

## (b) DEFERRED ACTION STATUS.—

(1) PROGRAM AUTHORIZED.—The Secretary shall establish a program through which an eligible individual may apply for deferred action status.

(2) ELIGIBILITY CRITERIA.—An individual shall be eligible for deferred action status under the program established under paragraph (1) if the individual—

(A) on June 15, 2012, was under the age of 31 years;

(B) entered the United States—

(i) on a date on which the alien was under the age of 16 years; and

(ii) without inspection or lawful status before June 15, 2012;

(C) has continuously resided in the United States since June 15, 2007;

(D) was physically present in the United States—

(i) on June 15, 2012; and

(ii) on the date on which the Secretary makes a determination with respect to the eligibility of the individual for deferred action status;

(E)(i) is in school;

(ii) has—

(I) graduated from high school; or

(II) obtained—

(aa) a certificate of completion from a high school; or

(bb) a general education development certificate; or

(iii) is—

(I) a member of the armed forces (as defined in section 101(a) of title 10, United States Code), including a member of the National Guard or Reserves; or

(II) a veteran, as defined in section 101 of title 38, United States Code, except that an individual discharged other than honorably is excluded;

(F) has not been convicted of—

(i) a felony;

(ii) a significant misdemeanor; or

(iii) 3 or more misdemeanor offenses;

(G) does not pose a threat to national security or public safety; and

(H) was granted deferred action status before the date of the enactment of this Act.

## (3) PERIOD OF DEFERRED ACTION STATUS.—

(A) IN GENERAL.—Subject to subparagraph (B), deferred action status granted under this subsection shall be valid for a period of 2 years beginning on the date on which the Secretary grants deferred action status to the eligible individual.

## (B) RENEWAL.—

(1) IN GENERAL.—On application to the Secretary, deferred action status granted under this subsection may be renewed for additional 2-year periods.

(ii) RENEWAL APPLICATION.—Not more than 120 days before the date on which the deferred action status of an eligible individual expires, the eligible individual may submit to the Secretary an application for renewal of deferred action status.

## SEC. \_\_\_\_ BORDER SECURITY TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the Border Security Trust Fund (in this section referred to as the “Trust Fund”), consisting of amounts appropriated to the Trust Fund under subsection (b) and any amounts that may be credited to the Trust Fund under subsection (c).

(b) APPROPRIATION.—There are appropriated to the Trust Fund \$25,000,000,000, to remain available until expended.

## (c) INVESTMENT OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(2) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

## (d) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), amounts in the Trust Fund shall be available to the Secretary of Homeland Security, without further appropriation, for—

(A) construction of not fewer than 700 miles of reinforced fencing, excluding vehicle barriers;

(B) installation of additional physical barriers;

(C) construction and maintenance of access and patrol roads;

(D) lighting;

(E) an interlocking surveillance camera system;

(F) remote sensors; and

(G) the purchase from the Secretary of Defense of surplus aircraft and unmanned aircraft systems.

(2) LIMITATION.—Not more than \$5,000,000,000 of the amount in the Trust Fund may be obligated and expended in any fiscal year.

## SEC. \_\_\_\_ ANNUAL REPORT ON BORDER SECURITY.

Not less frequently than once each fiscal year, the Secretary of Homeland Security shall submit annually to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report that describes for the applicable fiscal year—

(1) the status of the construction of fencing and security improvements at United States borders; and

(2) the estimated number of unlawful border crossings.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. GRASSLEY. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

## COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, February 15, 2018, at 9:30 a.m., to conduct a hearing.

## COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, February 15, 2018, at 9:30 a.m., to conduct a hearing.

## COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, February 15, 2018, at 9 a.m., to conduct a hearing entitled “The President's Fiscal Year 2019 Budget.”

## COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, February 15, 2018, at 10 a.m., to conduct a

hearing on the following nominations: Andrea L. Thompson, of South Dakota, to be Under Secretary for Arms Control and International Security, Susan A. Thornton, of Maine, to be an Assistant Secretary (East Asian and Pacific Affairs), and Francis R. Fannon, of Virginia, to be an Assistant Secretary (Energy Resources), all of Department of State.

## COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, February 14, at 10 a.m. to conduct a hearing on S. 1917 and the following nominations: Michael B. Brennan, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit, Susan Paradise Baxter, and Marilyn Jean Horan, both to be a United States District Judge for the Western District of Pennsylvania, Daniel Desmond Domenico, to be United States District Judge for the District of Colorado, Adam I. Klein, of the District of Columbia, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board, McGregor W. Scott, to be United States Attorney for the Eastern District of California, Gary G. Schofield, to be United States Marshal for the District of Nevada, and Jonathan F. Mitchell, of Washington, to be Chairman of the Administrative Conference of the United States.

## SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, February 14, 2018, at 2 p.m., to conduct a closed hearing

## CELEBRATING BLACK HISTORY MONTH

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 413, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 413) celebrating Black History Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ALEXANDER. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 413) was agreed to.

The preamble was agreed to.

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

# VETERANS TREATMENT COURT IMPROVEMENT ACT OF 2017

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 946 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 946) to require the Secretary of Veterans Affairs to hire additional Veterans Justice Outreach Specialists to provide treatment court services to justice-involved veterans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Flake substitute amendment be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 2042) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Treatment Court Improvement Act of 2018".

## SEC. 2. HIRING BY DEPARTMENT OF VETERANS AFFAIRS OF ADDITIONAL VETERANS JUSTICE OUTREACH SPECIALISTS.

(a) HIRING OF ADDITIONAL VETERANS JUSTICE OUTREACH SPECIALISTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall hire not fewer than 50 Veterans Justice Outreach Specialists and place each such Veterans Justice Outreach Specialist at an eligible Department of Veterans Affairs medical center in accordance with this section.

(2) REQUIREMENTS.—The Secretary shall ensure that each Veterans Justice Outreach Specialist employed under paragraph (1)—

(A) serves, either exclusively or in addition to other duties, as part of a justice team in a veterans treatment court or other veteran-focused court; and

(B) otherwise meets Department hiring guidelines for Veterans Justice Outreach Specialists.

(3) SUPPLEMENT NOT SUPPLANT.—The Secretary shall ensure that the total number of Veterans Justice Outreach Specialists employed by the Department is not less than the sum of—

(A) the total number of Veterans Justice Outreach Specialists that were employed by the Department on the day before the date of the enactment of this Act; and

(B) the number of Veterans Justice Outreach Specialists set forth in paragraph (1).

(b) ELIGIBLE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTERS.—For purposes of this section, an eligible Department of Veterans Affairs medical center is any Department of Veterans Affairs medical center that—

(1) complies with all Department guidelines and regulations for placement of a Veterans Justice Outreach Specialist;

(2) works within a local criminal justice system with justice-involved veterans;

(3) maintains an affiliation with one or more veterans treatment courts or other veteran-focused courts; and

(4) either—

(A) routinely provides Veterans Justice Outreach Specialists to serve as part of a justice team in a veterans treatment court or other veteran-focused court; or

(B) establishes a plan that is approved by the Secretary to provide Veterans Justice Outreach Specialists employed under subsection (a)(1) to serve as part of a justice team in a veterans treatment court or other veteran-focused court.

(c) PLACEMENT PRIORITY.—The Secretary shall prioritize the placement of Veterans Justice Outreach Specialists employed under subsection (a)(1) at eligible Department of Veterans Affairs medical centers that have or intend to establish an affiliation, for the purpose of carrying out the Veterans Justice Outreach Program, with a veterans treatment court, or other veteran-focused court, that—

(1) was established on or after the date of the enactment of this Act; or

(2)(A) was established before the date of the enactment of this Act; and

(B) is not fully staffed with Veterans Justice Outreach Specialists.

(d) REPORTS.—

(1) PERIODIC REPORTS BY SECRETARY OF VETERANS AFFAIRS.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act and not less frequently than once every year thereafter, the Secretary of Veterans Affairs shall submit to Congress a report on the implementation of this section and its effect on the Veterans Justice Outreach Program.

(B) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(i) The status of the efforts of the Secretary to hire Veterans Justice Outreach Specialists pursuant to subsection (a)(1), including the total number of Veterans Justice Outreach Specialists hired by the Secretary pursuant to such subsection and the number that the Secretary expects to hire pursuant to such subsection.

(ii) The total number of Veterans Justice Outreach Specialists assigned to each Department of Veterans Affairs medical center that participates in the Veterans Justice Outreach Program, including the number of Veterans Justice Outreach Specialists hired under subsection (a)(1) disaggregated by Department of Veterans Affairs medical center.

(iii) The total number of eligible Department of Veterans Affairs medical centers that sought placement of a Veterans Justice Outreach Specialist under subsection (a)(1), how many Veterans Justice Outreach Specialists each such center sought, and how many of such medical centers received no placement of a Veterans Justice Outreach Specialist under subsection (a)(1).

(iv) The total number of justice-involved veterans who were served or are expected to be served by a Veterans Justice Outreach Specialist hired under subsection (a)(1).

(2) REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES.—

(A) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the implementation of this section and the effectiveness of the Veterans Justice Outreach Program.

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) An assessment of whether the Secretary has fulfilled the Secretary's obligations under this section.

(ii) The number of veterans who are served by Veterans Justice Outreach Specialists

hired under subsection (a)(1), disaggregated by demographics (including discharge status).

(iii) An identification of any subgroups of veterans who underutilize services provided under laws administered by the Secretary and to which they are referred by a Veterans Justice Outreach Specialist.

(iv) Such recommendations as the Comptroller General may have for the Secretary to improve the effectiveness of the Veterans Justice Outreach Program.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of Veterans Affairs to carry out subsection (a) \$5,500,000 for each of fiscal years 2018 through 2028.

(2) IDENTIFICATION OF OFFSETS.—The Secretary shall submit to Congress a report that identifies such legislative or administrative actions as the Secretary determines will result in a reduction in expenditures by the Department of Veterans Affairs that is equal to or greater than the amounts authorized to be appropriated by paragraph (1).

(f) DEFINITIONS.—In this section:

(1) JUSTICE TEAM.—The term "justice team" means the group of individuals, which may include a judge, court coordinator, prosecutor, public defender, treatment provider, probation or other law enforcement officer, program mentor, and Veterans Justice Outreach Specialist, who assist justice-involved veterans in a veterans treatment court or other veteran-focused court.

(2) JUSTICE-INVOLVED VETERAN.—The term "justice-involved veteran" means a veteran with active, ongoing, or recent contact with some component of a local criminal justice system.

(3) LOCAL CRIMINAL JUSTICE SYSTEM.—The term "local criminal justice system" means law enforcement, jails, prisons, and Federal, State, and local courts.

(4) VETERANS JUSTICE OUTREACH PROGRAM.—The term "Veterans Justice Outreach Program" means the program through which the Department of Veterans Affairs identifies justice-involved veterans and provides such veterans with access to Department services.

(5) VETERANS JUSTICE OUTREACH SPECIALIST.—The term "Veterans Justice Outreach Specialist" means an employee of the Department of Veterans Affairs who serves as a liaison between the Department and the local criminal justice system on behalf of a justice-involved veteran.

(6) VETERANS TREATMENT COURT.—The term "veterans treatment court" means a Federal, State, or local court that is participating in the veterans treatment court program (as defined in section 2991(i)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(i)(1))).

The bill (S. 946), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

## DIRECTING THE SECRETARY OF VETERANS AFFAIRS TO SUBMIT CERTAIN REPORTS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 1725 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows: