S. 2687

At the request of Mrs. SHAHEEN, the names of the Senator from Colorado (Mr. UDALL) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 2687, a bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 2693

At the request of Ms. CANTWELL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2693, a bill to reauthorize the women's business center program of the Small Business Administration, and for other purposes.

S. 2703

At the request of Mrs. BOXER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2703, a bill to establish eligibility, assignment, training, and certification requirements for sexual assault forensic examiners for the Armed Forces, and for other purposes.

S. 2709

At the request of Mr. MANCHIN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Washington (Mrs. MURRAY), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Hawaii (Mr. SCHATZ) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2709, a bill to extend and reauthorize the Export-Import Bank of the United States, and for other purposes.

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 2709, supra.

S. 2710

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2710, a bill to amend the Internal Revenue Code of 1986 to exempt private foundations from the tax on excess business holdings in the case of certain philanthropic enterprises which are independently supervised, and for other purposes.

S. RES. 513

At the request of Mr. PORTMAN, his name was added as a cosponsor of S. Res. 513, a resolution honoring the 70th anniversary of the Warsaw Uprising.

S. RES. 522

At the request of Mr. COONS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 522, a resolution expressing the sense of the Senate supporting the U.S.—Africa Leaders Summit to be held in Washington, DC from August 4 through 6, 2014.

S. RES. 530

At the request of Mr. PORTMAN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. Res. 530, a resolution expressing the sense of the Senate on the current situation in Iraq and the urgent need to protect religious minorities from persecution from the Sunni Islamist insurgent and terrorist group the Islamic State, formerly known as the Islamic State of Iraq and the Levant (ISIL), as it expands its control over areas in northwestern Iraq.

AMENDMENT NO. 3588

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 3588 intended to be proposed to S. 2410, an original bill to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 3719

At the request of Mr. WICKER, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Utah (Mr. HATCH) were added as cosponsors of amendment No. 3719 intended to be proposed to S. 2648, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

AMENDMENT NO. 3720

At the request of Mr. CRUZ, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of amendment No. 3720 intended to be proposed to S. 2648, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL:

S. 2722. A bill to facilitate identification and dissemination of evidence-informed recommendations for addressing maternal addiction and neonatal abstinence syndrome and to provide for studies with respect to neonatal abstinence syndrome; to the Committee on Health, Education, Labor, and Pensions.

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

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

S. 2722

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protecting Our Infants Act of 2014''.

SEC. 2. EVIDENCE-INFORMED RECOMMENDATIONS WITH RESPECT TO MATERNAL ADDICTION AND NEONATAL ABSTINENCE SYNDROME.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall coordinate and facilitate the—

(1) identification and compilation of evidence-informed recommendations for physicians, nurses, and hospital facilities with respect to neonatal abstinence syndrome; and

(2) identification of any gaps, as appropriate, in such evidence-informed recommendations that may require additional research or analysis with respect to—

(A) screening and intervention for maternal substance abuse, including the misuse or abuse of prescription drugs in women of childbearing age and pregnant women;

(B) treatment for pregnant and postpartum women with a substance use disorder, including the misuse or abuse of prescription drugs;

(C) screening of infants for neonatal abstinence syndrome and for the risk of developing neonatal abstinence syndrome;

(D) treatment for infants with neonatal abstinence syndrome, including evidence-informed recommendations surrounding evaluation and treatment with pharmacological and non-pharmacological interventions; and

(E) ongoing treatment, services, and supports for postpartum women with a substance use disorder, including misuse or abuse of prescription drugs, and infants and children with neonatal abstinence syndrome.

(b) INPUT.—In carrying out subsection (a), the Secretary shall consider input from stakeholders, such as health professionals, public health officials, and law enforcement.

(c) DISSEMINATION OF INFORMATION.—The Secretary shall disseminate to appropriate stakeholders in States and local communities the evidence-informed recommendations identified under subsection (a).

(d) ADDRESSING RESEARCH NEEDS FOR MATERNAL ADDICTION AND NEONATAL ABSTINENCE SYNDROME.—The Secretary shall conduct a study to evaluate—

(1) factors related to the increased prevalence of maternal opiate misuse and abuse;

(2) factors related to maternal misuse and abuse of opiates, including—

(A) barriers to identifying and treating maternal misuse and abuse of opiates; and

(B) the most effective prevention and treatment strategies for pregnant women and other women of childbearing age who are at risk for or dependent on opiates; and

(3) factors related to neonatal abstinence syndrome, including—

(A) epidemiological studies concerning neonatal abstinence syndrome;

(B) the most effective methods to diagnose and treat neonatal abstinence syndrome; and

(C) the long-term effects of neonatal abstinence syndrome and the need for a longer-term study on infants and children at risk for developing neonatal abstinence syndrome or diagnosed with neonatal abstinence syndrome.

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives the findings from the study under subsection (d) and a report that identifies the gaps in evidence-informed recommendations that require additional research or analysis, and priority areas for additional research.

SEC. 3. IMPROVING DATA ON NEONATAL ABSTINENCE SYNDROME.

The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall provide technical assistance to States to improve the availability and quality of data collection and surveillance activities regarding neonatal abstinence syndrome, including—

(1) incidence and prevalence of neonatal abstinence syndrome;

(2) the identification of causes for neonatal abstinence syndrome, including new and emerging trends; and

(3) the identification of demographics and other relevant information associated with neonatal abstinence syndrome.

SEC. 4. PAIN MANAGEMENT ALTERNATIVES.

It is the sense of Congress that the Director of the National Institutes of Health should continue research with respect to pain management, including for women of childbearing age.

SEC. 5. GAO STUDY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study evaluating—

(1) the availability and effectiveness of federally-facilitated substance abuse treatment programs for pregnant women and their children;

(2) the availability and effectiveness of Federal programs that encourage State adoption and implementation of programs to ensure—

(A) the safety and health of mothers who have a substance use disorder; and

(B) the safety and health of children with neonatal abstinence syndrome;

(3) the effectiveness of Federal data systems and surveillance programs used to monitor or track drug utilization and resulting trends, including whether information on neonatal abstinence syndrome is incorporated into such data systems; and

(4) the identification of the use of all discretionary funds to address maternal substance abuse, including the misuse and abuse of prescription drugs.

By Mr. LEAHY (for himself and Mr. GRAHAM):

S. 2726. A bill to clarify the definition of nonadmitted insurer under the Nonadmitted and Reinsurance Reform Act of 2010, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. LEAHY. Mr. President, today, I introduce the Captive Insurers Clarification Act. This simple, commonsense legislation will clarify terms included in the Dodd-Frank Wall Street Reform and Consumer Protection Act that stand to threaten the viability of the captive insurance industry in Vermont, South Carolina, and across the country. I am glad to have Senator Graham's support in this effort.

Vermont is one of the leading onshore captive insurance domiciles in the country, with over 1000 licensed captive insurance companies. I have heard from the captive industry in Vermont, understandably concerned that language included in the Dodd-Frank Act may result in the double taxation of captives that operate in states where their headquarters are not domiciled. The Nonadmitted and Reinsurance Reform Act, NRRA, as included in Dodd-Frank, intended to facilitate the proper collection and allocation of self-procurement taxes. Captives are taxed and regulated in the state in which they are domiciled, not necessarily where their corporate headquarters are located. However, due to the ambiguity of the NRRA, captive insurers are concerned that both the state in which a captive is headquartered, and the state in which the captive is domiciled, may claim the premium tax.

The Captive Insurers Clarification Act would simply clarify that such companies were never intended to be included under the Nonadmitted and Reinsurance Reform Act. Applying the NRRA to captives would eliminate the specialized regulation of the captive industry that states like Vermont have worked to cultivate.

This is commonsense legislation to clarify the intention of Congress in passing the Nonadmitted and Reinsurance Reform Act, and I hope Members of Congress will support its enactment.

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

S. 2736. A bill to amend the Internal Revenue Code of 1986 to prevent identity theft related tax refund fraud, and for other purposes; to the Committee on Finance.

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

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

S. 2736

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Tax Refund Theft Prevention Act of 2014''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

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

SEC. 2. SAFE HARBOR FOR DE MINIMIS ERRORS ON INFORMATION RETURNS AND PAYEE STATEMENTS.

(a) IN GENERAL.—Subsection (c) of section 6721 is amended—

(1) by striking ''EXCEPTION FOR DE MINIMIS FAILURE TO INCLUDE ALL REQUIRED INFORMATION'' in the heading and inserting ''EXCEPTIONS FOR CERTAIN DE MINIMIS FAILURES'',

(2) by striking ''IN GENERAL'' in the heading of paragraph (1) and inserting ''EXCEPTION FOR DE MINIMIS FAILURE TO INCLUDE ALL REQUIRED INFORMATION'', and

(3) by adding at the end the following new paragraph:

''(3) SAFE HARBOR FOR CERTAIN DE MINIMIS ERRORS.—

''(A) IN GENERAL.—If, with respect to an information return filed with the Secretary—

''(i) there are 1 or more failures described in subsection (a)(2)(B) relating to an incorrect dollar amount, and

''(ii) no single amount in error differs from the correct amount by more than $25,

then no correction shall be required and, for purposes of this section, such return shall be treated as having been filed with all of the correct required information.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to returns required under section 6049.

''(C) REGULATORY AUTHORITY.—The Secretary may issue regulations to prevent the abuse of the safe harbor under this paragraph, including regulations providing that this subparagraph shall not apply to the extent necessary to prevent any such abuse.''.

(b) FAILURE TO FURNISH CORRECT PAYEE STATEMENTS.—Subsection (c) of section 6722 is amended by adding at the end the following new paragraph:

''(3) SAFE HARBOR FOR CERTAIN DE MINIMIS ERRORS.—

''(A) IN GENERAL.—If, with respect to any payee statement—

''(i) there are 1 or more failures described in subsection (a)(2)(B) relating to an incorrect dollar amount, and

''(ii) no single amount in error differs from the correct amount by more than $25,

then no correction shall be required and, for purposes of this section, such statement shall be treated as having been filed with all of the correct required information.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to payee statements required under section 6049.

''(C) REGULATORY AUTHORITY.—The Secretary may issue regulations to prevent the abuse of the safe harbor under this paragraph, including regulations providing that this subparagraph shall not apply to the extent necessary to prevent any such abuse.''.

(c) CONFORMING AMENDMENTS.—

(1) Subsection (i) of section 408 is amended by striking ''$10'' and inserting ''$25''.

(2) Paragraph (5) of section 3406(b) is amended—

(A) by striking ''$10'' both places it appears and inserting ''$25'', and

(B) by adding at the end the following flush text:

''The preceding sentence shall not apply to payments of interest to which section 6049 applies.''.

(3) Subparagraphs (A) and (B) of section 6042(a)(1) are each amended by striking ''$10'' and inserting ''$25''.

(4) Paragraph (2) of section 6042(a) is amended by striking ''$10'' and inserting ''$25''.

(5) Paragraphs (1) and (2) of section 6044(a) are each amended by striking ''$10'' and inserting ''$25''.

(6) Paragraph (1) of section 6047(d) is amended by striking ''$10'' and inserting ''$25''.

(7) Subsection (a) of section 6050B is amended by striking ''$10'' and inserting ''$25''.

(8) Subsection (a) of section 6050E is amended by striking ''$10'' and inserting ''$25''.

(9) Paragraphs (1) and (2) of section 6050N(a) are each amended by striking ''$10'' and inserting ''$25''.

(10) Paragraphs (1) and (2) of section 6652(a) are each amended by striking ''$10'' and inserting ''$25''.

(11) The heading of subsection (a) of section 6652 is amended by striking ''$10'' and inserting ''$25''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to information returns required to be filed, and payee statements required to be provided, on or after the date of the enactment of this Act.

SEC. 3. INTERNET PLATFORM FOR FORM 1099 FILINGS.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary of the Treasury (or such Secretary's delegate) shall make available an Internet website or other electronic media, similar to the Business Services Online Suite of Services provided by the Social Security Administration, that will provide taxpayers access to resources and guidance provided by the Internal Revenue Service and will allow taxpayers to—

(1) prepare and file (in batches of not more than 50) Forms 1099,

(2) prepare Forms 1099 for distribution to recipients other than the Internal Revenue Service, and

(3) create and maintain necessary taxpayer records.

(b) EARLY IMPLEMENTATION FOR FORMS 1099-MISC.—Not later than 1 year after the date of the enactment of this Act, the Internet website under subsection (a) shall be available in a partial form that will allow taxpayers to take the actions described in such subsection with respect to Forms 1099-MISC required to be filed or distributed by such taxpayers.

SEC. 4. REQUIREMENT THAT ELECTRONICALLY PREPARED PAPER RETURNS INCLUDE SCANNABLE CODE.

(a) IN GENERAL.—Subsection (e) of section 6011 is amended by adding at the end the following new paragraph:

''(5) SPECIAL RULE FOR RETURNS PREPARED ELECTRONICALLY AND SUBMITTED ON PAPER.—The Secretary shall require that any return of tax which is prepared electronically, but is printed and filed on paper, bear a code which can, when scanned, convert such return to electronic format.''.

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 6011(e) is amended by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (5)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns of tax the due date for which (determined without regard to extensions) is after December 31, 2014.

SEC. 5. SINGLE POINT OF CONTACT FOR IDENTITY THEFT VICTIMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury (or such Secretary's delegate) shall establish new procedures to ensure that any taxpayer whose return has been delayed or otherwise adversely affected due to misappropriation of the taxpayer's taxpayer identity (as defined in section 6103(b)(6) of the Internal Revenue Code of 1986) has a single point of contact who—

(1) is an individual employee of the Internal Revenue Service, and

(2) tracks the case of the taxpayer from start to finish and coordinates with other specialized units to resolve case issues as quickly as possible.

(b) CHANGE OF CONTACT.—The procedures under subsection (a) shall provide that the single point of contact may be changed—

(1) upon request of the taxpayer, or

(2) in any case where the individual employee ceases employment or is otherwise unavailable for any period, or a change is required to meet agency staffing needs, but only if the taxpayer is notified of any such change within 5 business days.

SEC. 6. CRIMINAL PENALTY FOR MISAPPROPRIATING TAXPAYER IDENTITY IN CONNECTION WITH TAX FRAUD.

(a) IN GENERAL.—Section 7206 is amended—

(1) by striking ''Any person'' and inserting the following:

''(a) IN GENERAL.—Any person'', and

(2) by adding at the end the following new subsection:

''(b) MISAPPROPRIATION OF IDENTITY.—Any person who willfully misappropriates another person's taxpayer identity (as defined in section 6103(b)(6)) for the purpose of making any list, return, account, statement, or other document submitted to the Secretary under the provisions of this title shall be guilty of a felony and, upon conviction thereof, shall be fined not more than $250,000 ($500,000 in the case of a corporation) or imprisoned not more than 5 years, or both, together with the costs of prosecution.''.

(b) AGGRAVATED IDENTITY THEFT.—Section 1028A(c) of title 18, United States Code, is amended by striking ''or'' at the end of paragraph (10), by striking the period at the end of paragraph (11) and inserting ''; or'', and by adding at the end the following new paragraph:

''(12) section 7206(b) of the Internal Revenue Code of 1986 (relating to misappropriation of identity in connection with tax fraud).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to offenses committed on or after the date of the enactment of this Act.

SEC. 7. EXTEND INTERNAL REVENUE SERVICE AUTHORITY TO REQUIRE TRUNCATED SOCIAL SECURITY NUMBERS ON FORM W-2.

(a) IN GENERAL.—Paragraph (2) of section 6051(a) is amended by striking ''his social security number'' and inserting ''an identifying number for the employee''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 8. IMPROVEMENT IN ACCESS TO INFORMATION IN THE NATIONAL DIRECTORY OF NEW HIRES FOR TAX ADMINISTRATION PURPOSES.

(a) IN GENERAL.—Paragraph (3) of section 453(i) of the Social Security Act (42 U.S.C. 653(i)) is amended to read as follows:

''(3) ADMINISTRATION OF FEDERAL TAX LAWS RELATING TO FRAUD.—The Secretary of the Treasury shall have access to the information in the National Directory of New Hires for the sole purpose of identifying and preventing fraudulent tax return filings and claims for refund under the Internal Revenue Code of 1986.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 9. PASSWORD SYSTEM FOR PREVENTION OF IDENTITY THEFT TAX FRAUD.

(a) IN GENERAL.—The Secretary of the Treasury shall implement an identity theft tax fraud prevention program under which any individual taxpayer may elect to be provided with a unique password which, as a result of such election, will be required to be included on any Federal tax return filed by such individual before the return will be processed. Such program shall be available not later than January 1 of the first calendar year beginning on or after the date that is 2 years after the date of the enactment of this Act.

(b) STUDY AND REPORT.—The Secretary of the Treasury shall conduct a study of the program under subsection (a) and, not later than 3 years after the January 1 date under such subsection, shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the efficacy of such program in reducing tax refund fraud. Such report shall include a recommendation as to whether the program under subsection (a) should be made mandatory, rather than elective, for all taxpayers.

SEC. 10. INCREASED PENALTY FOR IMPROPER DISCLOSURE OR USE OF INFORMATION BY PREPARERS OF RETURNS.

(a) IN GENERAL.—Section 6713 is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and

(2) by inserting after subsection (a) the following new subsection:

''(b) ENHANCED PENALTY FOR IMPROPER USE OR DISCLOSURE RELATING TO IDENTITY THEFT.—

''(1) IN GENERAL.—In the case of a disclosure or use described in subsection (a) that is made in connection with a crime relating to the misappropriation of another person's taxpayer identity (as defined in section 6103(b)(6)), whether or not such crime involves any tax filing, subsection (a) shall be applied—

''(A) by substituting '$1,000' for '$250', and

''(B) by substituting '$50,000' for '$10,000'.

''(2) SEPARATE APPLICATION OF TOTAL PENALTY LIMITATION.—The limitation on the total amount of the penalty under subsection (a) shall be applied separately with respect to disclosures or uses to which this paragraph applies and to which it does not apply.''.

(b) CRIMINAL PENALTY.—Section 7216(a) is amended by striking ''$1,000'' and inserting ''$1,000 ($100,000 in the case of a disclosure or use to which section 6713(b) applies)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures or uses after the date of the enactment of this Act.

SEC. 11. INCREASE ELECTRONIC FILING OF RETURNS.

(a) IN GENERAL.—Subparagraph (A) of section 6011(e)(2) is amended by striking ''250'' and inserting ''the applicable number of''.

(b) APPLICABLE NUMBER.—Subsection (e) of section 6011, as amended by this Act, is amended by adding at the end the following new paragraph:

''(6) APPLICABLE NUMBER.—For purposes of paragraph (2)(A), the applicable number is—

''(A) in the case of returns and statements relating to calendar years before 2015, 250,

''(B) in the case of returns and statements relating to calendar year 2015, 100,

''(C) in the case of returns and statements relating to calendar year 2016, 50, and

''(D) in the case of returns and statements relating to calendar years after 2016, 20.''.

(c) RETURNS FILED BY A TAX RETURN PREPARER.—

(1) IN GENERAL.—Subparagraph (A) of section 6011(e)(3) is amended to read as follows:

''(A) IN GENERAL.—The Secretary shall require that—

''(i) any individual income tax return, and

''(ii) any return or statement under subpart B, C, or E of part III of this subchapter,

which is prepared by a tax return preparer be filed on magnetic media. The Secretary may waive the requirement of the preceding sentence if the Secretary determines, on the basis of an application by the tax return preparer, that the preparer cannot meet such requirement based on technological constraints (including lack of access to the Internet).''.

(2) CONFORMING AMENDMENT.—Paragraph (3) of section 6011(e) is amended by striking subparagraph (B), and by redesignating subparagraph (C) as subparagraph (B).

(d) EFFECTIVE DATES.—The amendments made by this section shall apply to returns the due date for which (determined without regard to extensions) is after December 31, 2014.

SEC. 12. INCREASED REAL-TIME FILING.

(a) ACCELERATED FILING OF FORMS W-2 AND W-3.—

(1) IN GENERAL.—Section 6071 is amended by redesignating subsection (c) as subsection (d), and by inserting after subsection (b) the following new subsection:

''(c) RETURNS RELATING TO EMPLOYEE WAGE INFORMATION.—Returns and statements made under sections 6051 and 6052 shall be filed on or before February 15 of the year following the calendar year to which such returns relate.''.

(2) CONFORMING AMENDMENT.—Subsection (b) of section 6071 is amended by striking ''subparts B and C'' and inserting ''section 6053 and subpart B''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns and statements relating to calendar years beginning after the date of the enactment of this Act.

(b) ACCELERATED FILING FOR CERTAIN FORMS 1099.—

(1) IN GENERAL.—Subsection (c) of section 6071, as amended by subsection (a), is amended—

(A) by striking ''WAGE INFORMATION'' in the heading and inserting ''WAGE INFORMATION AND FORMS 1099-MISC'', and

(B) by inserting '', and any return which is filed on Form 1099-MISC,'' after ''6052''.

(2) CONFORMING AMENDMENT.—Subsection (b) of section 6071, as amended by this Act, is amended by striking ''section 6053 and subpart B of part III of this subchapter'' and inserting ''subpart B of part III of this subchapter (other than returns filed on Form 1099-MISC)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns relating to calendar years beginning after December 31, 2014.

(c) STUDY REGARDING ADMINISTRATIVE IMPLEMENTATION.—Not later than January 1, 2017, the Secretary of the Treasury shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives including—

(1) a recommendation of whether the due dates for filing Forms W-2 and W-3 with the Internal Revenue Service and the Social Security Administration should be accelerated to January 31 to match the due date for furnishing copies of such forms to the recipient of the reported income,

(2) recommendations for processes—

(A) to match the information reported on Forms W-2 and Forms 1099-MISC for the effective processing of returns and accurate determination of refunds, and

(B) to correct errors on such documents, and

(3) any other recommendations such Secretary may have for accelerating information reporting, including the identification of any other forms that should be due on an accelerated schedule in order to prevent tax refund fraud.

SEC. 13. LIMITATION ON MULTIPLE INDIVIDUAL INCOME TAX REFUNDS TO THE SAME ACCOUNT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Treasury shall issue regulations that restrict the delivery or deposit of multiple individual income tax refunds from the same tax year to the same individual account or mailing address.

(b) EXCEPTION.—The regulation promulgated under subsection (a) shall provide that the restrictions shall not apply in cases and situations where the Secretary of the Treasury determines there is not a likelihood of tax fraud.

SEC. 14. IDENTITY VERIFICATION REQUIRED UNDER DUE DILIGENCE RULES.

(a) IN GENERAL.—Subsection (g) of section 6695 is amended by adding at the end the following new sentence: ''Such due diligence requirements shall include a requirement that such preparer verify (in such manner and with such documentation as the Secretary shall provide) the identity of the taxpayer with respect to such return or claim for refund.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns or claims for refund filed after December 31, 2014.

SEC. 15. REPORT ON REFUND FRAUD.

Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury (or the Secretary's delegate) shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the extent and nature of fraud involving the use of a misappropriated taxpayer identity with respect to claims for refund under the Internal Revenue Code of 1986 during the preceding completed income tax filing season, and the detection, prevention, and enforcement activities undertaken by the Internal Revenue Service with respect to such fraud, including—

(1) the development of fraud detection filters and how they are or may be updated and improved;

(2) the effectiveness of fraud detection activities, and the ways in which such effectiveness is measured; and

(3) the methods by which such Service categorizes of refund fraud, and the amounts of fraud that are associated with each category.

By Ms. HEITKAMP:

S. 2740. A bill to require the Secretary of Veterans Affairs to establish a voluntary national directory of veterans to support outreach to veterans, and for other purposes; to the Committee on Veterans' Affairs.

Ms. HEITKAMP. Mr. President, today I am introducing legislation to help new veterans get information about the programs, benefits and services available to them as they transition back to civilian life. The Connect with Veterans Act will make it easier for cities, counties and tribes, as well as the State Departments of Veterans Affairs, to interact directly with new veterans.

Since I joined the Senate in January 2013, I have traveled all across North Dakota, listening to our veterans. One thing I heard, time and time again, was the need for more information about programs and services. Recently, I hosted my first Native American Veterans Summit in Bismarck, ND. One of the things which struck me at the Summit was how the Department of Veterans Affairs and other agencies simply weren't connecting with the veterans who wanted information about health care options and other benefits. It is clear that we, as a society, must do better.

In June 2013, I was proud to form the Senate Defense Communities Caucus along with my co-chair, Senator JOHNNY ISAKSON. We found that people and communities all across the nation are passionate about helping our military perform its mission. Through my work with the Caucus, I found these communities are equally passionate about helping our veterans as well. I heard, through a close partnership with the Association of Defense Communities, that folks wanted to do more, at the local level, to help veterans.

From those ideas, the Connect with Veterans Act was created. It is a simple bill, and one that is entirely voluntary. Separating servicemembers can choose to share their contact information with the communities they are moving to after their military service. Interested cities, counties and tribes can request the contact information for the new veterans moving to their area and then provide them with information about services and benefits. Throughout this process, the veterans contact information will be kept secure.

It is critical that we provide veterans with access to the benefits and services they have earned once they leave the military and—knowing what services and benefits are available to them is the first step. This bill will expand the sources of information available to veterans. It is not just the VA that has the responsibility to help veterans. We all share that responsibility.

I have heard from North Dakotans, in particular, about how this bill would be incredibly beneficial as many communities in my state have unmet employment needs. Veterans have proven to be great employees. And, with good-paying jobs in North Dakota, this program can provide a way to bring veterans into these open positions. But this bill gives local control of what information is provided to veterans. Communities throughout the nation will be able to make this program fit their needs.

Our Nation must do a better job of taking care of our veterans. A great first step is figuring out how best to welcome new veterans into our communities. I know my bill will help that critical process.

By Mr. CORNYN (for himself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. FLAKE, Mr. COATS, Mr. ISAKSON, Mr. ALEXANDER, Mr. CHAMBLISS, Mr. BARRASSO, and Mr. COCHRAN):

S. 2743. A bill making supplemental appropriations for the fiscal year ending September 30, 2014, for border security, law enforcement, humanitarian assistance, and for other purposes; to the Committee on Appropriations.

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

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

S. 2743

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

TITLE I

DEPARTMENTS OF COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

ADMINISTRATIVE REVIEW AND APPEALS

For an additional amount for ''Administrative Review and Appeals'', $63,200,000, to remain available until September 30, 2015, as follows:

(1) $54,000,000 for the Executive Office for Immigration Review to hire 54 Immigration Judge Teams, which shall be trained and assigned to adjudicate juvenile cases.

(2) $6,700,000 for the Executive Office for Immigration Review for the purchase of video teleconferencing equipment, digital audio recording devices, and other technology that will enable expanded immigration courtroom capacity and capability.

(3) $2,500,000 for the Executive Office for Immigration Review's Legal Orientation Program, of which not less than $1,000,000 shall be for the Legal Orientation Program for Custodians:

Provided, That not later than 15 days after the date of enactment of this Act, the Executive Office for Immigration Review shall submit a reorganization plan to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives that includes detailed plans for prioritizing the adjudication of non-detained, unaccompanied alien children and specific plans to reassign Immigration Judge Teams to expedite the adjudication of juveniles on the non-detained docket:

Provided further, That the submitted plan shall ensure that juveniles will appear before an immigration judge for an initial hearing not later than 10 days after the juvenile is apprehended.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for ''Salaries and Expenses, General Legal Activities'', $1,100,000, for necessary expenses to respond to the significant rise in unaccompanied children and adults with children at the southwest border and related activities, to remain available until September 30, 2014.

TITLE II

DEPARTMENT OF HOMELAND SECURITY

U. S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to cover necessary expenses to respond to the significant rise in unaccompanied alien children and adults with children at the Southwest border and related activities, including the acquisition, construction, improvement, repair, and management of facilities, and for necessary expenses related to border security, $71,000,000, to remain available until September 30, 2015.

U. S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to cover necessary expenses to respond to the significant rise in unaccompanied alien children and adults with children at the Southwest border and related activities, and for the necessary expenses for enforcement of immigration and customs law, detention and removals of adults with children crossing the border unlawfully, and investigations, $398,000,000, to remain available until September 30, 2015, of which, $50,000,000 shall be expended for 50 additional fugitive operations teams and not less than $14,000,000 shall be expended for vetted units operations in Central America and human smuggling and trafficking investigations: *Provided*, That the Secretary of Homeland Security shall support no fewer than an additional 3,000 family and 800 other beds and substantially increase the availability and utilization of detention space for adults with children.

GENERAL PROVISIONS

SEC. 201. (a) For an additional amount for meeting the data collection and reporting requirements of this Act, $5,000,000.

(b) Notwithstanding section 503 of Division F of the Consolidated Appropriations Act, 2014 (Public Law 113–76), funds made available under subsection (a) for data collection and reporting requirements may be transferred by the Secretary of Homeland Security between appropriations for the same purpose.

(c) The Secretary may not make a transfer described in subsection (b) until 15 days after notifying the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives of such transfer.

TITLE III

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

REFUGEE AND ENTRANT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Refugee and Entrant Assistance'', $150,000,000, to be merged with and available for the same period and purposes as funds appropriated in Public Law 113–76 ''for carrying out such sections 414, 501, 462, and 235'': *Provided*, That funds appropriated under this heading may also be used for other medical response expenses of the Department of Health and Human Services in assisting individuals identified under subsection (b) of such section 235: *Provided further*, That, the Secretary may, in this fiscal year and hereafter, accept and use money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or other donation for carrying out such sections: *Provided further*, That funds appropriated under this heading for medical response expenses may be transferred to and merged with the ''Public Health and Social Services Emergency Fund'': *Provided further*, That transfer authority under this heading is subject to the regular notification procedures of the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

GENERAL PROVISIONS

(RESCISSION)

SEC. 301. Of the funds made available for performance bonus payments under section 2105(a)(3)(E) of the Social Security Act (42 U.S.C. 1397ee(a)(3)(E)), $1,700,000,000 is rescinded.

TITLE IV

GENERAL PROVISIONS—THIS TITLE

REPATRIATION AND REINTEGRATION

SEC. 401. (a) 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) 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) 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) Funds made available pursuant to this section shall be subject to the regular notification procedures of the Committee on Appropriations of the Senate and the Committee on Appropriations of House of Representatives and the Senate.

TITLE V

GENERAL PROVISIONS — THIS ACT

SEC. 501. Not later than 30 days after the date of the enactment of this Act, the Attorney General, working in coordination with the Secretary of Homeland Security and the Secretary of Health and Human Services, shall institute a process for collecting, exchanging, and sharing specific data pertaining to individuals whose cases will be adjudicated by the Executive Office for Immigration Review that ensures that—

(1) the Department of Justice is capable of electronically receiving information from the Department of Homeland Security and the Department of Health and Human Services related to the apprehension, processing, detention, placement, and adjudication of such individuals, including unaccompanied alien children;

(2) case files prepared by the Department of Homeland Security after an individual has been issued a notice to appear are electronically integrated with information collected by the Department of Justice's Executive Office for Immigration Review during the adjudication process;

(3) cases are coded to reflect immigration status and appropriate categories at apprehension, such as unaccompanied alien children and family units;

(4) information pertaining to cases and dockets are collected and maintained by the

Department of Justice in an electronic, searchable database that includes—

(A) the status of the individual appearing before the court upon apprehension;

(B) the docket upon which the case is placed;

(C) the individual's presence for court proceedings;

(D) the final disposition of each case;

(E) the number of days each case remained on the docket before final disposition; and

(F) any other information the Attorney General determines to be necessary and appropriate; and

(5) the final disposition of an adjudication or an order of removal is electronically submitted to—

(A) the Department of Homeland Security; and

(B) the Department of Health and Human Services, if appropriate.

SEC. 502. Not later than 30 days after the date of enactment of this Act, the Secretary of Homeland Security, working in coordination with the Attorney General and the Secretary of Health and Human Services, shall institute a process for collecting, exchanging, and sharing specific data pertaining to individuals who are apprehended or encountered for immigration enforcement purposes by the Department of Homeland Security that ensures that—

(1) case files prepared by the Department of Homeland Security after an individual has been issued a notice to appear are electronically transmitted to—

(A) the Department of Justice's Executive Office for Immigration Review for integration with case files prepared during the adjudication process; and

(B) to the Department of Health and Human Services, as appropriate, if the files relate to unaccompanied alien children;

(2) the Department of Homeland Security is capable of electronically receiving information pertaining to the disposition of an adjudication, including removal orders and the individual's failure to appear for proceedings, from the Department of Justice's Executive Office for Immigration Review; and

(3) information is collected and shared with the Department of Justice regarding the immigration status and appropriate categories of such individuals at the time of apprehension, such as—

(A) unaccompanied alien children or family units;

(B) the location of their apprehension;

(C) the number of days they remain in the custody of the Department of Homeland Security;

(D) the reason for releasing the individual from custody;

(E) the geographic location of their residence, if released from custody;

(F) any action taken by the Department of Homeland Security after receiving information from the Department of Justice regarding an individual's failure to appear before the court;

(G) any action taken by the Department of Homeland Security after receiving information from the Department of Justice regarding the disposition of an adjudication; and

(H) any other information that the Secretary of Homeland Security determines to be necessary and appropriate.

SEC. 503. Not later than 30 days after the date of the enactment of this Act, the Secretary of Health and Human Services, working in coordination with the Attorney General and the Secretary of Homeland Security, shall institute a process for collecting, exchanging, and sharing specific data pertaining to unaccompanied alien children that ensures that—

(1) the Department of Health and Human Services is capable of electronically receiving information from the Department of Homeland Security and the Department of Justice related to the apprehension, processing, placement, and adjudication of unaccompanied alien children;

(2) the Department of Health and Human Services shares information with the Department of Homeland Security regarding its capacity and capability to meet the 72-hour mandate required under section 235(b)(3) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)(3)); and

(3) information is collected and shared with the Department of Justice and the Department of Homeland Security regarding—

(A) the number of days a child remained in the custody of the Department of Health and Human Services;

(B) whether the child was placed in a facility operated by the Department of Defense;

(C) for children placed with a sponsor—

(i) the number of children placed with the sponsor;

(ii) the relationship of the sponsor taking custody of the child;

(iii) the type of background check conducted on the potential sponsor; and

(iv) the geographic location of the sponsor; and

(D) any other information the Attorney General or the Secretary of Homeland Security determines to be necessary and appropriate.

SEC. 504. The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 505. This Act may be cited as the ''Protecting Children and America's Homeland Act of 2014''.

DIVISION B—UNACCOMPANIED ALIEN CHILDREN AND BORDER SECURITY

TITLE X—UNACCOMPANIED ALIEN CHILDREN

Subtitle A—Protection and Due Process for Unaccompanied Alien Children

SEC. 1001. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

Section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthorization 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'';

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively;

(3) inserting after paragraph (2) the following:

''(3) MANDATORY EXPEDITED REMOVAL OF CRIMINALS AND GANG MEMBERS.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall place an unaccompanied alien child in a proceeding in accordance with section 235 of the Immigration and Nationality Act (8 U.S.C. 1225a) if, the Secretary determines or has reason to believe the alien—

''(A) has been convicted of any offense carrying a maximum term of imprisonment of more than 180 days;

''(B) has been convicted of an offense which involved—

''(i) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(ii) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(iii) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

''(iv) the violation of a protection order (as defined in section 2266 of title 18, United States Code);

''(v) driving while intoxicated (as defined in section 164 of title 23, United States Code); or

''(vi) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

''(C) has been convicted of more than 1 criminal offense (other than minor traffic offenses);

''(D) has engaged in, is engaged in, or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii)), or intends to participate or has participated in the activities of a foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189));

''(E) is or was a member of a criminal gang (as defined in paragraph (53) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a));

''(F) provided materially false, fictitious, or fraudulent information regarding age or identity to the United States Government with the intent to wrongfully be classified as an unaccompanied alien child; or

''(G) has entered the United States more than 1 time in violation of section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)), knowing that the entry was unlawful.''; and

(4) in subparagraph (D) of paragraph (6), as redesignated by paragraph (2)—

(A) by amending the subparagraph heading to read as follows: ''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 custody of a nongovernmental sponsor or otherwise released from the immediate custody of the United States Government until the child is repatriated unless the child—

''(I) is the subject of an order under section 235B(e)(1) of the Immigration and Nationality Act; and

''(II) is placed or released in accordance with subsection (c)(2)(C) of this section.'';

(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. 1002. EXPEDITED DUE PROCESS AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.

(a) HUMANE AND EXPEDITED INSPECTION AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.—

(1) IN GENERAL.—Chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.) is amended by inserting after section 235A the following:

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

''(a) ASYLUM OFFICER DEFINED.—In this section, the term 'asylum officer' means an immigration officer who—

''(1) has had professional training in country conditions, asylum law, and interview techniques comparable to that provided to full-time adjudicators of applications under section 208; and

''(2) is supervised by an officer who—

''(A) meets the condition described in paragraph (1); and

''(B) has had substantial experience adjudicating asylum applications.

''(b) PROCEEDING.—

''(1) IN GENERAL.—Not later than 7 days after the screening of an unaccompanied alien child under section 235(a)(5) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(5)), an immigration judge shall conduct and conclude a proceeding to inspect, screen, and determine the status of the 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 unaccompanied alien child and any witnesses;

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

''(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; and

''(D) shall determine whether the unaccompanied alien child meets any of the criteria set out in subparagraphs (A) through (G) of paragraph (3) of section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)), and if so, order the alien removed under subsection (e)(2) of this section.

''(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 unaccompanied alien child;

''(C) through video conference; or

''(D) through telephone conference.

''(3) PRESENCE OF ALIEN.—If it is impracticable by reason of the mental incompetency of the unaccompanied alien child 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 unaccompanied alien child 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 the 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.—An unaccompanied alien child applying for admission to the United States may, and at any time prior to the issuance of a final order of removal, be permitted to withdraw the application and immediately be returned to the alien's country of nationality or country of last habitual residence.

''(6) CONSEQUENCES OF FAILURE TO APPEAR.—An unaccompanied alien child who does not attend a proceeding under this section, shall be ordered removed, except under exceptional circumstances where the alien's absence is the fault of the Government, a medical emergency, or an act of nature.

''(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 unaccompanied alien child 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 immigration judge shall—

''(A) order the alien to be placed in further proceedings in accordance with section 240; and

''(B) order the Secretary of Homeland Security to place the alien on the U.S. Immigration and Customs Enforcement detained docket for purposes of carrying out such proceedings.

''(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 immigration judge shall order the alien referred for an interview by an asylum officer under subsection (f).

''(f) ASYLUM INTERVIEWS.—

''(1) CREDIBLE FEAR OF PERSECUTION DEFINED.—In this subsection, the term 'credible fear of persecution' means, after taking into account the credibility of the statements made by an unaccompanied alien child in support of the alien's claim and such other facts as are known to the asylum officer, there is a significant possibility that the alien could establish eligibility for asylum under section 208.

''(2) CONDUCT BY ASYLUM OFFICER.—An asylum officer shall conduct the interviews of an unaccompanied alien child referred under subsection (e)(3).

''(3) REFERRAL OF CERTAIN ALIENS.—If the asylum officer determines at the time of the interview that an unaccompanied alien child has a credible fear of persecution, the alien shall be held in the custody of the Secretary for 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 unaccompanied alien child does not have a credible fear of persecution, the asylum officer shall order the alien removed from the United States without further hearing or review.

''(B) RECORD OF DETERMINATION.—The asylum 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 alien;

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

''(iii) the asylum 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 asylum 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 concluded as expeditiously as possible, to the maximum extent practicable within 24 hours, but in no case later than 7 days after the date of the determination under subparagraph (A).

''(D) MANDATORY PROTECTIVE CUSTODY.—Any alien subject to the procedures under this paragraph 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))—

''(i) pending a final determination of an application for asylum under this subsection; and

''(ii) after a determination under this subsection 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 penal ties 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 in the first section of the Immigration and Nationality Act 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 striking ''section 235(b)(1))'' and inserting ''section 235(b)(1) or an order of removal issued to an unaccompanied alien child after proceedings under section 235B''; 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)'';

(B) by inserting ''or section 235B'' after ''section 235(b)(1)'' 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. 1003. EXPEDITED DUE PROCESS FOR UNACCOMPANIED ALIEN CHILDREN PRESENT IN THE UNITED STATES.

(a) SPECIAL MOTIONS FOR UNACCOMPANIED ALIEN CHILDREN.—

(1) FILING AUTHORIZED.—During the 60-day period beginning on the date of the enactment of this Act, the Secretary of Homeland Security shall, notwithstanding any other provision of law, 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—

(A) 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 1002;

(B) to attest that the unaccompanied alien child desires to apply for admission to the United States; and

(C) to file a motion—

(i) to replace any notice to appear issued between January 1, 2013, and the date of the enactment of this Act under such section 239 that has not resulted in a final order of removal; and

(ii) to apply for admission to the United States by being placed in proceedings under such section 235B.

(2) ADJUDICATION OF MOTION.—An immigration judge may, at the sole and unreviewable discretion of the judge, grant a motion filed under paragraph (1)(C) upon a finding that—

(A) the petitioner was an unaccompanied alien child (as defined in section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232)) on the date on which a notice to appear was issued to the alien under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229);

(B) 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;

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

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

(3) EFFECT OF MOTION.—Notwithstanding any other provision of law, upon the granting of a motion to replace a notice to appear under paragraph (2), the immigration judge who granted such motion shall—

(A) 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 1002;

(B) 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

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

(4) PROTECTIVE CUSTODY.—An unaccompanied alien child who has been granted a motion under paragraph (2) 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. 1004. CHILD WELFARE AND LAW ENFORCEMENT INFORMATION SHARING.

Section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) is amended by adding at the end the following:

''(5) INFORMATION SHARING.—

''(A) IMMIGRATION STATUS.—If the Secretary of Health and Human Services considers placement of an unaccompanied alien child with a potential sponsor, the Secretary of Homeland Security shall provide to the Secretary of Health and Human Services the immigration status of such potential sponsor prior to the placement of the unaccompanied alien child.

''(B) OTHER INFORMATION.—The Secretary of Health and Human Services shall provide to the Secretary of Homeland Security and the Attorney General any relevant information related to an unaccompanied alien child who is or has been in the custody of the Secretary of Health and Human Services, including the location of the child and any person to whom custody of the child has been transferred, for any legitimate law enforcement objective, including enforcement of the immigration laws.''.

SEC. 1005. ACCOUNTABILITY FOR CHILDREN AND TAXPAYERS.

Section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)), as amended by section 1004, is further amended by inserting at the end the following:

''(6) INSPECTION OF FACILITIES.—The Inspector General of the Department of Health and Human Services shall conduct regular inspections of facilities utilized by the Secretary of Health and Human Services to provide care and custody of an unaccompanied alien children who are in the immediate custody of the Secretary to ensure that such facilities are operated in the most efficient manner practicable.

''(7) FACILITY OPERATIONS COSTS.—The Secretary of Health and Human Services shall ensure that facilities utilized to provide care and custody of unaccompanied alien children are operated efficiently and at a rate of cost that is not greater than $500 per day for each child housed or detained at such facility, unless the Secretary certifies that compliance with this requirement is temporarily impossible due to emergency circumstances.''.

SEC. 1006. CUSTODY OF UNACCOMPANIED ALIEN CHILDREN IN FORMAL REMOVAL PROCEEDING.

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

(1) in paragraph (2) by inserting at the end the following:

''(C) CHILDREN IN FORMAL REMOVAL PROCEEDINGS.—

''(i) LIMITATION ON PLACEMENT.—An unaccompanied alien child who has been placed in a proceeding under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) may not be placed in the custody of a nongovernmental sponsor or otherwise released from the immediate custody of the United States Government unless—

''(I) the nongovernmental sponsor is a biological or adoptive parent of the unaccompanied alien child;

''(II) the parent is legally present in the United States at the time of the placement;

''(III) the parent has undergone a mandatory biometric criminal history check; and

''(IV) the Secretary of Health and Human Services has determined that the unaccompanied alien child is not a danger to self, danger to the community, or risk of flight.

''(ii) EXCEPTIONS.—If the Secretary of Health and Human Services determines that an unaccompanied alien child is a victim of severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)), a special needs child with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), a child who has been a victim of physical or sexual abuse under circumstances that indicate that the child's health or welfare has been significantly harmed or threatened, or a child with mental health needs that require ongoing assistance from a social welfare agency, the unaccompanied alien child may be placed with a grandparent or adult sibling if the grandparent or adult sibling meets the

requirements set out in subclauses (II), (III), and (IV) of clause (i).

''(iii) MONITORING.—

''(I) IN GENERAL.—An unaccompanied alien child who is 15, 16, or 17 years of age placed with a nongovernmental sponsor or, in the case of an unaccompanied alien child younger than 15 years of age placed with a nongovernmental sponsor, such nongovernmental sponsor shall—

''(aa) enroll in the alternative to detention program of U.S. Immigration and Customs Enforcement; and

''(bb) continuously wear an electronic ankle monitor while the unaccompanied alien child is in removal proceedings.

''(II) PENALTY FOR MONITOR TAMPERING.—If an electronic ankle monitor required by subclause (I) is tampered with, the sponsor of the unaccompanied alien child shall be subject to a civil penalty of $150 for each day the monitor is not functioning due to the tampering, up to a maximum of $3,000.

''(iv) EFFECT OF VIOLATION OF CONDITIONS.—The Secretary of Health and Human Services shall remove an unaccompanied alien child from a sponsor if the sponsor violates the terms of the agreement specifying the conditions under which the alien was placed with the sponsor.

''(v) FAILURE TO APPEAR.—

''(I) CIVIL PENALTY.—If an unaccompanied alien child is placed with a sponsor and fails to appear in a mandatory court appearance, the sponsor shall be subject to a civil penalty of $250 for each day until the alien appears in court, up to a maximum of $5,000.

''(II) BURDEN OF PROOF.—The sponsor is not subject to the penalty imposed under subclause (I) if the sponsor—

''(aa) appears in person and proves to the immigration court that the failure to appear by the unaccompanied alien child was not the fault of the sponsor; and

''(bb) supplies the immigration court with documentary evidence that supports the assertion described in item (aa).

''(vi) PROHIBITION ON PLACEMENT WITH SEX OFFENDERS AND HUMAN TRAFFICKERS.—The Secretary of Health and Human Services may not place an unaccompanied alien child under this subparagraph in the custody of an individual who has been convicted of, or the Secretary has reason to believe was otherwise involved in the commission of—

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

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

''(vii) REQUIREMENTS OF CRIMINAL BACKGROUND CHECK.—A biometric criminal history check required by clause (i)(IV) shall be conducted using a set of fingerprints or other biometric identifier through—

''(I) the Federal Bureau of Investigation;

''(II) criminal history repositories of all States that the individual lists as current or former residences; and

''(III) any other State or Federal database or repository that the Secretary of Health and Human Services determines is appropriate.''.

SEC. 1007. FRAUD IN CONNECTION WITH THE TRANSFER OF CUSTODY OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''§ 1041. Fraud in connection with the transfer of custody of unaccompanied alien children

''(a) IN GENERAL.—It shall be unlawful for a person to obtain custody of an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)) by—

''(1) making any materially false, fictitious, or fraudulent statement or representation; or

''(2) making or using any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.

''(b) PENALTIES.—

''(1) IN GENERAL.—Any person who violates, or attempts or conspires to violate, this section shall be fined under this title and imprisoned for not less than 1 year.

''(2) ENHANCED PENALTY FOR TRAFFICKING.—If the primary purpose of the violation, attempted violation, or conspiracy to violate this section was to subject the child to sexually explicit activity or any other form of exploitation, the offender shall be fined under this title and imprisoned for not less than 15 years.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1040 the following:

''1041. Fraud in connection with the transfer of custody of unaccompanied alien children.''.

SEC. 1008. NOTIFICATION OF STATES, REPORTING, AND MONITORING.

(a) NOTIFICATION.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended by adding at the end the following:

''(j) NOTIFICATION TO STATES.—

''(1) PRIOR TO PLACEMENT.—The Secretary of Homeland Security or the Secretary of Health and Human Services shall notify the Governor of a State not later than 48 hours prior to the placement of an unaccompanied alien child from in custody of such Secretary in the care of a facility or sponsor in such State.

''(2) INITIAL REPORTS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Governor of each State in which an unaccompanied alien child was discharged to a sponsor or placed in a facility while remaining in the legal custody of the Secretary during the period beginning October 1, 2013 and ending on the date of the enactment of the Protecting Children and America's Homeland Act of 2014.

''(3) MONTHLY REPORTS.—The Secretary of Health and Human Services shall submit a monthly report to the Governor of each State in which, during the reporting period, unaccompanied alien children were discharged to a sponsor or placed in a facility while remaining in the legal custody of the Secretary of Health and Human Services.

''(4) CONTENTS.—Each report required to be submitted to the Governor of a State by paragraph (2) or (3) shall identify the number of unaccompanied alien children placed in the State during the reporting period, disaggregated by—

''(A) the locality in which the aliens were placed; and

''(B) the age of the aliens.''.

(b) MONITORING REQUIREMENT.—The Secretary of Health and Human Services shall—

(1) require all sponsors to agree—

(A) to receive approval from the Secretary of Health and Human Services prior to changing the location in which the sponsor is housing an unaccompanied alien child placed in the sponsor's custody; and

(B) to provide a current address for the child and the reason for the change of address;

(2) provide regular and frequent monitoring of the physical and emotional well-being of each unaccompanied alien child who has been discharged to a sponsor or remained in the legal custody of the Secretary until the child's immigration case is resolved; and

(3) not later than 60 days after the date of the enactment of this Act, provide to Congress a plan for implementing the requirement of paragraph (2).

SEC. 1009. 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 100 immigration judges, including through the temporary or permanent hiring of retired immigration judges, magistrate judges, or administrative law judges, or the reassignment of current immigration judges, that are dedicated to—

(1) conducting humane and expedited inspection and screening for unaccompanied alien children under section 235B of the Immigration and Nationality Act, as added by section 1002; or

(2) reducing existing backlogs in immigration court proceedings initiated under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229).

(b) REQUIREMENT.—The Attorney General shall ensure that sufficient immigration judge resources are dedicated to the purpose described in subsection (a)(1) to comply with the requirement under section 235B(b)(1) of the Immigration and Nationality Act, as added by section 1002.

SEC. 1010. REPORTS TO CONGRESS.

(a) REPORTS ON CARE OF UNACCOMPANIED ALIEN CHILD.—Not later than December 31, 2014 and September 30, 2015, the Secretary of Health and Human Services shall submit to Congress and make publically available a report that includes—

(1) a detailed summary of the contracts in effect to care for and house unaccompanied alien children, including the names and locations of contractors and the facilities being used;

(2) the cost per day to care for and house an unaccompanied alien child, including an explanation of such cost;

(3) the number of unaccompanied alien children who have been released to a sponsor, if any;

(4) a list of the States to which unaccompanied alien children have been released from the custody of the Secretary of Health and Human Services to the care of a sponsor or placement in a facility;

(5) the number of unaccompanied alien children who have been released to a sponsor who is not lawfully present in the United States, including the country of nationality or last habitual residence and age of such children;

(6) a determination of whether more than 1 unaccompanied alien child has been released to the same sponsor, including the number of children who were released to such sponsor;

(7) an assessment of the extent to which the Secretary of Health and Human Services is monitoring the release of unaccompanied alien children, including home studies done and ankle bracelets or other devices used;

(8) an assessment of the extent to which the Secretary of Health and Human Services is making efforts—

(A) to educate unaccompanied alien children about their legal rights; and

(B) to provide unaccompanied alien children with access to pro bono counsel; and

(9) the extent of the public health issues of unaccompanied alien children, including contagious diseases, the benefits or medical services provided, and the outreach to States and localities about public health issues, that could affect the public.

(b) REPORTS ON REPATRIATION AGREEMENTS.—Not later than February 31, 2015 and

August 31, 2015, the Secretary of State shall submit to Congress and make publically available a report that—

(1) describes—

(A) any repatriation agreement for unaccompanied alien children in effect and a copy of such agreement; and

(B) any such repatriation agreement that is being considered or negotiated; and

(2) describes the funding provided to the 20 countries that have the highest number of nationals entering the United States as unaccompanied alien children, including amounts provided—

(A) to deter the nationals of each country from illegally entering the United States; and

(B) to care for or reintegrate repatriated unaccompanied alien children in the country of nationality or last habitual residence.

(c) REPORTS ON RETURNS TO COUNTRY OF NATIONALITY.—Not later than December 31, 2014 and September 30, 2015, the Secretary of Homeland Security shall submit to Congress and make publically available a report that describes—

(1) the number of unaccompanied alien children who have voluntarily returned to their country of nationality or habitual residence, disaggregated by—

(A) country of nationality or habitual residence; and

(B) age of the unaccompanied alien children;

(2) the number of unaccompanied alien children who have been returned to their country of nationality or habitual residence, including assessment of the length of time such children were present in the United States;

(3) the number of unaccompanied alien children who have not been returned to their country of nationality or habitual residence pending travel documents or other requirements from such country, including how long they have been waiting to return; and

(4) the number of unaccompanied alien children who were granted relief in the United States, whether through asylum or any other immigration benefit.

(d) REPORTS ON IMMIGRATION PROCEEDINGS.—Not later than September 30, 2015, and once every 3 months thereafter, the Director of the Executive Office for Immigration Review shall submit to Congress and make publically available a report that describes—

(1) the number of unaccompanied alien children who, after proceedings under section 235B of the Immigration and Nationality Act, as added by section 1002, were returned to their country of nationality or habitual residence, disaggregated by—

(A) country of nationality or residence; and

(B) age and gender of such aliens;

(2) the number of unaccompanied alien children who, after proceedings under such section 235B, prove a claim of admissibility and are place in proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a);

(3) the number of unaccompanied alien children who fail to appear at a removal hearing that such alien was required to attend;

(4) the number of sponsors who were levied a penalty, including the amount and whether the penalty was collected, for the failure of an unaccompanied alien child to appear at a removal hearing; and

(5) the number of aliens that are classified as unaccompanied alien children, the ages and countries of nationality of such children, and the orders issued by the immigration judge at the conclusion of proceedings under such section 235B for such children.

Subtitle B—Cooperation With Countries of Nationality of Unaccompanied Alien Children

SEC. 1021. IN-COUNTRY REFUGEE PROCESSING.

(a) FINDINGS.—Congress makes the following findings:

(1) Consistent with section 101(a)(42)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)(B)) and section 207(e) of such Act (8 U.S.C. 1157(e)), special circumstances currently exist due to grave humanitarian concerns throughout the travel, and attempts to travel, to the United States by unaccompanied children sufficient to justify and require, for fiscal years 2014 and 2015, the allowance of processing of in-country refugee applications in El Salvador, Guatemala, and Honduras in order to prevent such children from undertaking the long and dangerous journey across Central America and Mexico.

(2) Grave humanitarian concerns exist due to—

(A) at least 60,000 unaccompanied children having undertaken the long and dangerous journey to the United States from Central America in fiscal year 2014 alone;

(B) substantial reports of unaccompanied children becoming, during the course of their journey intended for the United States, victims of—

(i) significant injury, including loss of limbs;

(ii) severe forms of violence;

(iii) death due to accident and intentional killing;

(iv) severe forms of human trafficking;

(v) kidnap for ransom; and

(vi) sexual assault and rape; and

(C) the likelihood that the vast majority of the unaccompanied children seeking admission or immigration relief, including through application as a refugee or claims of asylum, do not qualify for such admission or relief, and therefore will be repatriated.

(3) While special circumstances currently exist to justify in-country refugee application processing for El Salvador, Guatemala, and Honduras, it is appropriate to determine the admissibility of individuals applying for refugee status from those countries according to current law and granting administrative relief in instances in which refugee or asylum applications are denied, or are expected to be denied, would exacerbate the grave humanitarian concerns described in paragraph (2) by further encouraging attempts at migration.

(b) AUTHORITY FOR IN-COUNTRY REFUGEE PROCESSING.—Notwithstanding section 101(a)(42)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)(B)), for fiscal years 2014 and 2015, the Secretary of State, in consultation with the Secretary of Homeland Security and the Director of the Office of Refugee Resettlement of the Department of Health and Human Services, shall process an application for refugee status—

(1) for an alien who is a national of El Salvador, Guatemala, or Honduras and is located in such country; or

(2) in the case of an alien having no nationality, for an alien who is habitually residing in such country and is located in such country.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed as a grant of immigration benefit or relief, nor as a change to existing law regarding the eligibility for any individual for such benefit or relief, other than to the extent refugee applications shall be permitted in-country in accordance with this section.

SEC. 1022. REFUGEE ADMISSIONS FROM CERTAIN COUNTRIES.

Notwithstanding any other provision of law, the President, in determining the number of refugees who may be admitted under section 207(a) of the Immigration and Nationality Act (8 U.S.C. 1157(a))—

(1) for fiscal year 2014, may —

(A) allocate the unallocated reserve refugee number set out in the Presidential Memorandum on Refugee Admissions for Fiscal Year 2014 issued on October 2, 2013 to admit refugees from Central America; and

(B) allocate any unused admissions allocated to a particular region for Central American refugee admissions; and

(2) for fiscal year 2015, shall include Central America among the regional allocations included in the Presidential determination for refugee admissions that fiscal year.

SEC. 1023. FOREIGN GOVERNMENT COOPERATION IN REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

(a) CERTIFICATION.—

(1) IN GENERAL.—Subject to paragraph (2), on the date that is 60 days after the date of the enactment of this Act, and annually thereafter, the President shall make a certification of whether the Government of El Salvador, Guatemala, or Honduras—

(A) is actively working to reduce the number of unaccompanied alien children from that country who are attempting to migrate northward in order to illegally enter the United States;

(B) is cooperating with the Government of the United States to facilitate the repatriation of unaccompanied alien children who are removed from the United States and returned to their country of nationality or habitual residence; and

(C) has negotiated or is actively negotiating an agreement under section 235(a)(2)(C) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(2)(C)), as amended by section 1001.

(2) INTERIM CERTIFICATION.—If prior to the date an annual certification is required by paragraph (1) the President determines the most recent such certification for the Government of El Salvador, Guatemala, or Honduras is no longer accurate, the President may make an accurate certification for that country prior to such date.

(b) LIMITATION ON ASSISTANCE.—The Federal Government may not provide any assistance (other than security assistance) to El Salvador, Guatemala, or Honduras unless in the most recent certification for that country under subsection (a) is that the Government of El Salvador, Guatemala, or Honduras, respectively, meets the requirements of subparagraphs (A), (B), and (C) of subsection (a)(1).

TITLE XI—CRIMINAL ALIENS

SEC. 1101. ALIEN GANG MEMBERS.

(a) DEFINITION.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(53)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons—

''(i)(I) that has as 1 of its primary purposes the commission of 1 or more of the criminal offenses described in subparagraph (B); and

''(II) the members of which engage, or have engaged within the past 5 years, in a continuing series of offenses described in subparagraph (B); or

''(ii) that has been designated as a criminal gang under section 220 by the Secretary of Homeland Security, in consultation with the Attorney General, or the Secretary of State.

''(B) The offenses described in this subparagraph, whether in violation of Federal or State law or foreign law and regardless of whether the offenses occurred before, on, or after the date of the enactment of the Protecting Children and America's Homeland Act of 2014, are the following:

''(i) A 'felony drug offense' (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iii) A crime of violence (as defined in section 16 of title 18, United States Code).

''(iv) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

''(v) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

''(vi) A conspiracy to commit an offense described in clauses (i) through (v).

''(C) Notwithstanding any other provision of law (including any effective date), the term 'criminal gang' applies regardless of whether the conduct occurred before, on, or after the date of the enactment of this paragraph.''.

(b) INADMISSIBILITY.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

''(J) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is inadmissible who a consular officer, the Secretary of Homeland Security, or the Attorney General knows or has reason to believe—

''(i) is or has been a member of a criminal gang; or

''(ii) has participated in the activities of a criminal gang knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(c) DEPORTABILITY.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is deportable who the Secretary of Homeland Security or the Attorney General knows or has reason to believe—

''(i) is or has been a member of a criminal gang; or

''(ii) has participated in the activities of a criminal gang knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(d) DESIGNATION.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1181 et seq.) is amended by inserting after section 219 the following:

''SEC. 220. DESIGNATION OF CRIMINAL GANGS.

''(a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Attorney General, or the Secretary of State may designate a group or association as a criminal gang if their conduct is described in section 101(a)(53) or if the group or association conduct poses a significant risk that threatens the security and the public safety of nationals of the United States or the national security, homeland security, foreign policy, or economy of the United States.

''(b) EFFECTIVE DATE.—A designation made under subsection (a) shall remain in effect until the designation is revoked after consultation between the Secretary of Homeland Security, the Attorney General, and the Secretary of State or is terminated in accordance with Federal law.''.

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by inserting after the item relating to section 219 the following:

''220. Designation of criminal gangs.''.

(e) MANDATORY DETENTION OF CRIMINAL GANG MEMBERS.—

(1) IN GENERAL.—Section 236(c)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)(D)) is amended—

(A) by striking ''section 212(a)(3)(B)'' and inserting ''paragraph (2)(J) or (3)(B) of section 212(a)''; and

(B) by striking ''237(a)(4)(B),'' and inserting ''paragraph (2)(G) or (4)(B) of section 237(a),''.

(2) ANNUAL REPORT.—Not later than March 1 of each year (beginning 1 year after the date of the enactment of this Act), the Secretary of Homeland Security, after consultation with the appropriate Federal agencies, shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the number of aliens detained under the amendments made by paragraph (1).

(f) ASYLUM CLAIMS BASED ON GANG AFFILIATION.—

(1) INAPPLICABILITY OF RESTRICTION ON REMOVAL TO CERTAIN COUNTRIES.—Section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)(B)) is amended, in the matter preceding clause (i), by inserting ''who is described in section 212(a)(2)(J)(i) or section 237(a)(2)(G)(i) or who is'' after ''to an alien''.

(2) INELIGIBILITY FOR ASYLUM.—Section 208(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(A) in clause (v), by striking ''or'' at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

''(vi) the alien is described in section 212(a)(2)(J)(i) or section 237(a)(2)(G)(i) (relating to participation in criminal gangs); or''.

(g) TEMPORARY PROTECTED STATUS.—Section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) is amended—

(1) by striking ''Attorney General'' each place that term appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (c)(2)(B)—

(A) in clause (i), by striking ''States, or'' and inserting ''States;'';

(B) in clause (ii), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(iii) the alien is, or at any time after admission has been, a member of a criminal gang.''; and

(3) in subsection (d)—

(A) by striking paragraph (3); and

(B) in paragraph (4), by adding at the end the following: ''The Secretary of Homeland Security may detain an alien provided temporary protected status under this section whenever appropriate under any other provision of law.''.

(h) SPECIAL IMMIGRANT JUVENILE VISAS.—Section 101(a)(27)(J)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)(iii)) is amended—

(1) in subclause (I), by striking ''and'';

(2) in subclause (II), by inserting ''and'' at the end; and

(3) by adding at the end the following:

''(III) no alien who is, or was at any time after admission has been, a member of a criminal gang shall be eligible for any immigration benefit under this subparagraph;''.

(i) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 1102. MANDATORY EXPEDITED REMOVAL OF DANGEROUS CRIMINALS, TERRORISTS, AND GANG MEMBERS.

(a) IN GENERAL.—Notwithstanding any other provision of law, an immigration officer who finds an alien described in subsection (b) at a land border or port of entry of the United States and determines that such alien is inadmissible under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) shall treat such alien in accordance with section 235 of the Immigration and Nationality Act (8 U.S.C. 1225).

(b) THREATS TO PUBLIC SAFETY.—An alien described in this subsection is an alien who the Secretary of Homeland Security determines, or has reason to believe—

(1) has been convicted of any offense carrying a maximum term of imprisonment of more than 180 days;

(2) has been convicted of an offense which involved—

(A) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

(B) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

(C) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

(D) the violation of a protection order (as defined in section 2266 of title 18, United States Code);

(E) driving while intoxicated (as defined in section 164 of title 23, United States Code); or

(F) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(3) has been convicted of more than 1 criminal offense (other than minor traffic offenses);

(4) has engaged in, is engaged in, or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii)), or intends to participate or has participated in the activities of a foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189));

(5) is or was a member of a criminal street gang (as defined in paragraph (53) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), as added by section 1101(a)); or

(6) has entered the United States more than 1 time in violation of section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)), knowing that the entry was unlawful.

SEC. 1103. FUGITIVE OPERATIONS.

The Secretary of Homeland Security is authorized to hire 350 U.S. Immigration and Customs Enforcement detention officers that comprise 50 Fugitive Operations Teams responsible for identifying, locating, and arresting fugitive aliens.

SEC. 1104. ADDITIONAL DETENTION CAPACITY FOR FAMILY UNITS.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall increase the number of detention beds available for aliens placed in removal proceedings under the Immigration and Nationality Act (8 U.S.C. 1101

et seq.) by not less than 5,000, including such detention beds available for family units.

TITLE XII—BORDER SECURITY

SEC. 1201. REDUCING INCENTIVES FOR ILLEGAL IMMIGRATION.

No Federal funds or resources may be used to issue a new directive, memorandum, or Executive Order that provides for relief from removal or work authorization to a class of individuals who are not otherwise eligible for such relief under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) or such work authorization, including expanding deferred action for childhood arrivals.

SEC. 1202. BORDER SECURITY ON CERTAIN FEDERAL LANDS.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LANDS.—The term ''Federal lands'' includes all land under the control of the Secretary concerned that is located within the Southwest border region in the State of Arizona along the international border between the United States and Mexico.

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(b) SUPPORT FOR BORDER SECURITY NEEDS.—To achieve effective control of Federal lands—

(1) the Secretary concerned, notwithstanding any other provision of law, shall authorize and provide U.S. Customs and Border Protection personnel with immediate access to Federal lands for security activities, including—

(A) routine motorized patrols; and

(B) the deployment of communications, surveillance, and detection equipment;

(2) the security activities described in paragraph (1) shall be conducted, to the maximum extent practicable, in a manner that the Secretary determines will best protect the natural and cultural resources on Federal lands; and

(3) the Secretary concerned may provide education and training to U.S. Customs and Border Protection personnel on the natural and cultural resources present on individual Federal land units.

(c) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—

(1) IN GENERAL.—After implementing subsection (b), the Secretary, in consultation with the Secretaries concerned, shall prepare and publish in the Federal Register a notice of intent to prepare a programmatic environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to analyze the impacts of the activities described in subsection (b).

(2) EFFECT ON PROCESSING APPLICATION AND SPECIAL USE PERMITS.—The pending completion of a programmatic environmental impact statement under this section shall not result in any delay in the processing or approving of applications or special use permits by the Secretaries concerned for the activities described in subsection (b).

(3) AMENDMENT OF LAND USE PLANS.—The Secretaries concerned shall amend any land use plans, as appropriate, upon completion of the programmatic environmental impact statement described in paragraph (1).

(4) SCOPE OF PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—The programmatic environmental impact statement described in paragraph (1)—

(A) may be used to advise the Secretary of Homeland Security on the impact on natural and cultural resources on Federal lands; and

(B) shall not control, delay, or restrict actions by the Secretary of Homeland Security to achieve effective control on Federal lands.

(d) INTERMINGLED STATE AND PRIVATE LAND.—This section shall not apply to any private or State-owned land within the boundaries of Federal lands.

SEC. 1203. STATE AND LOCAL ASSISTANCE TO ALLEVIATE HUMANITARIAN CRISIS.

(a) STATE AND LOCAL ASSISTANCE.—The Administrator of the Federal Emergency Management Agency shall enhance law enforcement preparedness, humanitarian responses, and operational readiness along the international border between the United States and Mexico through Operation Stonegarden.

(b) GRANTS AND REIMBURSEMENTS.—

(1) IN GENERAL.—Amounts made available to carry out this section shall be allocated for grants and reimbursements to State and local governments in Border Patrol Sectors on the along the international border between the United States and Mexico for—

(A) costs personnel, overtime, and travel;

(B) costs related to combating illegal immigration and drug smuggling; and

(C) costs related to providing humanitarian relief to unaccompanied alien children and family units who have entered the United States.

(2) FUNDING FOR STATE AND LOCAL GOVERNMENTS.—Allocations for grants and reimbursements to State and local governments under this paragraph shall be made by the Administrator of the Federal Emergency Management Agency through a competitive process.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal years 2014 and 2015 such sums as may be necessary to carry out this section.

SEC. 1204. PREVENTING ORGANIZED SMUGGLING.

(a) UNLAWFULLY HINDERING IMMIGRATION, BORDER, OR CUSTOMS CONTROLS.—

(1) AMENDMENT TO TITLE 18, UNITED STATES CODE.—

(A) IN GENERAL.—Chapter 27 of title 18, United States Code, is amended by adding at the end the following:

''§ 556. Unlawfully hindering immigration, border, or customs controls

''(a) ILLICIT SPOTTING.—Any person who knowingly transmits to another person the location, movement, or activities of any Federal, State, or tribal law enforcement agency with the intent to further a Federal crime relating to United States immigration, customs, importation of controlled substances, agriculture products, or monetary instruments, or other border controls shall be fined under this title, imprisoned not more than 10 years, or both.

''(b) DESTRUCTION OF UNITED STATES BORDER CONTROLS.—Any person who knowingly and without lawful authorization destroys, alters, or damages any fence, barrier, sensor, camera, or other physical or electronic device deployed by the Federal Government to control the international border of the United States or a port of entry, or otherwise seeks to construct, excavate, or make any structure intended to defeat, circumvent or evade any such fence, barrier, sensor camera, or other physical or electronic device deployed by the Federal Government to control the international border of the United States or a port of entry—

''(1) shall be fined under this title, imprisoned not more than 10 years, or both; and

''(2) if, at the time of the offense, the person uses or carries a firearm or, in furtherance of any such crime, possesses a firearm, shall be fined under this title, imprisoned not more than 20 years, or both.

''(c) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) or (b) shall be punished in the same manner as a person who completes a violation of such subsection.''.

(B) CLERICAL AMENDMENT.—The table of sections for chapter 27 of title 18, United States Code, is amended by inserting after the item relating to section 555 the following:

''556. Unlawfully hindering immigration, border, or customs controls.''.

(2) PROHIBITING CARRYING OR USE OF A FIREARM DURING AND IN RELATION TO AN ALIEN SMUGGLING CRIME.—Section 924(c) of title 18, United States Code, is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting '', alien smuggling crime,'' after ''crime of violence'' each place such term appears; and

(ii) in subparagraph (D)(ii), by inserting '', alien smuggling crime,'' after ''crime of violence''; and

(B) by adding at the end the following:

''(6) For purposes of this subsection, the term 'alien smuggling crime' means any felony punishable under section 274(a), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a), 1327, and 1328).''.

(3) STATUTE OF LIMITATIONS.—Section 3298 of title 18, United States Code, is amended by inserting ''556 (hindering immigration, border, or customs controls), 1598 (organized human smuggling),'' before ''1581''.

(b) ORGANIZED HUMAN SMUGGLING.—

(1) AMENDMENT TO TITLE 18, UNITED STATES CODE.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

''§ 1598. Organized human smuggling

''(a) PROHIBITED ACTIVITIES.—It shall be unlawful for any person, while acting for profit or other financial gain, to knowingly direct or participate in an effort or scheme to assist or cause 3 or more persons—

''(1) to enter, attempt to enter, or prepare to enter the United States—

''(A) by fraud, falsehood, or other corrupt means;

''(B) at any place other than a port or place of entry designated by the Secretary of Homeland Security; or

''(C) in a manner not prescribed by the immigration laws and regulations of the United States;

''(2) to travel by air, land, or sea toward the United States (whether directly or indirectly)—

''(A) knowing that the persons seek to enter or attempt to enter the United States without lawful authority; and

''(B) with the intent to aid or further such entry or attempted entry; or

''(3) to be transported or moved outside of the United States—

''(A) knowing that such persons are aliens in unlawful transit from 1 country to another or on the high seas; and

''(B) under circumstances in which the persons are seeking to enter the United States without official permission or legal authority.

''(b) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) shall be punished in the same manner as a person who completes a violation of such subsection.

''(c) BASE PENALTY.—Except as provided in subsection (d), any person who violates subsection (a) or (b) shall be fined under this title, imprisoned for not more than 20 years, or both.

''(d) ENHANCED PENALTIES.—Any person who violates subsection (a) or (b)—

''(1) in the case of a violation causing a serious bodily injury (as defined in section 1365) to any person, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(2) in the case of a violation causing the life of any person to be placed in jeopardy,

shall be fined under this title, imprisoned for not more than 30 years, or both;

''(3) in the case of a violation involving 10 or more persons, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(4) in the case of a violation involving the bribery or corruption of a United States or foreign government official, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(5) in the case of a violation involving robbery or extortion (as such terms are defined in paragraph (1) or (2), respectively, of section 1951(b)), shall be fined under this title, imprisoned for not more than 30 years, or both;

''(6) in the case of a violation causing any person to be subjected to an involuntary sexual act (as defined in section 2246(2)), shall be fined under this title, imprisoned for not more than 30 years, or both;

''(7) in the case of a violation resulting in the death of any person, shall be fined under this title, imprisoned for any term of years or for life, or both;

''(8) in the case of a violation in which any alien is confined or restrained, including by the taking of clothing, goods, or personal identification documents, shall be fined under this title, imprisoned for not more than 10 years, or both; or

''(9) in the case of smuggling an unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)), shall be fined under this title or imprisoned not more than 20 years.

''(e) DEFINITIONS.—In this section:

''(1) EFFORT OR SCHEME TO ASSIST OR CAUSE 3 OR MORE PERSONS.—The term 'effort or scheme to assist or cause 3 or more persons' does not require that the 3 or more persons enter, attempt to enter, prepare to enter, or travel at the same time if such acts are completed during a 1-year period.

''(2) LAWFUL AUTHORITY.—The term 'lawful authority'—

''(A) means permission, authorization, or license that is expressly provided for under the immigration laws of the United States; and

''(B) does not include—

''(i) any authority described in subparagraph (A) that was secured by fraud or otherwise unlawfully obtained; or

''(ii) any authority that was sought, but not approved.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by inserting after the item relating to section 1597 the following:

''1598. Organized human smuggling.''.

(c) STRATEGY TO COMBAT HUMAN SMUGGLING.—

(1) HIGH TRAFFIC AREAS OF HUMAN SMUGGLING DEFINED.—In this subsection, the term ''high traffic areas of human smuggling'' means the United States ports of entry and areas between such ports that have relatively high levels of human smuggling activity, as measured by U.S. Customs and Border Protection.

(2) IMPLEMENTATION.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall implement a strategy to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States.

(3) COMPONENTS.—The strategy referred to in paragraph (2) shall include—

(A) efforts to increase coordination between the border and maritime security components of the Department of Homeland Security;

(B) an identification of intelligence gaps impeding the ability to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States;

(C) efforts to increase information sharing with State and local governments and other Federal agencies;

(D) efforts to provide, in coordination with the Federal Law Enforcement Training Center, training for the border and maritime security components of the Department of Homeland Security to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States; and

(E) the identification of the high traffic areas of human smuggling.

(4) REPORT.—

(A) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report that describes the strategy to be implemented under paragraph (2), including the components listed in paragraph (3), to—

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

(ii) the Committee on Homeland Security of the House of Representatives.

(B) FORM.—The Secretary may submit the report required under subparagraph (A) in classified form if the Secretary determines that such form is appropriate.

(5) ANNUAL LIST OF HIGH TRAFFIC AREAS.—Not later than February 1st of the first year beginning after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security shall submit a list of the high traffic areas of human smuggling referred to—

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

(B) the Committee on Homeland Security of the House of Representatives.

By Mr. REED (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. MARKEY, and Mr. LEAHY):

S. 2755. A bill to prevent deaths occurring from drug overdoses; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today, in an effort to decrease the rate of drug overdose deaths, I am pleased to be joined by Senators DURBIN, MARKEY, WHITEHOUSE, and LEAHY in introducing the Overdose Prevention Act. Representative DONNA EDWARDS has introduced a similar bill in the House.

Throughout the country, the death rate from drug overdoses has been rapidly climbing. According to the Centers for Disease Control and Prevention, CDC, drug overdose death rates have more than tripled since 1990, and more than 110 Americans died each day from drug overdoses in 2011. More than half of these deaths are attributable to opioids, like prescription pain relievers or heroin. Indeed, this tragic epidemic has hit particularly hard in my home State of Rhode Island, where already in 2014, more than 100 individuals have died from apparent and confirmed drug overdoses.

Americans aged 25 to 64 are now more likely to die as a result of a drug overdose than from injuries sustained in motor vehicle traffic crashes. While overdoses from illegal drugs persist as a major public health problem, fatal overdoses from prescribed opioid pain medications such as oxycodone account for more than 40 percent of all overdose deaths.

It is clear that we must do more to stop these often preventable deaths. Fortunately, the drug naloxone, which has no side effects and no potential for abuse, is widely recognized as an important tool to help prevent drug overdose deaths. Naloxone can rapidly reverse an overdose from heroin and opioid medications if provided in a timely manner. Overdose prevention programs, including those that utilize naloxone, have been credited with saving more than 10,000 lives since 1996, according to the CDC.

Opioid abuse and overdose is not an abstract threat found in far-off corners. It is a national public health crisis and it's taking place right here at home in our communities and our neighborhoods.

Rhode Island is taking steps to combat this scourge and is leading the way in adopting innovative solutions. Through a ''collaborative practice agreement,'' some Rhode Island pharmacies are dispensing naloxone, along with training about its proper use, to anyone who walks in and requests the treatment, no prescription necessary. In addition, the Rhode Island State Police now carry naloxone in every cruiser. However, there's more work to be done at the federal level.

The Overdose Prevention Act, which I am introducing today, would complement Rhode Island's efforts and take important steps towards addressing this issue and increasing access to naloxone in our communities. The legislation aims to establish a comprehensive national response to this epidemic that emphasizes collaboration between State and Federal officials and employs best practices from the medical community, as well as programs and treatments that have been proven effective to combat this startling national trend. This is an emergency and it requires a coordinated and comprehensive response.

Specifically, the bill would authorize the U.S. Department of Health and Human Services, HHS, to award funding through cooperative agreements to eligible entities—like public health agencies or community-based organizations with expertise in preventing overdose deaths. As a condition of participation, an entity would use the grant to purchase and distribute naloxone, and carry out overdose prevention activities, such as educating and training prescribers, pharmacists, and first responders on how to recognize the signs of an overdose, seek emergency medical help, and administer naloxone and other first aid.

As rates of overdose deaths continue to spike, public health agencies, law enforcement, and others are struggling to keep up without accurate and timely information about the epidemic. Therefore, the Overdose Prevention Act would also require HHS to take

steps to improve surveillance and research of drug overdose deaths, so that public health agencies, law enforcement, and community organizations have an accurate picture of the problem.

It would also establish a coordinated federal plan of action to address this epidemic. The Overdose Prevention Act brings together first responders, medical personnel, addiction treatment specialists, social service providers, and families to help save lives and get at the root of this problem.

I am pleased that the Overdose Prevention Act has the support of the American Association of Poison Control Centers, the Drug Policy Alliance, the Harm Reduction Coalition, and the Trust for America's Health. I look forward to working with these and other stakeholders, as well as Representative EDWARDS and the rest of our colleagues in passing this crucial legislation. Many of these overdose deaths are preventable, and it is time for Congress to act to give communities the help they need to stop this epidemic.

By Mr. BOOKER:

S. 2761. A bill to amend title 23, United States Code, to permit the consolidation of metropolitan planning organizations, and for other purposes; to the Committee on Environment and Public Works.

Mr. BOOKER. Mr. President, I rise to talk about our Nation's infrastructure and how Congress needs a long-term transportation bill that empowers local and regional planning authorities.

Infrastructure drives our economy. New Jersey alone has more than 38,000 miles of public roads, and nearly 1,000 miles of rail freight lines, connecting every corner of my State to consumers and networks throughout the region.

This means jobs. It means quality of life. It means investment in our communities and moving us forward.

Currently, just 8 percent of our Federal highway dollars are controlled by regional and local interests.

In order to increase the role of local communities in our transportation policy decisions, I introduced today The Local Empowerment Act, which would reward high-performing Metropolitan Planning Organizations, MPO's, with additional, directly-allocated funds.

MPO's that coordinate well with other MPOs in the region, consider performance goals as part of their planning, have equitable approaches to decision making, and demonstrate high technical capacity would be rewarded with additional resources to support their local priorities.

Consider the fact that ¾ of GDP is generated from within metro areas, 65 percent of the population resides in metro areas, and 95 percent of all public transportation passenger miles traveled take place in metro areas.

As the mayor of Newark, NJ, I learned through first-hand experience how important it is that the federal government partner with local communities to make substantial, long-term investments in our transportation infrastructure.

Federal transportation policy must provide local and regional stakeholders with resources and decision-making power, and take into account how local communities are being impacted by congestion, air pollution and our broader investment decisions.

At all levels of government, there is a dire need for additional, creative policy options that will rind more projects, create more jobs, and rehabilitate and rebuild our crumbling infrastructure.

I would like to highlight the leadership of Anthony Foxx, Secretary of Transportation, for proposing a program along the lines of this legislation.

Secretary Foxx, like me a former mayor, understands how important it is that Federal programs empower local entities and I urge my colleagues to join in supporting this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 531—HONORING THE LIFE, ACCOMPLISHMENTS, AND LEGACY OF LOUIS ZAMPERINI AND EXPRESSING CONDOLENCES ON HIS PASSING

Mrs. FEINSTEIN (for herself and Mr. MCCAIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 531

Whereas Louis Silvie ''Lou'' Zamperini was born on January 26, 1917, to Anthony and Louise Zamperini, in Olean, New York;

Whereas Louis Zamperini represented the United States in the 1936 Olympics in Berlin as a distance runner;

Whereas Louis Zamperini graduated from the University of Southern California in 1940 and enlisted in the United State Army Air Corps in 1941, earning the rank of lieutenant;

Whereas in May 1943, Louis Zamperini's B-24 bomber malfunctioned and crashed during a search-and-rescue mission over the Pacific Ocean, leaving him and 2 other individuals stranded;

Whereas Louis Zamperini survived for 47 days adrift in a life raft with Second Lieutenant Russell Phillips before being captured by Japanese forces and placed in a prisoner of war camp;

Whereas for more than 2 years, during his imprisonment, Louis Zamperini endured brutal treatment and forced labor with courage and resilience;

Whereas upon the conclusion of World War II, Louis Zamperini was released from the prisoner of war camp in September 1945;

Whereas Louis Zamperini was promoted to captain and awarded multiple distinguishing military honors, including the Purple Heart, the Distinguished Flying Cross, and the Prisoner of War Medal;

Whereas Louis Zamperini was given the honor of carrying the Olympic flame in 1984, 1996, and 1998;

Whereas in the years after World War II, Louis Zamperini traveled as an inspirational public speaker, using his experiences to inspire a message of forgiveness;

Whereas the airport in Torrance, California was named ''Zamperini Field'' in honor of Louis Zamperini; and

Whereas Louis Zamperini leaves a legacy as a national hero and an inspiration to future generations: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life, accomplishments, and legacy of Louis Zamperini;

(2) extends heartfelt sympathies and condolences to the family of Louis Zamperini; and

(3) requests the President to identify an appropriate and lasting program of the United States Government to honor the legacy of Louis Zamperini.

SENATE RESOLUTION 532—DESIGNATING THE WEEK BEGINNING SEPTEMBER 7, 2014, AS ''NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK''

Mr. CARDIN (for himself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BROWN, Mr. CASEY, Mr. FRANKEN, Mr. GRASSLEY, Mr. KING, Ms. KLOBUCHAR, Mr. MANCHIN, Mr. MARKEY, Mr. MURPHY, Mr. PORTMAN, Mr. ROCKEFELLER, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 532

Whereas direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as ''direct support professionals'') are the primary providers of publicly-funded long-term support and services for millions of individuals with disabilities;

Whereas direct support professionals must build a close, respectful, and trusted relationship with individuals with disabilities;

Whereas direct support professionals assist individuals with disabilities with intimate personal care assistance on a daily basis;

Whereas direct support professionals provide a broad range of individualized support, including—

(1) preparation of meals;

(2) helping with medications;

(3) assisting with bathing and dressing;

(4) assisting individuals with physical disabilities with access to their environment;

(5) providing transportation to school, work, religious, and recreational activities; and

(6) helping with general aspects of daily living, such as financial matters, medical appointments, and personal interests;

Whereas direct support professionals provide essential support to help keep individuals with disabilities connected to family, friends, and community;

Whereas direct support professionals support individuals with disabilities in making choices that lead to meaningful, productive lives;

Whereas direct support professionals are the key to helping individuals with disabilities to live successfully in the community, and to avoid more costly institutional care;

Whereas the participation of direct support professionals in medical care planning is critical to the successful transition from medical events to post-acute care and long-term support and services;

Whereas the majority of direct support professionals are the primary financial providers for their families and often work multiple jobs to make ends meet;

Whereas direct support professionals are a critical element in supporting individuals who are receiving health care services for severe chronic health conditions and individuals with with functional limitations;

Whereas while direct support professionals work and pay taxes, many direct support