

you have already touched on how bad it is with one provider. But shutting down one provider and sending them to other congregate care facilities now means the system is maxed out, which means the children coming in not only go to the remaining beds in a system that is maxed out, it also means that now we have to create temporary influx facilities, which are far worse than congregate care.

So this plan I know is so well-intentioned, and I certainly share the criticisms of the particular company you are addressing, but this is not the right answer. The right answer isn't to max out congregate care and create temporary influx facilities that are even worse; the answer is to get rid of these congregate care facilities and do what report after report, recommendation after recommendation has said will provide a foundation for these children to do well.

The National Center for Youth Law said that these influx facilities that would have to be created "placed children's safety and welfare at risk."

The Customs and Border Patrol facilities, which are the other option if we don't create the influx facilities, are described as so dangerous that children have died.

It goes on and on and on.

So given your deep interest in this topic and, really, desire for the children to be well-treated, I wanted to invite you to join me in this structure, this bill, the Children's Safe Welcome Act. Experts have said this is the right thing to do for the children.

For that reason, I will do the formal request, but the informal is, I know your heart is in the right place. I know you are pointing out flaws that are very, very real and that I have been personally witnessing since 2018. But the answer isn't more congregate care for these kids or influx facilities or Customs and Border Protection; it is eliminating these congregate facilities and doing what expert after expert, panel after panel has suggested.

So I am following up here. I ask that you, Senator GRASSLEY, modify your request and that the Merkley amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. Mr. President, reserving the right to object, I would like to speak to this issue a little bit and point out some of the shortcomings of what Senator MERKLEY is trying to accomplish by amending my motion.

I see this amendment merely cementing into place the Biden-Harris policy that lost more than 85,000 migrant children. Can you believe that? If there was any question whether Democrats prioritize speed over safety when it comes to pushing migrant kids out the door, this partisan amendment lays that question to rest.

I think I made very clear, in giving reasons for my legislation, how this is really a big problem. Now, the text of what Senator MERKLEY is asking me to do mandates that the government make a placement determination for a child not later than 7 days after the government receives a sponsored application. Fingerprint-based background checks aren't required. And even the criminal record of a sponsor isn't necessarily disqualified.

Now, a question: What if a sponsor has no preexisting relationship to the child? Think of that. Well, that is not a problem for this proposal. The fact that a sponsor has no preexisting relationship to a child cannot be the sole basis for denying sponsorship under this Democrat-led solution.

This amendment just willy-nilly turns over children to sponsors who foot-drag on providing the documents needed to verify sponsor identity and safety. I can't imagine a loving parent or guardian slow rolling the paperwork needed to reunite with their child.

To most folks, that would be a very clear red flag, but not to Democrats. For them, it is just an administrative inconvenience.

So just understand, this Democratic solution allows the government to release children to sponsors even if there is a risk of harm to that child. According to this text, that is fine, so long as post-release services are in place. In fact, those are the only conditions under which post-release services are required according to this modification presented to me.

After directing the government to make what could be life-or-death decisions for a child on virtually no information, the bill restricts the ability to share lifesaving information with law enforcement.

Let's go back to what I laid down. I came to the floor tonight to offer a commonsense solution to deny bad actors access to kids. My bill would put contractors on notice that they can't willfully blind themselves to child abuse in order to get rich off taxpayers' dollars. Democrats couldn't even take that blindness seriously.

I encourage my colleagues to read the Justice Department's recent complaint against Southwest Key. I referred to the same Justice Department action in my opening remarks. This is what Justice found out, among other horrors: That complaint describes the repeated sexual abuse of a 5-year-old girl, the prostitution of a 15-year-old boy, and acts of a contractor desperate to even cover up all those wrongdoings.

So thanks to this Democrat-led effort, Congress won't prevent contractors like them from getting access to more kids and more taxpayers' dollars.

So, Senator MERKLEY, I am sorry to say that your modification doesn't do what I am trying to accomplish and leaves in place too much the status quo; so I have to object.

The PRESIDING OFFICER. Objection is heard.

Is there an objection to the original request?

Mr. MERKLEY. Mr. President, reserving the right to object, I would just like to note that this bill, put together by the best child welfare experts across the country, has in it a requirement under section 223 requiring background checks to be conducted for each resident of a foster care placement for a noncitizen child. It prohibits children from being placed in a home if a resident has a conviction for child abuse or trafficking or convicted of any offense that has a direct and immediate impact on the safety of a child.

I know that these sorts of dialogues—our staff worked quickly to try to prepare responses. But your actual criticisms are inaccurate. And, indeed, what these experts say is that a child should be put in the least restrictive setting that approximates a family in which the child's needs can best be met consistent with the best interests and special needs of that child.

The experts know congregate care is not the place to do that. The problems that exist in one mass setting are bad, but they exist in the other mass settings. So I do invite you—because I know you want to do the best for the children—to meet with the same experts who live this, night and day, seeking to have a system that creates a safe welcome for children and allows them to thrive so that when they get to that point of that asylum hearing, whether they head back to their home country or whether they become residents of the United States, they will be in a great place, not the sort of terrible place that congregate facilities put them. And, unfortunately, your approach continues to rely upon those very congregate facilities experts say need to be eliminated.

So for that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

OFFICE OF REFUGEE RESETTLEMENT

Mr. CASSIDY. Mr. President, when President Biden and Vice President HARRIS took office, we had the lowest rate of illegal immigration in nearly 50 years. But instead of maintaining strong border policies inherited from President Trump, the Biden-Harris administration rushed to overturn them. They ended "Remain in Mexico," reimposed so-called catch-and-release, and exempted unaccompanied children from title 42.

The result was predictable. The Biden-Harris open border policies encouraged the worst rates of illegal immigration ever, including over 500,000 unaccompanied migrant children. In fact, the month after migrant children were exempted from title 42, we saw the highest monthly total of unaccompanied children crossing the southern border in history.

The influx of migrant children under the Biden-Harris administration overwhelmed the Office of Refugee Resettlement, also abbreviated the ORR. This is the Agency responsible for unaccompanied children apprehended at the border and responsible for releasing them to thoroughly vetted sponsors.

ORR responded to this influx by sending children to hastily constructed emergency care facilities with untrained, unvetted staff and poor living conditions. The Agency also removed key sponsor-vetting requirements after senior Biden-Harris officials directed ORR to expedite the process of releasing migrant children to outside sponsors.

It is so easy to interpret this as a means to shield the White House from the political embarrassment of facilities overrun with unaccompanied children crossing the border that they had just opened.

In fact, as early as July 21, ORR staff warned superiors that ORR leadership had dismantled sponsor-vetting policies and that these changes weakened ORR's ability to protect children from risk such as trafficking and exploitation. Despite this, ORR left these policies in place for years while hundreds of thousands of children were released to poorly vetted sponsors.

You know, sometimes, it is easy to think this is partisan. Sometimes, it is easy to lose track as Republicans and Democrats talk about issues. But now, we are talking about kids—children that could be our children—who are being released to people who are not being vetted. It is easy to forget that. This is not partisan. This is something which should concern us all.

As a ranking member of the Senate HELP Committee, I am investigating the administration's failure to protect these migrant children from exploitation and abuse. I have learned that some of these children were forced into dangerous working conditions and exploited for illegal labor. At one such facility currently under investigation, a child was pulled into a meat processing machine.

By the way, again, we are not making this up. We have testimony from witnesses who speak to all of these facts. We have the whistleblowers who came to a roundtable. We have got the transcripts.

I have also learned that ORR's weakening of sponsor-vetting requirements directly led to children being put in harm's way. And in one instance, ORR neglected to verify whether the sponsor's claimed address was even a real home, and they sent this child to an address nothing more than open field. In another case, a 16-year-old was released to a sponsor who posted sexually explicit photos of the child on social media, including a photo with the sponsor touching the child inappropriately.

In addition to my investigation, I joined Senators GRASSLEY and JOHNSON earlier this summer in hosting a Sen-

ate roundtable to examine ORR's failures and identify steps Congress could take to reform the Agency. We learned that due to failure at ORR, some unaccompanied children have been forced into drug trafficking, sex trafficking, and other criminal activity to pay off the cartels who brought them. All of this—according to whistleblowers—without followup or meaningful oversight from the Biden-Harris administration.

I repeat: This is not rhetoric, not fiction. This is what we are hearing from whistleblowers.

This exploitation also seemingly occurs while migrant children are still in ORR custody. In July, the Department of Justice filed a lawsuit against Southwest Key Programs, the largest ORR contractor housing unaccompanied children, alleging that for nearly a decade, its employees have committed sexual abuse and harassment against unaccompanied children as young as 5 years old.

DOJ alleges that Southwest Key not only failed to take sufficient action to prevent sexual abuse but actively discouraged children from officially reporting these incidents.

Once more, this is not rhetoric. This is as a result of whistleblowers. This should not be partisan.

In August, I called on the HELP Committee chair to hold a hearing with Southwest Key and ORR officials to answer how these shocking allegations of sexual abuse went undetected for so long. So far, HELP Committee Democrats have not committed to a hearing or any effort to investigate.

And, by the way, Southwest Key still receives hundreds of millions of taxpayer dollars to operate shelters for migrant kids. If ORR will not take action in the wake of these allegations, Congress should. That is why I worked with Senator GRASSLEY on legislation that would prohibit the use of Federal funds for Southwest Key or any other ORR grantee facing suspension and debarment procedures for allowing illegal sexual abuse or harassment of children in its care. I appreciate Senator GRASSLEY's leadership.

The problems with ORR and the exploitation of children have been well-documented for years. Yet there has been no substantive effort by Biden or HARRIS to fix their open border policies—which caused these problems to begin with—or reform ORR to protect unaccompanied children from harm.

The exploitation of children should not be partisan. This is not a Republican or Democratic issue. When vulnerable children are harmed or die at the expense of bad policies or bad procedures or bad process, everyone should be outraged and everyone should be demanding change.

Unfortunately, it is clear that Republicans are taking this problem more seriously than Democrats.

It is not a messaging issue. It is an issue that challenges the humanity within us. It is something we should

address whether or not it is an election year.

I wish that my Democratic colleagues would join Republicans tonight to pass this commonsense bill to hold ORR contractors accountable for the abuse and exploitation of children under their watch. We should protect these vulnerable children from harm as if they were our own.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

CLOTURE MOTION WITHDRAWN

Mr. MERKLEY. Mr. President, I ask unanimous consent that the cloture motion with respect to the Pennell nomination be withdrawn.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO ROBERT "BOB" SUNSHINE

Mrs. MURRAY. Mr. President, I rise to acknowledge the service of an extraordinary public servant who is retiring at the end of next week, Robert "Bob" Sunshine.

Congress depends on the expertise and hard work of our valued staff and supporting agencies. After 48 years of exemplary service to the Congressional Budget Office, spanning virtually the entirety of the agency's existence, few staffers have done more to serve this institution and the American people than Bob Sunshine. As President pro tempore of the Senate, as well as the chair of the Appropriations Committee and former chair of the Budget Committee, I thank and commend Bob for his many decades of excellent public service to CBO and the Congress and wish him and his family all the best in his much-deserved retirement.

I ask my colleagues to join me in thanking Bob for his dedication and service to us and the American people.

ARMS SALES NOTIFICATIONS

Mr. CARDIN. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.