States Code, to improve the processing of veterans benefits by the Department of Veterans Affairs, to limit the authority of the Secretary of Veterans Affairs to recover overpayments made by the Department and other amounts owed by veterans to the United States, to improve the due process accorded veterans with respect to such recovery, and for other purposes.

S. 2353

At the request of Mr. COTTON, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 2353, a bill to require the Secretary of the Treasury to report on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes.

S. 2360

At the request of Ms. HEITKAMP, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2360, a bill to provide for the minimum size of crews of freight trains, and for other purposes.

S. 2421

At the request of Mrs. FISCHER, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 2421, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide an exemption from certain notice requirements and penalties for releases of hazardous substances from animal waste at farms.

S. 2430

At the request of Mr. COONS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2430, a bill to provide a permanent appropriation of funds for the payment of death gratuities and related benefits for survivors of deceased members of the uniformed services in event of any period of lapsed appropriations.

S. CON. RES. 7

At the request of Mr. ROBERTS, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 168

At the request of Mr. CARDIN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. Res. 168, a resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia.

S. RES. 377

At the request of Ms. WARREN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 377, a resolution recognizing the importance of paying tribute to those individuals who have faithfully served and retired from the Armed Forces of the United States, designating April 18, 2018, as ''Military Retiree Appreciation Day'', and encouraging the people of the United States to honor the past and continued service of military retirees to their local communities and the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PORTMAN (for himself, Mr. WHITEHOUSE, Mrs. CAPITO, Ms. KLOBUCHAR, Mr. SULLIVAN, Ms. HASSAN, Mr. CASSIDY, and Ms. CANTWELL):

S. 2456. A bill to reauthorize and expand the Comprehensive Addiction and Recovery Act of 2016; to the Committee on Health, Education, Labor, and Pensions.

Mr. PORTMAN. Mr. President, I want to address a critical issue today in Westerville, OH, and, frankly, every community I represent in my State and communities all over the country. Today, I want to talk about the opioid epidemic that is gripping our country.

Every State represented in this Chamber has had too many communities devastated, families broken apart, and lives taken by the opioid overdoses. The Centers for Disease Control now tells us more than 63,000 Americans died from drug overdoses in 2016, the last year for which they have records. It also looks like it was worse in 2017. More Americans are dying from drug overdoses than the total number of casualties during the Vietnam war. Every year, more Americans are dying from drug overdoses than the total number of casualties from the Vietnam war. Think about that. It is a staggering statistic.

On average, more than 174 Americans died every single day from a drug overdose in 2016. That is up from 143 Americans in 2015 and 105 Americans in 2010. In other words, it is getting worse, and 2016 was the deadliest year on record. Initial estimates for 2017 suggest it is going to be even deadlier, including in my home State of Ohio.

Opioids—prescription drugs, heroin, and synthetic forms of heroin—are increasingly the reason why. Opioids were involved in about two-thirds of all overdose deaths in 2016. Opioid overdose deaths were five times higher in 2016 than they were just back in 1999. In the past 17 years, we have seen a fivefold increase in these overdose deaths. It is a national epidemic.

It has unfolded in three different waves. It started with prescription drugs, overprescribing of prescription drugs—pain pills. The pill mills we saw in Southern Ohio and around our State exploded about 15 to 20 years ago. Next, there were the heroin deaths. Heroin moved in and spiked as people moved to less expensive and more accessible alternatives than prescription drugs. Now, I hate to tell you, there is a new danger and a threat, and it is deadlier than ever. It is these synthetic opioids—fentanyl, carfentanil—that have moved into our States, overcoming our law enforcement, and the results have been deadly.

By the way, it is a crisis that does not discriminate. Opioid addiction affects everybody, regardless of age, area code, class, or color. In Ohio, drug addiction and acts committed to support it have now become the No. 1 cause of crime in our communities—probably the same in your community.

Employers, of course, are increasingly pointing to the inability to find workers who can pass a drug test. They can't fill vacant positions. There is new data out with regard to people who are not showing up on the unemployment rolls but have given up looking for work altogether. There are probably 9 million men between 25 and 55 who are considered to be able-bodied who aren't even looking for work. Some really troubling statistics out there indicate that maybe as many as half—one study says 48 percent—of those individuals are taking opioids on a daily basis.

This is affecting all of us. Every aspect of our communities is affected. Everybody has a role to play overcoming this epidemic. There is an urgency coming up with better strategies to turn the tide on addiction. Although I believe progress has been made recently—and it is starting to be made in my State and other States—much more needs to be done and done urgently.

Part of that starts with understanding that addiction is a disease, and it is treatable. Too often it is not treated like that. The appropriate response should include much more aggressive prevention and education, absolutely, and more aggressive law enforcement keeping deadly fentanyl out of our communities through the STOP Act and other means, of course, but we also have to get more effective treatment strategies. We have a couple hundred thousand people in Ohio who are addicted. We need to get them into treatment, including more effective detox, medication-assisted treatment, and longer term recovery. We know, coupled with the right kind of therapy, the right kind of support and help, people can get into recovery and get back to their families, get back to work, and get back to being productive citizens.

We also know recovery results are a lot better with that kind of continuous support. Closing the gaps that occur is key to overcoming addiction. There is a gap between the crisis response, which is often a first responder—like the two brave officers I talked about earlier—finding someone who has overdosed. Often it is firefighters as well providing Narcan, this miracle drug that reverses the effect of the overdose. That is incredibly important to saving lives.

Narcan alone is not sufficient. The key is to get those people into detox and into treatment and longer term recovery. The gaps we have out there between the crisis response and Narcan,

then going to detox, then going to treatment, and then going to recovery are creating a lot of the inability to solve this problem.

I have probably met a couple of thousand addicts or recovering addicts in the last few years. What they tell me is: I tried treatment, but it was for 6, 7, 8 weeks, and then there was nothing for me. It didn't work for me. Then there are people who overdosed, not once or twice but several times, and they had never been in detox and treatment.

One young man I spoke to last weekend has been an addict for 7 years. Finally, his brother convinced him to seek help. The last time he overdosed, he did go into detox. He did go into treatment, to a facility where those gaps were closed, where there was no waiting time, where he was able to get the help, rather than going back to his old community and his old friends and a situation that was going to lead him back into more use and more addiction.

The key, again, is to get those who have overdosed into the treatment they need. Overdose reversal provides a second chance at life. Let's face it. Some of these people who are overdosing come out of this after Narcan is administered. They have seen their life flash before their eyes, and they are ready for something. We have to be ready for them. Just as the overdose reversal provides a second chance at life, it is treatment and longer term recovery that provides that second chance to live addiction-free—again, to get back with your family, get back to work, and get back to a productive life. It takes a comprehensive solution because it is a comprehensive problem.

That is what led some of us in this body, including my colleague Senator SHELDON WHITEHOUSE and me, to introduce the Comprehensive Addiction and Recovery Act, or CARA, back in 2015. We developed that bill over time by relying on experts in the field and those most affected by addiction.

Beginning in 2014, when we were in the process of putting together the legislation, we hosted five national forums here in Washington, DC. We brought experts and practitioners in from around the country—prevention, treatment, law enforcement, and recovery communities. We wanted to get the best practices to find out what was working, what wasn't working, and how we could improve the response. What role could the Federal Government play in all of this? We had forums focused on the science of addiction to understand it better, evidence-based prevention strategies that actually work; treating pregnant women who are addicted and babies at risk of being born drug-dependent. There is nothing more heartbreaking than going into the neonatal units in the hospitals in my home State and seeing these babies who were born dependent and watching them go through the painful withdrawal process as infants. Every neonatal unit in our country has seen this. If you go to your own hospital, they will tell you this is an increasing problem.

We had veterans come in, and we had experts come in to help veterans make that transition because, sadly, the use of opioids among veterans is also increasing. They sometimes use opioids for injuries, for accidents, for PTSD, and they become addicted. How do you build support around those veterans? We also had people come in and talk about longer term recovery and housing and how, over time, you can get better results if you provide those kinds of services. Our goal was to leverage the expertise and perspectives of everyone involved in this epidemic, to find best practices, and to create an evidence-based education, treatment, and recovery bill that works.

With strong bipartisan support, we moved from hearings, to a unanimous committee markup, to Senate passage of this legislation. By the way, it passed with a vote of 92 to 2. That is not typical around here, certainly not for something so comprehensive. Yet everybody has experienced this back home and is desperate to figure out strategies to help. In July of 2016, President Obama signed CARA into law. It was the first comprehensive addiction reform in more than 20 years. It was the first time Congress had ever provided any support or help for this longer term recovery piece.

The CARA law targets prevention and education resources to prevent abuse before it even starts—the most effective way. It helps first responders reverse overdoses to save lives. It devotes resources to evidence-based treatment and recovery programs. It expands prescription drug take-back programs to get addictive pain pills off the bathroom shelves. More than $180 million was authorized to assist communities in these efforts to combat this epidemic. Frankly, because of this crisis, the appropriators decided: You know, we need this so badly, we are actually going to appropriate more than the $180 million. Last year, as an example, they appropriated $267 million—almost $100 million beyond our authorization.

Again, I think it is beginning to make a difference. I see it back home in Ohio. I see some of these strategies beginning to work. It is going to take some time, and we need to do more. In Ohio, we received about $4 million. When I say ''we,'' I mean groups, people who are in the trenches doing the hard work.

We have also made progress in this fight with separate opioid legislation that was part of the 21st Century Cures legislation. That legislation was for substance abuse and mental health. Many of us successfully fought to help secure a 2-year commitment there of $500 million a year, totaling $1 billion. It goes directly to the States. This money goes to States that are hardest hit, and States are allowed to decide how to spend that money. The first installment of funding from that legislation awarded my State of Ohio with $26 million, and we are using every penny of it.

I was at a facility over the weekend that gave me hope. It is called the Maryhaven Addiction Stabilization Center, and it is in Columbus, OH. They talked about the gaps, where people who overdose are provided Narcan, and then they go back to their community, and what first responders will tell you is that sometimes in the same week or even on the same day on some occasions, there is another overdose. The revolving door continues without any treatment and without any solution. Maryhaven Stabilization Center is a response to that. They used the Cures money we talked about, they used some CARA funding from the county—the county is a part of the broader strategy of where the CARA money went—and they said: Let's put together an institution where there is an emergency room that focuses on overdoses.

I have been to other emergency rooms in Columbus, OH, and I have seen what they do with the people who overdose. They save lives, and that is fantastic, but frankly these emergency rooms are equipped for everything, and they have to be—for gunshot wounds, car accidents, trauma.

This emergency room would be focused specifically on overdoses, which makes it more cost-effective but also more effective for those recovering addicts, those addicts who are coming in. But most importantly, in that same facility, there is a detox center. In that same facility, there are 50 treatment beds. Whereas in the typical case when somebody overdoses, they go to the emergency room and end up going back to their community, back home, back to the gang, back to the family, in this case, 103 people who have gone through in the last month—it has only been open a month—80 percent of them have gone into treatment. I had the opportunity to meet someone who had been through that process, and we talked about the difference this makes. You literally walk through the door into treatment, there is strong encouragement to do it, and it is working.

These are the kinds of things that are going to make a difference in our communities. It seems to be common sense, but frankly it is not happening in other places. Programs like these are what are going to help us overcome addiction and are examples of how Federal funds can be used more effectively to leverage, in this case, a lot of private dollars, some State dollars.

Both of these landmark laws—the CARA Act that we talked about and the Cures Act—are providing increased resources to local communities, but this problem is not getting better, it is getting worse.

One of the problems is the availability and the low cost of these highly addictive, even more dangerous drugs coming in. There are synthetic opioids. Fentanyl is 50 times stronger than heroin on average. It is coming in through

the mail. We need to do more to stop it through law enforcement, but we also need to acknowledge that it has been sprinkled in other drugs and is creating a lot of these addiction overdoses and higher rates of death.

The degree of damage this is causing to our communities, our families, our local budgets, and our criminal justice system requires us to take a more aggressive stance, to do more to figure this out. We need to strengthen our resolve. We made progress recently with the bipartisan budget agreement President Trump signed into law just a few weeks ago. We included in there an additional amount of funding—$6 billion over 2 years—to help combat the opioid epidemic. So instead of the $500 million a year and the $260 million a year that I talked about, it would be $3 billion a year and then $3 billion the year after.

I believe that the evidence-based programs we set out in the Comprehensive Addiction Recovery Act provide a good framework as to how to spend that money effectively. That is why I am pleased to stand here today as we introduce the next stage of this—CARA 2.0—to help provide a framework for how these funds to combat opioid addiction can be spent wisely. It is a roadmap for Congress to build on CARA's successes since becoming law.

The bipartisan CARA 2.0 act is being introduced by SHELDON WHITEHOUSE and me and also by six other colleagues—Senators SHELLEY MOORE CAPITO, AMY KLOBUCHAR, DAN SULLIVAN, MAGGIE HASSAN, BILL CASSIDY, and MARIA CANTWELL—a bipartisan group of four Republicans and four Democrats who are passionate about this issue. It authorizes $1 billion a year for specific evidence-based drug prevention, education, treatment, and recovery programs.

It is very important to have this $6 billion of funding over the next couple of years. We need it. But we have to be sure it is spent wisely. It is not a matter of just throwing money at a problem; it is a matter of being sure we are effectively addressing the real issues.

As I mentioned earlier, the longer term recovery programs are what really help those gripped by addiction to overcome this disease. That is evidence that we have. I have certainly seen a lot of evidence of that firsthand and countless examples of this, where this longer term recovery and the support networks are what get people back on track, back with their families, back to work. We need to expand access to them to those communities that are in need and give everyone a second chance of living up to their own God-given potential. That is why, in this new CARA 2.0, we increase funding for recovery.

In addition to expanding the reach of CARA's evidence-based programs, this bill puts in place new policy reforms to strengthen the government's response in so many ways. We take what some would consider a pretty dramatic step by limiting opioid prescriptions to 3 days for acute pain. Some will push back against that, but this is based on good evidence and good research. When someone goes in for a simple procedure—say, a wisdom tooth extraction—and that young person is given a bottle of opioids when he or she leaves, too often, that leads to addiction. I don't want more parents coming up to me and saying: My kid, when he or she was a teenager, was given these opioids by a doctor or a dentist, so we thought they were safe. Our child then turned to heroin because the pills became too expensive and less accessible and then turned to fentanyl and overdosed and died.

I have had two such parents from Ohio come to me and tell me their story. You probably know others. We need to ensure that these prescriptions are limited. For those who have chronic pain and those who have cancer, it wouldn't apply. And after those 3 days, you can go back to that doctor and tell them why you need it and explain it.

Experts say that about 80 percent of those who overdose from heroin started on prescription drugs. I am sure the same is true with regard to fentanyl. Four out of five heroin addicts in my State of Ohio who overdosed started on prescription drugs. We do need to deal with this overprescription problem.

By the way, the evidence is that after that fourth day, fifth day, sixth day—that is when you get into the bigger risk of becoming addicted to prescription drugs.

As I mentioned, this epidemic started with an explosion of pain pill use 15 to 20 years ago. We need to stop the addiction at the source, and for most people that begins with prescription drugs. By ensuring that clinicians prescribe the appropriate strength and supply of pain pills for non-life-threatening injuries, we can keep so many more people from becoming addicted.

The bill also includes legislation very similar to that which passed the Senate in 2015 but was dropped out in the House-Senate conference. It is very simple. It requires doctors and pharmacists to use the prescription drug monitoring programs to ensure that we are not overprescribing opioids for certain individuals. That helps us identify where the problems are and to get people into treatment. It also requires States to share data with other States to prevent people from crossing State lines to get prescriptions. One of our big problems in Ohio is people can cross the State lines in West Virginia, Kentucky, or other States and get their prescription filled even though it has already been filled once in Ohio. Across State lines, we need to have prescription drug monitoring programs that work.

CARA 2.0 is going to help turn the tide of this epidemic. The bill increases Federal funds for specific evidence-based programs to better protect vulnerable groups—including infants, young adults, pregnant and postpartum women, and veterans—as well as resources for community programs, medication-assisted treatment, and first responders.

As the title indicates, it is a comprehensive solution. Every aspect of our communities is affected, so every aspect of our communities needs assistance. The opioid epidemic is one of the most urgent challenges we face as a country.

By the way, ultimately, this crisis is not going to be solved here in Washington, DC. It is not going to be solved by legislation we pass here. We get that. It is going to be solved in our communities. It is going to be solved in our families. It is going to be solved in our hearts. But this is a national crisis, and the national government needs to be a much better partner with State government, local government, communities, and nonprofits—those who are out there doing the hard work.

The $6 billion commitment over the next 2 years is a real opportunity to help turn the tide—not by just throwing more money at the problem but by being sure that money is well spent on an epidemic that is taking too many lives and devastating too many communities.

CARA 2.0 will build on our accomplishments and continue to give communities the resources they need to address this issue. Yes, we have made some progress around here, and that is good, but we need to do much more. CARA 2.0 gives us that opportunity. It represents the next step toward helping our communities address this epidemic and helping our communities heal.

Thank you.

By Mr. KAINE (for himself, Mr. BOOZMAN, and Mr. TESTER):

S. 2457. A bill to provide a work opportunity tax credit for military spouses and to provide for flexible spending arrangements for childcare services for military families; to the Committee on Finance.

Mr. KAINE. Mr. President. We rightfully honor the sacrifice of veterans and servicemembers and as a member of the Senate Armed Services Committee, I am proud of the work we do to ensure that we have the best equipped and most successful fighting force in the world. Military families are critical to the success and readiness of our military, but are too often unrecognized for their support to our servicemembers and left without necessary programs and assistance to help them succeed. Military families frequently face financial insecurity due to spousal unemployment, which impacts the overall success of our military. Somewhere between 12% and 25% of military spouses are unemployed.

Today, I am pleased to introduce with my colleagues Senators BOOZMAN and TESTER the Jobs and Childcare for Military Families Act of 2018. This legislation encourages businesses to step up and play a bigger role in hiring military spouses who sacrifice so much by expanding the Work Opportunity Tax Credit to also include military spouses.

The bill also further addresses a real obstacle to professional success for many military families: access to quality, affordable childcare by establishing a flexible spending account for military families to use to reimburse themselves for out of pocket child care costs.

Addressing these issues will help military spouses advance in their careers despite frequent moves. Being a military family member will never be easy, but if we can do something to ease the burden in any way, we should. This legislation follows the introduction of another bipartisan bill earlier this month, the Military Spouse Employment Act of 2018, which provides direct employment opportunities and additional access to childcare, improves educational opportunities and extends transition and counseling services. I believe if we make it bipartisan priority to support military families, we will see an improvement in the readiness of our military and reap the economic benefits of supporting this underutilized and resilient workforce of military spouses. I hope to see many of the provisions of these two bills incorporated into this year's National Defense Authorization Act.

By Ms. COLLINS (for herself, Ms. HEITKAMP, Mr. FLAKE, Mr. HEINRICH, Mr. TOOMEY, Ms. BALDWIN, Mr. KING, Mr. NELSON, Mr. MANCHIN, and Mr. KAINE):

S. 2458. A bill to authorize the Attorney General to deny the transfer of firearms and explosives and Federal firearms and explosives licenses and permits to known or suspected terrorists; to the Committee on the Judiciary.

Ms. COLLINS. Mr. President, I rise to introduce the Terrorist Firearms Prevention Act, which would prohibit suspected or known terrorists from legally purchasing a firearm.

I thank my colleagues—Senators HEITKAMP, FLAKE, HEINRICH, TOOMEY, BALDWIN, KING, NELSON, MANCHIN, and KAINE—for their cosponsorship of this bipartisan bill. I particularly recognize the leadership of Senator HEINRICH, who has joined me on the floor this evening as we introduce the bill and explain it to our colleagues.

Often referred to as ''no fly, no buy,'' this bill represents one of the sensible steps that we can take to reform our Nation's gun laws to better protect our people. Our bill is based on a simple principle: If you are considered to be too dangerous to board an airplane, then you are too dangerous to buy a firearm.

Our legislation would grant the Attorney General the authority to block the purchase of a gun by a person who is on either the no-fly or the selectee list. Remarkably, current law does not prohibit a person known or suspected of engaging in terrorism from walking into a gun shop and buying a firearm. The no-fly list and the selectee list are the narrowest subsets of all of the government's terrorist watch lists. These lists include the names of individuals who pose the greatest threat of committing an act of terrorism against aviation, against our homeland, or against U.S. interests abroad. This bill would also provide an immediate alert to the FBI and to local law enforcement if an individual who has been on the government's terrorist watch list at any time during the past 5 years purchases a firearm.

Our hearts are all broken by the horrific shootings of the students in Florida. There was another horrendous shooting in Florida in 2016 that demonstrates why this look-back provision in this legislation is so important. The gunman, Omar Mateen, was on the selectee list for approximately 10 months, but he was no longer on the list when he purchased the 2 guns that he used to murder 49 people and injure scores more. If our bill had been enacted, the FBI would have been notified immediately when Omar Mateen purchased his first firearm in the weeks leading up to the shooting. Then the FBI would have been notified a second time that Mateen had sought to purchase additional firearms. Surely, that would have caused the FBI to reopen its investigation of Omar Mateen. If our proposal had been law at that time, perhaps that massacre might have been prevented.

I note that our bill would provide robust due process procedures to protect the Second Amendment rights of law-abiding Americans. Any American who would be denied a purchase under this bill would have the opportunity to petition a Federal district court and receive a decision within 14 days. If the government, which would have the burden of proof, would fail to prove its case, it would have to pay attorneys's fees for that individual, and, of course, the purchase of the firearm would go forward.

In 2016, when the Senate voted on our bill, it won majority and bipartisan support. Our bill was endorsed by a distinguished group of military and intelligence leaders. I note that during the 2016 Presidential debates, both candidates agreed with our principle of no fly, no buy. Surely, this is a sensible, reasonable policy around which we can build consensus.

Another step that we can take right now is to pass legislation I introduced with Senator LEAHY to explicitly outlaw straw purchasing. Straw purchasing is intended for one purpose only, and that is to put a gun into the hands of a criminal who cannot legally obtain one. Our bill, the Stop Illegal Trafficking in Firearms Act, would provide law enforcement with an effective tool to fight the violence that too often goes hand in hand with drug trafficking and gang-related crimes.

Today, gun traffickers exploit weaknesses in our Federal laws by targeting individuals who can lawfully purchase firearms. Sadly, according to briefings that I have had from Federal officials, in the State of Maine gang members from other States have targeted addicts to go buy firearms for them, and then they swap firearms for drugs. Right now a straw purchaser can be prosecuted only for lying on a Federal form, which is treated far too often as just a paperwork violation. Instead of a slap on the wrist, our bill would create new, specific criminal offenses for straw purchasing and trafficking, punishable by hefty prison terms, particularly for those who have reason to believe that the firearms will be used to commit violent crimes.

Our bill would also outlaw firearms and ammunition smuggling out of the United States to another country. That is vitally important for combating drug trafficking near and across our southern border, which is contributing to the heroin crisis here at home.

Let me again be clear that the bill I have introduced with Senator LEAHY protects the Second Amendment rights of law-abiding citizens.

These are just two commonsense reforms that we can pass while fully protecting the constitutional rights of law-abiding Americans. We can make it as difficult for a terrorist to obtain a gun as it is for him to board an airplane. We can outlaw straw purchasing by increasing the penalties to make a real difference. I urge my colleagues to support both the bipartisan Terrorist Firearms Prevention Act and the straw purchasing bill, as well as other commonsense reforms.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I want to start by thanking my colleague, Senator COLLINS of Maine, for her work in crafting this legislation and the language of this bill and, more generally, for her leadership, formerly on the Homeland Security and Governmental Affairs Committee and certainly for the time that I have been on the Intelligence Committee. Her contributions have not gone unnoticed, and she has been a pleasure to work with in trying to find reasonable places where we can make a material difference in the kinds of mass shootings we have seen.

I should start by speaking a little bit to the recent tragedy in Florida. As the father of two young boys, I can't begin to imagine the nightmare that families are living through as they mourn the loss of their children in the wake of yet another horrific mass shooting.

Frankly, no parent should have to live in fear of their child not coming home from school. It is pretty unthinkable.

Just last week, one of my own sons went through an active shooter training at his school. Sadly, that is now the new norm in schools all across our country. In fact, 91 Americans are killed each day by gun violence, and we simply cannot accept the status quo as the new normal when there are real

and concrete steps we can take to reduce gun violence while respecting constitutional rights.

Once again, Americans are looking to Congress to finally enact commonsense reforms to our gun laws, to protect our schools, to protect our children, to protect our communities. Like so many Americans, I have been deeply moved by the Marjory Stoneman Douglas High School students and young people all across this country who have spoken out after losing classmates and friends to demand that we as lawmakers take action to prevent future tragedies.

It is no secret to my constituents or even my colleagues here that I am a passionate outdoorsman, hunter, and owner of firearms. I strongly believe that law-abiding Americans have a right to own guns for sport and self-defense. I am teaching my own sons how to safely and responsibly use those firearms. The vast majority of Americans, including gun owners like me, know that Congress must take action to close loopholes and reform our laws to keep those deadly weapons out of the hands of those who would turn them against our communities.

Today I am quite proud to join my colleagues from both sides of the aisle—Senators COLLINS, HEITKAMP, FLAKE, and others—to introduce one of those measures that should have broad bipartisan support. This is a poster child for the kind of policy that ought to get across the finish line even in these deeply divided, partisan times.

Our bipartisan legislation, the Terrorist Firearms Prevention Act, would deny firearms sales to individuals who appear on the Department of Justice's no-fly or selectee lists. These are the narrowest of databases, the kinds of lists one would have to work pretty hard to land on, and for good reason. Our legislation includes due process procedures for individuals to appeal their placement on those lists.

It seems pretty straightforward to most of my constituents that if the government and law enforcement have determined that an individual is so dangerous as to land on the terrorist watch list and is too dangerous to fly on a commercial airplane, that person should not be able to walk into a gun shop and purchase a gun. But unless we pass this legislation, this glaring loophole will continue to allow individuals identified as terror suspects to buy firearms.

It is time for those Members of Congress who oppose commonsense reforms like this to finally step up and tell us what they are doing to protect the public. It is time for all of us to listen to the student leaders across this country who are rejecting the unacceptable status quo of our Nation's gun violence epidemic.

Those of us in the Senate who know firearms well have a special duty to lead these efforts and to get the details right on any legislation to reshape our Nation's gun laws. Inaction simply won't cut it anymore. We all need to listen to these students, parents, teachers, and to our own children who are calling on us to be part of the solution.

New Mexicans can count on me, despite the odds, to continue fighting for real solutions to keep our children safe, to reduce gun violence, and to keep our communities safe. That is what our communities and our constituents deserve.

Thank you.

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

S. 2462. A bill to place restrictions on searches and seizures of electronic devices at the border; to the Committee on Homeland Security and Governmental Affairs.

Mr. LEAHY. Mr. President. No American should have to relinquish all of their privacy rights in their cell phones, laptops, and other electronic devices, simply because they are coming home from a trip abroad. Yet that is exactly how our Government views it: currently, if a Vermonter crosses the border into Canada for a day, U.S. Customs and Border Protection (CBP) can search through the Vermonter's emails, text messages, photos, and anything else contained in their electronic devices without any reason to suspect the person is in violation of anything. Let me repeat that: without any suspicion at all. That is unacceptable.

That is why I am joining with Senator DAINES to introduce legislation to require the Government to have reasonable suspicion or probable cause to search or seize Americans' electronic devices at the border. This legislation is a vital step toward protecting our Fourth Amendment rights, while also ensuring that officers protecting our homeland have the lawful authorities they need to do their jobs.

Last year, CBP searched the electronic devices of over 30,000 travelers, and this number continues to grow. These searches can take place at any international airport, or at any land border point such as U.S.-Canada border crossings in my home state of Vermont or Senator DAINES's home state of Montana.

Nothing in this legislation will prevent CBP officers from doing their jobs to protect the homeland, detect contraband, and enforce the law. Our legislation simply says that if an officer of the Government wants to search an American's electronic device at the border, at a minimum they should have reasonable suspicion. If they want to seize the device, they should have probable cause. And if they want to conduct a forensic examination of the device, they should get a warrant from a judge.

Our legislation also requires the Department of Homeland Security to collect statistics on such searches and seizures and report them to Congress. This will significantly increase transparency on the Government's use of these invasive tools, providing Congress and the American people an opportunity to assess the balance between the needs of law enforcement and the imperative of protecting privacy and civil liberties.

I urge other Senators to join us in support of this legislation. It should not be controversial to be concerned at the Government's ability to search our electronic devices at the border without any suspicion at all. All of us—Republican and Democrat—can support the goal of protecting our borders while also protecting the Fourth Amendment.

By Mr. FLAKE (for himself and Ms. HEITKAMP):

S. 2464. A bill to improve border security and to provide conditional provision residence to certain long-term residents who entered the United States as children; read the first time.

S. 2464

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Three-Year Border and DACA Extension Act''.

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

TITLE I—BORDER SECURITY

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated a total of $7,639,000,000 to the Department of Homeland Security for fiscal years 2018 through 2020 for the purpose of improving border security.

SEC. 102. OPERATIONS AND SUPPORT.

(a) PURPOSE.—It is the purpose of this section to establish a Border Security Enforcement Fund (referred to in this section as the ''Fund''), to be administered through the Department of Homeland Security and, in fiscal year 2018 only, through the Department of State, to provide for costs necessary to implement this Act and other Acts related to border security for activities, including—

(1) constructing, installing, deploying, operating, and maintaining tactical infrastructure and technology in the vicinity of the United States border—

(A) to achieve situational awareness and operational control of the border; and

(B) to deter, impede, and detect illegal activity in high traffic areas; and

(C) to implement other border security provisions under this section;

(2) implementing port of entry provisions under this section;

(3) purchasing new aircraft, vessels, spare parts, and equipment to operate and maintain such craft; and

(4) hiring and recruitment.

(b) FUNDING.—There are appropriated, to the Fund, out of any monies in the Treasury not otherwise appropriated, a total of $7,639,000,000, as follows:

(1) For fiscal year 2018, $2,947,000,000, to remain available through fiscal year 2022.

(2) For fiscal year 2019, $2,225,000,000, to remain available through fiscal year 2023.

(3) For fiscal year 2020, $2,467,000,000, to remain available through fiscal year 2024.

(c) PHYSICAL BARRIERS.—

(1) IN GENERAL.—In each of the following fiscal years, the Secretary of Homeland Security shall transfer, from the Fund to the U.S. Customs and Border Protection—Procurement, Construction and Improvements account, for the purpose of constructing, replacing, or planning physical barriers along the United States land border, a total of $5,013,000,000, as follows:

(A) For fiscal year 2018, $1,571,000,000.

(B) For fiscal year 2019, $1,600,000,000.

(C) For fiscal year 2020, $1,842,000,000.

(2) AVAILABILITY OF FUNDS.—Notwithstanding section 1552(a) of title 31, United States Code, any amounts obligated for the purposes described in paragraph (1) shall remain available for disbursement until expended.

(d) TRANSFER AUTHORITY.—Other than the amounts transferred by the Secretary of Homeland Security and the Secretary of State pursuant to subsections (b) and (c), the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives may provide for the transfer of amounts in the Fund for each fiscal year to eligible activities under this section, including—

(1) for the purpose of constructing, replacing, or planning for physical barriers along the United States land border; or

(2) for any of the activities described in subsection (a).

(e) USE OF FUND.—If the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives do not provide for the transfer of funds in a full-year appropriation in any fiscal year in accordance with subsection (d), the Secretary of Homeland Security shall transfer amounts in the Fund to accounts within the Department of Homeland Security for eligible activities under this section, including not less than the amounts specified in subsection (c) for the purpose of constructing, replacing, or planning for physical barriers along the United States land border.

(f) BUDGET REQUEST.—A request for the transfer of amounts in the Fund under this section—

(1) shall be included in each budget for a fiscal year submitted by the President under section 1105 of title 31, United States Code; and

(2) shall detail planned obligations by program, project, and activity in the receiving account at the same level of detail provided for in the request for other appropriations in that account.

(g) REPORTING REQUIREMENT.—At the beginning of fiscal year 2019, and annually thereafter until the funding made available under this title has been expended, the Secretary of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives that describes—

(1) the status of border security in the United States; and

(2) the amount planned to be expended on border security during the upcoming fiscal year, broken down by project and activity.

TITLE II—DACA EXTENSION

SEC. 201. PROVISIONAL PROTECTED PRESENCE FOR YOUNG INDIVIDUALS.

(a) IN GENERAL.—Chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.) is amended by adding at the end the following:

"SEC. 244A. PROVISIONAL PROTECTED PRESENCE.

''(a) DEFINITIONS.—In this section:

''(1) DACA RECIPIENT.—- The term 'DACA recipient' means an alien who is in deferred action status on the date of the enactment of this section pursuant to the Deferred Action for Childhood Arrivals ('DACA') Program announced on June 15, 2012.

''(2) FELONY.—The term 'felony' means a Federal, State, or local criminal offense (excluding a State or local offense for which an essential element was the alien's immigration status) punishable by imprisonment for a term exceeding 1 year.

''(3) MISDEMEANOR.—The term 'misdemeanor' means a Federal, State, or local criminal offense (excluding a State or local offense for which an essential element was the alien's immigration status, a significant misdemeanor, and a minor traffic offense) for which—

''(A) the maximum term of imprisonment is greater than five days and not greater than 1 year; and

''(B) the individual was sentenced to time in custody of 90 days or less.

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

''(5) SIGNIFICANT MISDEMEANOR.—The term 'significant misdemeanor' means a Federal, State, or local criminal offense (excluding a State or local offense for which an essential element was the alien's immigration status) for which the maximum term of imprisonment is greater than 5 days and not greater than 1 year that—

''(A) regardless of the sentence imposed, is a crime of domestic violence (as defined in section 237(a)(2)(E)(i)) or an offense of sexual abuse or exploitation, burglary, unlawful possession or use of a firearm, drug distribution or trafficking, or driving under the influence if the State law requires, as an element of the offense, the operation of a motor vehicle and a finding of impairment or a blood alcohol content of .08 or higher; or

''(B) resulted in a sentence of time in custody of more than 90 days, excluding an offense for which the sentence was suspended.

''(6) THREAT TO NATIONAL SECURITY.—An alien is a 'threat to national security' if the alien is—

''(A) inadmissible under section 212(a)(3); or

''(B) deportable under section 237(a)(4).

''(7) THREAT TO PUBLIC SAFETY.—An alien is a 'threat to public safety' if the alien—

''(A) has been convicted of an offense for which an element was participation in a criminal street gang (as defined in section 521(a) of title 18, United States Code); or

''(B) has engaged in a continuing criminal enterprise (as defined in section 408(c) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 848(c))).

''(b) AUTHORIZATION.—The Secretary—

''(1) shall grant provisional protected presence to an alien who—

''(A) files an application demonstrating that he or she meets the eligibility criteria under subsection (c); and

''(B) pays the appropriate application fee;

''(2) may not remove such alien from the United States during the period in which such provisional protected presence is in effect unless such status is rescinded pursuant to subsection (g); and

''(3) shall provide such alien with employment authorization.

''(c) ELIGIBILITY CRITERIA.—An alien is eligible for provisional protected presence and employment authorization under this section if the alien—

''(1) was born after June 15, 1981;

''(2) entered the United States before reaching 16 years of age;

''(3) continuously resided in the United States between June 15, 2007, and the date on which the alien files an application under this section;

''(4) was physically present in the United States on June 15, 2012, and on the date on which the alien files an application under this section;

''(5) was unlawfully present in the United States on June 15, 2012;

''(6) on the date on which the alien files an application for provisional protected presence—

''(A) is enrolled in school or in an education program assisting students in obtaining a regular high school diploma or its recognized equivalent under State law, or in passing a general educational development exam or other State-authorized exam;

''(B) has graduated or obtained a certificate of completion from high school;

''(C) has obtained a general educational development certificate; or

''(D) is an honorably discharged veteran of the Coast Guard or Armed Forces of the United States;

''(7) has not been convicted of—

''(A) a felony;

''(B) a significant misdemeanor; or

''(C) 3 or more misdemeanors not occurring on the same date and not arising out of the same act, omission, or scheme of misconduct; and

''(8) does not otherwise pose a threat to national security or a threat to public safety.

''(d) DURATION OF PROVISIONAL PROTECTED PRESENCE AND EMPLOYMENT AUTHORIZATION.—Provisional protected presence and employment authorization provided under this section shall be effective until the date that is 3 years after the date of the enactment of the Three-Year Border and DACA Extension Act.

''(e) STATUS DURING PERIOD OF PROVISIONAL PROTECTED PRESENCE.—

''(1) IN GENERAL.—An alien granted provisional protected presence is not considered to be unlawfully present in the United States during the period beginning on the date such status is granted and ending on the date described in subsection (d).

''(2) STATUS OUTSIDE PERIOD.—The granting of provisional protected presence under this section does not excuse previous or subsequent periods of unlawful presence.

''(f) APPLICATION.—

''(1) AGE REQUIREMENT.—

''(A) IN GENERAL.—An alien who has never been in removal proceedings, or whose proceedings have been terminated before making a request for provisional protected presence, shall be at least 15 years old on the date on which the alien submits an application under this section.

''(B) EXCEPTION.—The age requirement set forth in subparagraph (A) shall not apply to an alien who, on the date on which the alien applies for provisional protected presence, is in removal proceedings, has a final removal order, or has a voluntary departure order.

''(2) APPLICATION FEE.—

''(A) IN GENERAL.—The Secretary may require aliens applying for provisional protected presence and employment authorization under this section to pay a reasonable fee that is commensurate with the cost of processing the application.

''(B) EXEMPTION.—An applicant may be exempted from paying the fee required under subparagraph (A) if the alien—

''(i)(I) is younger than 18 years of age;

''(II) received total income during the 12-month period immediately preceding the date on which the alien files an application under this section that is less than 150 percent of the United States poverty level; and

''(III) is in foster care or otherwise lacking any parental or other familial support;

''(ii) is younger than 18 years of age and is homeless;

''(iii)(I) cannot care for himself or herself because of a serious, chronic disability; and

''(II) received total income during the 12-month period immediately preceding the date on which the alien files an application under this section that is less than 150 percent of the United States poverty level; or

''(iv)(I) as of the date on which the alien files an application under this section, has accumulated $10,000 or more in debt in the past 12 months as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien; and

''(II) received total income during the 12-month period immediately preceding the date on which the alien files an application under this section that is less than 150 percent of the United States poverty level.

''(3) REMOVAL STAYED WHILE APPLICATION PENDING.—The Secretary may not remove an alien from the United States who appears prima facie eligible for provisional protected presence while the alien's application for provisional protected presence is pending.

''(4) ALIENS NOT IN IMMIGRATION DETENTION.—An alien who is not in immigration detention, but who is in removal proceedings, is the subject of a final removal order, or is the subject of a voluntary departure order, may apply for provisional protected presence under this section if the alien appears prima facie eligible for provisional protected presence.

''(5) ALIENS IN IMMIGRATION DETENTION.—The Secretary shall provide any alien in immigration detention, including any alien who is in removal proceedings, is the subject of a final removal order, or is the subject of a voluntary departure order, who appears prima facie eligible for provisional protected presence, upon request, with a reasonable opportunity to apply for provisional protected presence under this section.

''(6) CONFIDENTIALITY.—

''(A) IN GENERAL.—The Secretary shall protect information provided in applications for provisional protected presence under this section and in requests for consideration of DACA from disclosure to U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection for the purpose of immigration enforcement proceedings.

''(B) REFERRALS PROHIBITED.—The Secretary may not refer individuals whose cases have been deferred pursuant to DACA or who have been granted provisional protected presence under this section to U.S. Immigration and Customs Enforcement.

''(C) LIMITED EXCEPTION.—The information submitted in applications for provisional protected presence under this section and in requests for consideration of DACA may be shared with national security and law enforcement agencies—

''(i) for assistance in the consideration of the application for provisional protected presence;

''(ii) to identify or prevent fraudulent claims;

''(iii) for national security purposes; and

''(iv) for the investigation or prosecution of any felony not related to immigration status.

''(7) ACCEPTANCE OF APPLICATIONS.—Not later than 60 days after the date of the enactment of the Three-Year Border and DACA Extension Act, the Secretary shall begin accepting applications for provisional protected presence and employment authorization.

''(g) RESCISSION OF PROVISIONAL PROTECTED PRESENCE.—The Secretary may not rescind an alien's provisional protected presence or employment authorization granted under this section unless the Secretary determines that the alien—

''(1) has been convicted of—

''(A) a felony;

''(B) a significant misdemeanor; or

''(C) 3 or more misdemeanors not occurring on the same date and not arising out of the same act, omission, or scheme of misconduct;

''(2) poses a threat to national security or a threat to public safety;

''(3) has traveled outside of the United States without authorization from the Secretary; or

''(4) has ceased to continuously reside in the United States.

''(h) TREATMENT OF BRIEF, CASUAL, AND INNOCENT DEPARTURES AND CERTAIN OTHER ABSENCES.—For purposes of subsections (c)(3) and (g)(4), an alien shall not be considered to have failed to continuously reside in the United States due to—

''(1) brief, casual, and innocent absences from the United States during the period beginning on June 15, 2007, and ending on August 14, 2012; or

''(2) travel outside of the United States on or after August 15, 2012, if such travel was authorized by the Secretary.

''(i) TREATMENT OF EXPUNGED CONVICTIONS.—For purposes of subsections (c)(7) and (g)(1), an expunged conviction shall not automatically be treated as a disqualifying felony, significant misdemeanor, or misdemeanor, but shall be evaluated on a case-by-case basis according to the nature and severity of the offense to determine whether, under the particular circumstances, the alien should be eligible for provisional protected presence under this section.

''(j) EFFECT OF DEFERRED ACTION UNDER DEFERRED ACTION FOR CHILDHOOD ARRIVALS PROGRAM.—

''(1) PROVISIONAL PROTECTED PRESENCE.—A DACA recipient is deemed to have provisional protected presence under this section through the expiration date of the alien's deferred action status, as specified by the Secretary in conjunction with the approval of the alien's DACA application.

''(2) EMPLOYMENT AUTHORIZATION.—If a DACA recipient has been granted employment authorization by the Secretary in addition to deferred action, the employment authorization shall continue through the expiration date of the alien's deferred action status, as specified by the Secretary in conjunction with the approval of the alien's DACA application.

''(3) EFFECT OF APPLICATION.—If a DACA recipient files an application for provisional protected presence under this section not later than the expiration date of the alien's deferred action status, as specified by the Secretary in conjunction with the approval of the alien's DACA application, the alien's provisional protected presence, and any employment authorization, shall remain in effect pending the adjudication of such application.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 note) is amended by inserting after the item relating to section 244 the following:

''Sec. 244A. Provisional protected presence.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 414—CONDEMNING THE CONTINUED UNDEMOCRATIC MEASURES BY THE GOVERNMENT OF VENEZUELA TO UNDERMINE THE INDEPENDENCE OF DEMOCRATIC INSTITUTIONS AND CALLING FOR A FREE AND FAIR ELECTORAL PROCESS

Mr. DURBIN (for himself, Mr. MENENDEZ, Mr. CARDIN, Mr. VAN HOLLEN, Mr. LEAHY, Mr. NELSON, Mr. BENNET, Mr. COONS, Mr. REED, Mr. KAINE, and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 414

Whereas Venezuelan President Nicolás Maduro continues to take measures to consolidate an authoritarian government and undermine the independence of democratic institutions in the country;

Whereas the Government of Peru, as host of the upcoming Summit of the Americas, has indicated that President Nicolás Maduro is not welcome to attend because of his failure to uphold the region's shared commitment to strengthening democracy and improving citizens' well-being;

Whereas Venezuela's National Electoral Council (CNE) unilaterally called for a presidential election on April 22, 2018, despite the absence of an agreement between the Government of Venezuela and the political opposition on the conditions necessary for the electoral process;

Whereas, on February 13, 2018, the Ministers of Foreign Affairs of Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, Guyana, Honduras, Mexico, Panama, Paraguay, Peru, and Saint Lucia, rejected the decision of the Government of Venezuela to hold elections on April 22;

Whereas these 14 Foreign Ministers stated that elections would not be considered legitimate if the elections do not—

(1) permit the participation of all Venezuelan citizens and political parties;

(2) include observation by credible international organizations; and

(3) meet recognized international standards;

Whereas despite these denunciations, on February 21, 2018, President Maduro stated that he wanted to hold elections for the National Assembly, state legislative councils, and municipal councils in conjunction with the presidential election scheduled for April 22;

Whereas, in January 2018, Venezuelan authorities banned the Democratic Unity Roundtable (MUD), the principal coalition of opposition parties, and leading opposition political parties Voluntad Popular and Primero Justicia, from participating in the presidential election;

Whereas Venezuela's December 2017 municipal elections and October 2017 gubernatorial elections failed to meet recognized international standards;

Whereas, in July 2017, Venezuela held fraudulent elections to install a National Constituent Assembly, a parallel legislature that undemocratically usurped the constitutional authorities vested in the country's democratically-elected National Assembly;

Whereas Smartmatic, the company that manufactured the electronic voting technology, confirmed that—