (iv), as redesignated, by inserting “shall be” before “provided”.

**SEC. 102. EXPEDITED DUE PROCESS AND SCREENING OF UNACCOMPANIED ALIEN CHILDREN.**

(a) **AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.**—

(1) **IN GENERAL.**—Chapter 4 of the Immigration and Nationality Act is amended by inserting after section 235A the following:

**“SEC. 235B. HUMANE AND EXPEDITED INSPECTION AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.**

“(a) **DEFINED TERM.**—In this section, the term ‘asylum officer’ had the meaning given such term in section 235(b)(1)(E) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(E)).

“(b) **PROCEEDING.**—

“(1) **IN GENERAL.**—Not later than 7 days after the screening of an unaccompanied alien child under section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4)), an immigration judge shall conduct a proceeding to inspect, screen, and determine the status of an unaccompanied alien child who is an applicant for admission to the United States.

“(2) **TIME LIMIT.**—Not later than 72 hours after the conclusion of a proceeding with respect to an unaccompanied alien child under this section, the immigration judge who conducted such proceeding shall issue an order pursuant to subsection (e).

“(c) **CONDUCT OF PROCEEDING.**—

“(1) **AUTHORITY OF IMMIGRATION JUDGE.**—The immigration judge conducting a proceeding under this section—

“(A) shall administer oaths, receive evidence, and interrogate, examine, and cross-examine the alien and any witnesses;

“(B) may issue subpoenas for the attendance of witnesses and presentation of evidence; and

“(C) is authorized to sanction by civil money penalty any action (or inaction) in contempt of the judge’s proper exercise of authority under this Act.

“(2) **FORM OF PROCEEDING.**—A proceeding under this section may take place—

“(A) in person;

“(B) at a location agreed to by the parties, in the absence of the alien;

“(C) through video conference; or

“(D) through telephone conference.

“(3) **PRESENCE OF ALIEN.**—If it is impracticable by reason of an alien’s mental incompetency for the alien to be present at the proceeding, the Attorney General shall prescribe safeguards to protect the rights and privileges of the alien.

“(4) **RIGHTS OF THE ALIEN.**—In a proceeding under this section—

“(A) the alien shall be given the privilege of being represented, at no expense to the Government, by counsel of the alien’s choosing who is authorized to practice in such proceedings;

“(B) the alien shall be given a reasonable opportunity—

“(i) to examine the evidence against the alien;

“(ii) to present evidence on the alien’s own behalf; and

“(iii) to cross-examine witnesses presented by the Government;

“(C) the rights set forth in subparagraph (B) shall not entitle the alien—

“(i) to examine such national security information as the Government may proffer in opposition to the alien’s admission to the United States; or

“(ii) to an application by the alien for discretionary relief under this Act; and

“(D) a complete record shall be kept of all testimony and evidence produced at the proceeding.

“(5) **WITHDRAWAL OF APPLICATION FOR ADMISSION.**—In the discretion of the Attorney General, an alien applying for admission to the United States may, and at any time, be permitted to withdraw such application and immediately be returned to the alien’s country of nationality or country of last habitual residence.

“(6) **CONSEQUENCES OF FAILURE TO APPEAR.**—Any alien who fails to appear at a proceeding required under this section, shall be ordered removed in absentia if the Government establishes by a preponderance of the evidence that the alien was at fault for their absence from the proceedings.

“(d) **DECISION AND BURDEN OF PROOF.**—

“(1) **DECISION.**—

“(A) **IN GENERAL.**—At the conclusion of a proceeding under this section, the immigration judge shall determine whether an unaccompanied alien child is likely to be—

“(i) admissible to the United States; or

“(ii) eligible for any form of relief from removal under this Act.

“(B) **EVIDENCE.**—The determination of the immigration judge under subparagraph (A) shall be based only on the evidence produced at the hearing.

“(2) **BURDEN OF PROOF.**—

“(A) **IN GENERAL.**—In a proceeding under this section, an alien who is an applicant for admission has the burden of establishing, by a preponderance of the evidence, that the alien—

“(i) is likely to be entitled to be lawfully admitted to the United States or eligible for any form of relief from removal under this Act; or

“(ii) is lawfully present in the United States pursuant to a prior admission.

“(B) ACCESS TO DOCUMENTS.—In meeting the burden of proof under subparagraph (A)(ii), the alien shall be given access to—

“(i) the alien’s visa or other entry document, if any; and

“(ii) any other records and documents, not considered by the Attorney General to be confidential, pertaining to the alien’s admission or presence in the United States.

“(e) ORDERS.—

“(1) PLACEMENT IN FURTHER PROCEEDINGS.—If an immigration judge determines that the unaccompanied alien child has met the burden of proof under subsection (d)(2), the judge shall order the alien to be placed in further proceedings in accordance with section 240.

“(2) ORDERS OF REMOVAL.—If an immigration judge determines that the unaccompanied alien child has not met the burden of proof required under subsection (d)(2), the judge shall order the alien removed from the United States without further hearing or review unless the alien claims—

“(A) an intention to apply for asylum under section 208; or

“(B) a fear of persecution.

“(3) CLAIMS FOR ASYLUM.—If an unaccompanied alien child described in paragraph (2) claims an intention to apply for asylum under section 208 or a fear of persecution, the judge shall order the alien referred for an interview by an asylum officer under subsection (f).

“(f) ASYLUM INTERVIEWS.—

“(1) DEFINED TERM.—In this subsection, the term ‘credible fear of persecution’ has the meaning given such term in section 235(b)(1)(B)(v) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)(v)).

“(2) CONDUCT BY ASYLUM OFFICER.—An asylum officer shall conduct interviews of aliens referred under subsection (e)(3).

“(3) REFERRAL OF CERTAIN ALIENS.—If the officer determines at the time of the interview that an alien has a credible fear of persecution, the alien shall be held in the custody of the Secretary of Health and Human Services pursuant to section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) during further consideration of the application for asylum.

“(4) REMOVAL WITHOUT FURTHER REVIEW IF NO CREDIBLE FEAR OF PERSECUTION.—

“(A) IN GENERAL.—Subject to subparagraph (C), if the asylum officer determines that an alien does not have a credible fear of persecution the officer shall order the alien removed from the United States without further hearing or review.

“(B) RECORD OF DETERMINATION.—The officer shall prepare a written record of a determination under subparagraph (A), which shall include—

“(i) a summary of the material facts as stated by the applicant;

“(ii) such additional facts (if any) relied upon by the officer;

“(iii) the officer’s analysis of why, in light of such facts, the alien has not established a credible fear of persecution; and

“(iv) a copy of the officer’s interview notes.

“(C) REVIEW OF DETERMINATION.—

“(i) RULEMAKING.—The Attorney General shall establish, by regulation, a process by which an immigration judge will conduct a prompt review, upon the alien’s request, of a determination under subparagraph (A) that the alien does not have a credible fear of persecution.

“(ii) MANDATORY COMPONENTS.—The review described in clause (i)—

“(I) shall include an opportunity for the alien to be heard and questioned by the immigration judge, either in person or by telephonic or video connection; and

“(II) shall be conducted—

“(aa) as expeditiously as possible;

“(bb) within the 24-hour period beginning at the time the asylum officer makes a determination under subparagraph (A), to the maximum extent practicable; and

“(cc) in no case later than 7 days after such determination.

“(5) MANDATORY PROTECTIVE CUSTODY.—Any alien subject to the procedures under this subsection shall be held in the custody of the Secretary of Health and Human Services pursuant to section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b))—

“(A) pending a final determination of an asylum application under section 208; or

“(B) after a determination that the alien does not have a credible fear of persecution, until the alien is removed.

“(g) LIMITATION ON ADMINISTRATIVE REVIEW.—

“(1) IN GENERAL.—Except as provided in subsection (f)(4)(C) and paragraph (2), a removal order entered in accordance with subsection (e)(2) or (f)(4)(A) is not subject to administrative appeal.

“(2) RULEMAKING.—The Attorney General shall establish, by regulation, a process for the prompt review of an order under subsection (e)(2) against an alien who claims under oath, or as permitted under penalty of perjury under section 1746 of title 28, United States Code, after having been warned of the penalties for falsely making such claim under such conditions to have been—

“(A) lawfully admitted for permanent residence;

“(B) admitted as a refugee under section 207; or

“(C) granted asylum under section 208.

“(h) LAST IN, FIRST OUT.—In any proceedings, determinations, or removals under this section, priority shall be accorded to the alien who has most recently arrived in the United States.”.

“(2) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 235A the following:

“Sec. 235B. Humane and expedited inspection and screening for unaccompanied alien children.”.

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

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, or an order of removal issued to an unaccompanied alien child after proceedings under section 235B” after “section 235(b)(1)”; and

(B) in paragraph (2)—

(i) by inserting “or section 235B” after “section 235(b)(1)” each place it appears; and

(ii) in subparagraph (A)—

(I) in the subparagraph heading, by inserting “OR 235B” after “SECTION 235(b)(1)”; and

(II) in clause (iii), by striking “section 235(b)(1)(B),” and inserting “section 235(b)(1)(B) or 235B(f)”; and

(2) in subsection (e)—

(A) in the subsection heading, by inserting “OR 235B” after “SECTION 235(b)(1)”; and

(B) by inserting “or section 235B” after “section 235(b)(1)” in each place it appears;

(C) in subparagraph (2)(C), by inserting “or section 235B(g)” after “section 235(b)(1)(C)”; and

(D) in subparagraph (3)(A), by inserting “or section 235B” after “section 235(b)”.

## SEC. 103. DUE PROCESS PROTECTIONS FOR UNACCOMPANIED ALIEN CHILDREN PRESENT IN THE UNITED STATES.

(a) FILING AUTHORIZED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security, notwithstanding any other provision of law, shall, at an immigration court designated to conduct proceedings under section 235B of the Immigration and Nationality Act, permit an unaccompanied alien child who was issued a Notice to Appear under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229) during the period beginning on January 1, 2013, and ending on the date of the enactment of this Act—

(1) to appear, in-person, before an immigration judge who has been authorized by the Attorney General to conduct proceedings under section 235B of the Immigration and Nationality Act, as added by section 102;

(2) to attest to their desire to apply for admission to the United States; and

(3) to file a motion—

(A) to replace any Notice to Appear issued between January 1, 2013, and the date of the enactment of this Act under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229); and

(B) to apply for admission to the United States by being placed in proceedings under section 235B of the Immigration and Nationality Act.

(b) MOTION GRANTED.—An immigration judge may, at the sole and unreviewable discretion of the judge, grant a motion filed under subsection (a)(3) upon a finding that—

(1) the petitioner was an unaccompanied alien child (as such term is defined in section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279)) on the date on which a Notice to Appear described in subsection (a) was issued to the alien;

(2) the Notice to Appear was issued during the period beginning on January 1, 2013, and ending on the date of the enactment of this Act;

(3) the unaccompanied alien child is applying for admission to the United States; and

(4) the granting of such motion would not be manifestly unjust.

(c) EFFECT OF MOTION.—Notwithstanding any other provision of law, upon the granting of a motion to replace under subsection (b), the immigration judge who granted such motion shall—

(1) while the petitioner remains in-person, immediately inspect and screen the petitioner for admission to the United States by conducting a proceeding under section 235B of the Immigration and Nationality Act, as added by section 102;

(2) immediately notify the petitioner of the petitioner’s ability, under section 235B(c)(5) of the Immigration and Nationality Act to withdraw the petitioner’s application for admission to the United States and immediately be returned to the petitioner’s country of nationality or country of last habitual residence; and

(3) replace the petitioner’s notice to appear with an order under section 235B(e) of the Immigration and Nationality Act.

(d) PROTECTIVE CUSTODY.—An unaccompanied alien child who has been granted a motion under subsection (b) shall be held in the custody of the Secretary of Health and Human Services pursuant to section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232).

## SEC. 104. EMERGENCY IMMIGRATION JUDGE RESOURCES.

(a) DESIGNATION.—Not later than 14 days after the date of the enactment of this Act, the Attorney General shall designate up to 40 immigration judges, including through the hiring of retired immigration judges, administrative law judges, or magistrate judges, or

the reassignment of current immigration judges, that are dedicated to conducting humane and expedited inspection and screening for unaccompanied alien children under section 235B of the Immigration and Nationality Act, as added by section 102. Such designations shall remain in effect solely for the duration of the humanitarian crisis at the southern border (as determined by the Secretary of Homeland Security, in consultation with the Attorney General).

(b) **REQUIREMENT.**—The Attorney General shall ensure that sufficient immigration judge resources are dedicated to the purpose described in subsection (a) to comply with the requirement under section 235B(b)(1) of the Immigration and Nationality Act.

**SEC. 105. PROTECTING CHILDREN FROM HUMAN TRAFFICKERS, SEX OFFENDERS, AND OTHER CRIMINALS.**

Section 235(c)(3) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(3)) is amended—

(1) in subparagraph (A), by inserting “, including a mandatory biometric criminal history check” before the period at the end; and

(2) by adding at the end the following—

“(D) **PROHIBITION ON PLACEMENT WITH SEX OFFENDERS AND HUMAN TRAFFICKERS.**—

“(i) **IN GENERAL.**—The Secretary of Health and Human Services may not place an unaccompanied alien child in the custody of an individual who has been convicted of—

“(I) a sex offense (as defined in section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. 16911)); or

“(II) a crime involving a severe form of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).

“(ii) **REQUIREMENTS OF CRIMINAL BACKGROUND CHECK.**—A biometric criminal history check under subparagraph (A) shall be based on a set of fingerprints or other biometric identifiers and conducted through—

“(I) the Federal Bureau of Investigation; and

“(II) criminal history repositories of all States that the individual lists as current or former residences.”.

**SEC. 106. INCLUSION OF ADDITIONAL GROUNDS FOR PER SE INELIGIBILITY FOR ASYLUM.**

Section 208(b)(2)(A)(iii) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)(iii)) is amended by inserting after “a serious nonpolitical crime” the following: “(including any drug-related offense punishable by a term of imprisonment greater than 1 year)”.

**TITLE II—USE OF NATIONAL GUARD TO IMPROVE BORDER SECURITY**

**SEC. 201. NATIONAL GUARD SUPPORT FOR BORDER OPERATIONS.**

(a) **DEPLOYMENT AUTHORITY AND FUNDING.**—Amounts appropriated for the Department of Defense in this Act shall be expended for any units or personnel of the National Guard deployed to perform operations and missions under section 502(f) of title 32, United States Code, on the southern border of the United States.

(b) **ASSIGNMENT OF OPERATIONS AND MISSIONS.**—

(1) **IN GENERAL.**—National Guard units and personnel deployed under subsection (a) may be assigned such operations as may be necessary to provide assistance for operations on the southern border, with priority given to high traffic areas experiencing the highest number of crossings by unaccompanied alien children.

(2) **NATURE OF DUTY.**—The duty of National Guard personnel performing operations and missions on the southern border shall be full-time duty under title 32, United States Code.

(c) **MATERIEL AND LOGISTICAL SUPPORT.**—The Secretary of Defense shall deploy such materiel and equipment and logistical support as may be necessary to ensure success of the operations and missions conducted by the National Guard under this section.

(d) **EXCLUSION FROM NATIONAL GUARD PERSONNEL STRENGTH LIMITATIONS.**—National Guard personnel deployed under subsection (a) shall not be included in—

(1) the calculation to determine compliance with limits on end strength for National Guard personnel; or

(2) limits on the number of National Guard personnel that may be placed on active duty for operational support under section 115 of title 10, United States Code.

(e) **HIGH TRAFFIC AREAS DEFINED.**—In this section:

(1) The term “high traffic areas” means sectors along the northern and southern borders of the United States that are within the responsibility of the Border Patrol that have the most illicit cross-border activity, informed through situational awareness.

(2) The term “unaccompanied alien child” means a child who—

(A) has no lawful immigration status in the United States;

(B) has not attained 18 years of age; and

(C) with respect to whom—

(i) there is no parent or legal guardian in the United States; or

(ii) no parent or legal guardian in the United States is available to provide care and physical custody.

**TITLE III—NATIONAL SECURITY AND FEDERAL LANDS PROTECTION**

**SEC. 301. PROHIBITION ON ACTIONS THAT IMPEDE BORDER SECURITY ON CERTAIN FEDERAL LAND.**

(a) **PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.**—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on Federal land located within 100 miles of the United States border with Mexico that is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, to execute search and rescue operations, and to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through such international land border of the United States. These authorities of U.S. Customs and Border Protection on such Federal land apply whether or not a state of emergency exists.

(b) **AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.**—U.S. Customs and Border Protection shall have immediate access to Federal land within 100 miles of the United States border with Mexico that is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through such international land border of the United States:

(1) Construction and maintenance of roads.

(2) Construction and maintenance of barriers.

(3) Use of vehicles to patrol, apprehend, or rescue.

(4) Installation, maintenance, and operation of communications and surveillance equipment and sensors.

(5) Deployment of temporary tactical infrastructure.

(c) **CLARIFICATION RELATING TO WAIVER AUTHORITY.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law (including any termination date relating to the waiver referred to in this subsection), the waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104-208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico shall be considered to apply to all Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of such international land border of the United States for the activities of U.S. Customs and Border Protection described in subsection (b).

(2) **DESCRIPTION OF LAWS WAIVED.**—The laws referred to in paragraph (1) are limited to the Wilderness Act (16 U.S.C. 1131 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), Public Law 86-523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the “Antiquities Act of 1906”; 16 U.S.C. 431 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”), the National Park Service Organic Act (16 U.S.C. 1 et seq.), the General Authorities Act of 1970 (Public Law 91-383) (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95-625, 92 Stat. 3467), and the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101-628).

(d) **PROTECTION OF LEGAL USES.**—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or public-use recreational and backcountry airstrips on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

(e) **EFFECT ON STATE AND PRIVATE LAND.**—This Act shall—

(1) have no force or effect on State or private lands; and

(2) not provide authority on or access to State or private lands.

(f) **TRIBAL SOVEREIGNTY.**—Nothing in this section supersedes, replaces, negates, or diminishes treaties or other agreements between the United States and Indian tribes.

**SEC. 302. SENSE OF CONGRESS ON PLACEMENT OF UNAUTHORIZED ALIENS AT MILITARY INSTALLATIONS.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Secretary of Defense should not allow the placement of unauthorized aliens at a military installation unless—

(A) the Secretary submits written notice to the congressional defense committees and each Member of Congress representing any jurisdiction in which an affected military installation is situated; and

(B) the Secretary publishes notice in the Federal Register;

(2) the placement of unauthorized aliens at a military institution should not displace active members of the Armed Forces;

(3) the placement of unauthorized aliens at a military institution should not interfere

with any mission of the Department of Defense;

(4) the Secretary of Health and Human Services should not use a military installation for the placement of unauthorized aliens unless all other facilities of the Department of Health and Human Services are unavailable;

(5) the Secretary of Health and Human Services should not use a military installation for the placement of unauthorized aliens for more than 120 days;

(6) the Secretary of Health and Human Services should ensure that all unauthorized alien children are vaccinated upon arrival at a military installation as set forth in the guidelines of the Office of Refugee Resettlement;

(7) the Secretary of Health and Human Services should ensure that all individuals under the supervision of the Secretary with access to unauthorized alien children at a military installation are properly cleared according to the procedures set forth in the Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.);

(8) the Secretary of Health and Human Services should fully comply with the provisions of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) with respect to background checks and should retain full legal responsibility for such compliance; and

(9) in accordance with section 1535 of title 31, United States Code (commonly referred to as the "Economy Act"), the Secretary of Health and Human Services should reimburse the Secretary of Defense for all expenses incurred by the Secretary of Defense in carrying out the placement of unauthorized aliens at a military installation.

(b) DEFINITIONS.—In this section:

(1) The term "congressional defense committees" has the meaning given that term in section 101(a)(16) of title 10, United States Code.

(2) The term "Member of Congress" has the meaning given that term in section 1591(c)(1) of title 10, United States Code.

(3) The term "military installation" has the meaning given that term in section 2801(c)(4) of title 10, United States Code, but does not include an installation located outside of the United States.

(4) The term "placement" means the placement of an unauthorized alien in either a detention facility or an alternative to such a facility.

(5) The term "unauthorized alien" means an alien unlawfully present in the United States, but does not include a dependent of a member of the Armed Forces.

The SPEAKER pro tempore (Ms. FOXX). Pursuant to House Resolution 696, the gentleman from Kentucky (Mr. ROGERS) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

#### GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 5230, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself 6 minutes.

I rise today to present H.R. 5230, which provides immediate, short-term funding to address the southwest border crisis.

In total, this bill provides \$659 million to meet urgent border security and humanitarian needs for this fiscal year ending on September 30.

Thousands of illegal immigrants, including unaccompanied children, have flooded our borders and overwhelmed our current facilities and personnel.

□ 1200

This includes a staggering number of children, arriving with no family, who are being smuggled across our borders by criminal organizations, subject to abuse and violence. We need to put safeguards in place to prevent them from taking this dangerous journey, as well as provide the resources needed to take care of them and process them appropriately.

The President must take the lead on this by mitigating this crisis, turning back the tide of illegal immigrants, and fully enforcing our laws. This problem has, without a doubt, been exacerbated by the administration's policies on immigration, and it is up to the administration to find a way to fix that problem.

In the meantime, however, Madam Speaker, it is plain that something must be done to ensure that our law enforcement personnel and Federal agencies have the resources needed to deal with this dire situation in the short term.

The \$659 million in funding in this bill focuses on three areas—border security, humanitarian assistance, and prevention—to meet the most pressing needs. Of this total \$659 million, \$462 million is provided to increase security and enforce our laws, boosting personnel, and increasing detention space to the largest capacity in our history.

Part of this funding will help accelerate judicial proceedings by increasing the number of temporary judges and outfitting all immigration courtrooms in the Nation with teleconferencing equipment that would allow them to be able to join in the process of adjudicating those cases on the border. There are some 332 of those courtrooms around the country.

We have doubled existing funding for the National Guard to bolster their presence along our border, as they assist Customs and Border Protection with surveillance, investigations, and humanitarian efforts.

The bill also provides \$197 million to take care of these unaccompanied children, ensuring they have proper housing, meals, and temporary care while they are in U.S. custody.

Madam Speaker, to stave off the continued influx of illegal immigration, the bill redirects existing State Department funding to ensure that countries like Guatemala, Honduras, and El Salvador must quickly accept and repatriate those returning from the U.S.

This bill draws a hard line on spending, scrubbing the President's request to focus on the most immediate needs. It does not include funding for longer-term needs or unnecessary programs, like cash subsidies for coffee farmers. Any additional funding for this crisis can and should be addressed under the regular appropriations process for fiscal year 2015.

In addition, to make sure that this bill doesn't add a penny to our deficit, Madam Speaker, every dollar spent here is fully offset from somewhere else by making noncontroversial rescissions of unused, excess prior-year funds.

Lastly, the bill includes several policy provisions recommended by the Speaker's Working Group on the Border Crisis, led by the chairwoman of the State and Foreign Operations Appropriations Subcommittee, Representative KAY GRANGER from Texas. She will speak soon.

This includes a change in a 2008 law to ensure that all unaccompanied minors arriving in this country are treated the same as Mexicans and Canadians for the purpose of removal.

It also strengthens the law prohibiting immigration status to criminals convicted of serious drug crimes and prohibits the Secretaries of the Interior and Agriculture from restricting Customs and Border Protection apprehension activities on Federal land on the border, and it expresses congressional intent that detained aliens awaiting processing should not be housed on military installations.

Madam Speaker, this is a good bill. This is a fair, sensible, and reasonable address of the most immediate needs on the border. It also puts in place much-needed policy changes that should stop the flow of unaccompanied children who are being put at risk during their long, dangerous journey through Mexico.

It is our congressional duty to quickly pass this bill in short order. Therefore, I ask all Members to support it, and I reserve the balance of my time.

SECURE THE SOUTHWEST BORDER SUPPLEMENTAL APPROPRIATIONS ACT, 2014 (DIVISION A of H.R. 5230)  
(Amounts in thousands)

|   | FY 2014<br>Request | Recommended<br>in the Bill | Bill vs.<br>Request |
|---|--------------------|----------------------------|---------------------|
| -----   |                    |                            |                     |
| DIVISION A -- SUPPLEMENTAL APPROPRIATIONS AND<br>RESCISSIONS                              |                    |                            |                     |
| TITLE I   |                    |                            |                     |
| DEPARTMENT OF HOMELAND SECURITY   |                    |                            |                     |
| U.S. Customs and Border Protection  |                    |                            |                     |
| Salaries and Expenses (emergency).....  | 393,549            | ---                        | -393,549            |
| Salaries and Expenses.....  | ---                | 71,000                     | +71,000             |
| Air and Marine Interdiction, Operations, Maintenance,<br>and Procurement (emergency)..... | 39,411             | ---                        | -39,411             |
| Total, U.S. Customs and Border Protection.....  | 432,960            | 71,000                     | -361,960            |
| U.S. Immigration and Customs Enforcement  |                    |                            |                     |
| Salaries and Expenses (emergency).....  | 1,103,995          | ---                        | -1,103,995          |
| Salaries and Expenses.....  | ---                | 334,000                    | +334,000            |
| GENERAL PROVISIONS -- THIS TITLE  |                    |                            |                     |
| FEMA Disaster Relief Fund (Sec. 103) (rescission).....                                    | ---                | -405,000                   | -405,000            |
| Total, title I.....   | 1,536,955          | ---                        | -1,536,955          |
| =====   |                    |                            |                     |
| TITLE II  |                    |                            |                     |
| DEPARTMENT OF DEFENSE -- MILITARY   |                    |                            |                     |
| Military Personnel  |                    |                            |                     |
| National Guard Personnel, Army.....   | ---                | 12,419                     | +12,419             |
| National Guard Personnel, Air Force.....  | ---                | 2,258                      | +2,258              |
| Total, Military Personnel.....  | ---                | 14,677                     | +14,677             |
| Operation and Maintenance   |                    |                            |                     |
| Operation and Maintenance, Army National Guard.....                                       | ---                | 15,807                     | +15,807             |
| Operation and Maintenance, Air National Guard.....  | ---                | 4,516                      | +4,516              |
| Total, Operation and Maintenance.....   | ---                | 20,323                     | +20,323             |
| GENERAL PROVISION -- THIS TITLE   |                    |                            |                     |
| Operation and Maintenance, Defense-Wide (Sec. 201)<br>(rescission).....                   | ---                | -35,000                    | -35,000             |
| Total, title II.....  | ---                | ---                        | ---                 |
| =====   |                    |                            |                     |
| TITLE III   |                    |                            |                     |
| DEPARTMENT OF JUSTICE   |                    |                            |                     |
| General Administration  |                    |                            |                     |
| Administrative Review and Appeals (emergency).....  | 62,900             | ---                        | -62,900             |
| Administrative Review and Appeals.....  | ---                | 22,000                     | +22,000             |

SECURE THE SOUTHWEST BORDER SUPPLEMENTAL APPROPRIATIONS ACT, 2014 (DIVISION A of H.R. 5230)  
(Amounts in thousands)

|   | FY 2014<br>Request | Recommended<br>in the Bill | Bill vs.<br>Request |
|---|--------------------|----------------------------|---------------------|
| <hr/>   |                    |                            |                     |
| Legal Activities  |                    |                            |                     |
| Salaries and Expenses, General Legal Activities<br>(emergency)..... | 1,100              | ---                        | -1,100              |
| GENERAL PROVISION -- THIS TITLE                                     |                    |                            |                     |
| DOJ Assets Forfeiture Fund (Sec. 301) (rescission)....              | ---                | -22,000                    | -22,000             |
|   | =====              | =====                      | =====               |
| Total, title III.....   | 64,000             | ---                        | -64,000             |
|   | =====              | =====                      | =====               |
| TITLE IV  |                    |                            |                     |
| DEPARTMENT OF STATE   |                    |                            |                     |
| Administration of Foreign Affairs                                   |                    |                            |                     |
| Diplomatic and Consular Programs (emergency).....                   | 5,000              | ---                        | -5,000              |
| BILATERAL ECONOMIC ASSISTANCE                                       |                    |                            |                     |
| Funds Appropriated to the President                                 |                    |                            |                     |
| Economic Support Fund (emergency).....                              | 295,000            | ---                        | -295,000            |
| GENERAL PROVISION -- THIS TITLE                                     |                    |                            |                     |
| Repatriation and reintegration (Sec. 401) (non-add)...              | ---                | (40,000)                   | (+40,000)           |
| Economic Support Fund (Sec. 402) (rescission).....                  | ---                | -197,000                   | -197,000            |
|   | =====              | =====                      | =====               |
| Total, title IV.....  | 300,000            | -197,000                   | -497,000            |
|   | =====              | =====                      | =====               |
| TITLE V   |                    |                            |                     |
| DEPARTMENT OF HEALTH AND HUMAN SERVICES                             |                    |                            |                     |
| Administration for Children and Families                            |                    |                            |                     |
| Refugee and Entrant Assistance (emergency).....                     | 1,830,000          | ---                        | -1,830,000          |
| Refugee and Entrant Assistance.....                                 | ---                | 197,000                    | +197,000            |
|   | =====              | =====                      | =====               |
| Total, title V.....   | 1,830,000          | 197,000                    | -1,633,000          |
|   | =====              | =====                      | =====               |
| GENERAL PROVISION -- THIS ACT                                       |                    |                            |                     |
| Transfer authority (emergency).....                                 | (250,000)          | ---                        | (-250,000)          |
|   | =====              | =====                      | =====               |
| GRAND TOTAL.....  | 3,730,955          | ---                        | -3,730,955          |
| Appropriations.....   | ---                | (659,000)                  | (+659,000)          |
| Emergencies.....  | (3,730,955)        | ---                        | (-3,730,955)        |
| Rescissions.....  | ---                | (-659,000)                 | (-659,000)          |



Mrs. LOWEY. Madam Speaker, I yield myself such time as I may consume, and I rise today to oppose this bill that, sadly, falls short in too many ways.

The key Federal agencies tasked with responding to the humanitarian crisis on our borders are dangerously close to running out of money. These unanticipated costs are affecting the core functions at the Department of Homeland Security and Health and Human Services. Although the bill includes funding to hire additional immigration judicial teams and help set up new repatriation centers in Central America, the amounts provided are insufficient.

The Justice Department and the State Department will not be able to handle their duties without significantly more resources. All four departments need more funding than this bill provides and fewer partisan immigration policy riders than this bill now contains.

Our majority unwisely included legislative language to make sweeping changes to current law related to due process and immigration proceedings. Controversial legislation hastily added to an emergency supplemental is not the way to address a complicated problem.

On July 8, the President requested \$3.7 billion in emergency funding. The bill provides less than \$700 million. The President requested funding through fiscal year 2015. This bill barely covers the remaining weeks in FY 2014, setting this House up to do this all over again in September.

The President's request also sought emergency funding to combat a dangerous wildfire season. As of Monday, the Forest Service reported 26 large uncontained wildfires burning in eight States. As a Member from New York, a region devastated by Hurricane Sandy, I am acutely aware how important it is for the Federal Government to provide a robust response. With the House adjourning today, Federal agencies will be left to fight August fires without more funds.

This bill also fails to provide funding to procure more Iron Dome interceptors for Israel as requested. Hamas has used the ongoing crisis in Israel and Gaza as an excuse to launch thousands of rockets at Israeli cities and towns. The Iron Dome missile defense system has proven highly effective at neutralizing the rockets.

In addition to not funding important priorities, the majority offsets the funding that is provided with cuts to other programs. We should provide emergency funds in a crisis situation.

Lastly, I strongly object to the majority's significant policy changes to existing law without any hearings or markups. Three-quarters of this appropriations bill is straight authorizing legislation. Clearly, many factors led these desperate parents to hand off their children to complete strangers, with the hope they make their way to safety here.

We ought to consider the complicated policy questions and provide a carefully considered solution, yet these policy changes reveal a knee-jerk response coupled with another bill to deport children who are already in the U.S.

In addition to emergency appropriations, we should consider bipartisan comprehensive immigration reform passed by the Senate over 1 year ago, which could have helped to prevent the current humanitarian crisis along our southwest border by increasing border security personnel and nearly doubling the number of immigration judges.

The two measures we will consider today are deeply disappointing. Madam Speaker, we should provide sufficient funding to cash-strapped agencies quickly and without the baggage of controversial immigration policy riders. I regret we will not do that with this bill, and I regret even more the consequences of our failure.

Madam Speaker, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. GRANGER), the chairman of the Foreign Operations Subcommittee on Appropriations, but more importantly, she has accepted the responsibility of the Speaker to put together a task force to investigate the problem on the border and to recommend solutions—and she has, with great success.

Ms. GRANGER. Thank you, Mr. Chairman, for yielding.

Madam Speaker, as we speak, unaccompanied minors continue to be sent from Central America through drug cartel smuggling networks across Mexico and through our southern border.

Families are being lied to and manipulated by the coyotes. The \$6,000 their families spend to send their children to the United States goes into the bank account of the most powerful drug cartels in the world.

Since October, over 58,000 unaccompanied children have made the dangerous journey to the United States, and many more will continue to come unless we send a clear message that they will not be allowed to stay in the United States.

I have seen firsthand the crisis that has unfolded at the southern border in places like the Rio Grande Valley and south Texas. I have seen the women and children sleeping on the floor of a bus station in Laredo.

I have seen motherless infants being cared for by any stranger who is around. I have seen the children who are alone in detention facilities in McAllen, Texas, and I have seen the 1,200 children who are being sheltered at Lackland Air Force Base in San Antonio, and—most disturbing of all—I have heard the stories about the most God-awful journey anyone should ever have to experience.

We are here today because we have a responsibility to stop this crisis. The President has failed to lead, so I firmly believe this Chamber must act. Doing nothing is not an option.

Since June, when the Speaker asked me to lead a working group to provide policy recommendations on what we can do to address the crisis, I have been to the Texas-Mexico border twice and led a codel to Guatemala and Honduras, to see where the children are coming from and why. I will be returning to the border tomorrow for a third time.

The members of the working group dove headfirst into this issue to understand this crisis and provide recommendations for a short-term, immediate response. The policies we recommended are not an attempt for immigration reform. They are serious solutions to address this crisis.

I want to take a moment to recognize the hard work of the members of the working group who have made policy recommendations to the conference and the expertise they brought to the table.

I want to thank the chairman of the Judiciary Committee, BOB GOODLATTE; chairman of the Homeland Security Committee, MICHAEL MCCAUL; chairman of the Homeland Security Appropriations Subcommittee, JOHN CARTER; chairman of the Western Hemisphere Foreign Affairs Subcommittee, MATT SALMON; Congressman STEVE PEARCE from the Financial Services Committee; and MARIO DIAZ-BALART from the Appropriations Committee.

□ 1215

One of our conclusions from the last several weeks is that Congress should not provide more resources to the administration without changing the policies that have led us to the situation we are in today. Administration officials and officials in the Central American countries have all said that we have to make changes to the Trafficking Victims Protection Reauthorization Act of 2008. A month ago, it appeared there was a bipartisan consensus forming on this issue.

White House Press Secretary Josh Earnest said from the White House podium just 3 weeks ago, when discussing changes to the 2008 law, that it is “a priority of this administration, and if you listen to the public comments of Democrats and Republicans, it sounds like it's a bipartisan priority.”

I agree, and it is disappointing that the White House has backed down from their original statements on how we can immediately address this issue.

We are not asking for a repeal of this law. We are saying we need to tweak the 2008 law so that all unaccompanied minors are treated the same as Mexican and Canadian children for removal purposes. The policy changes included in this bill ensure that children receive a prompt hearing within 7 days after they are detained and require that a judge rules no later than 72 hours after a hearing.

Accelerating the hearing times requires more judges. I thank the chairman for including the necessary funding to hire 40 temporary judges until this crisis is under control.

For repatriations, we are prioritizing last in-first out. That means the last child to go into United States Government custody will be the first one we send home. After families have spent between \$6,000 and \$9,000 to send their children here, this will send a strong message to the families in the countries of origin that their children will not be permitted to stay. This is a message of deterrence.

I also note that Chairman ROGERS has prioritized funding for Central American countries to safely and humanely return these children, working with these countries as we return their children, as they have asked us to do.

With the surge of children, there has been increased pressure on our Customs and Border Protection officials. This supplemental deploys the National Guard to assist high-traffic States. This will free up the Border Patrol to focus on their mission.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ROGERS of Kentucky. Madam Speaker, I yield the gentlewoman an additional 1 minute.

Ms. GRANGER. To fully support the Customs and Border Protection's mission, we include a provision to allow unfettered access to Federal lands. Right now, through a memorandum of understanding, Border Patrol officials are only permitted to pursue suspects onto Federal lands. They cannot do regular patrols.

Finally, the supplemental includes a sense of Congress that children should not be detained at military bases. While this will not change the law, this provision addresses a serious and growing concern for Members of Congress, not the least of concerns is that children should not be stored on military bases.

The Congressional Budget Office has given its assessment of policy changes in this bill. They have said that, because the legislation allows for the children to self-deport, it will lead to immediate savings.

This is a smart, targeted bill that addresses the crisis immediately. I urge my colleagues to vote "yes" on the supplemental and show the American people that we are going to end this crisis.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the distinguished ranking member of the Labor, Health and Human Services Subcommittee on Appropriations.

Ms. DELAURO. Madam Speaker, I must rise in opposition against this irresponsible and insufficient border supplemental.

For months, Democrats have urged this majority to pass comprehensive immigration reform—the bill that was passed on a bipartisan basis in the United States Senate—reform that reflects our values and the country that we want to be: one with strong enforcement at the border, the deportation of

dangerous criminals, and a path to citizenship that protects workers, helps families reunite, and clears backlogs.

But this Republican majority has done nothing. They have refused to act. My colleague from Texas is right—doing nothing is not an option. Now we face a humanitarian crisis on our border that demands an immediate response, but the majority's answer is just to send home the children who enter our country alone regardless of the violence and the imminent danger that they face.

This bill only includes \$197 million for providing shelter and care for these refugee children. While these kids are here, we have a moral and, yes, we have a legal responsibility to provide for their housing, care, and processing in the most cost-effective way possible. This insufficient amount will mean that HHS will have to make up the difference through high-priced, short-term contracts. That will cost us more in the long run, and it could result in cuts to other priorities, like education, health, medical research, and job training.

If Congress tries to make up these shortfalls elsewhere, this is not responsible leadership. Our policy, signed into law by President George W. Bush, provides for the appropriate screening of those who may be victims of trafficking, and that rightly includes unaccompanied children. This supplemental appropriation would change this policy and would almost certainly result in children being returned to the violence that they are desperately trying to escape.

America can do and should do better. We should help protect those kids who are in serious danger, and we should push the leaders of these nations to address the root causes of why so many of their citizens are fleeing. We should pass comprehensive immigration reform. It is time for leadership from this Republican majority.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CARTER), the chairman of the Appropriations Subcommittee on Homeland Security.

Mr. CARTER. Thank you, Mr. Chairman.

Madam Speaker, it is a proven fact that lawlessness breeds lawlessness, and, sadly, I believe this assertion sums up the issue that is confronting us today.

Thanks in large part to the President's political decision not to enforce our immigration laws, a chaotic situation has erupted into a national security crisis and a law enforcement nightmare along the border.

We all know the facts:

An estimated 90,000 unaccompanied alien children will cross into south Texas' Rio Grande Valley by the end of this fiscal year. Another 145,000 children are estimated to flood the border in fiscal year 2015. And these staggering figures do not include the tens of thousands of families who will also

surge across our border over the same period of time.

As a result of this influx, our brave Border Patrol agents, CBP officers, and ICE agents are spending countless hours in caring for children rather than focusing on their primary enforcement missions. This would be tragic if it weren't so preventable.

Madam Speaker, we do not have an open border policy in this country, and as we tragically learned on 9/11, border security and the integrity of our immigration system truly matter to our Nation's security and the rule of law. So, today, we offer a strong but initial step to provide both the right tools and the right authorities to address and deter this seemingly unending influx of illegal aliens.

Included in this package is \$405 million, completely offset by recovered funds, for the Department of Homeland Security, funds that will enable the CBP and ICE to enforce our laws and apprehend, detain, and deport illegal aliens. Perhaps most importantly, this bill fully funds the administration's realization that detention is, in fact, a necessary deterrent to illegal immigration.

The President requested funds to fully support the long-mandated annual bed capacity—a complete reversal from his budget request in which he proposed, instead, to reduce detention beds by nearly 10 percent. The President has also retracted his policy on the detention of families who illegally cross the border. This bill provides funding through the end of the fiscal year to support 34,800 detention beds and an additional 6,320 family detention beds—a total of over 41,100 detention beds—to enable the necessary consequence management for breaking the law.

Lastly, this bill includes policy changes to bring reform and parity to the adjudication and reparation of these children and to prevent these children from being placed with criminals.

Madam Speaker, we must act and we must act now. Lawlessness has bred lawlessness, and we must act to stop it and to secure our borders. I urge my colleagues to support this strong bill.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 4 minutes to the gentleman from North Carolina (Mr. PRICE), the ranking member of the Homeland Security Subcommittee of Appropriations.

Mr. PRICE of North Carolina. Madam Speaker, I rise in strong opposition to this misconceived and under-resourced legislation.

For a while, it looked like we might do better than this. As the ranking member of the Homeland Security Appropriations Subcommittee, I was pleased to take part in a delegation to Guatemala and Honduras, ably led by Chairman KAY GRANGER. But as successive versions of the Republican bill have surfaced over the past 2 weeks, in an apparent quest for votes only among

Republicans, they have reflected less and less of what we learned on that trip.

The bill under consideration provides less than \$1 billion for the Departments of Homeland Security, Health and Human Services, Justice, and State—far below the President's request, what is being considered by the Senate, or what is required to deal with the crisis on our borders and beyond.

The bill only provides funding for anticipated needs for the remainder of this fiscal year, a mere 2 months. I would object to that less if the majority had any plans for actually completing our appropriations bills before the end of September, but we all know that they do not. Indeed, it appears unlikely that our Homeland Security Appropriations bill will make it to the House floor.

The approach taken in this legislation shows a fundamental misunderstanding of the issue before us. This isn't a border security crisis. This is a humanitarian crisis. We don't need to deploy the National Guard or surge our border capacity, because we are not failing to catch individuals as they cross. In fact, these young people are turning themselves in!

Now, we do have some agreement on the need to expedite the consideration of the claims of these minors for asylum or other forms of relief. But at \$12.9 million, the House bill falls far short of even the administration's modest request for more immigration judges.

Instead of focusing on this area of agreement, the majority relies upon a questionable and controversial rewriting of the Wilberforce law, enacted in 2008 to deal with child trafficking. My own view is that the Cuellar-Cornyn proposal incorporated in the bill both fails to address deficiencies in our present screening of Mexican youths for signs of torture or fear of persecution, and risks transferring these deficiencies to the treatment of Central American children. In any event, it is not wise to complicate or delay the consideration of this emergency supplemental request with an authorization bill that surely requires more deliberation.

Madam Speaker, there have been some recent signs of progress down at the border. Over the past few weeks, the average daily apprehensions of unaccompanied children have dropped from 400 to well under 200. That doesn't mean the crisis is over. We can easily see another spike in apprehensions in the coming weeks.

We need a bill that both provides resources and reflects our values. Faith leaders of all traditions across the country are calling on Congress to provide the social and health services these children desperately need.

Perhaps the greatest failing of this legislation is that it fails to move us toward any viable, long-term strategy to address the causes of the current crisis. Beyond any funding we appro-

priate to help manage the flow of unaccompanied children or families over the next several months, we are setting ourselves up for similar crises in the future if we aren't willing to invest in a long-term strategy to help Honduras, Guatemala, and El Salvador—the three countries that are the source of the vast majority of unaccompanied minors—to stabilize their economies, to modernize their institutions, to reduce the levels of violence and the grip of the drug cartels and street gangs.

□ 1230

Madam Speaker, I fear that the bill before us fails to address either short-term or long-term needs, and much of what it does contain is irrelevant to the current crisis.

Madam Speaker, I urge a "no" vote.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. MCCAUL), who chairs the Homeland Security Committee of the House.

Mr. MCCAUL. Madam Speaker, let me thank the chairman of the Appropriations Committee for his hard work and Chairwoman KAY GRANGER for heading up this task force that I was honored to be a part of.

As the chairman of the Homeland Security Committee and a former Federal prosecutor who has dealt with the border for many years, I have never seen a crisis quite like this one. This crisis demands action. It demands leadership, and it demands a solution to the problem.

Since the President enacted DACA in 2012, we have seen 60,000 unaccompanied children cross into the border, in the Rio Grande Valley sector of Texas alone, 250 per day.

We went down there to see these children. These children are the victims caught between the administration's policies and the coyotes and the traffickers who exploit them and make money, between \$5,000 to \$10,000 apiece.

Madam Speaker, this bill fixes that crisis. First and foremost, this changes the 2008 trafficking law as a message of deterrence. This crisis will not stop until we start sending them back, and all this does is it treats Central Americans the same way we treat Mexicans. It will provide for swift removal in a humane way back to their countries of origin.

It is unfortunate that the administration, while initially supportive, has now flip-flopped on that issue.

It also provides for the detention, removal, and repatriation of these children.

For me and my home State of Texas, importantly, it calls for the deployment of the National Guard to the southwest border to secure our border. My Governor, Governor Perry, has already activated the National Guard. But it is the Federal Government's responsibility, under the Constitution, to pick up that price tag, and that is precisely what this bill does.

Finally, Madam Speaker, I think, importantly, it directs the Southern Com-

mand, our military, to help secure the border between Guatemala and Mexico, which I believe, and I know the chairman of Appropriations as well believes, is a key to stopping the flow out of Central America.

Madam Speaker, the time to act is now.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD), a member of both the Labor, Health and Human Services, and the Homeland Security Subcommittees.

Ms. ROYBAL-ALLARD. Madam Speaker, 2 weeks ago, I visited the border and saw small children held in tiny cells and forced to sleep on cold concrete floors and benches. The treatment of these vulnerable kids, many of whom fled their homes to escape extreme violence, shocked me as a mother and as an American.

Unfortunately, this bill contains only 11 percent of the resources the President requested for the Department of Health and Human Services. This pittance amount will only make conditions worse for these vulnerable children by limiting the Department's bedspace capacity and exacerbating delays in transferring children away from the overcrowded Border Patrol stations into the more suitable conditions of HHS.

Unfortunately, insufficient funding isn't the only flaw in this bill. By treating all children the same, the majority means taking away protections and treating Central American children like Mexican and Canadian children who have limited protection under current law.

This legislation sadly undercuts the current critical humanitarian and due process protections for these desperate children seeking safe haven from the horrors of violence in their country.

Without due process, many of these children who would qualify for protection under our laws will be returned straight into the arms of the traffickers or their impoverished violent neighborhoods. That is why, national antitrafficking organizations like the Alliance to End Slavery and Trafficking strongly oppose this bill.

Madam Speaker, the Republican supplemental is an irresponsible and inadequate bill that does little to protect our borders or address the humanitarian crisis facing our Nation. The bill is a senseless and deeply flawed political ploy that my Republican colleagues know will be rejected by the Senate.

Instead of playing political games, let us act in the best interests of our country and these kids by passing a bill that upholds our American values, honors our heritage as a nation of immigrants, protects our borders, and fully addresses the causes and consequences of the humanitarian crisis on our border.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. DENT), a member of our committee.

Mr. DENT. Madam Speaker, I rise in very strong support of this border security legislation presented to us today, for a number of reasons.

It does provide for humanitarian assistance. This legislation does deal with this issue in a compassionate, thoughtful way to deal with the unaccompanied children. It secures the border, provides for funding for the National Guard, and it does many other things, too, in terms of policy changes that would treat these children just as we would treat unaccompanied children who cross the border from Canada or Mexico. It is the right policy for a whole host of reasons.

Just last week, Congressmen GERLACH, MEEHAN, and I visited an Office of Refugee Resettlement program in Womelsdorf, Berks County in Pennsylvania, and those children are treated compassionately.

But let me tell you what will happen if we do nothing here today. The children who are coming into my district in Womelsdorf, and also in Allentown, where I will be visiting a center tomorrow, these children will, in fact, keep coming into our communities and they will be treated humanely. Then they will be resettled and reunited with parents or family members who are already in the United States and, in most cases, here unlawfully.

That is what doing nothing means. The children will keep coming. They will be resettled throughout the country, and they will basically reside somewhere within the interior of this country. That is what doing nothing means. It would be reckless and irresponsible for the House to walk out of here today without addressing this border and humanitarian crisis.

This bill is the right thing to do. It secures the border, provides humanitarian assistance, and it makes the necessary policy changes to stop this flow of children.

This is a tragedy that these children are leaving their countries in this way. I can't imagine the desperation these families must feel, that they would let their children travel with somebody unaccompanied, drug dealers and cartels and human smugglers, coyotes. It is unthinkable. We need to make sure this stops. Many children aren't making it along the way.

I met with a 5-year-old girl who told me her horrible story, and I shudder to think of the children who didn't make it.

That is why we need to act today. It is the right thing to do, it is the compassionate thing to do, and it is in keeping with our American tradition.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip of the House.

Mr. HOYER. I thank the gentlelady for yielding.

Madam Speaker, I was going to ask my friend from Pennsylvania whether he had talked to the Senate and thinks this has any chance of moving this week; and the answer I think I would give is no, it does not. So I agree with him. It would be tragic not to act.

It is tragic that we are acting in a partisan fashion, which almost ensures inaction on this, the last day that we are going to be here. We should be acting in a bipartisan fashion, as I have urged the majority leader to do.

What is a bipartisan fashion?

A, considering the emergency need today and funding the resources necessary to respond to that; B, taking under consideration the substantive legislative changes that can be affected that will help this issue, will send the messages that the gentleman wants to send.

He is my dear friend and a good Member of this body, but I will tell you, this bill has had no hearings, no committee consideration. Yes, there was a partisan task force, but this has had no consideration in this legislative process.

The majority leader, last week told me that there would be no bill that did not get 72 hours' notice. The gentleman knows you have a bill on the floor, which is contingent, of course, on the passage of this, which has had a few hours' notice, at best. Last night, I think at 10 o'clock the Rules Committee met on DACA.

So I will tell my friend that, had we acted in a bipartisan fashion, A, at whatever level of funding we could agree, pass a bill to meet the immediate crisis, B, have hearings on the ramifications of the law that passed with only two votes in opposition—over 405 Members voted for the 2008 legislation. We are changing that without a hearing either in subcommittee, committee, or full committee. That is not the way we ought to be working. That is not good for our country. It is not good for this institution. It is not fair.

I would urge my colleagues to defeat this legislation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. LOWEY. I yield the gentleman an additional minute.

Mr. HOYER. I believe, once again, we find the Republican Party divided. Because they are divided, they are trying to cobble together some of their hard-line Members so that they can get them to vote for this supplemental.

And they put on a bill which has had no notice to the American people or to Members of Congress. It is ironic that people are supporting this who demanded that we read the bills. There was no bill to read until this morning.

How sad for the American people. We have a humanitarian crisis that must be addressed without delay, and the way to address it without delay is to give the resources necessary and then pursue the legislative process, not together. It will slow it down, and I predict it will not pass the Senate. I think

the gentlemen and ladies on this side of the aisle know that the Senate is not going to pass this bill.

So if you really think we ought to act now, do so in a bipartisan fashion, and then let us debate the legislation before us.

Mr. MCCAUL just said this is a real crisis. He just said it just minutes ago, Mr. MCCAUL, the chairman of the committee. This is a real crisis which demands action. The recommendation that has been made to us will undermine action by this body in the face of crisis. We should not pass this legislation. We ought to pass a very simple resource to the crisis now and legislate later.

I urge my colleagues to vote "no."

Mr. ROGERS of Kentucky. Madam Speaker, I don't know where the gentleman gets his information, but this bill was filed Tuesday.

You have had since Tuesday morning to study this bill, and that is the appropriate—under our rules, that is the appropriate time.

Mr. HOYER. Will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Maryland.

Mr. HOYER. As I understand it, the DACA legislation is dependent upon this legislation. That was not filed 72 hours ago.

Mr. ROGERS of Kentucky. That is not this bill. Reclaiming my time, this bill has been available to you since Tuesday.

Madam Speaker, may I inquire of the time we have remaining.

The SPEAKER pro tempore. The gentleman from Kentucky has 10½ minutes remaining, and the gentlewoman from New York has 14 minutes remaining.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve the balance of my time.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. FATTAH), the ranking member of the Commerce, Justice, and Science Subcommittee.

Mr. FATTAH. Madam Speaker, we are here because the President of the United States has requested an emergency supplemental appropriations of about \$3.7 billion. The Senate has acted in the range of about \$2.7 billion. The House now comes in at one-sixth of the request to deal with this crisis. It ignores the wildfires in the West, the challenges that relate to other parts of the bill that were presented by the administration, and it says we are acting responsibly.

I rise in opposition to the bill. I understand what the majority is offering, and I think it has been stated pretty clearly.

I believe, if we have children who are presented to us without adults—who have been the victims of trafficking, which is what the majority has said, they have been trafficked by cartels and paid criminal enterprises to bring

them to our border; the majority says some of them have been sexually abused and mistreated in other ways—I don't believe that our response should be to close the door.

□ 1245

So as we think about our responsibilities as the United States of America, a Nation that had 12 million people without documents when the President was sworn into office—50,000 children, just like the 5-year-old girl that my colleague said he met and talked to—the idea that our moral responsibility is to say to her, “You go back to where you came from,” I don't believe that that is what we should be doing.

So I reject this—not because of the numbers or the other things. I think this is morally deficient, that our great country would say, as we demand other countries around the world take in refugees who are facing dangerous circumstances, that what our answer is, No, not here. Not in our backyard.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the House Judiciary Committee.

Mr. GOODLATTE. I thank the gentleman from Kentucky for his leadership on this issue.

Madam Speaker, I urge my colleagues to support H.R. 5230. There is a crisis at our border. It is a crisis, a disaster of the President's own making.

The Obama administration's lax immigration enforcement policies have given confidence to parents who are in the U.S. illegally that they can stay, and now they are finding ways to bring their children, who are still in Central America and beyond, to the United States unlawfully.

Although President Obama has many tools at his disposal to stop this surge at the border, he refuses to use them, and instead proposes to make the situation worse by taking more unilateral actions to stop the enforcement of our immigration laws.

It is ultimately up to President Obama to end this crisis by reversing his policies that created it. However, since he refuses to do so, we have to act to the extent we can to provide narrow and targeted funding to meet the immediate needs of our law enforcement agencies at the southern border. We have to enable them to do their job, to secure our border, and enforce our immigration laws. And we should act to provide narrow tweaks to the 2008 law regarding the removal of unaccompanied alien minors.

Because of the President's inaction, we are taking the responsible step today of passing these narrow fixes that will help the American people avoid billions of dollars in additional costs due to the President not trying to solve this problem but asking for more money to continue to resettle thousands and thousands, tens of thousands of people into the interior of our country.

While the bill is not perfect, it does give law enforcement many tools they have requested. For example, while I was in the Rio Grande area earlier this month, Border Patrol agents cited administration-created restrictions that bar them access to Federal land as a significant stumbling block to securing the border. One of the most important provisions of this bill gives Border Patrol agents access to Federal lands so they can stop drug traffickers, human smugglers, and unlawful immigrants from exploiting these gaps along the border.

Since the President isn't taking serious action to address the crisis at the border, the House is doing so today, and I urge my colleagues to support this bill.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from California (Mr. BECERRA), the chair of the House Democratic Caucus.

Mr. BECERRA. I thank the ranking member for yielding.

Madam Speaker, I agree with those who have said that doing nothing is not an option. But making matters worse should not be an option either. Stripping children of the chance to establish their credible fear of death or endangerment is a crude and cold way of dispensing justice in America. That is not the American way.

This bill is a patch, not a solution. It lasts 2 months. So we will be right back here, trying to solve this challenge again, in September. Governing and budgeting in pieces is what leads to government shutdowns. That is not the American way.

This bill robs Peter to give to Paul. How does this bill fund the money to pay for the border work that has to get done? First, it strips emergency funding to tackle devastating wildfires that the President has requested because the States have requested it. Second, it takes \$407 million from the Federal Emergency Management Agency's disaster relief fund, money which would be used to help people who have been devastated by wildfires and other natural disasters.

Madam Speaker, if we had passed immigration reform a year ago with the bill that passed the Senate on a bipartisan basis—which on this floor, we have been denied a vote on for more than 380 days—we would not be looking at a crisis on the border the way we are today. But that is the difficulty we have.

When you don't fix the broken immigration system, this is what you encounter. And these piecemeal approaches aren't going to solve anything. We are going to be right back at it in September. That is not the American way. We provide justice to people. We make sure we dispense it the way we should, and we take care of our emergencies.

Let's get this done the right way. Let's do two things: let's give the emergency funding that the people

need at the border to run this process right, and then let's finally on the floor of this House have a vote to fix a broken immigration system.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SALMON), a member of the Speaker's task force that investigated the border problem.

Mr. SALMON. Madam Speaker, I rise in strong support of the Secure the Southwest Border Act of 2014.

This kind of came to light a few months ago when The Arizona Republic published a story that these families were being dropped at bus stations in Tucson and Phoenix. Then it highlighted the current administration's catch-and-release policies that are encouraging literally swarms of people to come across the 1,500-mile desert of Mexico into the United States, risking life, risking their happiness.

And the fact is, we can't keep doing nothing. This bill will stop these waves and waves of people from coming across our border.

As we went over to Guatemala and we went to Honduras and we talked with our State Department folks, that is exactly what they said: You have got to make it clear that we move from a catch-and-release policy to a detain-and-deport policy. And that is what this bill does. If we want to send a strong message to people that that \$5,000 to \$8,000 that they are paying to these thugs that are transporting across the border and hurting these young boys and girls along the way and then holding them for extra money, extorting their parents, that if we want to stop this from happening and stop the pain that is going on with these children, then the best thing that we can do is to send a clear message that in America, there are no permisos—permits, permissions; if you make that journey, you are going to be sent back to your country. That is the only thing that is going to make it happen.

Now, our liberal friends, they want to just throw more money at the problem and perpetuate the problem. They want it to keep happening. I say that is not compassionate. I say continuing that pain and that harm to these children is not a good thing to do, and the way to stop it is to send a clear message.

We have got folks on my side of the aisle that have problems with the bill. What do they have a problem with? Nothing inside the bill. Not putting the National Guard on the border, not stopping the catch-and-release programs, and not giving unfettered access to our Border Patrol. They can't come up with a good reason to vote against it. They are playing right into HARRY REID's hands.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ROGERS of Kentucky. I yield the gentleman an additional 1 minute.

Will the gentleman from Arizona yield?

Mr. SALMON. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Do you understand that the experts have told

us that if we do nothing, if we don't change the law, that another 145,000 people will be with us next year alone? Is that not correct?

Mr. SALMON. That is what I understand.

I also understand that conservative estimates indicate it is going to cost \$2.6 billion a year to care for just half of the nearly 60,000 that are already here. We are talking about billions and billions of dollars, not to mention the fact that these children are being sexually molested along the way, that they are being killed along the way, that they are being sold into slavery, and we can stop it.

Mr. ROGERS of Kentucky. Just focusing on the money part of this, the gentleman from Arizona is saying, if we don't change the law, we can expect to pay another few billion dollars a year—

Mr. SALMON. Just to care for those kids.

Mr. ROGERS of Kentucky. To care for that continuing stream of people coming across?

Mr. SALMON. Right.

And, Mr. Chairman, I can't understand how any conservative in good conscience would not want to stop that hemorrhage and make sure that we are not spending those billions of dollars that should be going to pay down our Federal debt.

Mr. ROGERS of Kentucky. Well, I would think that not only conservatives would like it, but that everybody would like that kind of savings.

Mr. SALMON. I think so too.

Mrs. LOWEY. Madam Speaker, I would just like to say to the distinguished chairman, I would have liked to have heard from these experts in hearings. Unfortunately, the majority has not had hearings, and we are bringing this bill to the floor without any hearings, without any witnesses, and without any information.

Mr. ROGERS of Kentucky. Will the gentlewoman briefly yield on that point?

Mrs. LOWEY. I would be delighted to yield to the gentleman from Kentucky, if I have the time.

Mr. ROGERS of Kentucky. The 145,000 additional people coming across the border, that number came from the Department of Homeland Security. So those are governmental estimates, if we do nothing on the law change.

I thank the gentlewoman for yielding.

Mrs. LOWEY. Madam Speaker, I would also like to say to our distinguished chairman that it would have been helpful in having an analysis of the current statistics and the future prospects at hearings. But we are bringing this bill to the floor. The majority is bringing this bill to the floor without any hearings, without any discussion. This is really not the way to pass important legislation.

And, again, we had a bill. We could have had comprehensive immigration reform that passed the Senate in a bipartisan way.

I am now pleased to yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Madam Speaker, I thank the gentlewoman for yielding, the ranking member on the Appropriations Committee, who, from day one of knowing about this challenge that we have with the children at the border, has reacted in a very wise, humanitarian—yes—and practical way as to what the best way is to address the challenge, honor the values of our country, and save the children.

I was interested in the back and forth between the distinguished chairman of the Appropriations Committee, Mr. ROGERS, and our ranking member on the subject of the change in the law that is in the legislative language that is in this supplemental, because I agree with our distinguished whip, Mr. HOYER, and other who have said: There are two things happening here. We need to address the humanitarian challenge. We need resources to do that for particular purposes. And we should do that in the supplemental.

Another is to change the law, which we shouldn't do in a supplemental. It is legislating on an appropriations bill in a manner in which all kinds of statements can be made which may be anecdotally significant but not significant in terms of the difference that they make, a difference enough to change the law.

So when people talk about witnesses in one context or another, just saying something on the floor of the House, it is interesting. But there should be hearings. If we are going to change the law, there should be hearings where testimony can come forth, be challenged, confirmed, whatever it may be. But a serious discussion worthy of the country that we are, worthy of the Congress that passed the Wilberforce law, which was a very bipartisan initiative. And I salute my Republican colleagues who played such an important role in passing the bill. And that bill directed agencies of government to incorporate antitrafficking and protection measures for vulnerable populations, particularly women and children, into either post-conflict or humanitarian emergency assistance and program activities, according to the law.

There was a purpose for the law. But with a phrase in an appropriations bill, we want to undermine that purpose. That is not necessary to do here. Why does this belong in a bill where we are allocating resources to meet a humanitarian challenge that we have?

Now let's get to what is in the actual supplemental.

□ 1300

I had hoped that we could work in a bipartisan way, and I thought that is the path we were on. The Republican majority wanted to decrease the amount of resources and the amount of time—well, that is commensurate, if it is a lower amount of money and a

shorter period of time, that is okay, but when you change what that money is for, then you are doing a disservice to the entire issue.

Instead of providing adequate resources to meet the humanitarian needs—the immediate humanitarian needs—largely of these children, that is just totally inadequate in this legislation, in terms of its proportionality in the bill, whether it fails to provide any resources for legal assistance to these children to plead their case.

They may have a legitimate cause for asylum—refugee status to come into the United States or not, but they should be represented, and they should be represented in a way that repatriates them back to their home country, if they do not qualify in a way that is safe. This legislation does not do that.

The American people are fair-minded, they are wise, they are practical, and they want to help, but they want to do so in a way that is fair to everyone involved. They want to feed the children. There are not enough resources here to do that with the humanitarian side. They want us to honor who we are with due process for these children. This legislation does not do that.

They want to have judges to quickly facilitate giving these people a hearing, in addition to the representation that they should have due process. The bill does not. It tramples due process to rush terrified children back to the violence of their home countries.

That is not who we are as a country, and it also poses a particular danger to children victims of gang violence and human trafficking, which takes us right back to the Wilberforce bill—human trafficking. It is a global crisis. It is happening at our border.

We have a bill to stop it. This legislation on the floor today weakens that and then, in a manner of distribution of funds and paucity of funds, does not address the challenge. It takes us backward. It is hard to understand.

Now, what we should be talking about, what Mr. TIERNEY suggested, how do we help communities that are receiving these children into their communities and our country? Again, how do we help? This bill hurts.

Madam Speaker, in addition to this—I guess the way you were able to get the votes for this bill—which is even opposed by people who are anti-immigration because it is not bad enough—was that you had to sweeten the pie by having a followup bill that would only be taken up if enough of your Members agreed to vote for this bad bill, and that again does not address who we are as a country.

We are a great country because we are a good country. Others have said that as long ago as 200 years ago or longer, so let us be good and let us be great, and let us do something that really was closer to what the Republicans were talking about earlier in this discussion. It seems that in order to get more votes, you had to make the



bill worse; the worse the bill, the more votes on the Republican side.

No, let's find common ground in the middle, where we can get the most votes to do the best possible job that we can do. It may not be every good thing we would ideally like to do, but it is a reasonable place to go forward to honor what the national Catholic Conference of Bishops have talked about, where all the people of faith are urging us to do here in the Congress and the United States, and that is to honestly respect the dignity and worth of all of these children, all of them children of God.

I get mocked for quoting what the bishops have said because it is so generous to the children, but let's give the children a fair shot. Let's do better than this, and you know that this bill isn't going anywhere, so once again, it is a waste of time. It is not a statement of values. It is a statement of meanness.

The Republican bills responding to the humanitarian crisis at the southern border are the latest evidence of their breathtaking extremism.

The Republican proposal is unjust, inhumane and abhorrent to our values as a nation. Their supplemental:

Fails to provide any resources for legal aid to children with legitimate asylum claims;

Does not authorize enough judges to adjudicate extensive case backlog;

Tramples due process to rush terrified children back to the violence of their home countries; and

Poses a particular danger to child victims of gang violence and human trafficking.

To coax their party into voting for even that much, Republicans are also teeing-up a vote to bar any adjustment or expansion of DACA.

No additional relief for children and students;

No relief for parents of DREAMers;

No relief for parents of young U.S. citizens; and

Certainty that we will continue to tear apart immigrant families.

It is appalling that Republicans' price for doing next-to-nothing for vulnerable children is the opportunity to vote against the young immigrants who want nothing more than a future in the only country they have ever known.

We should be acting on comprehensive immigration reform, but this Republican Congress is allergic to meaningful solutions.

Mr. ROGERS of Kentucky. Madam Speaker, may I inquire of the time remaining?

The SPEAKER pro tempore. The gentleman from Kentucky has 5½ minutes remaining. The gentlewoman from New York has 8 minutes remaining.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve the balance of my time.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. FARR), the ranking member of the Agriculture Subcommittee of the Appropriations Committee.

Mr. FARR. Thank you, Madam Ranking Chair, for yielding.

I rise, Madam Speaker, on this bill with great concern. I am bringing a lot

of passion to this debate because I lived in the barrios like the ones the children are coming from when I was a Peace Corps volunteer in Latin America, very violent barrios.

Look, this is not a border crisis. It is not a border security issue. This is a humanitarian crisis, and it is caused by problems on both sides of the border. Our country has a lot at fault here because we have not addressed comprehensive immigration reform, which means we have 11 million people living in the United States undocumented.

They are essentially incarcerated in this country. They are not allowed to go home because the minute they go home and try to get back to the United States, they get arrested, and they are not allowed to ever return, or they are barred for 10 years from returning.

So what happens, Madam Speaker? They have been living here for years and years. They have children that they left because there were job opportunities here, and those children are now living in places that are really dangerous, and all of a sudden, yeah, things have changed. They have got to get out.

These countries are ranked number one, four, and five of the highest murder rates in the world. They leave them because there are real, serious humanitarian crises. They are showing up on our border. They are not sneaking across the border.

There is nobody having to go out there for these kids trying to sneak in. They are throwing themselves—help me, help me find my relative, my dad, my parent, my mom—in this country.

What does this bill do? It doesn't address the humanitarian problems at either end. It hires more cops and puts military in there, National Guardsmen.

Now, if that is such a great idea, why is California—with probably the busiest border in the world with Mexico—not putting its National Guard down there? Our Governors and our mayors don't think it is necessary.

Madam Speaker, why are we putting more money in for National Guard? We don't need the National Guard. We need Red Cross—it is a humanitarian crisis—Red Cross. No, we are putting more and more money for arms and more money for military and cops. I don't think that is the right answer.

We are also doing something really dumb. We are stripping a law now that says when we give money to these countries—by the way, before you spend this money on your cops and on your military, you have got to vet them. We have a human rights standard. This bill throws that out.

You don't have to do that now. We are going to give you \$40 million of American taxpayer money, and you don't have to do anything to abide by human rights. Now, that is really dumb, and I don't think American taxpayers want their money spent that way.

Madam Speaker, I am going to call upon my colleagues here not to come

down here and think of themselves in a partisan way or an election year way, but come to this floor when you have to vote on this bill and think of yourself as a parent, as a neighbor.

A kid has knocked on your door, and you go to the door and say: Oh, my God he is crying, or she is crying. You say: What happened? They say: In my house, they are raping people and killing people, and I am running away. This bill says: Oh, what is your address? I will take you home.

Don't vote for it.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Madam Speaker, I support full comprehensive immigration reform, but today's vote on this supplemental appropriation bill is to provide funding to ICE, Border Patrol, and other agencies to deal with the humanitarian crisis on the border, an area that I represent, an area where I live, an area where 42,000 out of the 58,000 unaccompanied kids have crossed.

The policy change in this bill is to get rid of a loophole in the 2008 law that the smugglers in Central America and Mexico have taken advantage of. All due process and legal protections are left intact under this proposed bill.

You will see under a CRS report that compares the current law to today's bill, you will see that the same due process and the same legal protections are left intact. In fact, I respectfully ask my colleagues in opposition to show me specifically where there is due process and legal protection that is taken away out of the bill. I yet have heard where it does this.

Madam Speaker, I have also asked my colleagues in opposition respectfully to sit down with me and offer their alternative solution or their legislative proposal to this border crisis and have yet to hear those solutions.

In this appropriation bill, we have to provide the funding to the Federal agencies to provide an early border, but we can no longer afford to play defense on the 1-yard line called the U.S.-Mexico border. We need to play defense on the 20-yard line, and this is why working with the Central American countries and working with Mexico to address the core issues and to fix and to fight these smugglers is vital.

I want to thank the men and women on the border that have defended our homeland, and I want to thank the border communities, the churches, and the nonprofits that have done so much to help these folks at the border. In fact, I want to thank the chairman for allowing a provision for the border communities to seek reimbursement for the allowable expenses under this bill.

We cannot leave Washington today without putting the resources and the policy change to address the border crisis. We are sent here to address not the easy problems, but to address the hard problems.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ROGERS of Kentucky. I yield the gentleman an additional 1 minute.

Mr. CUELLAR. I thank the Chairman.

Madam Speaker, we are sent here to Washington not to address the easy problems, but to address the difficult problems that this Nation is facing. When President John F. Kennedy was faced with a very difficult crisis, he said:

I am not looking for a Republican answer or for a Democratic answer. I am looking for the right answer.

I think today, in a bipartisan way, we need to look for that right answer. I urge "yes" on this supplemental appropriation bill.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from California (Ms. LEE), a member of the Labor, Health, and Human Services; and Foreign Operations Subcommittees.

Ms. LEE of California. Let me thank our ranking member on Appropriations, Mrs. LOWEY, for yielding and for her steadfast leadership.

Madam Speaker, I rise in strong opposition to this woefully inadequate Republican response to the humanitarian crisis along our border. Let me start by saying that as an appropriator, I am very troubled by the shamefully inadequate funding levels and misguided offsets in this bill.

I am also deeply concerned by the dangerous policy riders that strip protections for vulnerable children—protections signed into law by a Republican President, mind you.

Let's be clear. This crisis has nothing to do with the lack of funding for immigration enforcement. We don't do anything to help these children by pouring tax dollars into the further militarization of our border, and that is exactly what this bill does.

Madam Speaker, our response needs to put children first. In a hearing by the Congressional Progressive Caucus this week, we heard firsthand from Central American children who had fled violence in their home countries and who had passed through our broken detention system.

These children and thousands like them risk their lives on their way to this country. Some had witnessed murders and gang violence in their home countries and suffered freezing conditions and inadequate nutrition while in detention in the United States.

These stories were chilling and made clear where we need to direct our resources: humane care, access to due process, and support to end the violence and poverty plaguing Honduras, El Salvador, and Guatemala.

Now, no one disagrees with protecting our borders, but come on, we also have a duty to protect these children who, according to the United Nations High Commission on Refugees, 60 percent of whom were interviewed, these children need international protection.

My home district makes up Alameda County, where over 200 of these chil-

dren have been reunited with their families locally. Their stories are real, and their stories are very, very powerful, so I urge a "no" vote.

Let's guarantee due process for these children who are fleeing violence. Let's have a heart.

Mr. ROGERS of Kentucky. May I inquire of the gentlewoman from New York if she has further speakers? I am prepared to close. If the gentlewoman has one additional speaker, then I reserve the balance of my time.

□ 1315

Mrs. LOWEY. Madam Speaker, I yield myself such time as I may consume because before I turn to my colleague, the gentlewoman from California (Ms. LOFGREN), the ranking member, an expert on immigration on the Judiciary Committee, I just want to make one statement again.

The Senate, after months of hearings, passed a bipartisan comprehensive immigration reform bill. It is really very sad that today we can't get together, Democrats and Republicans, and review the work that had been done by the Senate and pass a comprehensive immigration reform bill that would have prevented the emergency that we are trying to address today. The majority of the bill that is included in the supplemental should have been done through a thoughtful committee process.

Madam Speaker, I am pleased to yield the balance of my time to the gentlewoman from California (Ms. LOFGREN), a member of the Judiciary Committee Subcommittee on Immigration.

Ms. LOFGREN. Madam Speaker, the U.S. Conference of Catholic Bishops tells us this bill would result in the U.S. sending children who have relief available to them back to the conditions they fled, and will result in many children being harmed and some being killed on their return.

I join the bishops in opposing this bill.

With this bill, children who have been trafficked, who have fled persecution, violence, and abuse, will be stripped of protections that have existed for years.

Our laws provide that victims of persecution and torture must have a meaningful opportunity to request safe haven. We need not prejudge the outcome of these cases. We need only adhere to our laws that ensure that each child is treated in a fair manner, that their case be individually considered, and if they deserve protection under the law, so be it; if not, they go home.

This is not new. Refugees have received protection in America for decades. In 1980, the asylum system that we have today was established. Most of the special protections for unaccompanied children were created in 1997. Many were codified in 2002. Critics of the antislavery law of 2008 claim it has caused the influx of kids to America, but the protections began in 1997, 17 years ago.

No, kids are fleeing because of the extreme violence in three countries. Children from other countries in the region are not fleeing here. And people from Honduras, El Salvador, and Guatemala are fleeing to every other country in the region—a 712 percent increase in asylum cases in Belize, Nicaragua, and the other Central American countries.

What the 2008 law actually did was give less protection to kids from Mexico and Canada, and that was a mistake because the U.N. review now makes clear that, as a consequence, we are sending kids who have been sex-trafficked back to their abusers. Rather than fix this loophole, this bill would subject all kids to that flawed process. I can't help but note that this will be the only immigration bill with an up-or-down vote, a bill to strip victims of their protections.

Mrs. LOWEY. I yield back the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, we have a crisis on our border with Mexico right now. It can't wait. It is a humanitarian crisis. It is also a failure of our border. It is an open border now unless you fix it. If we don't change the law to treat Central American children the same as we treat Mexican children at the border, you are going to be flooded. The amount now on the border will pale into insignificance because Homeland Security tells us they anticipate another 145,000 children next year, on top of the tens of thousands of adults and families flooding across that open border.

So we have an immediate crisis today. This bill is an urgently needed bill. It provides immediate funding for critical border security and these humanitarian needs. The money will be there immediately. If we do not pass this bill today, you are going to risk these resources running out. Then your hands will be tied. More and more immigrants will continue to flood across that border if you fail to act.

This bill will allow the DHS, the Department of Homeland Security, and the National Guard to tighten security and restore the border. It will allow the Department of Justice to process the cases that may be needed more efficiently. It encourages repatriation in the countries from which these immigrants came, and it provides much-needed shelter and care for the thousands of unaccompanied children who have recently crossed that border.

We must act today before we leave town, not only to protect our borders, but to help these unaccompanied children who are being brought here by criminals, no less, on a long, dangerous, arduous journey, subject to abuse, injury, and death along the way. How can you turn away from these faces?

This bill directs responsible levels of resources toward the front line, toward the highest priority needs. The bill



puts policy measures into place that keep criminals out of the country and helps encourage children not to make that very dangerous, life-threatening journey. The President's request would do nothing to enforce our laws and make this Nation a safer place.

Help the problem. Stop the crisis. This bill does it. Vote for it.

I yield back the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, how is it that we can find it within our capabilities to fund billions of dollars of deficit spending on unpaid-for tax extenders one week, but we can't muster the humanity to fund adequate legal representation for refugee children the next? The President's request included a modest \$24.5 million to fund the Department of Justice's programs to provide legal assistance to these children, their guardians, and law enforcement advisors in Central America, yet none of this was included in the legislation. Instead, Republicans focus only on punitive measures that will hasten the misery of these children.

Madam Speaker, I am interested to know why Republicans are comfortable spending untold amounts of American taxpayer's money on a frivolous lawsuit, but will provide absolutely no money on legal assistance for a child who, after traversing some of the most dangerous terrain our world has to offer, must now navigate our immigration system without the benefit of counsel. Make no mistake, these children are refugees.

If Republicans are so concerned about the plight of these children and making sure that we find a humanitarian solution, why have they stripped away all of the human rights conditions and certification requirements on the Guatemalan and Honduran militaries allowing them to use the \$40 million allocated to help with repatriation efforts? We're going to throw these children who have fled for their lives from horrific conditions right back to the same wolves who caused them to flee in the first place, and then pay to ensure they are stuck there.

Madam Speaker, rather than focus on sending these children back as quickly as we can, maybe we should take a page from the history books, and find it in our hearts to help them find safety and a new life here in the United States. In 70 years, we should be able to look back proudly on that accomplishment, and not have to shamefully admit that the United States could have done more.

Mr. GENE GREEN of Texas. Madam Speaker, I rise in strong opposition to H.R. 5230, the woefully inadequate supplemental appropriations bill that will only exacerbate the growing humanitarian crisis impacting my home state of Texas.

Since the beginning of this year, nearly 60,000 unaccompanied children have crossed the Rio Grande into south Texas. The vast majority of these children are coming from three countries—El Salvador, Guatemala, and Honduras—where whole communities are being terrorized by drug cartels and street gangs. Honduras, the U.N. reports, has the highest homicide in the world. El Salvador and Guatemala rank fourth and fifth.

Even before these children reach Texas, many of whom no more than seven or eight years old, they must make the long and dangerous journey through the remainder of Central America and Mexico. On the journey,

these children are easy targets for robbers, drug smugglers, and sex traffickers, further traumatizing them before they reach our country.

Once reaching Brownsville, McAllen, or one of our other communities on the border, these children are not trying to evade detection from Border Patrol. In fact, there are countless stories of these children running into the arms of our border protection officials, knowing that they will be safe from the violence and trauma once in American custody.

Madam Speaker, I can speak first hand, having visited our border facilities in McAllen earlier this month, on the hard work our nation's Border Patrol Officers are doing, along with their counterparts throughout DHS and HHS during this humanitarian crisis.

Congress needs to respond to this crisis in the best traditions of our great nation—with open eyes and compassion and balance the needs of the American people with our nation's historic role as the place of last refuge for those who are persecuted and in need.

The legislation before this chamber today, shamefully, does not reflect our nation's best traditions. It is a misguided, knee-jerk reaction that will do little to improve, or worst, exacerbate, the growing crisis on the Rio Grande.

H.R. 5230 would provide only one-seventh of the funds the President requested and would only authorize those funds through the end of September. And of these funds, Madam Speaker, the vast majority are directed towards greater border security and not—as is necessary—the humanitarian aspect of this crisis.

I have always been supportive of greater border security and providing our nation's Border Patrol Agents with the resources they need to protect us. However, our country is already deporting record numbers of people—over 1.2 million in the past three years—and there is growing concern among our border communities that their towns and cities are already being negatively affected by our border surge.

What these children need—and our DHS and HHS officials on the border have requested—are not more boots on the ground, but more judges, health officials, asylum officers, and facilities to temporarily house these children while we determine if they need to return to their home country or are eligible for asylum.

This legislation would further militarize our border, without regard to the wishes of our border communities, by authorizing the deployment of the National Guard and make null and void existing Memorandums of Understanding between CBP and the Interior and Agriculture Departments on protecting federal lands under these departments oversight, like Big Bend National Park.

I urge my colleagues to demand a vote on a clean supplemental and to vote against this shameful legislation.

Mr. JOHNSON of Georgia. Madam Speaker, I rise today in strong opposition to H.R. 5230 “the Supplemental Appropriations to Address the Southwest Border Crisis.”

This partisan bill does nothing to address the humanitarian crisis at the border. Instead this bill undermines due process protections for children who have been victims of trafficking, torture, and persecution.

It is shameful Republicans are using this crisis to advance their own agenda. In doing so,

Republicans are jeopardizing children's lives, and hypocritically reversing their position on a law they once supported. With this bill, Republican Hypocrisy has been taken to another level.

Yesterday, I met President and Vice-President of the National Association of Immigration Judges, who said no current protections and due process for these children should be changed. Republicans should listen to them.

I urge my colleagues to oppose the bill.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 696, the previous question is ordered on the bill.

Pursuant to clause 1(c) of rule XIX, further consideration on H.R. 5230 is postponed.

## HIGHWAY AND TRANSPORTATION FUNDING ACT OF 2014

Mr. SHUSTER. Madam Speaker, pursuant to House Resolution 696, I call up the bill (H.R. 5021) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes, with a Senate amendment thereto.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the “Highway and Transportation Funding Act of 2014”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

### TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION

#### Subtitle A—Federal-aid Highways

Sec. 1001. Extension of Federal-aid highway programs.

#### Subtitle B—Extension of Highway Safety Programs

Sec. 1101. Extension of National Highway Traffic Safety Administration highway safety programs.

Sec. 1102. Extension of Federal Motor Carrier Safety Administration programs.

Sec. 1103. Dingell-Johnson Sport Fish Restoration Act.

#### Subtitle C—Public Transportation Programs

Sec. 1201. Public transportation programs continuation.

#### Subtitle D—Hazardous Materials

Sec. 1301. Extension of hazardous materials programs.

### TITLE II—REVENUE PROVISIONS

Sec. 2001. Extension of Highway Trust Fund expenditure authority.

Sec. 2002. Funding of Highway Trust Fund.

Sec. 2003. Additional information on returns relating to mortgage interest.

Sec. 2004. Penalty for failure to meet due diligence requirements for the child tax credit.

Sec. 2005. Clarification of 6-year statute of limitations in case of overstatement of basis.