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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. BOST).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 19, 2024.

I hereby appoint the Honorable MIKE BOST to act as Speaker pro tempore on this day.

MIKE JOHNSON,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

God, You are rich in mercy, slow to anger, and abounding in steadfast love. Would that we, as debtors to Your immeasurable grace, do likewise. With a great love You have loved us. Would that our hearts, as slaves to Your righteousness, be transformed by the immense blessing of Your favor.

Walking in Your spirit, we pray that You would teach us how to be merciful to those who wrong us. Diffuse our tempers that we would be slow to anger. Inspire us with a passion for Your amazing grace plan, that we would be agents of Your steadfast love—in this place, among this body—that our lives would reveal Your kindness, a mercy You desire all to receive.

In the name of the one who is love, we pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House the approval thereof.

Pursuant to clause 1 of rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

PEACE THROUGH STRENGTH

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last week, on April 2, The New York Post published an op-ed which explained the proven conservative position of peace through strength.

This confirms the world-changing success of promoting and expanding freedom of Senator Barry Goldwater and President Ronald Reagan.

Nearly 20 countries now in central and eastern Europe and Central Asia are now free because we stood firm and stood up with our Allies to defeat the Communist threat, and now we are facing, indeed, war criminal Putin, who wants to recreate the Soviet Union.

''Kudos to Speaker Johnson: Moving Ukraine Aid is Critical to National Security'' by Daniel Kochis, senior fellow at the Hudson Institute—and I am very grateful that Ambassador Governor Nikki Haley will soon be a valued fellow at the Hudson Institute—quoting: ''Speaker Mike Johnson's Easter announcement that he'll bring a new Ukraine-aid package to a vote . . . is welcome news.''

Sadly, we are in a war we did not choose, between dictators with rule of gun invading democracies with rule of law, and we need to be standing firm for the borders of Ukraine, Israel, Taiwan, and the United States.

IN MEMORY OF ROBIE HARRIS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, I rise today to honor the life, the work, and memory of one of America's most impactful authors, Roberta ''Robie'' Harris.

Robie, a gifted writer, a fierce advocate for free speech, a treasured friend. An educator at heart, she wrote to answer the questions that children asked her, the questions about how to understand their changing bodies, feelings, and experiences of the world they grew up in. Her award-winning writing treated children with respect and autonomy, covered a wide variety of topics from engineering and architecture to nutrition and genetics.

There are few people in this life who are kindred spirits. Robie was one for me. I am forever grateful for her friendship, humor, and generosity. Her illustrator and dear friend, Michael Emberly, described her best when he said: ''She was a complicated human being in the best sense, and she had one of the best attributes you can say about a human being—she was memorable.''

I will always remember and be inspired by Robie. My heart is with her family as they grieve. Robie's passion for working with children was a shared mission. Her husband, Bill, founded KidsPac, which advocates for early-childhood education. Her sons, David

and Ben, have followed in their footsteps, working to address child poverty in this country and psychological needs.

Life without Robie will never feel the same again, but through her writing and her continued work and the work of her family, her kind and her generous spirit will always be with us.

ANNIVERSARY OF THE OKLAHOMA CITY BOMBING

(Mrs. BICE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BICE. Mr. Speaker, for many, today is just another day on the calendar, but for Oklahomans, today marks significance.

It was 29 years ago today, April 19, 1995, that the Alfred P. Murrah Federal Building was bombed, and 168 Oklahoma lives were lost.

I could not be at the ceremony, which will occur later this morning back in Oklahoma, so I thought it only fitting that I stand before this body to recognize those who we have mourned over these last 29 years.

To the mothers, fathers, sisters, brothers, sons, and daughters who never made it home that day, and their loved ones whose lives were changed forever, we will never forget.

Oklahomans overcame the tragedy together, forming the Oklahoma standard through the embodiment of the American spirit. It was through that unity that we found strength. Our community, our State, and our Nation will never be the same, but we remain strong.

As we mourn the lives lost, we pray for those who have and continue to suffer.

AFFORDABLE CONNECTIVITY PROGRAM

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, I rise today to advocate not only for Virgin Islanders, but for all American families who risk losing access to affordable high-speed internet. The Affordable Connectivity Program, a key component of President Biden's bipartisan infrastructure law, has been critical to bridging the digital divide, providing over 23 million households nationwide significant savings on their monthly internet bills. In the Virgin Islands alone, this program benefits over 6,000 households, representing one in every six homes across our territory.

Through this initiative, Virgin Islands' families maintain access to education, healthcare, and economic opportunities. Yet, this crucial lifeline hangs in the balance.

To my Republican colleagues, we, once again, call on the majority to provide additional funding through the Affordable Connectivity Program. For the sake of our children, our economy, and our future, we must ensure that every household remains connected.

WHAT IS WRONG WITH DEI?

(Mr. GROTHMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GROTHMAN. Mr. Speaker, one of the topics going around America today and around this institution is: What is wrong with DEI? I bring attention to an article in The Washington Times earlier this week in which they pointed out that America's colleges and universities are sometimes having voluntary separate graduation ceremonies depending upon race or sex.

The only purpose for this is to put it into people's heads that forever they should be divisive and they are not 100 percent American, but they should always consider themselves Hispanic American or Asian American or what have you.

We see the same thing in America's large corporations, where our grossly overpaid CEOs are hiring these people to divide people once they go out in the working world.

I call upon the regents, the State legislators, and the boards of directors to take action and get rid of this occupation in their midst, the sole purpose of which is to permanently divide Americans.

SCHOOL LIBRARY MONTH

(Mr. DAVIS of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of North Carolina. Mr. Speaker, reading is powerful. As we celebrate School Library Month, we honor the sanctuaries of knowledge that shape young minds and inspire lifelong learning.

School libraries are more than just rooms filled with books. They are gateways to imagination, innovation, and discovery that remain steadfast in their mission to cultivate critical thinking and foster a love for reading.

Let us recognize the tireless efforts of those who curate diverse collections, provide invaluable resources, and serve as mentors to our students.

As we commemorate School Library Month, let us reaffirm our commitment to supporting these vital institutions. Together, let us ensure that every student has access to the transformative power of knowledge within the walls of a school library.

PROVIDING FOR CONSIDERATION OF H.R. 8034, ISRAEL SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2024; PROVIDING FOR CONSIDERATION OF H.R. 8035, UKRAINE SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2024; PROVIDING FOR CONSIDERATION OF H.R. 8036, INDO-PACIFIC SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2024; PROVIDING FOR CONSIDERATION OF H.R. 8038, 21ST CENTURY PEACE THROUGH STRENGTH ACT; AND PROVIDING FOR CONCURRENCE BY THE HOUSE IN THE SENATE AMENDMENT TO H.R. 815, WITH AN AMENDMENT

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1160 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1160

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 8034) making emergency supplemental appropriations to respond to the situation in Israel and for related expenses for the fiscal year ending September 30, 2024, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) 30 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees; and (2) one motion to recommit.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 8035) making emergency supplemental appropriations to respond to the situation in Ukraine and for related expenses for the fiscal year ending September 30, 2024, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of

the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. In the case of sundry further amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 8036) making emergency supplemental appropriations for assistance for the Indo-Pacific region and for related expenses for the fiscal year ending September 30, 2024, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) 30 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees; (2) the amendment printed in part C of the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit.

SEC. 4. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 8038) to authorize the President to impose certain sanctions with respect to Russia and Iran, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in part D of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part E of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. In the case of sundry further amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit.

SEC. 5. During consideration of H.R. 8035 and H.R. 8038, the Chair may entertain a motion that the Committee rise only if offered by the Majority Leader or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

SEC. 6. (a) Upon disposition of the bills specified in subsection (d), the House shall be considered to have taken from the Speaker's table the bill (H.R. 815) to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes, with the Senate amendment thereto, and to have concurred in the Senate amendment with an amendment inserting the respective texts of all bills specified in subsection (d), as passed by the House, in lieu of the matter proposed to be inserted by the Senate.

(b) In the engrossment of the House amendment to the Senate amendment to H.R. 815, the Clerk shall —

(1) assign appropriate designations to provisions within the engrossment;

(2) conform cross-references and provisions for short titles within the engrossment;

(3) be authorized to make technical corrections, to include corrections in spelling, punctuation, page and line numbering, section numbering, and insertion of appropriate headings; and

(4) relocate section 3 in the matter preceding division A of the text of H.R. 8038 to a new section immediately prior to Division A within the engrossment.

(c) Upon transmission to the Senate of a message that the House has concurred in the Senate amendment to H.R. 815 with an amendment, the bills specified in subsection (d) that have passed the House shall be laid on the table.

(d) The bills referred to in subsections (a) and (c) are as follows: H.R. 8034, H.R. 8035, H.R. 8036, and H.R. 8038.

□ 0915

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, late last night, the Rules Committee met and reported a rule, House Resolution 1160, providing for consideration of four measures: H.R. 8034, the Israel Security Supplemental Appropriations Act, under a closed rule; H.R. 8036, the Indo-Pacific Security Supplemental Appropriations Act, under a structured rule; H.R. 8035, the Ukraine Security Supplemental Appropriations Act, 2024, under a structured rule; and H.R. 8038, the 21st Century Peace through Strength Act, under a structured rule.

The rule further provides that after the House's consideration of these measures, the Senate will be quickly able to move to consideration of the legislation that we pass.

Mr. Speaker, today, it is important that we support the underlying rule and the underlying legislation. Specifically, I rise in support of our allies after the attack on Israel by Iran 10 days ago. That unprecedented attack has reaffirmed the need for strong American leadership and support for our allies abroad, especially Israel and now our allies in the Indo-Pacific.

I am well aware there have been concerns in our Conference and really on both sides of the House about the southern border and national debt.

As a Member from Texas, as a member of the Budget Committee, I fully understand these concerns and share all of them, but the requirement for America to insert itself as the leader of the free world is not optional. It is not a requirement we can put on pause.

Israel has been attacked. China talks menacingly about reunification with Taiwan. Ukraine is in crisis and is in need of our help to survive Russian aggression.

Now, I would say to the President that this legislation on the floor today perhaps could have been facilitated by some leadership from the executive branch, but despite the circumstances that brought us here, we stand before the House to support our allies and reaffirm America's leadership on the world stage.

H.R. 8034, the Israel Security Supplemental Appropriations Act, will provide much-needed material support to the Jewish state as it faces twin threats from Hamas and the Islamic Republic of Iran. This includes $4 billion to replenish Israel's Iron Dome and over a billion dollars for the Iron Beam defense system.

H.R. 8036, the Indo-Pacific Security Supplemental Appropriations Act, 2024, will work to counter the Chinese Communist Party and create a strong deterrence in the region.

H.R. 8035, the Ukraine Security Supplemental Appropriations Act, will assist Ukraine as they counter Russian aggression.

Of the latter, all financial assistance to the Ukrainian Government is converted into a loan, ensuring that the Ukrainian Government is held accountable to the American people.

Mr. Speaker, there is no doubt that our failure in Afghanistan was the spark in the tinderbox that led to the subsequent invasion of Ukraine in 2022.

That conflict had been smoldering for a long time, certainly at least since 2014 and two previous administrations. Had the administration in 2014, as well as the current administration, had more foresight to provide aid and arms to Ukraine before February 2022, there might have been a different set of circumstances that we were contemplating today, and there might have been a more swift resolution to this conflict, with the saving of untold lives.

Mr. Speaker, I stand with my colleagues requesting more information from the administration. The American people deserve answers about how previous funding has been used. They deserve answers about what the long-term goals by the administration are to resolve this conflict.

I welcome more oversight. I welcome additional information from the administration and will continue to push its accountability. Today, we are at an inflection point, and the longer we wait, the more expensive any solution to this conflict will become, both in terms of dollars and lives.

Lack of aid now could cost us much more dearly later, and I don't want that to become a reality. I would hope my colleagues on both sides of the aisle feel the same.

Mr. Speaker, I urge passage of the rule. I urge passage of the underlying legislation. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Texas for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, the world is watching. It is time for Congress to act, and act we must.

America's allies have been waiting for this Republican majority to get their act together.

People are dying in Ukraine. Democracy is on the line in Ukraine, and this Republican majority has been twiddling their thumbs.

I am glad my friends have finally come to realize the gravity of the situation and the urgency of getting this aid to our allies.

What have Republicans done? Nothing. No action to help our allies. It is all delay, distract, deny, and blame Joe Biden.

Ukrainians are fighting for democracy—theirs and ours—and they have been set back as a result of Republican extremism. They have suffered because of Republican inaction.

I will remind my friends that Ukrainians didn't choose this war. It chose them.

Two years ago, when Putin illegally crossed the border and invaded, he was banking on the United States and our allies growing weary. He was hoping we would give up. He was hoping we would do nothing. He was betting we would abandon our friends and our internal divisions would leave us in disarray, at odds with one another.

I hope Putin is wrong, Mr. Speaker, because after 2 years of unrelenting war, Ukrainians are still willing to hold the line.

I visited Ukraine with former Speaker PELOSI shortly after Putin attacked them, and we learned about the particularly cruel nature in which Putin has been fighting this war. If you care about human rights, you have to care about what is happening in Ukraine. That is what this is all about.

Ukrainians are still ready to defend their democracy, but they cannot continue to do so without our support.

I won't sugarcoat it here. Ukraine's defense of democracy has suffered because there is a faction here in this House, a MAGA minority, that doesn't want to compromise. They don't want to take this vote because they are afraid of what the outcome might be—not that it will fail, but that it will succeed.

That argument might hold sway in the Kremlin, Mr. Speaker, but this is the United States. We are the people's House, an institution designed to reflect the will of the majority.

Today, the majority's voice is being heard here on the House floor—not a majority of one State, one party, or one faction, but a majority that wants to help Ukraine hold the line, a majority that says bring these bills to the floor for an up-or-down vote.

Democrats are providing the votes necessary to advance this legislation to the floor because, at the end of the day, so much more is at stake here than petty partisan brinkmanship.

Putin is looking to rebuild the Soviet Union, and mark my words, he will not stop at Ukraine. Anybody who thinks that is delusional.

If the world doesn't help them defend their democracy, this war will not end. It will grow.

Mr. Speaker, I don't agree with everything in this package. I have deep, deep problems about the unconditional aid to Israel. I was among the first calling for a cease-fire, and I still call for a cease-fire. I have demanded more humanitarian aid for civilians in Gaza, and I will continue to do so. I have called for a two-state solution. I believe Prime Minister Netanyahu is putting Israel on a path that, quite frankly, undermines his own country's security. I am outraged by his cruelty and inhumanity toward the people of Gaza and the West Bank.

There is no justification for that. There is none. Israel has a right to defend itself—nobody questions that—but what is happening now, I believe, is outrageous and unconscionable.

We will have separate debates, and we will have separate votes on all of these bills, and people can decide where they want to be.

Quite frankly, some Republicans wanted a different path. They wanted to extort this rule for a campaign ad on border security for Donald Trump. We almost had no Ukraine aid because that is what some of my Republican friends wanted and advocated for. They advocated for a bill with no humanitarian aid for anybody who is suffering—not just in Gaza, but also in Ukraine and other parts of the world—and they wanted all this kind of ugly border security language attached to this measure.

There is a lot at stake at this moment, and we are all supposed to be grownups. We should act like it. Let's proceed in a way that allows everyone to vote their conscience.

Mr. Speaker, I reserve the balance of my time.

□ 0930

Mr. BURGESS. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. COLE), the chairman of the Committee on Appropriations.

Mr. COLE. Mr. Speaker, I thank my very good friend from Texas, my classmate, my colleague when I served on the Rules Committee, and now I am very proud to say our very distinguished chairman of the Rules Committee for yielding. Today's rule makes in order a series of three critical security supplemental bills, Mr. Speaker, paired with a fourth bill covering other high-priority national security matters. Collectively, these bills represent the commitment to move much-needed security assistance funding for America's friends and partners.

Mr. Speaker, the members of the Rules Committee faced a serious challenge in putting together today's resolution, but they met that challenge in admirable, bipartisan fashion. I can't tell you how proud I am of both sides of the aisle, including my friend, the distinguished ranking member, for the manner in which they responded to this particular difficulty.

Today's rule creates a full and fair process for floor consideration of these measures. It grants ample debate time on these bills and makes in order a series of amendments ensuring that the entire body has the opportunity to work its will and make our voices heard.

It ensures that Members have a full 72 hours to review these bills before the vote. After all, taking up a matter as important as this, both Members of Congress and the American people deserve no less.

Finally, it provides an up-or-down vote on each of these bills. Importantly, this rule allows every Member to vote his or her conscience on every issue. Thanks to this process, the House will be able to work its will. That is the way the Founders intended this institution to work.

Speaker JOHNSON's work in setting this process in motion has been admirable, and we all owe him our thanks for ensuring both that the House takes up these critical funding measures and that each Member can vote his or her conscience on every single issue.

Mr. Speaker, the need for this funding is not hypothetical. Ukraine, Israel, and Taiwan are on the front

lines of the struggle to preserve democracy and freedom around the world.

In the case of Ukraine and Israel, these two nations are, quite literally, in harm's way. Ukraine is entering the third year of their struggle against Vladimir Putin's unjust and illegal invasion. Its continued ability to resist hangs in the balance dependent on foreign aid. Its people need the weapons and ammunition provided in this bill to keep them in the fight.

Israel, meanwhile, is involved in a life-and-death struggle against the perpetrators of the October 7 terror attack, Hamas. Over the weekend, Hamas' backer, the Iranian regime, launched an unprecedented and direct aerial assault on Israel. That attack has been thwarted, and an appropriate response is underway.

Taiwan faces ongoing threats from the Chinese Communist Party which continue to threaten Taiwan's right of self-determination.

Around the world, the United States and our partners are confronting a tinderbox of uninvited aggression on multiple fronts. America must stand firmly on the side of freedom.

Peace through strength cannot be delivered through appeasement. Taken together, these measures protect our friends and partners and replenish American stockpiles of ammunition, weapons, and supplies. This is not only about safeguarding our ideals of democracy and peace but is central to our own national security.

Mr. Speaker, I encourage all Members to vote to support the rule and the underlying legislation.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. DOGGETT), a champion for human rights.

Mr. DOGGETT. Mr. Speaker, those who committed atrocities against Israelis on October 7 were not martyrs. They were murderers and rapists. But neither were those murderers children, and the children of Gaza have paid an incredible cost for Netanyahu's massive assault. His policies have shown conscious indifference to children, journalists, humanitarian aid workers, and civilians in general. I believe strongly in Israel's right to self-defense, but that does not require dropping hundreds of 2000-pound nonprecision ''dumb'' bombs in densely populated areas, nor does it require a medieval-type siege denying water, food, and medicine, using famine as a weapon of war, nor does it require killing, not only World Central Kitchen aid workers, but so many others.

This rule gives us a proper opportunity to finally, belatedly, vote to help desperate Ukraine from Putin's war crimes and offensive without voting to support Netanyahu, but the rule, I believe, improperly rejected amendments that would have permitted a vote in support of Israel's right to self-defense without embracing Netanyahu's wrongful policies, which are killing the innocent, sacrificing the hostages, and endangering Israel's long-term security.

Sending more offensive weapons to Netanyahu while begging him not to use them simply does not protect Rafah and others from an assault. I would vote to defend Israel but do not want to be complicit in providing weapons for an assault on Rafah that will cause thousands of deaths and likely lead to a wider and tragic war.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. MASSIE), a valuable member of the Committee on Rules.

Mr. MASSIE. Mr. Speaker, I truly thank the chairman for yielding me time because he knows I am slightly opposed to the rule, so he is very gracious.

I am concerned that the Speaker has cut a deal with the Democrats to fund foreign wars rather than to secure our border, but what I want to talk about today is process.

The bill that will come out of the House after all of this is a bill that began as H.R. 815 to expand the eligibility for veterans to receive reimbursements for their emergency care. How did a bill that was intended for veterans that came out of the House become a bill that may bring us to the brink of war in at least three places on the globe by sending $100 billion to military contractors?

Well, it started in the House, and then the Senate took it and stripped every word from the bill.

Why did they do this? Were they trying to get around the origination clause in the Constitution? Were they trying to shortcut some process? It is one of those things.

What we have got now is a collection of bills, and I do appreciate that we get individual votes on four of these bills. They include $100 billion, but they don't include securing our border. They include a bill called the REPO Act, which could call into question the value of our Treasury bills when we go out to auction those next if we are going to confiscate Treasury bills that we sold to other countries. It also includes a bill that allows the President to ban websites based on his discretion. I am concerned about that.

This bill, H.R. 815, started as a veterans bill, went to the Senate, got gutted, and then became the foreign aid package bill. Now, here in the House, we are going to vote on four separate titles, but we are going to package them back as amendments to that H.R. 815. So we are actually going to send it back to the Senate as the bill they sent to us, which is the gutted veterans bill.

I know this is all confusing, but why is this all being done this way? Some will say to force the Senate's hand, but really what it is going to do is jam the conservatives in the Senate who would like to have a more fulsome debate.

I am opposed to the rule, and I thank the chairman for the time.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from New Mexico (Ms. LEGER FERNANDEZ), a valued member of the Rules Committee.

Ms. LEGER FERNANDEZ. Mr. Speaker, today, after months of delay that cost the loss of the Ukrainian military advantage, that cost children's lives and access to food and aid, that allowed China to threaten the Indo-Pacific, Congress will finally vote. Congress is finally going to vote to fund the fight against the tyranny of Russia, Iran, and China, the fight for democracy and peace.

Why did it take us this long?

Yesterday in Rules, the Republican chair of the Foreign Affairs Committee noted that every Republican President since the Soviet Union era has stood on the right side of history and stood up to Russia. Presidents from Eisenhower to Reagan, George Bush, Sr., and George Bush, Jr., they all knew that Russia's desire to reassert its empire by bombing and invading its neighbor also harms America and American interests—every Republican President, that is, until Donald Trump.

In contrast to every President before him, Trump praised Putin, tried to do business in Russia, allowed Putin to gain the upper hand, and eventually denied Ukraine military aid that Congress had approved unless Ukraine gave him dirt on Biden. Donald Trump became the pied piper for Putin.

Some of Trump's most ardent followers in this House became Putin-protecting Republicans and denied the Members of Congress this vote until now.

Now is the moment history has its eyes on this Chamber as Democrats and Republicans stand up and stand together for what we love—democracy. Democracy is the very reason we get to sit here together today and debate in the people's House. Democracy is the best answer to tyranny, aggression, and depravity.

It is our shared bipartisan love for democracy that best unites us with our allies around the world, allies that are once again united in our fight against the war in China and Russia thanks to the leadership of President Biden, who repaired the damage Trump inflicted on our international relationships.

I hope that shared love of a world where democracy is defended will also unite us in this Chamber. I remind my colleagues, Republicans and Democrats, that bipartisanship is a good thing. It is how America expects us to govern, and it is how we move one step closer to defeating the cruel regimes that seek to take the world backward.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ROY), another valuable member of the Rules Committee.

Mr. ROY. Mr. Speaker, I thank my distinguished colleague from Texas for yielding me time, and I very much appreciate his service. I apologize that I am here on the floor in opposition to a rule in his first week as chairman of the Rules Committee. I have great respect for him.

The gentlewoman was just essentially implying that for some reason this is somehow Donald Trump's fault. Ukraine was invaded by Russia under the watch of this President. That is the truth. This incompetent President has led to the situation that we sit in right now. People are dying in Ukraine, yes, but the problem is they are being funded with American debt. There is no skin in the game for the American people. We are not talking about tax increases. We are not doing anything to say that we are going to pay for this stuff as we rack up a trillion dollars of debt every 3 months.

The truth is, Americans are dying, not just Ukrainians, at the hands of wide-open borders, while literal hostiles flood into our country, fentanyl pours into our streets, and people are chanting, ''Death to America.''

The response by Republicans is to pass a $1.7 trillion, cap-busting, spending bill under suspension of the rules, handing the keys to the NSA and intel to continue spying on Americans. Now, we are on the floor under a rule to give another $100 billion to fund war, unpaid for, with zero border security under a rule which Republicans should oppose because it is a process predesigned to achieve the desired predetermined outcome, with no border security.

The individual votes on Ukraine, Israel, Taiwan, and a sweetener bill for TikTok are belied by the fact they are being packaged together as an amendment to the Senate-passed foreign aid bill. This was all precooked. It is why President Biden and CHUCK SCHUMER are praising it.

The problem is, there were 9 amendments handpicked by leadership to be made in order despite 300 amendments having been filed.

Speaker JOHNSON said in January: ''If President Biden wants a supplemental spending bill focused on national security, it better begin with defending America's national security. We want to get the border closed and secured first.''

To that I say, amen, and I would say to Speaker JOHNSON, where is that?

□ 0945

Mr. MCGOVERN. Wow, Mr. Speaker, I guess the gentleman from Texas is unaware of the fact that there was a bipartisan border security deal that was agreed to that, unfortunately, House Republicans and Trump decided to kill.

I ask unanimous consent to insert in the RECORD an Axios article titled: ''Trump, House Republicans plot to kill border deal.''

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

There was no objection.

[From AXIOS, Jan. 29, 2024]

TRUMP, HOUSE REPUBLICANS PLOT TO KILL BORDER DEAL

(By Stef W. Kight)

Republican and Democratic senators are taking to the airwaves, scrambling to pass severe restrictions on migrants flooding across the U.S.-Mexico border. There's just one thing: Their plan is all but dead.

Why it matters: The Senate might pass the plan, which would be one of the harshest immigration bills of the century. President Biden is ready to sign it. But House Republicans—egged on by former President Trump—already are planning to shut it down.

State of play: Illegal immigration has rocketed to the top of voters' concerns, and Biden has become increasingly desperate for a solution. Trump and conservative Republicans see a political opportunity to squeeze Biden and Democrats on the issue.

Trump, whose front-runner status in the Republican presidential race has solidified his leadership of the GOP, has loudly vowed to kill the bipartisan border deal.

It's not going to happen, and I'll fight it all the way,'' Trump said Saturday in Nevada.

Zoom in: House Speaker Mike Johnson (R-La.) has fallen in line. He called the deal ''dead on arrival'' on Friday, then doubled down over the weekend, claiming it wouldn't do enough to stop illegal border crossIngs.

He has said he talks frequently with Trump about the border.

Senate Minority Leader Mitch McConnell (R–Ky.) warned senators last week that Trump's opposition would make it difficult to get a border plan through Congress.

A sign of Trump's influence: Oklahoma's GOP voted Saturday to censure Sen. James Lankford (R.–Okla.) for being a lead negotiator in the border policy discussions.

The details: The text of the border bill is expected to drop soon. It will include a measure that effectively would block illegal border crossers from asylum once the number of migrant encounters hits a daily average of 5,000 in a week or 8,500 on a single day, as Axios has reported.

Those restrictions would remain until illegal crossings drop and remain low for an extended period of time.

The deal also would expedite the asylum process and limit the use of parole to release migrants into the U.S.

The big picture: The migrant crisis at the border and in major U.S. cities is one of the most jeopardizing issues for Biden and Democrats this November.

It's also Trump's marquee political issue. He has every incentive to keep it front and center as he heads toward a likely rematch against Biden.

Biden has doubled down on a tougher border image in recent months, and has signaled his willingness to ''shut down the border'' if he's given new authority under the Senate agreement.

What they're saying: The White House is accusing Republicans of flip-flopping for politics—first supporting their own strict immigration bill and now saying Biden already has the authority to close the border

''If Speaker Johnson continues to believe—as President Biden and Republicans and Democrats in Congress do—that we have an imperative to act immediately on the border, he should give this administration the authority and funding we're requesting,'' White House press secretary Karine Jean-Pierre said in a statement.

''Right now [the plan's critics] are functioning off of internet rumors of what's in the bill, and many of them are false,'' Lankford said on ''Face the Nation,'' defending the plan he has been negotiating.

''I want to know how house R's square their support for H.R. 2 with their position now that we should do nothing,'' one senior GOP Senate aide told Axios, referring to a sweeping border bill passed by House Republicans last year.

Republicans ''are redefining the terms of any debate for the future,'' one former Biden official told Axios. ''A very extreme, enforcement-heavy package is now being rejected as not tough enough.''

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. BARR) from the Financial Services Committee.

Mr. BARR. Mr. Speaker, while I rise in support of the rule, and I thank Chairman BURGESS for his leadership on giving Members the opportunity to vote on these packages, I also rise to express my profound disappointment that the Biden administration and Democrats in this Chamber have blocked from being ruled in order my amendment to cut off a blank check to Russia's war machine.

President Biden, the U.S. Treasury Department, and congressional Democrats are so concerned about my amendment that they have prevented it from even being considered or debated before this body. Last October, the Biden administration renewed General License 8, which authorizes certain energy-related transactions involving Russian financial institutions. This license has now been renewed eight times since the start of Russia's full-scale, unprovoked invasion of Ukraine, and it continues to undermine measures designed to curtail Russia's energy revenues.

This license, which is the architecture of the Biden foreign policy on Ukraine has become a lifeline for Vladimir Putin. It is the symbol of President Biden's weakness on Russia, the primary avenue through which he is financing Russia's war machine. It is the most prominent example of how the Biden administration's radical climate agenda has collided with its stated policy to counter Russian aggression, and it shows how the Biden administration's climate policy conflicts with our national security.

Coincidentally, the current general license is set to expire on May 1. My very timely amendment would prevent this renewal and would erode the energy profits that are refilling Putin's coffers and funding his war in Ukraine. The sanctions put in place by the Biden administration on Russia's energy sector, a principle source of revenue for the Kremlin, had been wholly inadequate.

Russia's oil and gas revenues have been rising, and countries like India and China have been buying Russian oil well above the price cap put in place. Enforcement of the price cap has been poor, which has enabled Russia to find non-G7 insurers and ships for the transport of a seaborne crude much more quickly than anticipated. The ease with which Russia has been able to evade the price cap calls into question the efficacy and enforceability of the price cap.

Moreover, another renewal of the general license next month would completely ignore the efforts Europe has finally made to diversify its energy supplies and reverse its dangerous prewar

reliance on Russian energy. General License 8 originally reflected the need to get countries that were dependent on Russian energy sufficient time to diversify their energy resources, but many of those countries have now effectively diversified their energy suppliers.

Continued issuance of an overly broad general license in this instance threatens to repeat the mistakes made in relation to the Nord Stream 2 pipeline, where the Biden administration's refusal to implement strong sanctions against the pipeline not only removed deterrents before the full-scale invasion——

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

Mr. BURGESS. Mr. Speaker, I yield an additional 1 minute to the gentleman from Kentucky.

Mr. BARR. Mr. Speaker, I thank the gentleman for the additional time. The Biden administration's refusal to implement strong sanctions against the pipeline not only removed deterrents before the full-scale invasion and invited Putin's invasion of Ukraine, but also allowed parts of Europe's dangerous reliance on Russian energy to continue until Putin's tanks had already rolled across Ukraine's borders. Rescinding the license would encourage our allies' efforts to rid themselves of reliance on Russian energy sources.

It makes no sense to fund a needed resistance against Russia's unprovoked war against Ukraine while also allowing Russia to fill its war machine coffers through its sale of energy to the rest of the world. Biden can't have his cake and eat it too. It is just ridiculous.

He cannot pursue a radical anti-fossil energy climate crusade at home and hope to keep energy prices low. Similarly, he can't keep the flow of Russian crude on the world markets to bolster global supply while reducing Moscow's revenues through an unenforceable price cap.

The only way to truly punish Moscow and deprive Putin of the financial support he needs to materially—to prosecute the war is by removing the general license on the energy-related transactions facilitated by sanctioned Russian banks. I urge my colleagues to support this rule.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I would just ask if the gentleman from Massachusetts has additional speakers. If not, I am prepared to close, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I am prepared to close, and I yield myself the balance of my time to do so.

Mr. Speaker, the Democrats have had to make some tough decisions about how to vote on this rule, and let me tell you why I voted to support it last night. I have disagreements with many aspects of the various pieces of legislation that will come before us, and there are some of these pieces that I will vote against.

Again, there will be separate votes, and there will be separate debates, but as we learned last night in the Rules Committee, the alternative that some of my Republican friends were pushing to this approach was an Israel-only package with no humanitarian aid, not just for the people of Gaza, but for any suffering people that the aid would benefit and some really ugly border provisions, which I found unconscionable and some other bad stuff as well.

Democrats, once again, will be the adults in the room, and I am so glad Republicans finally realized the gravity of the situation and the urgency with which we must act. But guess what, Mr. Speaker? You don't get an award around here for simply doing your damn job. President Biden told us last year, 6 months ago—over 6 months ago—that this was urgent and important, that Ukraine needed us, that Putin was not going to stop, that the war against Ukrainians was particularly vicious. Every major human rights organization in the world has told us the impact of Russia's attack against Ukraine.

The Senate voted months ago. The Senate can barely agree on what to have for lunch, and they voted months ago. What did the House do? What did my House Republican friends do? They did nothing. There was no action to help our allies. It is all delay, distract, deny and blame Joe Biden. I would just say to my colleagues, look at what MAGA extremism has gotten you; nothing. It has gotten you nothing, not a damn thing.

In fact, it has empowered Democrats. At every critical juncture in this Congress, it has been Democrats who have been the ones to stand up for our country and do the right thing for the American people. Democrats ensured the U.S. didn't default on its debt last year in case anybody forgot. Democrats supplied votes to keep the government running in September of last year, in November of last year, and in March of this year. Democrats supplied the votes to pass the National Defense Authorization Act. Democrats supplied the votes for the tax relief bill that passed earlier this year. Democrats have done the job that Republicans have refused to do.

Again, we have different priorities, and I think, based on what I have heard in this last Congress, different values. We don't even agree on a lot of what has come before the full House. Democrats have done the job that Republicans have refused to do. We don't want an award for it. We don't want a trophy for showing up to work. All we want is for Republicans to do their job, stop blaming Joe Biden for their own incompetence, and work with our side to find common ground. We are in a divided government. A Democrat is President, we have a Democratic controlled Senate, and we have a narrow Republican majority in the House. Nobody is going to get everything they want. We have to work together. We have to compromise.

I hope today's vote loosens the grip that MAGA extremism has on this body, and especially when it comes to supporting our allies. You know, the Rules Committee is the committee that has been known as the traffic cop of Congress. Every bill of consequence comes through the Rules Committee. I mean, we set the bills for debate on the House floor.

The last bill that the Rules Committee reported that actually became law was almost 10 months ago. All the other bills that we have sent that made it over to the White House and become law had to be brought up under different processes and procedures. I mean, let that sink in. Something is not working here. You either want to be a body that is constructive and that gets stuff done, or you just want to be a party that just obstructs everything and gets nothing done, because at the end of the day, there is nothing to show for all the yelling and screaming and finger-pointing that we see on a regular basis on this House floor.

My friends have to choose. History is going to judge them by how they answer one simple question: Are they going to work together with Democrats; in this case, stand with our allies and stand for America, or are they gonna throw in their lot with MAGA Trump and Putin? We are living in very uncertain times, Mr. Speaker, and people around the world are counting on this country to stand up and lead.

People in Ukraine, people in Taiwan, people in Gaza, people in Israel—you know, the eyes of the world are on this body. There are a lot of things in this package I disagree with. And in my opening statement, I talked about my concern about the unconcerned aid package to Israel. My concern is that Netanyahu's government is not moving in a direction that, quite frankly, is a direction that I think will lead to more security for Israel; it is exactly the opposite. I worry that what he is doing is, quite frankly, a violation of the human rights of so many innocent people in Gaza and in the West Bank.

I was hoping that they would pursue a different pathway. Instead, we now hear that he wants to go into Rafah. There is a famine happening in Gaza. People are starving to death. Aid is being frustrated from getting there, food medicine, important supplies. People are dying. Surely we should all care about that. We should be able to advocate for Israel's security but also advocate for the people of Gaza, children of Gaza, senior citizens. People are just trying to get on with their lives.

Notwithstanding the fact that we may have disagreements—and some of my Republican friends obviously disagree whether we should be helping Ukraine or not. I disagree with you, fine, but we have a process that you will be able to vote on all of these things separately, and you will be able to make your views clear. I have got to tell you, you know, you don't have to

agree on everything to agree on something. We ought to agree that these issues are important enough to debate and to have up or down votes on.

The people who are advocating that we do nothing, you know, or that we—you know, that we attach things to this bill that will guarantee that it goes nowhere in the Senate, and therefore, we help nobody, I don't understand why you are even here quite frankly. We need to move this process forward.

The House has to function. As we have seen, under Republican control, that only happens when Democrats are the adults in the room. I say that not to be partisan. I say that because that is what has been happening. I gave you a list of things that needed to be done, you know, not just in terms of helping our allies, but in terms of saving our economy, that could not have been done unless Democrats stood up and behaved like adults.

□ 1000

Mr. Speaker, this should have been dealt with a long time ago, months ago, but here we are. Here we are.

Mr. Speaker, I hope that as we proceed, we have rational and thoughtful debate, knowing that we will have disagreements and knowing that some of us will have different ideas on how we should proceed forward.

This is the United States House of Representatives. We are supposed to debate issues. We are supposed to vote on things. Unfortunately, this has become a place where trivial issues get debated passionately and important ones not at all.

Well, these are important issues that are in this bill. Some of them I agree with; some of them I don't agree with. Let's debate them, let's vote on them, and then let's move on.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, our adversaries, notably Russia, China, and Iran, are watching to see how we will respond. Our reaction to these crises will determine how they will choose to proceed. An important difference between this package of bills today and the previously passed Senate supplemental is the addition of the 21st Century Peace through Strength Act. The legislation is important as it includes sanctions and policies that counter our adversaries through the inclusion of the REPO Act, the removal of our payment for foreign pensions, and requiring the administration to provide a game plan in Ukraine, something that many of us have been asking for, for some time.

Ronald Reagan told us peace comes through strength. By failing to act now, it will signal the opposite of strength. It will invite future aggression, as failure to act has done so often in the past.

Mr. Speaker, I also feel obligated to point out that this Congress has had two votes on providing aid to Israel. One occurred in October, right after Speaker JOHNSON was elected. Indeed, it was one of his highest priorities. I thought that aid package was responsibly offset through cuts to other Federal agencies here. Senator SCHUMER didn't see it that way and said we have never conditioned aid to Israel with anything, so there can be no offset, that it can't be paid for.

In the House, in February of this year, I think it was Mr. CALVERT of California who introduced a bill to provide the same aid to Israel without the offset. It was blocked, this time by people on my side.

The Speaker said, okay, let's bring it up under suspension, and maybe we can get agreement between Members on both sides. In fact, under suspension, the two-thirds majority required was not achieved, so that bill failed in February, as well.

Had any one of those bills passed, we might not be here today because we all know 1 week—10 days ago—Iran attacked Israel, the missiles and drones originating from Iranian soil, the first time that has ever happened, and the crisis advanced.

Yes, we did have an opportunity to provide that aid to Israel. It might not have been what my friend from Massachusetts would have wanted, but at the same time, we had the opportunity to provide that.

Unfortunately, now, even members of my committee are upset with where we are today, but we had the opportunity to sort of head off all of this by simply passing that aid package last February, and we wouldn't do it.

What happens if we don't do this today? Does it get better or worse for us down the road? Nobody knows the answer to that, but history tells us it is very likely to get worse.

We have two votes now, Mr. Speaker, on Israeli aid. On both counts, I think most of us in this body want to see that pass.

I will stress again that weakness invites aggression, and we cannot allow our allies in the Middle East, the Indo-Pacific, and Ukraine to be abandoned. By doing so, we will not prevent future aggression but will invite it.

Today, we have an opportunity to deliver critical aid to our allies, and I believe it is appropriate to do so.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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

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

Mr. BURGESS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 5 minutes a.m.), the House stood in recess.

□ 1030

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MIKE GARCIA of California) at 10 o'clock and 30 minutes a.m.

PROVIDING FOR CONSIDERATION OF H.R. 8034, ISRAEL SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2024; PROVIDING FOR CONSIDERATION OF H.R. 8035, UKRAINE SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2024; PROVIDING FOR CONSIDERATION OF H.R. 8036, INDO-PACIFIC SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2024; PROVIDING FOR CONSIDERATION OF H.R. 8038, 21ST CENTURY PEACE THROUGH STRENGTH ACT; AND PROVIDING FOR CONCURRENCE BY THE HOUSE IN THE SENATE AMENDMENT TO H.R. 815, WITH AN AMENDMENT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on adoption of House Resolution 1160; providing for consideration of the bill (H.R. 8034), making emergency supplemental appropriations to respond to the situation in Israel and for related expenses for the fiscal year ending September 30, 2024, and for other purposes; providing for consideration of the bill (H.R. 8035) making emergency supplemental appropriations to respond to the situation in Ukraine and for related expenses for the fiscal year ending September 30, 2024, and for other purposes; providing for consideration of the bill (H.R. 8036) making emergency supplemental appropriations for assistance for the Indo-Pacific region and for related expenses for the fiscal year ending September 30, 2024, and for other purposes; providing for consideration of the bill (H.R. 8038) to authorize the President to impose certain sanctions with respect to Russia and Iran, and for other purposes; and providing for the concurrence by the House in the Senate amendment to H.R. 815, with an amendment, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 316, nays 94, not voting 21, as follows:

[Roll No. 142]

YEAS—316

Adams	Foxx	Meeks
Aderholt	Frankel, Lois	Menendez
Aguilar	Franklin, Scott	Meng
Allred	Fry	Meuser
Amo	Gallagher	Mfume
Amodei	Gallego	Miller (OH)
Armstrong	Garamendi	Miller (WV)
Arrington	Garbarino	Miller-Meeks
Auchincloss	Garcia (TX)	Molinaro
Babin	Garcia, Mike	Moolenaar
Bacon	Gimenez	Moore (UT)
Balderson	Golden (ME)	Moore (WI)
Barr	Goldman (NY)	Moran
Bean (FL)	Gomez	Morelle
Beatty	Gonzales, Tony	Moskowitz
Bentz	Gonzalez, Vicente	Moulton
Bera	Gottheimer	Mrvan
Bergman	Graves (LA)	Murphy
Beyer	Graves (MO)	Nadler
Bice	Green, Al (TX)	Napolitano
Bilirakis	Grothman	Neal
Blumenauer	Guest	Neguse
Blunt Rochester	Guthrie	Newhouse
Bonamici	Harder (CA)	Nickel
Bost	Hayes	Norcross
Boyle (PA)	Hern	Nunn (IA)
Brown	Hill	Obernolte
Brownley	Himes	Owens
Bucshon	Hinson	Pallone
Budzinski	Horsford	Palmer
Burgess	Houchin	Panetta
Calvert	Houlahan	Pappas
Cammack	Hoyer	Pascrell
Carbajal	Hoyle (OR)	Pelosi
Cárdenas	Hudson	Peltola
Carey	Huffman	Pence
Carl	Issa	Perez
Carter (LA)	Ivey	Peters
Carter (TX)	Jackson (NC)	Pettersen
Cartwright	Jackson (TX)	Pfluger
Case	Jackson Lee	Phillips
Casten	Jacobs	Quigley
Castor (FL)	James	Reschenthaler
Chavez-DeRemer	Jeffries	Rodgers (WA)
Cherfilus-McCormick	Johnson (GA)	Rogers (AL)
Chu	Johnson (LA)	Rogers (KY)
Ciscomani	Johnson (SD)	Ross
Clark (MA)	Jordan	Rouzer
Clarke (NY)	Joyce (OH)	Ruiz
Cleaver	Joyce (PA)	Ruppersberger
Cohen	Kaptur	Rutherford
Cole	Kean (NJ)	Ryan
Comer	Keating	Salazar
Connolly	Kelly (IL)	Salinas
Correa	Kelly (MS)	Sánchez
Costa	Kelly (PA)	Scalise
Courtney	Kildee	Scanlon
Craig	Kiley	Schakowsky
Crawford	Kilmer	Schiff
Crenshaw	Kim (CA)	Schneider
Crow	Kim (NJ)	Scholten
Cuellar	Krishnamoorthi	Schrier
Curtis	Kuster	Schweikert
D'Esposito	Kustoff	Scott (VA)
Davids (KS)	LaHood	Scott, Austin
Davis (NC)	LaLota	Scott, David
De La Cruz	Lamborn	Sessions
Dean (PA)	Landsman	Sewell
DeGette	Langworthy	Sherman
DeLauro	Larsen (WA)	Sherrill
DelBene	Larson (CT)	Simpson
Deluzio	Latta	Slotkin
Diaz-Balart	LaTurner	Smith (NE)
Duarte	Lawler	Smith (NJ)
Dunn (FL)	Lee (FL)	Smith (WA)
Edwards	Leger Fernandez	Smucker
Ellzey	Letlow	Sorensen
Emmer	Lieu	Soto
Eshoo	Lofgren	Spanberger
Espaillat	Loudermilk	Stansbury
Estes	Lucas	Stanton
Evans	Luttrell	Stauber
Ezell	Lynch	Steel
Fallon	Maloy	Stefanik
Feenstra	Manning	Steil
Ferguson	Mast	Stevens
Finstad	Matsui	Strickland
Fischbach	McBath	Strong
Fitzgerald	McCaul	Suozzi
Fitzpatrick	McClain	Sykes
Fleischmann	McClellan	Takano
Fletcher	McClintock	Tenney
Flood	McCollum	Thanedar
Foster	McGovern	Thompson (CA)
Foushee	McHenry	Thompson (PA)
		Titus
Tokuda	Vargas	Wild
Tonko	Vasquez	Williams (NY)
Torres (CA)	Veasey	Williams (TX)
Torres (NY)	Velázquez	Wilson (FL)
Trahan	Wagner	Wilson (SC)
Trone	Walberg	Wittman
Turner	Wasserman Schultz	Womack
Valadao	Wenstrup	Yakym
Van Drew	Westerman	Zinke
Van Duyne	Wexton	
Van Orden		

NAYS—94

Alford	Fulcher	Mullin
Baird	Gaetz	Nehls
Balint	García (IL)	Norman
Banks	Garcia, Robert	Ocasio-Cortez
Barragán	Good (VA)	Ogles
Biggs	Gooden (TX)	Omar
Bishop (NC)	Gosar	Perry
Boebert	Green (TN)	Pingree
Bowman	Greene (GA)	Pocan
Brecheen	Griffith	Posey
Burchett	Hageman	Pressley
Burlison	Harshbarger	Ramirez
Bush	Higgins (LA)	Raskin
Carson	Jackson (IL)	Rose
Casar	Jayapal	Rosendale
Cline	Kamlager-Dove	Roy
Cloud	Khanna	Sarbanes
Clyburn	LaMalfa	Self
Clyde	Lee (CA)	Spartz
Collins	Lee (PA)	Steube
Crane	Lesko	Thompson (MS)
Crockett	Levin	Tiffany
Davidson	Luna	Timmons
Davis (IL)	Mace	Tlaib
DeSaulnier	Malliotakis	Underwood
DesJarlais	Mann	Waltz
Dingell	Massie	Waters
Doggett	McCormick	Watson Coleman
Donalds	McGarvey	Webster (FL)
Duncan	Miller (IL)	Williams (GA)
Escobar	Mills	
Frost	Moore (AL)	

NOT VOTING—21

Allen	Grijalva	Magaziner
Bishop (GA)	Harris	Mooney
Buchanan	Huizenga	Payne
Caraveo	Hunt	Porter
Carter (GA)	Kiggans (VA)	Smith (MO)
Castro (TX)	Lee (NV)	Swalwell
Granger	Luetkemeyer	Weber (TX)

□ 1101

Mr. CARSON and Ms. OCASIO-CORTEZ changed their vote from ''yea'' to ''nay.''

Mr. AGUILAR, Mses. LOFGREN, BONAMICI, DEGETTE, Mr. VEASEY, Ms. ADAMS, Mr. TAKANO, and Mrs. TRAHAN changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. KIGGANS of Virginia. Mr. Speaker, I was unavoidably detained due to family obligations, I regret missing the one vote today. If I had been present, I would have voted to support H. Res. 1160. Had I been present, I would have voted YEA on Roll Call No. 142.

Mr. HUIZENGA. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 142.

Ms. LEE of Nevada. Mr. Speaker, my vote was not recorded today. Had I been present, I would have voted YEA on Roll Call No. 142.

Mr. PAYNE. Mr. Speaker, I was unable to cast my vote for Roll Call Vote No. 142. Had I been present, I would have voted YEA on H. Res. 1160.

Ms. PORTER. Mr. Speaker, I was unable to be present to cast my vote on Roll Call 142 today. Had I been present, I would have voted YEA.

Ms. UNDERWOOD. Mr. Speaker, during Roll Call Vote No. 142 on H. Res. 1160, I recorded my vote as Nay when I intended to vote YEA.

Stated against:

Mr. ALLEN. Mr. Speaker, had I been present, I would have voted NAY on Roll Call No. 142.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BENTZ). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

END THE BORDER CATASTROPHE ACT

Mr. MOORE of Alabama. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3602) to prohibit the intentional hindering of immigration, border, and customs controls, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3602

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 ''End the Border Catastrophe Act''.

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

DIVISION A—BORDER SECURITY

SEC. 101. DEFINITIONS.

In this division:

(1) CBP.—The term ''CBP'' means U.S. Customs and Border Protection.

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of U.S. Customs and Border Protection.

(3) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(4) OPERATIONAL CONTROL.—The term ''operational control'' has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367; 8 U.S.C. 1701 note).

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

(6) SITUATIONAL AWARENESS.—The term ''situational awareness'' has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

(7) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given such term in section 44801 of title 49, United States Code.

SEC. 102. BORDER WALL CONSTRUCTION.

(a) IN GENERAL.—

(1) IMMEDIATE RESUMPTION OF BORDER WALL CONSTRUCTION.—Not later than seven days after the date of the enactment of this Act, the Secretary shall resume all activities related to the construction of the border wall along the border between the United States and Mexico that were underway or being planned for prior to January 20, 2021.

(2) USE OF FUNDS.—To carry out this section, the Secretary shall expend all unexpired funds appropriated or explicitly obligated for the construction of the border wall that were appropriated or obligated, as the case may be, for use beginning on October 1, 2019.

(3) USE OF MATERIALS.—Any unused materials purchased before the date of the enactment of this Act for construction of the border wall may be used for activities related to the construction of the border wall in accordance with paragraph (1).

(b) PLAN TO COMPLETE TACTICAL INFRASTRUCTURE AND TECHNOLOGY.—Not later than 90 days after the date of the enactment of this Act and annually thereafter until construction of the border wall has been completed, the Secretary shall submit to the appropriate congressional committees an implementation plan, including annual benchmarks for the construction of 200 miles of such wall and associated cost estimates for satisfying all requirements of the construction of the border wall, including installation and deployment of tactical infrastructure, technology, and other elements as identified by the Department prior to January 20, 2021, through the expenditure of funds appropriated or explicitly obligated, as the case may be, for use, as well as any future funds appropriated or otherwise made available by Congress.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate.

(2) TACTICAL INFRASTRUCTURE.—The term ''tactical infrastructure'' includes boat ramps, access gates, checkpoints, lighting, and roads associated with a border wall.

(3) TECHNOLOGY.—The term ''technology'' includes border surveillance and detection technology, including linear ground detection systems, associated with a border wall.

SEC. 103. STRENGTHENING THE REQUIREMENTS FOR BARRIERS ALONG THE SOUTHERN BORDER.

Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Division C of Public Law 104–208; 8 U.S.C. 1103 note) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Secretary of Homeland Security shall take such actions as may be necessary (including the removal of obstacles to detection of illegal entrants) to design, test, construct, install, deploy, integrate, and operate physical barriers, tactical infrastructure, and technology in the vicinity of the southwest border to achieve situational awareness and operational control of the southwest border and deter, impede, and detect unlawful activity.'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''FENCING AND ROAD IMPROVEMENTS'' and inserting ''PHYSICAL BARRIERS'';

(B) in paragraph (1)—

(i) in the heading, by striking ''FENCING'' and inserting ''BARRIERS'';

(ii) by amending subparagraph (A) to read as follows:

''(A) REINFORCED BARRIERS.—In carrying out this section, the Secretary of Homeland Security shall construct a border wall, including physical barriers, tactical infrastructure, and technology, along not fewer than 900 miles of the southwest border until situational awareness and operational control of the southwest border is achieved.'';

(iii) by amending subparagraph (B) to read as follows:

''(B) PHYSICAL BARRIERS AND TACTICAL INFRASTRUCTURE.—In carrying out this section, the Secretary of Homeland Security shall deploy along the southwest border the most practical and effective physical barriers, tactical infrastructure, and technology available for achieving situational awareness and operational control of the southwest border.'';

(iv) in subparagraph (C)—

(I) by amending clause (i) to read as follows:

''(i) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall consult with the Secretary of the Interior, the Secretary of Agriculture, appropriate representatives of State, Tribal, and local governments, and appropriate private property owners in the United States to minimize the impact on natural resources, commerce, and sites of historical or cultural significance for the communities and residents located near the sites at which physical barriers, tactical infrastructure, and technology are to be constructed. Such consultation may not delay such construction for longer than seven days.''; and

(II) in clause (ii)—

(aa) in subclause (I), by striking ''or'' after the semicolon at the end;

(bb) by amending subclause (II) to read as follows:

''(II) delay the transfer to the United States of the possession of property or affect the validity of any property acquisition by the United States by purchase or eminent domain, or to otherwise affect the eminent domain laws of the United States or of any State; or''; and

(cc) by adding at the end the following new subclause:

''(III) create any right or liability for any party.''; and

(v) by striking subparagraph (D);

(C) in paragraph (2)—

(i) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(ii) by striking ''this subsection'' and inserting ''this section''; and

(iii) by striking ''construction of fences'' and inserting ''the construction of physical barriers, tactical infrastructure, and technology'';

(D) by amending paragraph (3) to read as follows:

''(3) AGENT SAFETY.—In carrying out this section, the Secretary of Homeland Security, when designing, testing, constructing, installing, deploying, integrating, and operating physical barriers, tactical infrastructure, or technology, shall incorporate such safety features into such design, test, construction, installation, deployment, integration, or operation of such physical barriers, tactical infrastructure, or technology, as the case may be, that the Secretary determines are necessary to maximize the safety and effectiveness of officers and agents of the Department of Homeland Security or of any other Federal agency deployed in the vicinity of such physical barriers, tactical infrastructure, or technology.''; and

(E) in paragraph (4), by striking ''this subsection'' and inserting ''this section'';

(3) in subsection (c)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall waive all legal requirements necessary to ensure the expeditious design, testing, construction, installation, deployment, integration, operation, and maintenance of the physical barriers, tactical infrastructure, and technology under this section. The Secretary shall ensure the maintenance and effectiveness of such physical barriers, tactical infrastructure, or technology. Any such action by the Secretary shall be effective upon publication in the Federal Register.'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

''(2) NOTIFICATION.—Not later than seven days after the date on which the Secretary of Homeland Security exercises a waiver pursuant to paragraph (1), the Secretary shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of such waiver.''; and

(4) by adding at the end the following new subsections:

''(e) TECHNOLOGY.—In carrying out this section, the Secretary of Homeland Security shall deploy along the southwest border the most practical and effective technology available for achieving situational awareness and operational control.

''(f) DEFINITIONS.—In this section:

''(1) ADVANCED UNATTENDED SURVEILLANCE SENSORS.—The term 'advanced unattended surveillance sensors' means sensors that utilize an onboard computer to analyze detections in an effort to discern between vehicles, humans, and animals, and ultimately filter false positives prior to transmission.

''(2) OPERATIONAL CONTROL.—The term 'operational control' has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367; 8 U.S.C. 1701 note).

''(3) PHYSICAL BARRIERS.—The term 'physical barriers' includes reinforced fencing, the border wall, and levee walls.

''(4) SITUATIONAL AWARENESS.—The term 'situational awareness' has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

''(5) TACTICAL INFRASTRUCTURE.—The term 'tactical infrastructure' includes boat ramps, access gates, checkpoints, lighting, and roads.

''(6) TECHNOLOGY.—The term 'technology' includes border surveillance and detection technology, including the following:

''(A) Tower-based surveillance technology.

''(B) Deployable, lighter-than-air ground surveillance equipment.

''(C) Vehicle and Dismount Exploitation Radars (VADER).

''(D) 3-dimensional, seismic acoustic detection and ranging border tunneling detection technology.

''(E) Advanced unattended surveillance sensors.

''(F) Mobile vehicle-mounted and manportable surveillance capabilities.

''(G) Unmanned aircraft systems.

''(H) Tunnel detection systems and other seismic technology.

''(I) Fiber-optic cable.

''(J) Other border detection, communication, and surveillance technology.

''(7) UNMANNED AIRCRAFT SYSTEM.—The term 'unmanned aircraft system' has the meaning given such term in section 44801 of title 49, United States Code.''.

SEC. 104. BORDER AND PORT SECURITY TECHNOLOGY INVESTMENT PLAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commissioner, in consultation with covered officials and border and port security technology stakeholders, shall submit to the appropriate congressional committees a strategic 5-year technology investment plan (in this section referred to as the ''plan''). The plan may include a classified annex, if appropriate.

(b) CONTENTS OF PLAN.—The plan shall include the following:

(1) An analysis of security risks at and between ports of entry along the northern and southern borders of the United States.

(2) An identification of capability gaps with respect to security at and between such ports of entry to be mitigated in order to—

(A) prevent terrorists and instruments of terror from entering the United States;

(B) combat and reduce cross-border criminal activity, including—

(i) the transport of illegal goods, such as illicit drugs; and

(ii) human smuggling and human trafficking; and

(C) facilitate the flow of legal trade across the southwest border.

(3) An analysis of current and forecast trends relating to the number of aliens who—

(A) unlawfully entered the United States by crossing the northern or southern border of the United States; or

(B) are unlawfully present in the United States.

(4) A description of security-related technology acquisitions, to be listed in order of priority, to address the security risks and capability gaps analyzed and identified pursuant to paragraphs (1) and (2), respectively.

(5) A description of each planned security-related technology program, including objectives, goals, and timelines for each such program.

(6) An identification of each deployed security-related technology that is at or near the end of the life cycle of such technology.

(7) A description of the test, evaluation, modeling, and simulation capabilities, including target methodologies, rationales, and timelines, necessary to support the acquisition of security-related technologies pursuant to paragraph (4).

(8) An identification and assessment of ways to increase opportunities for communication and collaboration with the private sector, small and disadvantaged businesses, intragovernment entities, university centers of excellence, and federal laboratories to ensure CBP is able to engage with the market for security-related technologies that are available to satisfy its mission needs before engaging in an acquisition of a security-related technology.

(9) An assessment of the management of planned security-related technology programs by the acquisition workforce of CBP.

(10) An identification of ways to leverage already-existing acquisition expertise within the Federal Government.

(11) A description of the security resources, including information security resources, required to protect security-related technology from physical or cyber theft, diversion, sabotage, or attack.

(12) A description of initiatives to—

(A) streamline the acquisition process of CBP; and

(B) provide to the private sector greater predictability and transparency with respect to such process, including information relating to the timeline for testing and evaluation of security-related technology.

(13) An assessment of the privacy and security impact on border communities of security-related technology.

(14) In the case of a new acquisition leading to the removal of equipment from a port of entry along the northern or southern border of the United States, a strategy to consult with the private sector and community stakeholders affected by such removal.

(15) A strategy to consult with the private sector and community stakeholders with respect to security impacts at a port of entry described in paragraph (14).

(16) An identification of recent technological advancements in the following:

(A) Manned aircraft sensor, communication, and common operating picture technology.

(B) Unmanned aerial systems and related technology, including counter-unmanned aerial system technology.

(C) Surveillance technology, including the following:

(i) Mobile surveillance vehicles.

(ii) Associated electronics, including cameras, sensor technology, and radar.

(iii) Tower-based surveillance technology.

(iv) Advanced unattended surveillance sensors.

(v) Deployable, lighter-than-air, ground surveillance equipment.

(D) Nonintrusive inspection technology, including non-x-ray devices utilizing muon tomography and other advanced detection technology.

(E) Tunnel detection technology.

(F) Communications equipment, including the following:

(i) Radios.

(ii) Long-term evolution broadband.

(iii) Miniature satellites.

(c) LEVERAGING THE PRIVATE SECTOR.—To the extent practicable, the plan shall—

(1) leverage emerging technological capabilities, and research and development trends, within the public and private sectors;

(2) incorporate input from the private sector, including from border and port security stakeholders, through requests for information, industry day events, and other innovative means consistent with the Federal Acquisition Regulation; and

(3) identify security-related technologies that are in development or deployed, with or

without adaptation, that may satisfy the mission needs of CBP.

(d) FORM.—To the extent practicable, the plan shall be published in unclassified form on the website of the Department.

(e) DISCLOSURE.—The plan shall include an identification of individuals not employed by the Federal Government, and their professional affiliations, who contributed to the development of the plan.

(f) UPDATE AND REPORT.—Not later than the date that is two years after the date on which the plan is submitted to the appropriate congressional committees pursuant to subsection (a) and biennially thereafter for ten years, the Commissioner shall submit to the appropriate congressional committees—

(1) an update of the plan, if appropriate; and

(2) a report that includes—

(A) the extent to which each security-related technology acquired by CBP since the initial submission of the plan or most recent update of the plan, as the case may be, is consistent with the planned technology programs and projects described pursuant to subsection (b)(5); and

(B) the type of contract and the reason for acquiring each such security-related technology.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate.

(2) COVERED OFFICIALS.—The term ''covered officials'' means—

(A) the Under Secretary for Management of the Department;

(B) the Under Secretary for Science and Technology of the Department; and

(C) the Chief Information Officer of the Department.

(3) UNLAWFULLY PRESENT.—The term ''unlawfully present'' has the meaning provided such term in section 212(a)(9)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)(ii)).

SEC. 105. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following new section:

''SEC. 437. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

''(a) MAJOR ACQUISITION PROGRAM DEFINED.—In this section, the term 'major acquisition program' means an acquisition program of the Department that is estimated by the Secretary to require an eventual total expenditure of at least $100,000,000 (based on fiscal year 2024 constant dollars) over its lifecycle cost.

''(b) PLANNING DOCUMENTATION.—For each border security technology acquisition program of the Department that is determined to be a major acquisition program, the Secretary shall—

''(1) ensure that each such program has a written acquisition program baseline approved by the relevant acquisition decision authority;

''(2) document that each such program is satisfying cost, schedule, and performance thresholds as specified in such baseline, in compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

''(3) have a plan for satisfying program implementation objectives by managing contractor performance.

''(c) ADHERENCE TO STANDARDS.—The Secretary, acting through the Under Secretary for Management and the Commissioner of U.S. Customs and Border Protection, shall ensure border security technology acquisition program managers who are responsible for carrying out this section adhere to relevant internal control standards identified by the Comptroller General of the United States. The Commissioner shall provide information, as needed, to assist the Under Secretary in monitoring management of border security technology acquisition programs under this section.

''(d) PLAN.—The Secretary, acting through the Under Secretary for Management, in coordination with the Under Secretary for Science and Technology and the Commissioner of U.S. Customs and Border Protection, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a plan for testing, evaluating, and using independent verification and validation of resources relating to the proposed acquisition of border security technology. Under such plan, the proposed acquisition of new border security technologies shall be evaluated through a series of assessments, processes, and audits to ensure—

''(1) compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

''(2) the effective use of taxpayer dollars.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 436 the following new item:

''Sec. 437. Border security technology program management.''.

(c) PROHIBITION ON ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—No additional funds are authorized to be appropriated to carry out section 437 of the Homeland Security Act of 2002, as added by subsection (a).

SEC. 106. U.S. CUSTOMS AND BORDER PROTECTION TECHNOLOGY UPGRADES.

(a) SECURE COMMUNICATIONS.—The Commissioner shall ensure that each CBP officer or agent, as appropriate, is equipped with a secure radio or other two-way communication device that allows each such officer or agent to communicate—

(1) between ports of entry and inspection stations; and

(2) with other Federal, State, Tribal, and local law enforcement entities.

(b) BORDER SECURITY DEPLOYMENT PROGRAM.—

(1) EXPANSION.—Not later than September 30, 2026, the Commissioner shall—

(A) fully implement the Border Security Deployment Program of CBP; and

(B) expand the integrated surveillance and intrusion detection system at land ports of entry along the northern and southern borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated $33,000,000 for fiscal years 2025 and 2026 to carry out paragraph (1).

(c) UPGRADE OF LICENSE PLATE READERS AT PORTS OF ENTRY.—

(1) UPGRADE.—Not later than two years after the date of the enactment of this Act, the Commissioner shall upgrade all existing license plate readers in need of upgrade, as determined by the Commissioner, on the northern and southern borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated $125,000,000 for fiscal years 2024 and 2025 to carry out paragraph (1).

SEC. 107. U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.

(a) RETENTION BONUS.—To carry out this section, there is authorized to be appropriated up to $100,000,000 to the Commissioner to provide a retention bonus to any front-line U.S. Border Patrol law enforcement agent—

(1) whose position is equal to or below level GS–12 of the General Schedule;

(2) who has five years or more of service with the U.S. Border Patrol; and

(3) who commits to two years of additional service with the U.S. Border Patrol upon acceptance of such bonus.

(b) BORDER PATROL AGENTS.—Not later than September 30, 2026, the Commissioner shall hire, train, and assign a sufficient number of Border Patrol agents to maintain an active duty presence of not fewer than 22,000 full-time equivalent Border Patrol agents, who may not perform the duties of processing coordinators.

(c) PROHIBITION AGAINST ALIEN TRAVEL.—No personnel or equipment of Air and Marine Operations may be used for the transportation of non-detained aliens, or detained aliens expected to be administratively released upon arrival, from the southwest border to destinations within the United States.

(d) GAO REPORT.—If the staffing level required under this section is not achieved by the date associated with such level, the Comptroller General of the United States shall—

(1) conduct a review of the reasons why such level was not so achieved; and

(2) not later than September 30, 2028, publish on a publicly available website of the Government Accountability Office a report relating thereto.

SEC. 108. ANTI-BORDER CORRUPTION ACT REAUTHORIZATION.

(a) HIRING FLEXIBILITY.—Section 3 of the Anti-Border Corruption Act of 2010 (6 U.S.C. 221; Public Law 111–376) is amended by striking subsection (b) and inserting the following new subsections:

''(b) WAIVER REQUIREMENT.—Subject to subsection (c), the Commissioner of U.S. Customs and Border Protection shall waive the application of subsection (a)(1)—

''(1) to a current, full-time law enforcement officer employed by a State or local law enforcement agency who—

''(A) has continuously served as a law enforcement officer for not fewer than three years;

''(B) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers for arrest or apprehension; and

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position;

''(2) to a current, full-time Federal law enforcement officer who—

''(A) has continuously served as a law enforcement officer for not fewer than three years;

''(B) is authorized to make arrests, conduct investigations, conduct searches, make seizures, carry firearms, and serve orders, warrants, and other processes;

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not

resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

''(D) holds a current Tier 4 background investigation or current Tier 5 background investigation; or

''(3) to a member of the Armed Forces (or a reserve component thereof) or a veteran, if such individual—

''(A) has served in the Armed Forces for not fewer than three years;

''(B) holds, or has held within the past five years, a Secret, Top Secret, or Top Secret/Sensitive Compartmented Information clearance;

''(C) holds, or has undergone within the past five years, a current Tier 4 background investigation or current Tier 5 background investigation;

''(D) received, or is eligible to receive, an honorable discharge from service in the Armed Forces and has not engaged in criminal activity or committed a serious military or civil offense under the Uniform Code of Military Justice; and

''(E) was not granted any waivers to obtain the clearance referred to in subparagraph (B).

''(c) TERMINATION OF WAIVER REQUIREMENT; SNAP-BACK.—The requirement to issue a waiver under subsection (b) shall terminate if the Commissioner of U.S. Customs and Border Protection (CBP) certifies to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that CBP has met all requirements pursuant to section 107 of division A of the End the Border Catastrophe Act relating to personnel levels. If at any time after such certification personnel levels fall below such requirements, the Commissioner shall waive the application of subsection (a)(1) until such time as the Commissioner re-certifies to such Committees that CBP has so met all such requirements.''.

(b) SUPPLEMENTAL COMMISSIONER AUTHORITY; REPORTING; DEFINITIONS.—The Anti-Border Corruption Act of 2010 is amended by adding at the end the following new sections:

''SEC. 5. SUPPLEMENTAL COMMISSIONER AUTHORITY.

''(a) NONEXEMPTION.—An individual who receives a waiver under section 3(b) is not exempt from any other hiring requirements relating to suitability for employment and eligibility to hold a national security designated position, as determined by the Commissioner of U.S. Customs and Border Protection.

''(b) BACKGROUND INVESTIGATIONS.—An individual who receives a waiver under section 3(b) who holds a current Tier 4 background investigation shall be subject to a Tier 5 background investigation.

''(c) ADMINISTRATION OF POLYGRAPH EXAMINATION.—The Commissioner of U.S. Customs and Border Protection is authorized to administer a polygraph examination to an applicant or employee who is eligible for or receives a waiver under section 3(b) if information is discovered before the completion of a background investigation that results in a determination that a polygraph examination is necessary to make a final determination regarding suitability for employment or continued employment, as the case may be.

''SEC. 6. REPORTING.

''(a) ANNUAL REPORT.—Not later than one year after the date of the enactment of this section and annually thereafter while the waiver authority under section 3(b) is in effect, the Commissioner of U.S. Customs and Border Protection shall submit to Congress a report that includes, with respect to each such reporting period, the following:

''(1) Information relating to the number of waivers granted under such section 3(b).

''(2) Information relating to the percentage of applicants who were hired after receiving such a waiver.

''(3) Information relating to the number of instances that a polygraph was administered to an applicant who initially received such a waiver and the results of such polygraph.

''(4) An assessment of the current impact of such waiver authority on filling law enforcement positions at U.S. Customs and Border Protection.

''(5) An identification of additional authorities needed by U.S. Customs and Border Protection to better utilize such waiver authority for its intended goals.

''(b) ADDITIONAL INFORMATION.—The first report submitted under subsection (a) shall include the following:

''(1) An analysis of other methods of employment suitability tests that detect deception and could be used in conjunction with traditional background investigations to evaluate potential applicants or employees for suitability for employment or continued employment, as the case may be.

''(2) A recommendation regarding whether a test referred to in paragraph (1) should be adopted by U.S. Customs and Border Protection when the polygraph examination requirement is waived pursuant to section 3(b).

''SEC. 7. DEFINITIONS.

''In this Act:

''(1) FEDERAL LAW ENFORCEMENT OFFICER.—The term 'Federal law enforcement officer' means a 'law enforcement officer', as such term is defined in section 8331(20) or 8401(17) of title 5, United States Code.

''(2) SERIOUS MILITARY OR CIVIL OFFENSE.—The term 'serious military or civil offense' means an offense for which—

''(A) a member of the Armed Forces may be discharged or separated from service in the Armed Forces; and

''(B) a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Court-Martial, as pursuant to Army Regulation 635–200, chapter 14–12.

''(3) TIER 4; TIER 5.—The terms 'Tier 4' and 'Tier 5', with respect to background investigations, have the meaning given such terms under the 2012 Federal Investigative Standards.

''(4) VETERAN.—The term 'veteran' has the meaning given such term in section 101(2) of title 38, United States Code.''.

(c) POLYGRAPH EXAMINERS.—Not later than September 30, 2025, the Secretary shall increase to not fewer than 150 the number of trained full-time equivalent polygraph examiners for administering polygraphs under the Anti-Border Corruption Act of 2010, as amended by this section.

SEC. 109. ESTABLISHMENT OF WORKLOAD STAFFING MODELS FOR U.S. BORDER PATROL AND AIR AND MARINE OPERATIONS OF CBP.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Commissioner, in coordination with the Under Secretary for Management, the Chief Human Capital Officer, and the Chief Financial Officer of the Department, shall implement a workload staffing model for each of the following:

(1) The U.S. Border Patrol.

(2) Air and Marine Operations of CBP.

(b) RESPONSIBILITIES OF THE COMMISSIONER.—Subsection (c) of section 411 of the Homeland Security Act of 2002 (6 U.S.C. 211), is amended—

(1) by redesignating paragraphs (18) and (19) as paragraphs (20) and (21), respectively; and

(2) by inserting after paragraph (17) the following new paragraphs:

''(18) implement a staffing model for the U.S. Border Patrol, Air and Marine Operations, and the Office of Field Operations that includes consideration for essential frontline operator activities and functions, variations in operating environments, present and planned infrastructure, present and planned technology, and required operations support levels to enable such entities to manage and assign personnel of such entities to ensure field and support posts possess adequate resources to carry out duties specified in this section;

''(19) develop standard operating procedures for a workforce tracking system within the U.S. Border Patrol, Air and Marine Operations, and the Office of Field Operations, train the workforce of each of such entities on the use, capabilities, and purpose of such system, and implement internal controls to ensure timely and accurate scheduling and reporting of actual completed work hours and activities;''.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act with respect to subsection (a) and paragraphs (18) and (19) of section 411(c) of the Homeland Security Act of 2002 (as amended by subsection (b)), and annually thereafter with respect to such paragraphs (18) and (19), the Secretary shall submit to the appropriate congressional committees a report that includes a status update on the following:

(A) The implementation of such subsection (a) and such paragraphs (18) and (19).

(B) Each relevant workload staffing model.

(2) DATA SOURCES AND METHODOLOGY REQUIRED.—Each report required under paragraph (1) shall include information relating to the data sources and methodology used to generate each relevant staffing model.

(d) INSPECTOR GENERAL REVIEW.—Not later than 90 days after the Commissioner develops the workload staffing models pursuant to subsection (a), the Inspector General of the Department shall review such models and provide feedback to the Secretary and the appropriate congressional committees with respect to the degree to which such models are responsive to the recommendations of the Inspector General, including the following:

(1) Recommendations from the Inspector General's February 2019 audit.

(2) Any further recommendations to improve such models.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Homeland Security of the House of Representatives; and

(2) the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 110. OPERATION STONEGARDEN.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended by adding at the end the following new section:

''SEC. 2010. OPERATION STONEGARDEN.

''(a) ESTABLISHMENT.—There is established in the Department a program to be known as 'Operation Stonegarden', under which the Secretary, acting through the Administrator, shall make grants to eligible law enforcement agencies, through State administrative agencies, to enhance border security in accordance with this section.

''(b) ELIGIBLE RECIPIENTS.—To be eligible to receive a grant under this section, a law enforcement agency shall—

''(1) be located in—

''(A) a State bordering Canada or Mexico; or

''(B) a State or territory with a maritime border;

''(2) be involved in an active, ongoing, U.S. Customs and Border Protection operation coordinated through a U.S. Border Patrol sector office; and

''(3) have an agreement in place with U.S. Immigration and Customs Enforcement to support enforcement operations.

''(c) PERMITTED USES.—A recipient of a grant under this section may use such grant for costs associated with the following:

''(1) Equipment, including maintenance and sustainment.

''(2) Personnel, including overtime and backfill, in support of enhanced border law enforcement activities.

''(3) Any activity permitted for Operation Stonegarden under the most recent fiscal year Department of Homeland Security's Homeland Security Grant Program Notice of Funding Opportunity.

''(d) PERIOD OF PERFORMANCE.—The Secretary shall award grants under this section to grant recipients for a period of not fewer than 36 months.

''(e) NOTIFICATION.—Upon denial of a grant to a law enforcement agency, the Administrator shall provide written notice to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, including the reasoning for such denial.

''(f) REPORT.—For each of fiscal years 2024 through 2028 the Administrator shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that contains—

''(1) information on the expenditure of grants made under this section by each grant recipient; and

''(2) recommendations for other uses of such grants to further support eligible law enforcement agencies.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $110,000,000 for each of fiscal years 2024 through 2028 for grants under this section.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of section 2002 of the Homeland Security Act of 2002 (6 U.S.C. 603) is amended to read as follows:

''(a) GRANTS AUTHORIZED.—The Secretary, through the Administrator, may award grants under sections 2003, 2004, 2009, and 2010 to State, local, and Tribal governments, as appropriate.''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2009 the following new item:

''Sec. 2010. Operation Stonegarden.''.

SEC. 111. AIR AND MARINE OPERATIONS FLIGHT HOURS.

(a) AIR AND MARINE OPERATIONS FLIGHT HOURS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall ensure that not fewer than 110,000 annual flight hours are carried out by Air and Marine Operations of CBP.

(b) UNMANNED AIRCRAFT SYSTEMS.—The Secretary, after coordination with the Administrator of the Federal Aviation Administration, shall ensure that Air and Marine Operations operate unmanned aircraft systems on the southern border of the United States for not less than 24 hours per day.

(c) PRIMARY MISSIONS.—The Commissioner shall ensure the following:

(1) The primary missions for Air and Marine Operations are to directly support the following:

(A) U.S. Border Patrol activities along the borders of the United States.

(B) Joint Interagency Task Force South and Joint Task Force East operations in the transit zone.

(2) The Executive Assistant Commissioner of Air and Marine Operations assigns the greatest priority to support missions specified in paragraph (1).

(d) HIGH DEMAND FLIGHT HOUR REQUIREMENTS.—The Commissioner shall—

(1) ensure that U.S. Border Patrol Sector Chiefs identify air support mission-critical hours; and

(2) direct Air and Marine Operations to support requests from such Sector Chiefs as a component of the primary mission of Air and Marine Operations in accordance with subsection (c)(1)(A).

(e) CONTRACT AIR SUPPORT AUTHORIZATIONS.—The Commissioner shall contract for air support mission-critical hours to meet the requests for such hours, as identified pursuant to subsection (d).

(f) SMALL UNMANNED AIRCRAFT SYSTEMS.—

(1) IN GENERAL.—The Chief of the U.S. Border Patrol shall be the executive agent with respect to the use of small unmanned aircraft by CBP for the purposes of the following:

(A) Meeting the unmet flight hour operational requirements of the U.S. Border Patrol.

(B) Achieving situational awareness and operational control of the borders of the United States.

(2) COORDINATION.—In carrying out paragraph (1), the Chief of the U.S. Border Patrol shall coordinate—

(A) flight operations with the Administrator of the Federal Aviation Administration to ensure the safe and efficient operation of the national airspace system; and

(B) with the Executive Assistant Commissioner for Air and Marine Operations of CBP to—

(i) ensure the safety of other CBP aircraft flying in the vicinity of small unmanned aircraft operated by the U.S. Border Patrol; and

(ii) establish a process to include data from flight hours in the calculation of got away statistics.

(3) CONFORMING AMENDMENT.—Paragraph (3) of section 411(e) of the Homeland Security Act of 2002 (6 U.S.C. 211(e)) is amended—

(A) in subparagraph (B), by striking ''and'' after the semicolon at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) carry out the small unmanned aircraft (as such term is defined in section 44801 of title 49, United States Code) requirements pursuant to subsection (f) of section 111 of division A of the End the Border Catastrophe Act; and''.

(g) SAVINGS CLAUSE.—Nothing in this section may be construed as conferring, transferring, or delegating to the Secretary, the Commissioner, the Executive Assistant Commissioner for Air and Marine Operations of CBP, or the Chief of the U.S. Border Patrol any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration relating to the use of airspace or aviation safety.

(h) DEFINITIONS.—In this section:

(1) GOT AWAY.—The term ''got away'' has the meaning given such term in section 1092(a)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(3)).

(2) TRANSIT ZONE.—The term ''transit zone'' has the meaning given such term in section 1092(a)(8) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(8)).

SEC. 112. ERADICATION OF CARRIZO CANE AND SALT CEDAR.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary, in coordination with the heads of relevant Federal, State, and local agencies, shall hire contractors to begin eradicating the carrizo cane plant and any salt cedar along the Rio Grande River that impedes border security operations. Such eradication shall be completed—

(1) by not later than September 30, 2028, except for required maintenance; and

(2) in the most expeditious and cost-effective manner possible to maintain clear fields of view.

(b) APPLICATION.—The waiver authority under subsection (c) of section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by section 103 of this division, shall apply to activities carried out pursuant to subsection (a).

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a strategic plan to eradicate all carrizo cane plant and salt cedar along the Rio Grande River that impedes border security operations by not later than September 30, 2028.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $7,000,000 for each of fiscal years 2025 through 2028 to the Secretary to carry out this subsection.

SEC. 113. BORDER PATROL STRATEGIC PLAN.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act and biennially thereafter, the Commissioner, acting through the Chief of the U.S. Border Patrol, shall issue a Border Patrol Strategic Plan (referred to in this section as the ''plan'') to enhance the security of the borders of the United States.

(b) ELEMENTS.—The plan shall include the following:

(1) A consideration of Border Patrol Capability Gap Analysis reporting, Border Security Improvement Plans, and any other strategic document authored by the U.S. Border Patrol to address security gaps between ports of entry, including efforts to mitigate threats identified in such analyses, plans, and documents.

(2) Information relating to the dissemination of information relating to border security or border threats with respect to the efforts of the Department and other appropriate Federal agencies.

(3) Information relating to efforts by U.S. Border Patrol to—

(A) increase situational awareness, including—

(i) surveillance capabilities, such as capabilities developed or utilized by the Department of Defense, and any appropriate technology determined to be excess by the Department of Defense; and

(ii) the use of manned aircraft and unmanned aircraft;

(B) detect and prevent terrorists and instruments of terrorism from entering the United States;

(C) detect, interdict, and disrupt between ports of entry aliens unlawfully present in the United States;

(D) detect, interdict, and disrupt human smuggling, human trafficking, drug trafficking, and other illicit cross-border activity;

(E) focus intelligence collection to disrupt transnational criminal organizations outside of the international and maritime borders of the United States; and

(F) ensure that any new border security technology can be operationally integrated with existing technologies in use by the Department.

(4) Information relating to initiatives of the Department with respect to operational coordination, including any relevant task forces of the Department.

(5) Information gathered from the lessons learned by the deployments of the National Guard to the southern border of the United States.

(6) A description of cooperative agreements relating to information sharing with State, local, Tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the borders of the United States.

(7) Information relating to border security information received from the following:

(A) State, local, Tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the borders of the United States or in the maritime environment.

(B) Border community stakeholders, including representatives from the following:

(i) Border agricultural and ranching organizations.

(ii) Business and civic organizations.

(iii) Hospitals and rural clinics within 150 miles of the borders of the United States.

(iv) Victims of crime committed by aliens unlawfully present in the United States.

(v) Victims impacted by drugs, transnational criminal organizations, cartels, gangs, or other criminal activity.

(vi) Farmers, ranchers, and property owners along the border.

(vii) Other individuals negatively impacted by illegal immigration.

(8) Information relating to the staffing requirements with respect to border security for the Department.

(9) A prioritized list of Department research and development objectives to enhance the security of the borders of the United States.

(10) An assessment of training programs, including such programs relating to the following:

(A) Identifying and detecting fraudulent documents.

(B) Understanding the scope of CBP enforcement authorities and appropriate use of force policies.

(C) Screening, identifying, and addressing vulnerable populations, such as children and victims of human trafficking.

SEC. 114. U.S. CUSTOMS AND BORDER PROTECTION SPIRITUAL READINESS.

Not later than one year after the enactment of this Act and annually thereafter for five years, the Commissioner shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the availability and usage of the assistance of chaplains, prayer groups, houses of worship, and other spiritual resources for members of CBP who identify as religiously affiliated and have attempted suicide, have suicidal ideation, or are at risk of suicide, and metrics on the impact such resources have in assisting religiously affiliated members who have access to and utilize such resources compared to religiously affiliated members who do not.

SEC. 115. RESTRICTIONS ON FUNDING.

(a) ARRIVING ALIENS.—No funds are authorized to be appropriated to the Department to process the entry into the United States of aliens arriving in between ports of entry.

(b) RESTRICTION ON NONGOVERNMENTAL ORGANIZATION SUPPORT FOR UNLAWFUL ACTIVITY.—No funds are authorized to be appropriated to the Department for disbursement to any nongovernmental organization that facilitates or encourages unlawful activity, including unlawful entry, human trafficking, human smuggling, drug trafficking, and drug smuggling.

(c) RESTRICTION ON NONGOVERNMENTAL ORGANIZATION FACILITATION OF ILLEGAL IMMIGRATION.—No funds are authorized to be appropriated to the Department for disbursement to any nongovernmental organization to provide, or facilitate the provision of, transportation, lodging, or immigration legal services to inadmissible aliens who enter the United States after the date of the enactment of this Act.

SEC. 116. COLLECTION OF DNA AND BIOMETRIC INFORMATION AT THE BORDER.

Not later than 14 days after the date of the enactment of this Act, the Secretary shall ensure and certify to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that CBP is fully compliant with Federal DNA and biometric collection requirements at United States land borders.

SEC. 117. ERADICATION OF NARCOTIC DRUGS AND FORMULATING EFFECTIVE NEW TOOLS TO ADDRESS YEARLY LOSSES OF LIFE; ENSURING TIMELY UPDATES TO U.S. CUSTOMS AND BORDER PROTECTION FIELD MANUALS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than triennially thereafter, the Commissioner of U.S. Customs and Border Protection shall review and update, as necessary, the current policies and manuals of the Office of Field Operations related to inspections at ports of entry, and the U.S. Border Patrol related to inspections between ports of entry, to ensure the uniform implementation of inspection practices that will effectively respond to technological and methodological changes designed to disguise unlawful activity, such as the smuggling of drugs and humans, along the border.

(b) REPORTING REQUIREMENT.—Not later than 90 days after each update required under subsection (a), the Commissioner of U.S. Customs and Border Protection shall submit to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate a report that summarizes any policy and manual changes pursuant to subsection (a).

SEC. 118. PUBLICATION BY U.S. CUSTOMS AND BORDER PROTECTION OF OPERATIONAL STATISTICS.

(a) IN GENERAL.—Not later than the seventh day of each month beginning with the second full month after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall publish on a publicly available website of the Department of Homeland Security information relating to the total number of alien encounters and nationalities, unique alien encounters and nationalities, gang affiliated apprehensions and nationalities, drug seizures, alien encounters included in the terrorist screening database and nationalities, arrests of criminal aliens or individuals wanted by law enforcement and nationalities, known got aways, encounters with deceased aliens, and all other related or associated statistics recorded by U.S. Customs and Border Protection during the immediately preceding month. Each such publication shall include the following:

(1) The aggregate such number, and such number disaggregated by geographic regions, of such recordings and encounters, including specifications relating to whether such recordings and encounters were at the southwest, northern, or maritime border.

(2) An identification of the Office of Field Operations field office, U.S. Border Patrol sector, or Air and Marine Operations branch making each recording or encounter.

(3) Information relating to whether each recording or encounter of an alien was of a single adult, an unaccompanied alien child, or an individual in a family unit.

(4) Information relating to the processing disposition of each alien recording or encounter.

(5) Information relating to the nationality of each alien who is the subject of each recording or encounter.

(6) The total number of individuals included in the terrorist screening database (as such term is defined in section 2101 of the Homeland Security Act of 2002 (6 U.S.C. 621)) who have repeatedly attempted to cross unlawfully into the United States.

(7) The total number of individuals included in the terrorist screening database who have been apprehended, including information relating to whether such individuals were released into the United States or removed.

(b) EXCEPTIONS.—If the Commissioner of U.S. Customs and Border Protection in any month does not publish the information required under subsection (a), or does not publish such information by the date specified in such subsection, the Commissioner shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding the reason relating thereto, as the case may be, by not later than the date that is two business days after the tenth day of such month.

(c) DEFINITIONS.—In this section:

(1) ALIEN ENCOUNTERS.—The term ''alien encounters'' means aliens apprehended, determined inadmissible, or processed for removal by U.S. Customs and Border Protection.

(2) GOT AWAY.—The term ''got away'' has the meaning given such term in section 1092(a) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223(a)).

(3) TERRORIST SCREENING DATABASE.—The term ''terrorist screening database'' has the meaning given such term in section 2101 of the Homeland Security Act of 2002 (6 U.S.C. 621).

(4) UNACCOMPANIED ALIEN CHILD.—The term ''unaccompanied alien child'' has the meaning given such term in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)).

SEC. 119. ALIEN CRIMINAL BACKGROUND CHECKS.

(a) IN GENERAL.—Not later than seven days after the date of the enactment of this Act, the Commissioner shall certify to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate that CBP has real-time access to the criminal history databases of all countries of origin and transit for aliens encountered by CBP to perform criminal history background checks for such aliens.

(b) STANDARDS.—The certification required under subsection (a) shall also include a determination whether the criminal history databases of a country are accurate, up to date, digitized, searchable, and otherwise meet the standards of the Federal Bureau of Investigation for criminal history databases maintained by State and local governments.

(c) CERTIFICATION.—The Secretary shall annually submit to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate a certification that each database referred to in subsection (b) which the Secretary accessed or sought

to access pursuant to this section met the standards described in subsection (b).

SEC. 120. PROHIBITED IDENTIFICATION DOCUMENTS AT AIRPORT SECURITY CHECKPOINTS; NOTIFICATION TO IMMIGRATION AGENCIES.

(a) IN GENERAL.—The Administrator may not accept as valid proof of identification a prohibited identification document at an airport security checkpoint.

(b) NOTIFICATION TO IMMIGRATION AGENCIES.—If an individual presents a prohibited identification document to an officer of the Transportation Security Administration at an airport security checkpoint, the Administrator shall promptly notify the Director of U.S. Immigration and Customs Enforcement, the Director of U.S. Customs and Border Protection, and the head of the appropriate local law enforcement agency to determine whether the individual is in violation of any term of release from the custody of any such agency.

(c) ENTRY INTO STERILE AREAS.—

(1) IN GENERAL.—Except as provided in paragraph (2), if an individual is found to be in violation of any term of release under subsection (b), the Administrator may not permit such individual to enter a sterile area.

(2) EXCEPTION.—An individual presenting a prohibited identification document under this section may enter a sterile area if the individual—

(A) is leaving the United States for the purposes of removal or deportation; or

(B) presents a covered identification document.

(d) COLLECTION OF BIOMETRIC INFORMATION FROM CERTAIN INDIVIDUALS SEEKING ENTRY INTO THE STERILE AREA OF AN AIRPORT.—Beginning not later than 120 days after the date of the enactment of this Act, the Administrator shall collect biometric information from an individual described in subsection (e) prior to authorizing such individual to enter into a sterile area.

(e) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who—

(1) is seeking entry into the sterile area of an airport;

(2) does not present a covered identification document; and

(3) the Administrator cannot verify is a national of the United States.

(f) PARTICIPATION IN IDENT.—Beginning not later than 120 days after the date of the enactment of this Act, the Administrator, in coordination with the Secretary, shall submit biometric data collected under this section to the Automated Biometric Identification System (IDENT).

(g) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(2) BIOMETRIC INFORMATION.—The term ''biometric information'' means any of the following:

(A) A fingerprint.

(B) A palm print.

(C) A photograph, including—

(i) a photograph of an individual's face for use with facial recognition technology; and

(ii) a photograph of any physical or anatomical feature, such as a scar, skin mark, or tattoo.

(D) A signature.

(E) A voice print.

(F) An iris image.

(3) COVERED IDENTIFICATION DOCUMENT.—The term ''covered identification document'' means any of the following, if the document is valid and unexpired:

(A) A United States passport or passport card.

(B) A biometrically secure card issued by a trusted traveler program of the Department of Homeland Security, including—

(i) Global Entry;

(ii) Nexus;

(iii) Secure Electronic Network for Travelers Rapid Inspection (SENTRI); and

(iv) Free and Secure Trade (FAST).

(C) An identification card issued by the Department of Defense, including such a card issued to a dependent.

(D) Any document required for admission to the United States under section 211(a) of the Immigration and Nationality Act (8 U.S.C. 1181(a)).

(E) An enhanced driver's license issued by a State.

(F) A photo identification card issued by a federally recognized Indian Tribe.

(G) A personal identity verification credential issued in accordance with Homeland Security Presidential Directive 12.

(H) A driver's license issued by a province of Canada.

(I) A Secure Certificate of Indian Status issued by the Government of Canada.

(J) A Transportation Worker Identification Credential.

(K) A Merchant Mariner Credential issued by the Coast Guard.

(L) A Veteran Health Identification Card issued by the Department of Veterans Affairs.

(M) Any other document the Administrator determines, pursuant to a rule making in accordance with section 553 of title 5, United States Code, will satisfy the identity verification procedures of the Transportation Security Administration.

(4) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given that term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(5) PROHIBITED IDENTIFICATION DOCUMENT.—The term ''prohibited identification document'' means any of the following (or any applicable successor form):

(A) U.S. Immigration and Customs Enforcement Form I–200, Warrant for Arrest of Alien.

(B) U.S. Immigration and Customs Enforcement Form I–205, Warrant of Removal/Deportation.

(C) U.S. Immigration and Customs Enforcement Form I–220A, Order of Release on Recognizance.

(D) U.S. Immigration and Customs Enforcement Form I–220B, Order of Supervision.

(E) Department of Homeland Security Form I–862, Notice to Appear.

(F) U.S. Customs and Border Protection Form I–94, Arrival/Departure Record (including a print-out of an electronic record).

(G) Department of Homeland Security Form I–385, Notice to Report.

(H) Any document that directs an individual to report to the Department of Homeland Security.

(I) Any Department of Homeland Security work authorization or employment verification document.

(6) STERILE AREA.—The term ''sterile area'' has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations, or any successor regulation.

SEC. 121. PROHIBITION AGAINST ANY COVID–19 VACCINE MANDATE OR ADVERSE ACTION AGAINST DHS EMPLOYEES.

(a) LIMITATION ON IMPOSITION OF NEW MANDATE.—The Secretary may not issue any COVID–19 vaccine mandate unless Congress expressly authorizes such a mandate.

(b) PROHIBITION ON ADVERSE ACTION.—The Secretary may not take any adverse action against a Department employee based solely on the refusal of such employee to receive a vaccine for COVID–19.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the following:

(1) The number of Department employees who were terminated or resigned due to the COVID–19 vaccine mandate.

(2) An estimate of the cost to reinstate such employees.

(3) How the Department would effectuate reinstatement of such employees.

(d) RETENTION AND DEVELOPMENT OF UNVACCINATED EMPLOYEES.—The Secretary shall make every effort to retain Department employees who are not vaccinated against COVID–19 and provide such employees with professional development, promotion and leadership opportunities, and consideration equal to that of their peers.

SEC. 122. CBP ONE APP LIMITATION.

(a) LIMITATION.—The Department may use the CBP One Mobile Application or any other similar program, application, internet-based portal, website, device, or initiative only for inspection of perishable cargo.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Commissioner shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the date on which CBP began using CBP One to allow aliens to schedule interviews at land ports of entry, how many aliens have scheduled interviews at land ports of entry using CBP One, the nationalities of such aliens, and the stated final destinations of such aliens within the United States, if any.

SEC. 123. REPORT ON MEXICAN DRUG CARTELS.

Not later than 60 days after the date of the enactment of this Act, Congress shall commission a report that contains the following:

(1) A national strategy to address Mexican drug cartels, and a determination regarding whether there should be a designation established to address such cartels.

(2) Information relating to actions by such cartels that causes harm to the United States.

SEC. 124. GAO STUDY ON COSTS INCURRED BY STATES TO SECURE THE SOUTHWEST BORDER.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study to examine the costs incurred by individual States as a result of actions taken by such States in support of the Federal mission to secure the southwest border, and the feasibility of a program to reimburse such States for such costs.

(b) CONTENTS.—The study required under subsection (a) shall include consideration of the following:

(1) Actions taken by the Department of Homeland Security that have contributed to costs described in such subsection incurred by States to secure the border in the absence of Federal action, including the termination of the Migrant Protection Protocols and cancellation of border wall construction.

(2) Actions taken by individual States along the southwest border to secure their borders, and the costs associated with such actions.

(3) The feasibility of a program within the Department of Homeland Security to reimburse States for the costs incurred in support of the Federal mission to secure the southwest border.

SEC. 125. REPORT BY INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter for five years, the Inspector General of the Department of Homeland

Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report examining the economic and security impact of mass migration to municipalities and States along the southwest border. Such report shall include information regarding costs incurred by the following:

(1) State and local law enforcement to secure the southwest border.

(2) Public school districts to educate students who are aliens unlawfully present in the United States.

(3) Healthcare providers to provide care to aliens unlawfully present in the United States who have not paid for such care.

(4) Farmers and ranchers due to migration impacts to their properties.

(b) CONSULTATION.—To produce the report required under subsection (a), the Inspector General of the Department of Homeland Security shall consult with the individuals and representatives of the entities described in paragraphs (1) through (4) of such subsection.

SEC. 126. OFFSETTING AUTHORIZATIONS OF APPROPRIATIONS.

(a) OFFICE OF THE SECRETARY AND EMERGENCY MANAGEMENT.—No funds are authorized to be appropriated for the Alternatives to Detention Case Management Pilot Program or the Office of the Immigration Detention Ombudsman for the Office of the Secretary and Emergency Management of the Department of Homeland Security.

(b) MANAGEMENT DIRECTORATE.—No funds are authorized to be appropriated for electric vehicles or St. Elizabeths campus construction for the Management Directorate of the Department of Homeland Security.

(c) INTELLIGENCE, ANALYSIS, AND SITUATIONAL AWARENESS.—There is authorized to be appropriated $216,000,000 for Intelligence, Analysis, and Situational Awareness of the Department of Homeland Security.

(d) U.S. CUSTOMS AND BORDER PROTECTION.—No funds are authorized to be appropriated for the Shelter Services Program for U.S. Customs and Border Protection.

SEC. 127. REPORT TO CONGRESS ON FOREIGN TERRORIST ORGANIZATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for five years, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of foreign terrorist organizations attempting to move their members or affiliates into the United States through the southern, northern, or maritime border.

(b) DEFINITION.—In this section, the term ''foreign terrorist organization'' means an organization described in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 128. ASSESSMENT BY INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY ON THE MITIGATION OF UNMANNED AIRCRAFT SYSTEMS AT THE SOUTHWEST BORDER.

Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of U.S. Customs and Border Protection's ability to mitigate unmanned aircraft systems at the southwest border. Such assessment shall include information regarding any intervention between January 1, 2021, and the date of the enactment of this Act, by any Federal agency affecting in any manner U.S. Customs and Border Protection's authority to so mitigate such systems.

DIVISION B—IMMIGRATION ENFORCEMENT AND FOREIGN AFFAIRS

TITLE I—ASYLUM REFORM AND BORDER PROTECTION

SEC. 101. SAFE THIRD COUNTRY.

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

(1) by striking ''if the Attorney General determines'' and inserting ''if the Attorney General or the Secretary of Homeland Security determines—'';

(2) by striking ''that the alien may be removed'' and inserting the following:

''(i) that the alien may be removed'';

(3) by striking '', pursuant to a bilateral or multilateral agreement, to'' and inserting ''to'';

(4) by inserting ''or the Secretary, on a case by case basis,'' before ''finds that'';

(5) by striking the period at the end and inserting ''; or''; and

(6) by adding at the end the following:

''(ii) that the alien entered, attempted to enter, or arrived in the United States after transiting through at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence en route to the United States, unless—

''(I) the alien demonstrates that he or she applied for protection from persecution or torture in at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence through which the alien transited en route to the United States, and the alien received a final judgment denying the alien protection in each country;

''(II) the alien demonstrates that he or she was a victim of a severe form of trafficking in which a commercial sex act was induced by force, fraud, or coercion, or in which the person induced to perform such act was under the age of 18 years; or in which the trafficking included the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery, and was unable to apply for protection from persecution in each country through which the alien transited en route to the United States as a result of such severe form of trafficking; or

''(III) the only countries through which the alien transited en route to the United States were, at the time of the transit, not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.''.

SEC. 102. CREDIBLE FEAR INTERVIEWS.

Section 235(b)(1)(B)(v) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)(v)) is amended by striking ''there is a significant possibility'' and all that follows, and inserting '', taking into account the credibility of the statements made by the alien in support of the alien's claim, as determined pursuant to section 208(b)(1)(B)(iii), and such other facts as are known to the officer, the alien more likely than not could establish eligibility for asylum under section 208, and it is more likely than not that the statements made by, and on behalf of, the alien in support of the alien's claim are true.''.

SEC. 103. CLARIFICATION OF ASYLUM ELIGIBILITY.

(a) IN GENERAL.—Section 208(b)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(1)(A)) is amended by inserting after ''section 101(a)(42)(A)'' the following: ''(in accordance with the rules set forth in this section), and is eligible to apply for asylum under subsection (a)''.

(b) PLACE OF ARRIVAL.—Section 208(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(1)) is amended—

(1) by striking ''or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters),''; and

(2) by inserting after ''United States'' the following: ''and has arrived in the United States at a port of entry (including an alien who is brought to the United States after having been interdicted in international or United States waters),''.

SEC. 104. EXCEPTIONS.

Paragraph (2) of section 208(b) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)) is amended to read as follows:

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to an alien if the Secretary of Homeland Security or the Attorney General determines that—

''(i) the alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion;

''(ii) the alien has been convicted of any felony under Federal, State, tribal, or local law;

''(iii) the alien has been convicted of any misdemeanor offense under Federal, State, tribal, or local law involving—

''(I) the unlawful possession or use of an identification document, authentication feature, or false identification document (as those terms and phrases are defined in the jurisdiction where the conviction occurred), unless the alien can establish that the conviction resulted from circumstances showing that—

''(aa) the document or feature was presented before boarding a common carrier;

''(bb) the document or feature related to the alien's eligibility to enter the United States;

''(cc) the alien used the document or feature to depart a country wherein the alien has claimed a fear of persecution; and

''(dd) the alien claimed a fear of persecution without delay upon presenting himself or herself to an immigration officer upon arrival at a United States port of entry;

''(II) the unlawful receipt of a Federal public benefit (as defined in section 401(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(c))), from a Federal entity, or the unlawful receipt of similar public benefits from a State, tribal, or local entity; or

''(III) possession or trafficking of a controlled substance or controlled substance paraphernalia, as those phrases are defined under the law of the jurisdiction where the conviction occurred, other than a single offense involving possession for one's own use of 30 grams or less of marijuana (as marijuana is defined under the law of the jurisdiction where the conviction occurred);

''(iv) the alien has been convicted of an offense arising under paragraph (1)(A) or (2) of section 274(a), or under section 276;

''(v) the alien has been convicted of a Federal, State, tribal, or local crime that the Attorney General or Secretary of Homeland Security knows, or has reason to believe, was committed in support, promotion, or furtherance of the activity of a criminal street gang (as defined under the law of the jurisdiction where the conviction occurred or in section 521(a) of title 18, United States Code);

''(vi) the alien has been convicted of an offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law, in which such intoxicated or impaired driving was a cause of serious bodily injury or death of another person;

''(vii) the alien has been convicted of more than one offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law;

''(viii) the alien has been convicted of a crime—

''(I) that involves conduct amounting to a crime of stalking;

''(II) of child abuse, child neglect, or child abandonment; or

''(III) that involves conduct amounting to a domestic assault or battery offense, including—

''(aa) a misdemeanor crime of domestic violence, as described in section 921(a)(33) of title 18, United States Code;

''(bb) a crime of domestic violence, as described in section 40002(a)(12) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)(12)); or

''(cc) any crime based on conduct in which the alien harassed, coerced, intimidated, voluntarily or recklessly used (or threatened to use) force or violence against, or inflicted physical injury or physical pain, however slight, upon a person—

''(AA) who is a current or former spouse of the alien;

''(BB) with whom the alien shares a child;

''(CC) who is cohabitating with, or who has cohabitated with, the alien as a spouse;

''(DD) who is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(EE) who is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(ix) the alien has engaged in acts of battery or extreme cruelty upon a person and the person—

''(I) is a current or former spouse of the alien;

''(II) shares a child with the alien;

''(III) cohabitates or has cohabitated with the alien as a spouse;

''(IV) is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(V) is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(x) the alien, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of the United States;

''(xi) there are serious reasons for believing that the alien has committed a serious nonpolitical crime outside the United States prior to the arrival of the alien in the United States;

''(xii) there are reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiii) the alien is described in subclause (I), (II), (III), (IV), or (VI) of section 212(a)(3)(B)(i) or section 237(a)(4)(B) (relating to terrorist activity), unless, in the case only of an alien inadmissible under subclause (IV) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in the Secretary's or the Attorney General's discretion, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiv) the alien was firmly resettled in another country prior to arriving in the United States; or

''(xv) there are reasonable grounds for concluding the alien could avoid persecution by relocating to another part of the alien's country of nationality or, in the case of an alien having no nationality, another part of the alien's country of last habitual residence.

''(B) SPECIAL RULES.—

''(i) PARTICULARLY SERIOUS CRIME; SERIOUS NONPOLITICAL CRIME OUTSIDE THE UNITED STATES.—

''(I) IN GENERAL.—For purposes of subparagraph (A)(x), the Attorney General or Secretary of Homeland Security, in their discretion, may determine that a conviction constitutes a particularly serious crime based on—

''(aa) the nature of the conviction;

''(bb) the type of sentence imposed; or

''(cc) the circumstances and underlying facts of the conviction.

''(II) DETERMINATION.—In making a determination under subclause (I), the Attorney General or Secretary of Homeland Security may consider all reliable information and is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) TREATMENT OF FELONIES.—In making a determination under subclause (I), an alien who has been convicted of a felony (as defined under this section) or an aggravated felony (as defined under section 101(a)(43)), shall be considered to have been convicted of a particularly serious crime.

''(IV) INTERPOL RED NOTICE.—In making a determination under subparagraph (A)(xi), an Interpol Red Notice may constitute reliable evidence that the alien has committed a serious nonpolitical crime outside the United States.

''(ii) CRIMES AND EXCEPTIONS.—

''(I) DRIVING WHILE INTOXICATED OR IMPAIRED.—A finding under subparagraph (A)(vi) does not require the Attorney General or Secretary of Homeland Security to find the first conviction for driving while intoxicated or impaired (including a conviction for driving while under the influence of or impaired by alcohol or drugs) as a predicate offense. The Attorney General or Secretary of Homeland Security need only make a factual determination that the alien previously was convicted for driving while intoxicated or impaired as those terms are defined under the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs).

''(II) STALKING AND OTHER CRIMES.—In making a determination under subparagraph (A)(viii), including determining the existence of a domestic relationship between the alien and the victim, the underlying conduct of the crime may be considered, and the Attorney General or Secretary of Homeland Security is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) BATTERY OR EXTREME CRUELTY.—In making a determination under subparagraph (A)(ix), the phrase 'battery or extreme cruelty' includes—

''(aa) any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury;

''(bb) psychological or sexual abuse or exploitation, including rape, molestation, incest, or forced prostitution, shall be considered acts of violence; and

''(cc) other abusive acts, including acts that, in and of themselves, may not initially appear violent, but that are a part of an overall pattern of violence.

''(IV) EXCEPTION FOR VICTIMS OF DOMESTIC VIOLENCE.—An alien who was convicted of an offense described in clause (viii) or (ix) of subparagraph (A) is not ineligible for asylum on that basis if the alien satisfies the criteria under section 237(a)(7)(A).

''(C) SPECIFIC CIRCUMSTANCES.—Paragraph (1) shall not apply to an alien whose claim is based on—

''(i) personal animus or retribution, including personal animus in which the alleged persecutor has not targeted, or manifested an animus against, other members of an alleged particular social group in addition to the member who has raised the claim at issue;

''(ii) the applicant's generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations absent expressive behavior in furtherance of a discrete cause against such organizations related to control of a State or expressive behavior that is antithetical to the State or a legal unit of the State;

''(iii) the applicant's resistance to recruitment or coercion by guerrilla, criminal, gang, terrorist, or other non-state organizations;

''(iv) the targeting of the applicant for criminal activity for financial gain based on wealth or affluence or perceptions of wealth or affluence;

''(v) the applicant's criminal activity; or

''(vi) the applicant's perceived, past or present, gang affiliation.

''(D) DEFINITIONS AND CLARIFICATIONS.—

''(i) DEFINITIONS.—For purposes of this paragraph:

''(I) FELONY.—The term 'felony' means—

''(aa) any crime defined as a felony by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime punishable by more than one year of imprisonment.

''(II) MISDEMEANOR.—The term 'misdemeanor' means—

''(aa) any crime defined as a misdemeanor by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime not punishable by more than one year of imprisonment.

''(ii) CLARIFICATIONS.—

''(I) CONSTRUCTION.—For purposes of this paragraph, whether any activity or conviction also may constitute a basis for removal is immaterial to a determination of asylum eligibility.

''(II) ATTEMPT, CONSPIRACY, OR SOLICITATION.—For purposes of this paragraph, all references to a criminal offense or criminal conviction shall be deemed to include any attempt, conspiracy, or solicitation to commit the offense or any other inchoate form of the offense.

''(III) EFFECT OF CERTAIN ORDERS.—

''(aa) IN GENERAL.—No order vacating a conviction, modifying a sentence, clarifying a sentence, or otherwise altering a conviction or sentence shall have any effect under this paragraph unless the Attorney General or Secretary of Homeland Security determines that—

''(AA) the court issuing the order had jurisdiction and authority to do so; and

''(BB) the order was not entered for rehabilitative purposes or for purposes of ameliorating the immigration consequences of the conviction or sentence.

''(bb) AMELIORATING IMMIGRATION CONSEQUENCES.—For purposes of item (aa)(BB), the order shall be presumed to be for the purpose of ameliorating immigration consequences if—

''(AA) the order was entered after the initiation of any proceeding to remove the alien from the United States; or

''(BB) the alien moved for the order more than one year after the date of the original order of conviction or sentencing, whichever is later.

''(cc) AUTHORITY OF IMMIGRATION JUDGE.—An immigration judge is not limited to consideration only of material included in any order vacating a conviction, modifying a sentence, or clarifying a sentence to determine whether such order should be given any effect under this paragraph, but may consider such additional information as the immigration judge determines appropriate.

''(E) ADDITIONAL LIMITATIONS.—The Secretary of Homeland Security or the Attorney General may by regulation establish additional limitations and conditions, consistent with this section, under which an alien shall be ineligible for asylum under paragraph (1).

''(F) NO JUDICIAL REVIEW.—There shall be no judicial review of a determination of the Secretary of Homeland Security or the Attorney General under subparagraph (A)(xiii).''.

SEC. 105. EMPLOYMENT AUTHORIZATION.

Paragraph (2) of section 208(d) of the Immigration and Nationality Act (8 U.S.C. 1158(d)) is amended to read as follows:

''(2) EMPLOYMENT AUTHORIZATION.—

''(A) AUTHORIZATION PERMITTED.—An applicant for asylum is not entitled to employment authorization, but such authorization may be provided under regulation by the Secretary of Homeland Security. An applicant who is not otherwise eligible for employment authorization shall not be granted such authorization prior to the date that is 180 days after the date of filing of the application for asylum.

''(B) TERMINATION.—Each grant of employment authorization under subparagraph (A), and any renewal or extension thereof, shall be valid for a period of 6 months, except that such authorization, renewal, or extension shall terminate prior to the end of such 6 month period as follows:

''(i) Immediately following the denial of an asylum application by an asylum officer, unless the case is referred to an immigration judge.

''(ii) 30 days after the date on which an immigration judge denies an asylum application, unless the alien timely appeals to the Board of Immigration Appeals.

''(iii) Immediately following the denial by the Board of Immigration Appeals of an appeal of a denial of an asylum application.

''(C) RENEWAL.—The Secretary of Homeland Security may not grant, renew, or extend employment authorization to an alien if the alien was previously granted employment authorization under subparagraph (A), and the employment authorization was terminated pursuant to a circumstance described in subparagraph (B)(i), (ii), or (iii), unless a Federal court of appeals remands the alien's case to the Board of Immigration Appeals.

''(D) INELIGIBILITY.—The Secretary of Homeland Security may not grant employment authorization to an alien under this paragraph if the alien—

''(i) is ineligible for asylum under subsection (b)(2)(A); or

''(ii) entered or attempted to enter the United States at a place and time other than lawfully through a United States port of entry.''.

SEC. 106. ASYLUM FEES.

Paragraph (3) of section 208(d) of the Immigration and Nationality Act (8 U.S.C. 1158(d)) is amended to read as follows:

''(3) FEES.—

''(A) APPLICATION FEE.—A fee of not less than $50 for each application for asylum shall be imposed. Such fee shall not exceed the cost of adjudicating the application. Such fee shall not apply to an unaccompanied alien child who files an asylum application in proceedings under section 240.

''(B) EMPLOYMENT AUTHORIZATION.—A fee may also be imposed for the consideration of an application for employment authorization under this section and for adjustment of status under section 209(b). Such a fee shall not exceed the cost of adjudicating the application.

''(C) PAYMENT.—Fees under this paragraph may be assessed and paid over a period of time or by installments.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit the authority of the Attorney General or Secretary of Homeland Security to set adjudication and naturalization fees in accordance with section 286(m).''.

SEC. 107. RULES FOR DETERMINING ASYLUM ELIGIBILITY.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended by adding at the end the following:

''(f) RULES FOR DETERMINING ASYLUM ELIGIBILITY.—In making a determination under subsection (b)(1)(A) with respect to whether an alien is a refugee within the meaning of section 101(a)(42)(A), the following shall apply:

''(1) PARTICULAR SOCIAL GROUP.—The Secretary of Homeland Security or the Attorney General shall not determine that an alien is a member of a particular social group unless the alien articulates on the record, or provides a basis on the record for determining, the definition and boundaries of the alleged particular social group, establishes that the particular social group exists independently from the alleged persecution, and establishes that the alien's claim of membership in a particular social group does not involve—

''(A) past or present criminal activity or association (including gang membership);

''(B) presence in a country with generalized violence or a high crime rate;

''(C) being the subject of a recruitment effort by criminal, terrorist, or persecutory groups;

''(D) the targeting of the applicant for criminal activity for financial gain based on perceptions of wealth or affluence;

''(E) interpersonal disputes of which governmental authorities in the relevant society or region were unaware or uninvolved;

''(F) private criminal acts of which governmental authorities in the relevant society or region were unaware or uninvolved;

''(G) past or present terrorist activity or association;

''(H) past or present persecutory activity or association; or

''(I) status as an alien returning from the United States.

''(2) POLITICAL OPINION.—The Secretary of Homeland Security or the Attorney General may not determine that an alien holds a political opinion with respect to which the alien is subject to persecution if the political opinion is constituted solely by generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations and does not include expressive behavior in furtherance of a cause against such organizations related to efforts by the State to control such organizations or behavior that is antithetical to or otherwise opposes the ruling legal entity of the State or a unit thereof.

''(3) PERSECUTION.—The Secretary of Homeland Security or the Attorney General may not determine that an alien has been subject to persecution or has a well-founded fear of persecution based only on—

''(A) the existence of laws or government policies that are unenforced or infrequently enforced, unless there is credible evidence that such a law or policy has been or would be applied to the applicant personally; or

''(B) the conduct of rogue foreign government officials acting outside the scope of their official capacity.

''(4) DISCRETIONARY DETERMINATION.—

''(A) ADVERSE DISCRETIONARY FACTORS.—The Secretary of Homeland Security or the Attorney General may only grant asylum to an alien if the alien establishes that he or she warrants a favorable exercise of discretion. In making such a determination, the Attorney General or Secretary of Homeland Security shall consider, if applicable, an alien's use of fraudulent documents to enter the United States, unless the alien arrived in the United States by air, sea, or land directly from the applicant's home country without transiting through any other country.

''(B) FAVORABLE EXERCISE OF DISCRETION NOT PERMITTED.—Except as provided in subparagraph (C), the Attorney General or Secretary of Homeland Security shall not favorably exercise discretion under this section for any alien who—

''(i) has accrued more than one year of unlawful presence in the United States, as defined in sections 212(a)(9)(B)(ii) and (iii), prior to filing an application for asylum;

''(ii) at the time the asylum application is filed with the immigration court or is referred from the Department of Homeland Security, has—

''(I) failed to timely file (or timely file a request for an extension of time to file) any required Federal, State, or local income tax returns;

''(II) failed to satisfy any outstanding Federal, State, or local tax obligations; or

''(III) income that would result in tax liability under section 1 of the Internal Revenue Code of 1986 and that was not reported to the Internal Revenue Service;

''(iii) has had two or more prior asylum applications denied for any reason;

''(iv) has withdrawn a prior asylum application with prejudice or been found to have abandoned a prior asylum application;

''(v) failed to attend an interview regarding his or her asylum application with the Department of Homeland Security, unless the alien shows by a preponderance of the evidence that—

''(I) exceptional circumstances prevented the alien from attending the interview; or

''(II) the interview notice was not mailed to the last address provided by the alien or the alien's representative and neither the alien nor the alien's representative received notice of the interview; or

''(vi) was subject to a final order of removal, deportation, or exclusion and did not file a motion to reopen to seek asylum based on changed country conditions within one year of the change in country conditions.

''(C) EXCEPTIONS.—If one or more of the adverse discretionary factors set forth in subparagraph (B) are present, the Attorney General or the Secretary, may, notwithstanding such subparagraph (B), favorably exercise discretion under section 208—

''(i) in extraordinary circumstances, such as those involving national security or foreign policy considerations; or

''(ii) if the alien, by clear and convincing evidence, demonstrates that the denial of the

application for asylum would result in exceptional and extremely unusual hardship to the alien.

''(5) LIMITATION.—If the Secretary or the Attorney General determines that an alien fails to satisfy the requirement under paragraph (1), the alien may not be granted asylum based on membership in a particular social group, and may not appeal the determination of the Secretary or Attorney General, as applicable. A determination under this paragraph shall not serve as the basis for any motion to reopen or reconsider an application for asylum or withholding of removal for any reason, including a claim of ineffective assistance of counsel, unless the alien complies with the procedural requirements for such a motion and demonstrates that counsel's failure to define, or provide a basis for defining, a formulation of a particular social group was both not a strategic choice and constituted egregious conduct.

''(6) STEREOTYPES.—Evidence offered in support of an application for asylum that promotes cultural stereotypes about a country, its inhabitants, or an alleged persecutor, including stereotypes based on race, religion, nationality, or gender, shall not be admissible in adjudicating that application, except that evidence that an alleged persecutor holds stereotypical views of the applicant shall be admissible.

''(7) DEFINITIONS.—In this section:

''(A) The term 'membership in a particular social group' means membership in a group that is—

''(i) composed of members who share a common immutable characteristic;

''(ii) defined with particularity; and

''(iii) socially distinct within the society in question.

''(B) The term 'political opinion' means an ideal or conviction in support of the furtherance of a discrete cause related to political control of a state or a unit thereof.

''(C) The term 'persecution' means the infliction of a severe level of harm constituting an exigent threat by the government of a country or by persons or an organization that the government was unable or unwilling to control. Such term does not include—

''(i) generalized harm or violence that arises out of civil, criminal, or military strife in a country;

''(ii) all treatment that the United States regards as unfair, offensive, unjust, unlawful, or unconstitutional;

''(iii) intermittent harassment, including brief detentions;

''(iv) threats with no actual effort to carry out the threats, except that particularized threats of severe harm of an immediate and menacing nature made by an identified entity may constitute persecution; or

''(v) non-severe economic harm or property damage.''.

SEC. 108. FIRM RESETTLEMENT.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), as amended by this title, is further amended by adding at the end the following:

''(g) FIRM RESETTLEMENT.—In determining whether an alien was firmly resettled in another country prior to arriving in the United States under subsection (b)(2)(A)(xiv), the following shall apply:

''(1) IN GENERAL.—An alien shall be considered to have firmly resettled in another country if, after the events giving rise to the alien's asylum claim—

''(A) the alien resided in a country through which the alien transited prior to arriving in or entering the United States and—

''(i) received or was eligible for any permanent legal immigration status in that country;

''(ii) resided in such a country with any non-permanent but indefinitely renewable legal immigration status (including asylee, refugee, or similar status, but excluding status of a tourist); or

''(iii) resided in such a country and could have applied for and obtained an immigration status described in clause (ii);

''(B) the alien physically resided voluntarily, and without continuing to suffer persecution or torture, in any one country for one year or more after departing his country of nationality or last habitual residence and prior to arrival in or entry into the United States, except for any time spent in Mexico by an alien who is not a native or citizen of Mexico solely as a direct result of being returned to Mexico pursuant to section 235(b)(3) or of being subject to metering; or

''(C) the alien is a citizen of a country other than the country in which the alien alleges a fear of persecution, or was a citizen of such a country in the case of an alien who renounces such citizenship, and the alien was present in that country after departing his country of nationality or last habitual residence and prior to arrival in or entry into the United States.

''(2) BURDEN OF PROOF.—If an immigration judge determines that an alien has firmly resettled in another country under paragraph (1), the alien shall bear the burden of proving the bar does not apply.

''(3) FIRM RESETTLEMENT OF PARENT.—An alien shall be presumed to have been firmly resettled in another country if the alien's parent was firmly resettled in another country, the parent's resettlement occurred before the alien turned 18 years of age, and the alien resided with such parent at the time of the firm resettlement, unless the alien establishes that he or she could not have derived any permanent legal immigration status or any non-permanent but indefinitely renewable legal immigration status (including asylum, refugee, or similar status, but excluding status of a tourist) from the alien's parent.''.

SEC. 109. NOTICE CONCERNING FRIVOLOUS ASYLUM APPLICATIONS.

(a) IN GENERAL.—Section 208(d)(4) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(4)) is amended—

(1) in the matter preceding subparagraph (A), by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General'';

(2) in subparagraph (A), by striking ''and of the consequences, under paragraph (6), of knowingly filing a frivolous application for asylum; and'' and inserting a semicolon;

(3) in subparagraph (B), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(C) ensure that a written warning appears on the asylum application advising the alien of the consequences of filing a frivolous application and serving as notice to the alien of the consequence of filing a frivolous application.''.

(b) CONFORMING AMENDMENT.—Section 208(d)(6) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(6)) is amended by striking ''If the'' and all that follows and inserting:

''(A) IN GENERAL.—If the Secretary of Homeland Security or the Attorney General determines that an alien has knowingly made a frivolous application for asylum and the alien has received the notice under paragraph (4)(C), the alien shall be permanently ineligible for any benefits under this chapter, effective as the date of the final determination of such an application.

''(B) CRITERIA.—An application is frivolous if the Secretary of Homeland Security or the Attorney General determines, consistent with subparagraph (C), that—

''(i) it is so insufficient in substance that it is clear that the applicant knowingly filed the application solely or in part to delay removal from the United States, to seek employment authorization as an applicant for asylum pursuant to regulations issued pursuant to paragraph (2), or to seek issuance of a Notice to Appear in order to pursue Cancellation of Removal under section 240A(b); or

''(ii) any of the material elements are knowingly fabricated.

''(C) SUFFICIENT OPPORTUNITY TO CLARIFY.—In determining that an application is frivolous, the Secretary or the Attorney General, must be satisfied that the applicant, during the course of the proceedings, has had sufficient opportunity to clarify any discrepancies or implausible aspects of the claim.

''(D) WITHHOLDING OF REMOVAL NOT PRECLUDED.—For purposes of this section, a finding that an alien filed a frivolous asylum application shall not preclude the alien from seeking withholding of removal under section 241(b)(3) or protection pursuant to the Convention Against Torture.''.

SEC. 110. TECHNICAL AMENDMENTS.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(D), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(B) in paragraph (3), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(C) in paragraph (3), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(3) in subsection (d)—

(A) in paragraph (1), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General'' each place such term appears; and

(B) in paragraph (5)—

(i) in subparagraph (A), by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(ii) in subparagraph (B), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''.

SEC. 111. REQUIREMENT FOR PROCEDURES RELATING TO CERTAIN ASYLUM APPLICATIONS.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Attorney General shall establish procedures to expedite the adjudication of asylum applications for aliens—

(1) who are subject to removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a); and

(2) who are nationals of a Western Hemisphere country sanctioned by the United States, as described in subsection (b), as of January 1, 2024.

(b) WESTERN HEMISPHERE COUNTRY SANCTIONED BY THE UNITED STATES DESCRIBED.—Subsection (a) shall apply only to an asylum application filed by an alien who is a national of a Western Hemisphere country subject to sanctions pursuant to—

(1) the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6021 note);

(2) the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform Act of 2021 or the RENACER Act (50 U.S.C. 1701 note); or

(3) Executive Order 13692 (80 Fed. Reg. 12747; declaring a national emergency with respect to the situation in Venezuela).

(c) APPLICABILITY.—This section shall only apply to an alien who files an application for

asylum after the date of the enactment of this Act.

TITLE II—BORDER SAFETY AND MIGRANT PROTECTION

SEC. 201. INSPECTION OF APPLICANTS FOR ADMISSION.

Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clauses (i) and (ii), by striking ''section 212(a)(6)(C)'' inserting ''subparagraph (A) or (C) of section 212(a)(6)''; and

(II) by adding at the end the following:

''(iv) INELIGIBILITY FOR PAROLE.—An alien described in clause (i) or (ii) shall not be eligible for parole except as expressly authorized pursuant to section 212(d)(5), or for parole or release pursuant to section 236(a).''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking ''asylum.'' and inserting ''asylum and shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).''; and

(II) in clause (iii)(IV)—

(aa) in the header by striking ''DETENTION'' and inserting ''DETENTION, RETURN, OR REMOVAL''; and

(bb) by adding at the end the following: ''The alien shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''Subject to subparagraphs (B) and (C),'' and inserting ''Subject to subparagraph (B) and paragraph (3),''; and

(II) by adding at the end the following: ''The alien shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).''; and

(ii) by striking subparagraph (C);

(C) by redesignating paragraph (3) as paragraph (5); and

(D) by inserting after paragraph (2) the following:

''(3) RETURN TO FOREIGN TERRITORY CONTIGUOUS TO THE UNITED STATES.—

''(A) IN GENERAL.—The Secretary of Homeland Security may return to a foreign territory contiguous to the United States any alien arriving on land from that territory (whether or not at a designated port of entry) pending a proceeding under section 240 or review of a determination under subsection (b)(1)(B)(iii)(III).

''(B) MANDATORY RETURN.—If at any time the Secretary of Homeland Security cannot—

''(i) comply with its obligations to detain an alien as required under clauses (ii) and (iii)(IV) of subsection (b)(1)(B) and subsection (b)(2)(A); or

''(ii) remove an alien to a country described in section 208(a)(2)(A),

the Secretary of Homeland Security shall, without exception, including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5), return to a foreign territory contiguous to the United States any alien arriving on land from that territory (whether or not at a designated port of entry) pending a proceeding under section 240 or review of a determination under subsection (b)(1)(B)(iii)(III).

''(4) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—The attorney general of a State, or other authorized State officer, alleging a violation of the detention, return, or removal requirements under paragraph (1), (2), or (3) that affects such State or its residents, may bring an action against the Secretary of Homeland Security on behalf of the residents of the State in an appropriate United States district court to obtain appropriate injunctive relief.''; and

(2) by adding at the end the following:

''(e) AUTHORITY TO PROHIBIT INTRODUCTION OF CERTAIN ALIENS.—If the Secretary of Homeland Security determines, in his discretion, that the prohibition of the introduction of aliens who are inadmissible under subparagraph (A) or (C) of section 212(a)(6) or under section 212(a)(7) at an international land or maritime border of the United States is necessary to achieve operational control (as defined in section 2 of the Secure Fence Act of 2006 (8 U.S.C. 1701 note)) of such border, the Secretary may prohibit, in whole or in part, the introduction of such aliens at such border for such period of time as the Secretary determines is necessary for such purpose.''.

SEC. 202. OPERATIONAL DETENTION FACILITIES.

(a) IN GENERAL.—Not later than September 30, 2024, the Secretary of Homeland Security shall take all necessary actions to reopen or restore all U.S. Immigration and Customs Enforcement detention facilities that were in operation on January 20, 2021, that subsequently closed or with respect to which the use was altered, reduced, or discontinued after January 20, 2021. In carrying out the requirement under this subsection, the Secretary may use the authority under section 103(a)(11) of the Immigration and Nationality Act (8 U.S.C. 1103(a)(11)).

(b) SPECIFIC FACILITIES.—The requirement under subsection (a) shall include at a minimum, reopening, or restoring, the following facilities:

(1) Irwin County Detention Center in Georgia.

(2) C. Carlos Carreiro Immigration Detention Center in Bristol County, Massachusetts.

(3) Etowah County Detention Center in Gadsden, Alabama.

(4) Glades County Detention Center in Moore Haven, Florida.

(5) South Texas Family Residential Center.

(c) EXCEPTION.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Secretary of Homeland Security is authorized to obtain equivalent capacity for detention facilities at locations other than those listed in subsection (b).

(2) LIMITATION.—The Secretary may not take action under paragraph (1) unless the capacity obtained would result in a reduction of time and cost relative to the cost and time otherwise required to obtain such capacity.

(3) SOUTH TEXAS FAMILY RESIDENTIAL CENTER.—The exception under paragraph (1) shall not apply to the South Texas Family Residential Center. The Secretary shall take all necessary steps to modify and operate the South Texas Family Residential Center in the same manner and capability it was operating on January 20, 2021.

(d) PERIODIC REPORT.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until September 30, 2027, the Secretary of Homeland Security shall submit to the appropriate congressional committees a detailed plan for and a status report on—

(1) compliance with the deadline under subsection (a);

(2) the increase in detention capabilities required by this section—

(A) for the 90 day period immediately preceding the date such report is submitted; and

(B) for the period beginning on the first day of the fiscal year during which the report is submitted, and ending on the date such report is submitted;

(3) the number of detention beds that were used and the number of available detention beds that were not used during—

(A) the 90 day period immediately preceding the date such report is submitted; and

(B) the period beginning on the first day of the fiscal year during which the report is submitted, and ending on the date such report is submitted;

(4) the number of aliens released due to a lack of available detention beds; and

(5) the resources the Department of Homeland Security needs in order to comply with the requirements under this section.

(e) NOTIFICATION.—The Secretary of Homeland Security shall notify Congress, and include with such notification a detailed description of the resources the Department of Homeland Security needs in order to detain all aliens whose detention is mandatory or nondiscretionary under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.)—

(1) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach 90 percent of capacity;

(2) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach 95 percent of capacity; and

(3) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach full capacity.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on the Judiciary of the House of Representatives;

(2) the Committee on Appropriations of the House of Representatives;

(3) the Committee on the Judiciary of the Senate; and

(4) the Committee on Appropriations of the Senate.

TITLE III—PREVENTING UNCONTROLLED MIGRATION FLOWS IN THE WESTERN HEMISPHERE

SEC. 301. UNITED STATES POLICY REGARDING WESTERN HEMISPHERE COOPERATION ON IMMIGRATION AND ASYLUM.

It is the policy of the United States to enter into agreements, accords, and memoranda of understanding with countries in the Western Hemisphere, the purposes of which are to advance the interests of the United States by reducing costs associated with illegal immigration and to protect the human capital, societal traditions, and economic growth of other countries in the Western Hemisphere. It is further the policy of the United States to ensure that humanitarian and development assistance funding aimed at reducing illegal immigration is not expended on programs that have not proven to reduce illegal immigrant flows in the aggregate.

SEC. 302. NEGOTIATIONS BY SECRETARY OF STATE.

(a) AUTHORIZATION TO NEGOTIATE.—The Secretary of State shall seek to negotiate agreements, accords, and memoranda of understanding between the United States, Mexico, Honduras, El Salvador, Guatemala, and other countries in the Western Hemisphere with respect to cooperation and burden sharing required for effective regional immigration enforcement, expediting legal claims by aliens for asylum, and the processing, detention, and repatriation of foreign nationals seeking to enter the United States unlawfully. Such agreements shall be designed to

facilitate a regional approach to immigration enforcement and shall, at a minimum, provide that—

(1) the Government of Mexico authorize and accept the rapid entrance into Mexico of nationals of countries other than Mexico who seek asylum in Mexico, and process the asylum claims of such nationals inside Mexico, in accordance with both domestic law and international treaties and conventions governing the processing of asylum claims;

(2) the Government of Mexico authorize and accept both the rapid entrance into Mexico of all nationals of countries other than Mexico who are ineligible for asylum in Mexico and wish to apply for asylum in the United States, whether or not at a port of entry, and the continued presence of such nationals in Mexico while they wait for the adjudication of their asylum claims to conclude in the United States;

(3) the Government of Mexico commit to provide the individuals described in paragraphs (1) and (2) with appropriate humanitarian protections;

(4) the Government of Honduras, the Government of El Salvador, and the Government of Guatemala each authorize and accept the entrance into the respective countries of nationals of other countries seeking asylum in the applicable such country and process such claims in accordance with applicable domestic law and international treaties and conventions governing the processing of asylum claims;

(5) the Government of the United States commit to work to accelerate the adjudication of asylum claims and to conclude removal proceedings in the wake of asylum adjudications as expeditiously as possible;

(6) the Government of the United States commit to continue to assist the governments of countries in the Western Hemisphere, such as the Government of Honduras, the Government of El Salvador, and the Government of Guatemala, by supporting the enhancement of asylum capacity in those countries; and

(7) the Government of the United States commit to monitoring developments in hemispheric immigration trends and regional asylum capabilities to determine whether additional asylum cooperation agreements are warranted.

(b) NOTIFICATION IN ACCORDANCE WITH CASE-ZABLOCKI ACT.—The Secretary of State shall, in accordance with section 112b of title 1, United States Code, promptly inform the relevant congressional committees of each agreement entered into pursuant to subsection (a). Such notifications shall be submitted not later than 48 hours after such agreements are signed.

(c) ALIEN DEFINED.—In this section, the term ''alien'' has the meaning given such term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

SEC. 303. MANDATORY BRIEFINGS ON UNITED STATES EFFORTS TO ADDRESS THE BORDER CRISIS.

(a) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 90 days thereafter until the date described in subsection (b), the Secretary of State, or the designee of the Secretary of State, shall provide to the appropriate congressional committees an in-person briefing on efforts undertaken pursuant to the negotiation authority provided by section 302 of this title to monitor, deter, and prevent illegal immigration to the United States, including by entering into agreements, accords, and memoranda of understanding with foreign countries and by using United States foreign assistance to stem the root causes of migration in the Western Hemisphere.

(b) TERMINATION OF MANDATORY BRIEFING.—The date described in this subsection is the date on which the Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, determines and certifies to the appropriate congressional committees that illegal immigration flows have subsided to a manageable rate.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

TITLE IV—ENSURING UNITED FAMILIES AT THE BORDER

SEC. 401. CLARIFICATION OF STANDARDS FOR FAMILY DETENTION.

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

''(j) CONSTRUCTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, judicial determination, consent decree, or settlement agreement, the detention of any alien child who is not an unaccompanied alien child shall be governed by sections 217, 235, 236, and 241 of the Immigration and Nationality Act (8 U.S.C. 1187, 1225, 1226, and 1231). There is no presumption that an alien child who is not an unaccompanied alien child should not be detained.

''(2) FAMILY DETENTION.—The Secretary of Homeland Security shall—

''(A) maintain the care and custody of an alien, during the period during which the charges described in clause (i) are pending, who—

''(i) is charged only with a misdemeanor offense under section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)); and

''(ii) entered the United States with the alien's child who has not attained 18 years of age; and

''(B) detain the alien with the alien's child.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the amendments in this section to section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) are intended to satisfy the requirements of the Settlement Agreement in Flores v. Meese, No. 85–4544 (C.D. Cal), as approved by the court on January 28, 1997, with respect to its interpretation in Flores v. Johnson, 212 F. Supp. 3d 864 (C.D. Cal. 2015), that the agreement applies to accompanied minors.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to all actions that occur before, on, or after such date.

(d) PREEMPTION OF STATE LICENSING REQUIREMENTS.—Notwithstanding any other provision of law, judicial determination, consent decree, or settlement agreement, no State may require that an immigration detention facility used to detain children who have not attained 18 years of age, or families consisting of one or more of such children and the parents or legal guardians of such children, that is located in that State, be licensed by the State or any political subdivision thereof.

TITLE V—PROTECTION OF CHILDREN

SEC. 501. FINDINGS.

Congress makes the following findings:

(1) Implementation of the provisions of the Trafficking Victims Protection Reauthorization Act of 2008 that govern unaccompanied alien children has incentivized multiple surges of unaccompanied alien children arriving at the southwest border in the years since the bill's enactment.

(2) The provisions of the Trafficking Victims Protection Reauthorization Act of 2008 that govern unaccompanied alien children treat unaccompanied alien children from countries that are contiguous to the United States disparately by swiftly returning them to their home country absent indications of trafficking or a credible fear of return, but allowing for the release of unaccompanied alien children from noncontiguous countries into the interior of the United States, often to those individuals who paid to smuggle them into the country in the first place.

(3) The provisions of the Trafficking Victims Protection Reauthorization Act of 2008 governing unaccompanied alien children have enriched the cartels, who profit hundreds of millions of dollars each year by smuggling unaccompanied alien children to the southwest border, exploiting and sexually abusing many such unaccompanied alien children on the perilous journey.

(4) Prior to 2008, the number of unaccompanied alien children encountered at the southwest border never exceeded 1,000 in a single year.

(5) The United States is currently in the midst of the worst crisis of unaccompanied alien children in our nation's history, with over 350,000 such unaccompanied alien children encountered at the southwest border since Joe Biden became President.

(6) In 2022, during the Biden Administration, 152,057 unaccompanied alien children were encountered, the most ever in a single year and an over 400 percent increase compared to the last full fiscal year of the Trump Administration in which 33,239 unaccompanied alien children were encountered.

(7) The Biden Administration has lost contact with at least 85,000 unaccompanied alien children who entered the United States since Joe Biden took office.

(8) The Biden Administration dismantled effective safeguards put in place by the Trump Administration that protected unaccompanied alien children from being abused by criminals or exploited for illegal and dangerous child labor.

(9) A recent New York Times investigation found that unaccompanied alien children are being exploited in the labor market and ''are ending up in some of the most punishing jobs in the country.''.

(10) The Times investigation found unaccompanied alien children, ''under intense pressure to earn money'' in order to ''send cash back to their families while often being in debt to their sponsors for smuggling fees, rent, and living expenses,'' feared ''that they had become trapped in circumstances they never could have imagined.''.

(11) The Biden Administration's Department of Health and Human Services Secretary Xavier Becerra compared placing unaccompanied alien children with sponsors, to widgets in an assembly line, stating that, ''If Henry Ford had seen this in his plant, he would have never become famous and rich. This is not the way you do an assembly line.''.

(12) Department of Health and Human Services employees working under Secretary Xavier Becerra's leadership penned a July 2021 memorandum expressing serious concern that ''labor trafficking was increasing'' and that the agency had become ''one that rewards individuals for making quick releases, and not one that rewards individuals for preventing unsafe releases.''.

(13) Despite this, Secretary Xavier Becerra pressured then-Director of the Office of Refugee Resettlement Cindy Huang to prioritize releases of unaccompanied alien children over ensuring their safety, telling her ''if she could not increase the number of discharges he would find someone who could'' and then-Director Huang resigned one month later.

(14) In June 2014, the Obama-Biden Administration requested legal authority to exercise discretion in returning and removing unaccompanied alien children from non-contiguous countries back to their home countries.

(15) In August 2014, the House of Representatives passed H.R. 5320, which included the Protection of Children Act.

(16) This title ends the disparate policies of the Trafficking Victims Protection Reauthorization Act of 2008 by ensuring the swift return of all unaccompanied alien children to their country of origin if they are not victims of trafficking and do not have a fear of return.

SEC. 502. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

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

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by amending the heading to read as follows: ''RULES FOR UNACCOMPANIED ALIEN CHILDREN.—'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''who is a national or habitual resident of a country that is contiguous with the United States'';

(II) in clause (i), by inserting ''and'' at the end;

(III) in clause (ii), by striking ''; and'' and inserting a period; and

(IV) by striking clause (iii); and

(iii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''(8 U.S.C. 1101 et seq.) may—'' and inserting ''(8 U.S.C. 1101 et seq.)—'';

(II) in clause (i), by inserting before ''permit such child to withdraw'' the following: ''may''; and

(III) in clause (ii), by inserting before ''return such child'' the following: ''shall''; and

(B) in paragraph (5)(D)—

(i) in the matter preceding clause (i), by striking '', except for an unaccompanied alien child from a contiguous country subject to exceptions under subsection (a)(2),'' and inserting ''who does not meet the criteria listed in paragraph (2)(A)''; and

(ii) in clause (i), by inserting before the semicolon at the end the following: '', which shall include a hearing before an immigration judge not later than 14 days after being screened under paragraph (4)'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting before the semicolon the following: ''believed not to meet the criteria listed in subsection (a)(2)(A)''; and

(ii) in subparagraph (B), by inserting before the period the following: ''and does not meet the criteria listed in subsection (a)(2)(A)''; and

(B) in paragraph (3), by striking ''an unaccompanied alien child in custody shall'' and all that follows, and inserting the following: ''an unaccompanied alien child in custody—

''(A) in the case of a child who does not meet the criteria listed in subsection (a)(2)(A), shall transfer the custody of such child to the Secretary of Health and Human Services not later than 30 days after determining that such child is an unaccompanied alien child who does not meet such criteria; or

''(B) in the case of a child who meets the criteria listed in subsection (a)(2)(A), may transfer the custody of such child to the Secretary of Health and Human Services after determining that such child is an unaccompanied alien child who meets such criteria.'';

and

(3) in subsection (c)—

(A) in paragraph (3), by inserting at the end the following:

''(D) INFORMATION ABOUT INDIVIDUALS WITH WHOM CHILDREN ARE PLACED.—

''(i) INFORMATION TO BE PROVIDED TO HOMELAND SECURITY.—Before placing a child with an individual, the Secretary of Health and Human Services shall provide to the Secretary of Homeland Security, regarding the individual with whom the child will be placed, information on—

''(I) the name of the individual;

''(II) the social security number of the individual;

''(III) the date of birth of the individual;

''(IV) the location of the individual's residence where the child will be placed;

''(V) the immigration status of the individual, if known; and

''(VI) contact information for the individual.

''(ii) ACTIVITIES OF THE SECRETARY OF HOMELAND SECURITY.—Not later than 30 days after receiving the information listed in clause (i), the Secretary of Homeland Security, upon determining that an individual with whom a child is placed is unlawfully present in the United States and not in removal proceedings pursuant to chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), shall initiate such removal proceedings.''; and

(B) in paragraph (5)—

(i) by inserting after ''to the greatest extent practicable'' the following: ''(at no expense to the Government)''; and

(ii) by striking ''have counsel to represent them'' and inserting ''have access to counsel to represent them''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any unaccompanied alien child (as such term is defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) apprehended on or after the date that is 30 days after the date of the enactment of this Act.

SEC. 503. SPECIAL IMMIGRANT JUVENILE STATUS FOR IMMIGRANTS UNABLE TO REUNITE WITH EITHER PARENT.

Section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) is amended—

(1) in clause (i), by striking '', and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law''; and

(2) in clause (iii)—

(A) in subclause (I), by striking ''and'' at the end;

(B) in subclause (II), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(III) an alien may not be granted special immigrant status under this subparagraph if the alien's reunification with any one parent or legal guardian is not precluded by abuse, neglect, abandonment, or any similar cause under State law;''.

SEC. 504. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to limit the following procedures or practices relating to an unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))):

(1) Screening of such a child for a credible fear of return to his or her country of origin.

(2) Screening of such a child to determine whether he or she was a victim of trafficking.

(3) Department of Health and Human Services policy in effect on the date of the enactment of this Act requiring a home study for such a child if he or she is under 12 years of age.

TITLE VI—VISA OVERSTAYS PENALTIES

SEC. 601. EXPANDED PENALTIES FOR ILLEGAL ENTRY OR PRESENCE.

Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended—

(1) in subsection (a) by inserting after ''for a subsequent commission of any such offense'' the following: ''or if the alien was previously convicted of an offense under subsection (e)(2)(A)'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''at least $50 and not more than $250'' and inserting ''not less than $500 and not more than $1,000''; and

(B) in paragraph (2), by inserting after ''in the case of an alien who has been previously subject to a civil penalty under this subsection'' the following: ''or subsection (e)(2)(B)''; and

(3) by adding at the end the following:

''(e) VISA OVERSTAYS.—

''(1) IN GENERAL.—An alien who was admitted as a nonimmigrant has violated this paragraph if the alien, for an aggregate of 10 days or more, has failed—

''(A) to maintain the nonimmigrant status in which the alien was admitted, or to which it was changed under section 248, including complying with the period of stay authorized by the Secretary of Homeland Security in connection with such status; or

''(B) to comply otherwise with the conditions of such nonimmigrant status.

''(2) PENALTIES.—An alien who has violated paragraph (1)—

''(A) shall—

''(i) for the first commission of such a violation, be fined under title 18, United States Code, or imprisoned not more than 6 months, or both; and

''(ii) for a subsequent commission of such a violation, or if the alien was previously convicted of an offense under subsection (a), be fined under such title 18, or imprisoned not more than 2 years, or both; and

''(B) in addition to, and not in lieu of, any penalty under subparagraph (A) and any other criminal or civil penalties that may be imposed, shall be subject to a civil penalty of—

''(i) not less than $500 and not more than $1,000 for each violation; or

''(ii) twice the amount specified in clause (i), in the case of an alien who has been previously subject to a civil penalty under this subparagraph or subsection (b).''.

TITLE VII—IMMIGRATION PAROLE REFORM

SEC. 701. IMMIGRATION PAROLE REFORM.

Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended to read as follows:

''(5)(A) Except as provided in subparagraphs (B) and (C) and section 214(f), the Secretary of Homeland Security, in the discretion of the Secretary, may temporarily parole into the United States any alien applying for admission to the United States who is not present in the United States, under such conditions as the Secretary may prescribe, on a case-by-case basis, and not according to eligibility criteria describing an entire class of potential parole recipients, for urgent humanitarian reasons or significant public benefit. Parole granted under this subparagraph may not be regarded as an admission of the alien. When the purposes of such parole have been served in the opinion of the Secretary, the alien shall immediately return or be returned to the custody from which the alien was paroled. After such return, the case of the alien shall be dealt with in the same manner as the case of any other applicant for admission to the United States.

''(B) The Secretary of Homeland Security may grant parole to any alien who—

''(i) is present in the United States without lawful immigration status;

''(ii) is the beneficiary of an approved petition under section 203(a);

''(iii) is not otherwise inadmissible or removable; and

''(iv) is the spouse or child of a member of the Armed Forces serving on active duty.

''(C) The Secretary of Homeland Security may grant parole to any alien—

''(i) who is a national of the Republic of Cuba and is living in the Republic of Cuba;

''(ii) who is the beneficiary of an approved petition under section 203(a);

''(iii) for whom an immigrant visa is not immediately available;

''(iv) who meets all eligibility requirements for an immigrant visa;

''(v) who is not otherwise inadmissible; and

''(vi) who is receiving a grant of parole in furtherance of the commitment of the United States to the minimum level of annual legal migration of Cuban nationals to the United States specified in the U.S.-Cuba Joint Communiqué on Migration, done at New York September 9, 1994, and reaffirmed in the Cuba-United States: Joint Statement on Normalization of Migration, Building on the Agreement of September 9, 1994, done at New York May 2, 1995.

''(D) The Secretary of Homeland Security may grant parole to an alien who is returned to a contiguous country under section 235(b)(3) to allow the alien to attend the alien's immigration hearing. The grant of parole shall not exceed the time required for the alien to be escorted to, and attend, the alien's immigration hearing scheduled on the same calendar day as the grant, and to immediately thereafter be escorted back to the contiguous country. A grant of parole under this subparagraph shall not be considered for purposes of determining whether the alien is inadmissible under this Act.

''(E) For purposes of determining an alien's eligibility for parole under subparagraph (A), an urgent humanitarian reason shall be limited to circumstances in which the alien establishes that—

''(i)(I) the alien has a medical emergency; and

''(II)(aa) the alien cannot obtain necessary treatment in the foreign state in which the alien is residing; or

''(bb) the medical emergency is life-threatening and there is insufficient time for the alien to be admitted to the United States through the normal visa process;

''(ii) the alien is the parent or legal guardian of an alien described in clause (i) and the alien described in clause (i) is a minor;

''(iii) the alien is needed in the United States in order to donate an organ or other tissue for transplant and there is insufficient time for the alien to be admitted to the United States through the normal visa process;

''(iv) the alien has a close family member in the United States whose death is imminent and the alien could not arrive in the United States in time to see such family member alive if the alien were to be admitted to the United States through the normal visa process;

''(v) the alien is seeking to attend the funeral of a close family member and the alien could not arrive in the United States in time to attend such funeral if the alien were to be admitted to the United States through the normal visa process;

''(vi) the alien is an adopted child with an urgent medical condition who is in the legal custody of the petitioner for a final adoption-related visa and whose medical treatment is required before the expected award of a final adoption-related visa; or

''(vii) the alien is a lawful applicant for adjustment of status under section 245 and is returning to the United States after temporary travel abroad.

''(F) For purposes of determining an alien's eligibility for parole under subparagraph (A), a significant public benefit may be determined to result from the parole of an alien only if—

''(i) the alien has assisted (or will assist, whether knowingly or not) the United States Government in a law enforcement matter;

''(ii) the alien's presence is required by the Government in furtherance of such law enforcement matter; and

''(iii) the alien is inadmissible, does not satisfy the eligibility requirements for admission as a nonimmigrant, or there is insufficient time for the alien to be admitted to the United States through the normal visa process.

''(G) For purposes of determining an alien's eligibility for parole under subparagraph (A), the term 'case-by-case basis' means that the facts in each individual case are considered and parole is not granted based on membership in a defined class of aliens to be granted parole. The fact that aliens are considered for or granted parole one-by-one and not as a group is not sufficient to establish that the parole decision is made on a 'case-by-case basis'.

''(H) The Secretary of Homeland Security may not use the parole authority under this paragraph to parole an alien into the United States for any reason or purpose other than those described in subparagraphs (B), (C), (D), (E), and (F).

''(I) An alien granted parole may not accept employment, except that an alien granted parole pursuant to subparagraph (B) or (C) is authorized to accept employment for the duration of the parole, as evidenced by an employment authorization document issued by the Secretary of Homeland Security.

''(J) Parole granted after a departure from the United States shall not be regarded as an admission of the alien. An alien granted parole, whether as an initial grant of parole or parole upon reentry into the United States, is not eligible to adjust status to lawful permanent residence or for any other immigration benefit if the immigration status the alien had at the time of departure did not authorize the alien to adjust status or to be eligible for such benefit.

''(K)(i) Except as provided in clauses (ii) and (iii), parole shall be granted to an alien under this paragraph for the shorter of—

''(I) a period of sufficient length to accomplish the activity described in subparagraph (D), (E), or (F) for which the alien was granted parole; or

''(II) 1 year.

''(ii) Grants of parole pursuant to subparagraph (A) may be extended once, in the discretion of the Secretary, for an additional period that is the shorter of—

''(I) the period that is necessary to accomplish the activity described in subparagraph (E) or (F) for which the alien was granted parole; or

''(II) 1 year.

''(iii) Aliens who have a pending application to adjust status to permanent residence under section 245 may request extensions of parole under this paragraph, in 1-year increments, until the application for adjustment has been adjudicated. Such parole shall terminate immediately upon the denial of such adjustment application.

''(L) Not later than 90 days after the last day of each fiscal year, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives and make available to the public, a report—

''(i) identifying the total number of aliens paroled into the United States under this paragraph during the previous fiscal year; and

''(ii) containing information and data regarding all aliens paroled during such fiscal year, including—

''(I) the duration of parole;

''(II) the type of parole; and

''(III) the current status of the aliens so paroled.''.

SEC. 702. IMPLEMENTATION.

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date that is 30 days after the date of the enactment of this Act.

(b) EXCEPTIONS.—Notwithstanding subsection (a), each of the following exceptions apply:

(1) Any application for parole or advance parole filed by an alien before the date of the enactment of this Act shall be adjudicated under the law that was in effect on the date on which the application was properly filed and any approved advance parole shall remain valid under the law that was in effect on the date on which the advance parole was approved.

(2) Section 212(d)(5)(J) of the Immigration and Nationality Act, as added by section 701 of this title, shall take effect on the date of the enactment of this Act.

(3) Aliens who were paroled into the United States pursuant to section 212(d)(5)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)(A)) before January 1, 2024, shall continue to be subject to the terms of parole that were in effect on the date on which their respective parole was approved.

SEC. 703. CAUSE OF ACTION.

Any person, State, or local government that experiences financial harm in excess of $1,000 due to a failure of the Federal Government to lawfully apply the provisions of this title or the amendments made by this title shall have standing to bring a civil action against the Federal Government in an appropriate district court of the United States for appropriate relief.

SEC. 704. SEVERABILITY.

If any provision of this title or any amendment by this title, or the application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and the application of such provision or amendment to any other person or circumstance shall not be affected.

TITLE VIII—SUPPORTING OUR BORDER STATES

SEC. 801. BORDER BARRIER GRANTS.

(a) AUTHORIZATION.—Notwithstanding any other provision of law, not later than 30 days after the President receives from the Governor of a southwest border State a certification that the Governor intends to use a grant under this section for a purpose set forth in subsection (b), the President shall—

(1) acting through the Secretary of the Treasury, disburse the amount determined with respect to the State under subsection (c); and

(2) ensure that all relevant Federal entities take such actions as may be necessary to allow for the use of grant funds in accordance with subsection (b).

(b) USE OF GRANT FUNDS.—A grant under this section shall be used for the construction of a southwest border barrier, including continuing the construction of or repairs to portions of existing border barrier sufficient to prevent vehicular and pedestrian crossings across the southwest border from Mexico into the United States, and associated infrastructure, including physical barriers and associated detection technology, roads, and lighting.

(c) DETERMINATION OF GRANT AMOUNT.—

(1) IN GENERAL.—The amount disbursed to a southwest border State under this section shall be equal to the amount determined with respect to the State under paragraph (2).

(2) RATIO.—Of the total amount appropriated under section 803(c)(1), the amount disbursed to a southwest border State shall be in an amount that bears the same ratio of—

(A) the number of miles along the southwest border of the United States located in that State where there is no border barrier to—

(B) the total number of miles along the southwest border of the United States where there is no border barrier.

(3) DETERMINATIONS.—Not later than 30 days after the date of enactment of this Act, the Secretary of Homeland Security shall make the determinations under paragraph (2).

SEC. 802. LAW ENFORCEMENT REIMBURSEMENT GRANTS.

(a) AUTHORIZATION.—Notwithstanding any other provision of law, not later than 30 days after the President receives from the Governor of a southwest border State a certification that the Governor intends to use a grant under this section for a purpose set forth in subsection (b), the President shall acting through the Secretary of the Treasury, disburse the amount determined with respect to the State under subsection (c).

(b) USE OF GRANT FUNDS.—A grant under this section may be used for the reimbursement of expenditures related to the deployment of law enforcement or the National Guard at the southwest border of the United States, in furtherance of any law enforcement operation related to border security or immigration enforcement conducted by a Governor of a southwest border State (such as Texas Governor Greg Abbott's Operational Lone Star), to—

(1) enforce the law of that State;

(2) secure that border;

(3) combat international criminal activity, including human trafficking, illicit narcotics trafficking (including fentanyl trafficking), and cartel or gang activity;

(4) detect and deter the unlawful entry of any alien; or

(5) arrest and detain any alien who unlawfully enters the United States or who is present in the United States without lawful status under the immigration laws (as such term is defined in section 101 of the Immigration and Nationality Act).

(c) DETERMINATION OF GRANT AMOUNT.—

(1) INITIAL GRANT.—Of the total amount appropriated under section 803(c)(2), the amount disbursed to a southwest border State shall be in an amount that bears the same ratio of—

(A) the number border encounters along the southwest border of the United States in that State, as reported in the statistics for fiscal year 2023 compiled by U.S. Customs and Border Protection entitled ''Southwest Land Border Encounters'', to—

(B) the total number of border encounters along the southwest border of the United States for fiscal year 2023.

(2) SUBSEQUENT GRANT.—Of the total amount reallocated under section 803(d), the amount disbursed to a southwest border State shall be in an amount that bears the same ratio of—

(A) the amount of expenditures that are eligible for reimbursement under this section for which the State has not been reimbursed to—

(B) the total amount of expenditures that are eligible for reimbursement under this section for which all southwest border States have not been reimbursed.

(d) PERIOD OF EXPENDITURES.—

(1) INITIAL GRANT.—An initial grant under this section may be used for expenditures incurred during the period beginning on January 20, 2021 and ending on the date on which the State receives the grant.

(2) SUBSEQUENT GRANT.—A subsequent grant under this section may be used for expenditures incurred on or after January 20, 2021.

SEC. 803. BORDER EMERGENCY AND STATE SECURITY FUND.

(a) ESTABLISHMENT.—There is established in the general fund of the Treasury a separate account which shall be known as the ''Border Emergency and State Security Fund'' (referred to in this section as the ''Fund'').

(b) APPROPRIATIONS.—There is hereby appropriated to the Fund $9,500,000,000 to remain available until expended.

(c) ALLOCATION.—Of the amounts appropriated under subsection (b)—

(1) $6,000,000,000 is for grants under section 801; and

(2) $3,500,000,000 is for grants under section 802.

(d) REALLOCATION.—

(1) IN GENERAL.—On October 1, 2024, any covered funds shall be made available to southwest border States, or used by such States, as applicable, for grants under section 802.

(2) COVERED FUNDS DEFINED.—In this subsection, the term ''covered funds'' means—

(A) funds allocated under subsection (c)(1) that have not been obligated for grants under section 801 or that a southwest border State certifies will not be used for a grant received under such section 2; and

(B) funds allocated under subsection (c)(2) that have not been obligated for grants under section 802 or that a southwest border State certifies will not be used for a grant received under such section 3.

(e) RESCISSION.—The total amount of unobligated funds made available by section 101(e) of the Fiscal Responsibility Act of 2023 (Public Law 118–5) for the Department of Commerce Nonrecurring Expenses Fund are hereby permanently rescinded.

SEC. 804. DEFINITIONS.

In this title:

(1) The term ''alien'' has the meaning given such term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)

(2) The term ''southwest border State'' means Texas, New Mexico, Arizona, or California.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. MOORE) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama.

□ 1115

GENERAL LEAVE

Mr. MOORE of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 3602.

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

There was no objection.

Mr. MOORE of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Joe Biden took the office of President and immediately did exactly what he had promised on the campaign trail to do: He reversed the Trump administration's immigration policies.

By doing so, the new President let the world know that America's borders are open. President Biden rescinded the remain in Mexico policy, prevented the removal of illegal aliens, and blocked Immigration and Customs Enforcement and Customs and Border Protection from enforcing immigration laws.

In the weeks and months that followed, President Biden terminated the Trump-era policies aimed at preventing fraudulent asylum claims, ending catch and release, increasing criminal alien removals, and preventing illegal immigration.

We are still in the midst of the Biden administration's extended result: The biggest mass illegal immigration in the history of the United States.

More than 7.6 million illegal aliens have been encountered by CBP on the southwest border. There have been 38 straight months of more than 100,000 southwest border CBP encounters.

The Biden administration has released nearly 4.7 million illegal aliens into America's communities, in addition to at least 1.8 million known gotaways avoiding apprehension.

At least 357 illegal aliens on the terrorist watch list have been encountered by Border Patrol along the southwest border. No doubt more have evaded detection.

All of this is just on the southwest border. Our northern border is also seeing record-high numbers of illegal aliens encountered by CBP.

Early last year, House Republicans acted to secure our border. We passed H.R. 2, the Secure the Border Act, to end the abuse of the U.S. immigration system, whether by the administration, cartels, or the illegal aliens themselves. Had Senate Democrat leadership not refused to debate H.R. 2 on the Senate floor for more than 330 days, perhaps we would not still have mass lawlessness on our border.

In the meantime, we keep reading media reports that President Biden is looking to use his executive authority to quell the border chaos. Each time, though, the open-borders advocates tell Joe Biden not to use that authority, and each time he bends to their wishes.

Americans are outraged that our own Federal Government turns a blind eye to the chaos that has been created. Americans are tired of seeing mobs of illegal aliens beating up New York police officers, watching endless numbers of illegal aliens stream across the southwest border, and hearing the heart-wrenching details of the deaths of innocent young men and women, including a U.S. Senate staffer, caused by illegal aliens who should not have been here in the first place.

Today, House Republicans are trying again to make our Democrat colleagues and President Biden take this border crisis seriously. H.R. 3602 will restore successful Trump-era policies and remove the rewards and incentives

the Democrats have used to entice people to violate our own Nation's sovereignty.

Division A includes provisions in the Homeland Security Committee's jurisdiction that help secure our border. For instance, it includes provisions to require border wall construction, to increase the number of Border Patrol agents, and provide them with bonus pay and to deploy additional technology to that border.

Division B includes provisions in the jurisdiction of the Judiciary and Foreign Affairs Committees.

Title I reforms the asylum process to deter fraudulent asylum claims from aliens, including economic migrants, and assures that aliens granted asylum are truly being persecuted by their existing government.

Title II ends the Biden administration's catch and release policies by clarifying that the DHS Secretary must remove or detain illegal aliens who arrive at the border or place them into remain in Mexico-type programs. There are no other options. The aliens cannot be paroled or otherwise released into the U.S. unless an immigration judge grants that alien asylum or some other immigration benefit.

Title III directs the Secretary of State to renegotiate successful Trump policies—asylum cooperative agreements and the remain in Mexico program—with his diplomatic counterparts.

Title IV fixes the disastrous Flores settlement that rewards illegal aliens who rent or buy children to pose as family units to avoid detention. Instead, it keeps legitimate families together as they await adjudication of their asylum claims.

Title V requires that unaccompanied alien children be immediately and safely returned to their home country—as we already do for unaccompanied children from Mexico and Canada—rather than trafficked, abandoned, and then exploited in our country. It helps end our government's role in child smuggling and trafficking, a role that is morally reprehensible.

Title VI applies the same penalties for visa overstays as we currently do for illegal border crossings. Under current law, it is a misdemeanor to cross the border illegally, a felony to cross it repeatedly, and yet only a civil infraction to overstay your visa.

Title VII ends the Biden administration's abuse of parole authority, abuses which circumvent immigration law. Parole is inherently a case-by-case review based on individual circumstances in which the rigors of the law are inappropriate. Parole by category isn't parole. It is a new law by fiat. Instead, such changes must be considered and passed by Congress in a Nation that respects the rule of law.

Finally, Title VIII creates two grant programs. The first provides funding for States to construct or improve border barriers and border technology. The second reimburses States for money spent on law enforcement activities related to the border.

H.R. 3602 will help end the border chaos and ensure respect for U.S. immigration laws.

Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to this foolhardy attempt to pass for a second time one of the most draconian immigration bills this Congress has ever seen. This rehashing of H.R. 2 is a joke.

They say that the definition of insanity is trying something over and over but expecting different results. Yet here we are, debating a bill once again that continues to have no chance of being enacted into law. We know that because H.R. 2 has been brought up and failed twice in the Senate, most recently garnering a mere 32 votes. This is nothing more than pure political theater. I truly don't know what it is that the Speaker wants us to suspend: The rules of the House or our disbelief.

My Republican colleagues continue to show us that they are not interested in finding real solutions to tough issues.

Let's be very clear about what this legislation would do. This bill serves as a wholesale ban on asylum and the end of parole. No one would be able to seek asylum in the United States if they cross between ports of entry or if they had, or could have had, even temporary status in a third country.

The last time we considered this bill, Democrats offered a variety of amendments to exempt the most vulnerable from some of these requirements. This included those fleeing Communist and totalitarian regimes and unaccompanied children. The majority was not willing to exempt children under a year old.

When it comes to parole, Republicans were not willing to support codifying the vital Uniting for Ukraine parole program, which has aided over 100,000 Ukrainians fleeing Putin's unlawful invasion of Ukraine. This is not serious legislation.

Given their slim margins, it is unclear that Republicans could even pass H.R. 2 in its entirety today. As such, the majority had to make some tweaks to the bill to try to convince any Republican holdouts that their marquee bill is a good idea.

For example, this version removes H.R. 2's nationwide E-Verify mandate. If passed into law, this would have decimated our economy, especially our agriculture sector. Some Republicans previously voted ''no'' because of this provision, but removing this title appears to be doing little for the bill's prospects. Other Republicans, including the chairman of the Immigration Integrity, Security, and Enforcement Subcommittee, support this provision and have expressed concern over its removal.

This whole exercise is a huge waste of our time. Not only does this bill not have the votes in the Senate, it probably does not even have the votes to pass the House today.

In what appears to be an effort to gain the support of Mr. ROY, an early opponent of the Speaker's approach to the foreign aid package, the E-Verify section was replaced with a new grant program to reimburse States for enforcing immigration law. This is intended to reimburse the State of Texas for the money Governor Greg Abbott has spent defying our Federal system with Operation Lone Star, even though numerous components of this operation have been ruled unlawful by the courts.

If the hope was that this provision would earn the support of Mr. ROY, it seems to have failed, since we are only considering this bill under suspension because he and others wouldn't even support moving this bill out of the Rules Committee. Not only is this not serious legislation, this is not a serious process.

Let's remember how we got here. After passing H.R. 2 in May of last year, Republicans spent the next 7 months saying that H.R. 2 was the only way to secure the border, even though they know that it cannot become law, having been so overwhelmingly rejected by the Senate.

Then they insisted that the price of helping protect Ukraine against Russian aggression was enacting harsh border enforcement legislation. Senate Republicans even managed to convince some Democrats to agree to a border bill in the Senate, a bill that Minority Leader MCCONNELL called the toughest border bill in 30 years, but Republicans could not take yes for an answer.

Donald Trump said that he didn't want to do anything that might help at the border in an election year because he wants immigration as a campaign issue. Other Republicans said it out loud, too, saying they don't want to do too damn much to help a Democrat.

Folding to the cult of Donald Trump, and just hours after the 370-page text of that bill was released, Speaker JOHNSON declared the bill dead on arrival in the House, with the rest of the Republican Conference quickly falling in line.

Republicans showed clearly what Democrats have been saying over and over again, that they don't want to do anything that would help address our broken immigration system. They just want to talk tough, without doing the hard work of actually legislating.

Now, this version of H.R. 2 is being sent to the floor to give Republicans cover to vote for necessary aid for our allies Ukraine, Israel, and Taiwan. If this political theater and show vote of this bill is what they need to pass vital aid to Ukraine, Israel, and Taiwan, then fine, but let's not pretend we are accomplishing anything here today. This is a waste of our time.

Mr. Speaker, I reserve the balance of my time.

Mr. MOORE of Alabama. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. CISCOMANI).

Mr. CISCOMANI. Mr. Speaker, I thank my friend from Alabama for yielding me time. I am glad to see this body taking up my border security legislation today alongside these other important packages as well.

Now, the gentleman from New York calls this a joke. Well, I don't know what he finds funny, but nothing about this situation is funny. It is not funny to our Border Patrol agents; it is not funny to my border communities; and it is certainly not funny to the hundreds of thousands of women and children being trafficked by the Mexican cartels at our southern border. There is nothing funny about this situation.

Let's be clear: Our border is broken and has been for a long time. At a time where our world is more dangerous than ever and our adversaries are emboldened, protecting our homeland is our most critical priority. Attacks by our adversaries have spurred the urgent need to support our allies. Congress should be able and must do both, and it all starts with a secure border, Mr. Speaker.

This bill takes major strides in addressing our porous border. It would immediately restart construction of the border wall, end the disastrous catch and release policies, and streamline the asylum process. We have seen policies that work, including remain in Mexico and Asylum Cooperative Agreements in the Northern Triangle. This bill would start the process of going back to those policies and, in turn, stem the flow we are seeing.

The United States Congress is the most powerful body in the world. We must be able to support our allies while we protect our homeland as well.

The world is looking to America for strength, and our country is looking to Washington for leadership. The administration is nowhere to be found, has been nowhere to be found. We must step up and fill the gaps the White House has left by their weakened foreign and domestic policy stances.

Since January of 2021, there have been more than 7.6 million migrant encounters at our southwestern border. In addition to this staggering 7.6 million, estimates suggest upwards of 1.8 million additional illegal immigrants that evaded Border Patrol and entered our country. Most notably, 169 individuals on the terrorist watch list were apprehended at the border in FY23.

These are no longer just families coming to America in search of a better life. In FY24 so far, we have witnessed over 20,000 Chinese nationals at the southwest border. Encounters of Chinese nationals have already surpassed all of last fiscal year.

I recently went to Israel and personally walked through the devastation of October 7. Make no mistake, Hamas wishes the same fate on Americans.

This bill does not just address a major national security weakness, it solves a crisis that millions of Americans already live with. In my district alone, we have seen close to 1,000 migrants per day enter our communities. Arizonans have seen a spike in high-speed car chases and illicit activity by Mexican cartels.

In FY 2023, fentanyl overdoses in the U.S. rose above 112,000. Fentanyl overdose death is becoming the number one cause of death among young people in my home county of Pima County.

□ 1130

Mr. CISCOMANI. My colleagues from New York to Oregon have seen the effects of our border crisis in their own communities. We must send the signal that the U.S. southern border is not open. Our adversaries, whether it is the Mexican cartels or the CCP, will seize any moment to take advantage of American weakness.

Each of these packages take a firm stance to stand with our allies in Israel, Taiwan, and Ukraine. In turn, my bill takes a firm stance on America's strength in our homeland. Mr. Speaker, this is personal to me. Not only is it the number one issue in my district, it is the number one issue for Republicans and Democrats in my district as well.

I am a third-generation American. I immigrated here with my family when I was a young boy. Today, the open-border policies of the Biden administration are not the way of the American dream. It dilutes and diminishes the efforts and sacrifice of so many immigrants that came before us to open the way, invest in this country, and became Americans.

It is fueling human trafficking and enabling the cartels and flooding our country with fentanyl and other deadly drugs. America is the land of opportunity. I believe that. I am a proud product of the American dream, living it every single day, Mr. Speaker. But the crisis at our southern border is not the American Dream. It is a nightmare. We must take steps to secure our southern border immediately. This legislation is a start. I urge my colleagues to vote ''yes.''

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentleman from New York for giving me the time.

Mr. Speaker, I rise in a strong opposition to this sideshow. Consideration of H.R. 3602 today is a cynical move meant to appease Republicans who refuse to provide aid to fight autocrats and terrorists unless they get to deport migrant kids first. These extreme MAGA Republicans care more about scoring political points than finding solutions and refuse to consider the bipartisan Senate border security and immigration enforcement bill.

They are having a hissy fit after the Senate threw out their unconstitutional Articles of Impeachment against the Secretary of Homeland Security, Alejandro Mayorkas. They care only about electing Donald Trump, and they are happy to rip up the Constitution, create chaos at the border and prop up Vladimir Putin to do it. This is why they are insisting on rehashing this terrible bill, which has zero chance of passing the House, let alone the Senate

H.R. 3602 shifts all border processing to ports of entry without providing any additional resources. The bill doesn't fund a single new officer at ports of entry where more than 90 percent of fentanyl is interdicted. Our ports of entry are already short over 4,000 officers.

When the Committee on Homeland Security considered a version of this bill last year, Democrats tried to add an additional 1,700 officers, but Republicans refused. Furthermore, this xenophobic bill would strip DHS funding from any community or religious organization that helped migrants. It is so overly broad that organizations that place water in remote areas of the desert or provide a pregnant mother a safe place to sleep would be ineligible for DHS funding. This bill is so overreaching, that it would force the American Red Cross——

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

Mr. NADLER. Mr. Speaker, I yield an additional 1 minute to the gentleman from Mississippi.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentleman for yielding me extra time. This bill is so overreaching that it would force the American Red Cross to verify every person's immigration status before providing lifesaving services following a natural disaster. This is just inhumane.

Furthermore, H.R. 3602 is so poorly drafted that it would bar many U.S. citizens from boarding commercial flights. This bill sets requirements for forms of identification that can only be used through airport security, but the list doesn't include a driver's license from Washington, D.C.; Puerto Rico; Guam; or other U.S. territories.

Mr. Speaker, this bill is too extreme. It is just brought here today to appease certain elements of the party. Remote Republicans must put an end to this chaos and dysfunction, and get back to serious legislating. Vote ''no'' on this unworkable bill.

Mr. MOORE of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. JORDAN), my good friend and chairman of the Judiciary Committee.

Mr. JORDAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the Democrats called this bill a joke. It is not a joke to put back in place the policies that worked. In fact, I would call that common sense. Remember what happened on day 1 of the Biden administration? They said we are going to get rid of the remain in Mexico policy, we are going to stop building the wall, and when you get here, you will be released. Well, who the heck wouldn't come if that is the policy? That is exactly what has

happened, and we are on pace to get to 12 million migrants entering the country in the Biden administration. So this bill fixes those things.

It says we are going to build the wall, provide money to do so. We are going to put back in place the remain in Mexico policy, which worked. We are going to end this catch and release. Guess what else it does? Guess what else it does? It changes the way they are doing parole, the very program this administration put in that allowed the individual to be released into the country who killed Laken Riley. That is not a joke. That is good policy, policy that will help protect Americans, policies that make common sense.

So I appreciate the gentleman from Arizona (Mr. MOORE) for sponsoring this legislation, for managing it on the floor, and the Judiciary Committee who has worked on this, the Republicans on the Judiciary Committee who have worked on this for a long time. This isn't quite H.R. 2, but it is close, and it is the policies that need to happen.

Again, understand the magnitude of the problem. We are on pace to get to 12 million migrants coming in this country in a 4-year time span. That is what the Biden administration has given us. Everyone knows that is wrong. Everyone knows the policies they have done intentionally, deliberately willfully on day 1 have been harmful to the country. Democrats know it. Republicans know it. Independents know it. Polling shows it all across the country. Let's take a step in the direction of fixing it and pass this legislation.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Washington (Ms. JAYAPAL), the ranking member of the Subcommittee on Immigration Integrity, Security, and Enforcement.

Ms. JAYAPAL. Mr. Speaker, I rise in strong opposition to this cruel, unworkable and inhumane modified version of the Republican border bill H.R. 2. What is the point of this exercise? The majority could barely pass this legislation last year over bipartisan opposition, and now it is going to magically pass it in the House with a two-thirds majority. Give me a break. That is not what is happening here.

They say when someone shows you who they are, you should believe them the first time. Well, the majority has shown us who they are on this issue over and over and over again. They consistently reject bipartisan solutions, including a bill that was drafted in the Senate by the second most conservative Republican Senator. Yet, the majority and Republicans in the House and the Senate decided to kill that bill.

You know why? Because Donald Trump said kill the bill because we want to keep immigration out there as an issue that doesn't get solved, doesn't have any solutions, but has some empty talking point messaging bills that continue to demonize immigrants and create xenophobia in a country that has depended on immigrants to build this country and continues to.

Republicans have said it out loud over and over again. They don't want solutions. They don't want to solve problems. They just want to preserve the issue for the election. This bill is going nowhere. Let's just be clear about that. The situation at the border is directly linked to the fact that the legal immigration system has been left in chaos because it has not been modernized in 30 years to meet the needs of this country.

Who has stopped that modernization? Republicans have stopped it over and over again; when the legal process is so backed up that it takes decades for legal residents to get their children into the country, when employers can't simply get the workers that they need to hire approved because there is a backlog of 2 million people who haven't been processed or when we have so few immigration judges that asylum seekers wait for over 8 years to get their cases heard.

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

Mr. NADLER. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Speaker, when asylum seekers wait 8 years to get their cases heard, then, yes, people turn to unscrupulous actors, including cartels, who promise them get in by going to the border. The only people talking about the open border and encouraging people to come across the border are Republicans who continue to put that message out there.

Are we looking for solutions, Mr. Speaker? No, we are here debating a bill that has no chance of becoming law and is an empty messaging bill that does absolutely nothing to reform our outdated immigration system. Let's get back to governing.

Mr. MOORE of Alabama. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ROY), my friend from another border State.

Mr. ROY. Mr. Speaker, I thank my friend from Alabama for yielding. The gentlewoman is right, in part, in that we are here for two reasons. Yes, this bill will not become law—there is no question about that—and it will not become law for two reasons.

The first reason is that our Democratic colleagues refuse to address the crisis at the border, and in fact, want to perpetuate it, encourage it, and cause more of it. The second reason it is not going to become law is because Republicans continue to campaign on securing the border and then refuse to use any leverage to actually secure the border. That is the reason; those two reasons right there.

That is why this will not become law. Let's be very clear with what we are dealing with here right now. We know the numbers. We can talk about the numbers, the 7 million that have been released into the country, the 2 million plus got-aways, the extent to which we have had a thousand pounds of fentanyl pouring across our border every month for the last 6 months, the 24,000 Chinese nationals, the 85 percent of whom are adult single individuals that have come across this border since October 1, which is more than the entirety of fiscal year 2023, and certainly more than the 381 in the last year when the policies of President Trump were in place

The reality is that we are being put in danger. The American people are getting killed. Laken Riley is dead because of policies of the Biden administration, specifically the parole policies that release people into our country to kill Americans.

That is what has been happening. Yet, we are going to do nothing about it. We have legislation right now that would fix the problem in significant part. H.R. 2, we passed it a year ago. It is a great bill. I support the bill. I support what is in it. It changes the policies, frankly policies that President Obama and Jeh Johnson asked us to change, like TVPRA and Flores. It changes the policies of abuse of parole and asylum by this administration.

We should get it signed into law. The only way to force Democrats to do it is to use leverage, and we are not going to. Despite the fact that the Speaker of the House repeatedly has said in January at the border, a trip I didn't take because I knew full well what would happen, it would be a show trip. That is exactly the truth. If President Biden wants a supplemental spending bill focused on national security, it better begin with defending America's national security.

We wanted to get the border closed and secured first. He said in a letter in December, supplemental Ukraine funding is dependent upon enactment of transformative change to our Nation's border security laws. Well, here we are today with a sham vote. Let me be very clear, the people saying that we stopped H.R. 2 in the Rules Committee and didn't allow it to get connected to or allowed to be attached to the Ukraine bill, they are lying. That is not true. It was a separate rule, a separate vote designed as cover, cover for Republicans to try to vote for a Ukraine funding bill without securing the border of the United States. Yes, I do agree with that point, that is the truth.

□ 1145

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York (Mr. SUOZZI).

Mr. SUOZZI. Mr. ROY, the histrionics and the hyperbole are not working. You said so yourself.

It is not working. It is not working.

The bottom line is that we face issues that are very serious in our country, including the border. There is a crisis there, and we have to address it by doing what we are doing today and tomorrow related to the foreign aid bill.

We have to work together. We have to find compromise. We have to find bipartisan solutions.

Every problem we face in our country is complicated, and you cannot solve complicated problems in an environment of fear and anger. People have to sit down and work with each other.

I know Mr. MOORE is a very good man. There are a lot of good people on the Republican side as well as the Democratic side. Let's work together to solve these very serious issues we face in our country.

We had a bipartisan solution by one of the most ethical, honest, hardworking conservative Republicans in the United States Senate, JAMES LANKFORD. We didn't go forward with that bipartisan bill because President Trump and others said that we don't want to give Biden the victory, that we want to campaign on the chaos.

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

Mr. NADLER. Mr. Speaker, I yield an additional 1 minute to the gentleman from New York.

Mr. SUOZZI. Mr. Speaker, they said we don't want to go forward on that bill because we want to campaign on the chaos, and we don't want to give victory to the Democrats.

It is not a victory for Biden or for the Democrats. It is a victory for the United States of America.

Mr. Speaker, for us to move forward as a country, we have to work together.

I see the people up here in the gallery. People watch television, and they read the newspaper. They are sick of this. They don't want us fighting with each other. They don't want us with the histrionics and the hyperbole. They want us to sit down and negotiate a settlement.

H.R. 2 was tried before. It didn't work.

Let's say you get everything you want. Let's say Trump gets elected. Let's say that you win the House, the Senate. I don't want that to happen, obviously, but let's say you get everything you want. You won't get enough votes in the Senate. You will still have to negotiate a bipartisan compromise.

People have to learn to get back to the basics of legislating, negotiating, and working together to solve the problems that the people of America demand that we solve.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair, and the Chair would remind Members that the rules do not allow references to persons in the gallery.

Mr. MOORE of Alabama. Mr. Speaker, I yield 1½ minutes to the gentleman from Arizona (Mr. BIGGS), my friend.

Mr. BIGGS. Mr. Speaker, I will say this about the gentleman from New York (Mr. NADLER), that he is right on some points, but he is wrong on some points, as well.

One of them is this: This bill gives money to the States to deal with the calamity that has been caused by the Biden administration.

Mr. Speaker, years ago, Janet Napolitano, who was in the Biden administration in the same position that Secretary Mayorkas is in, demanded that the Federal Government pay for the damages caused by illegal migration at that time. She understood. Just like Katie Hobbs, who is the current Democratic Governor of Arizona, says, we have to have resources. Please understand that you don't understand what is going on on the border.

I will say one thing, that my friend from New York is correct that this is a show vote.

H.R. 2 has been sitting in the Senate. It should have passed. It would have taken care of 90 percent of the problems on the border. I know. I wrote most of those provisions, along with my friend, CHIP ROY.

I will tell you this: If we do not pass this, don't come to us if you are living in New York and say you are in trouble because you have perpetuated it.

Mr. Speaker, this is the time to pass this piece of legislation. The process has been crappy, but this is the time to pass this legislation because it has to be done.

Mr. NADLER. Mr. Speaker, I reserve the balance of my time.

Mr. MOORE of Alabama. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PERRY), my friend.

Mr. PERRY. Mr. Speaker, duplicity. This is a lie. It is a deceit. It is trickery. It is chicanery. It is a fraud. It is a swindle. It is a scam.

By design, Mr. Speaker, this is a pig in a poke. You don't even get the pig, though. You just get the bag.

We told everybody that we are going to do border security and attach it to this bill, that this is all going to go to the Senate, and then the President is going to sign it. That is not going to happen.

Border security is not in here. This is a separate bill designed to fail.

You are getting a box sent to you in the mail that says, ''border security.'' If you are Laken Riley's parents, if you are Kate Steinle's parents, you are getting a box that says, ''border security.'' You open it up, and there is nothing in it.

You are supposed to believe that we are doing something here, Mr. Speaker, but in reality, we are just tricking you and swindling the American people again. This is an abomination.

Mr. Speaker, I am going to vote for the bill, but I want everybody to know it is a sham.

Mr. NADLER. Mr. Speaker, I reserve the balance of my time.

Mr. MOORE of Alabama. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. Mr. Speaker, I rise in strong support of this bill.

Mr. Speaker, for years now, this House Republican majority—and before we were a majority—has been calling on President Biden to secure America's border. We have been trying to engage President Biden in a negotiation to fix the problem.

We put together legislation, and H.R. 2 has been mentioned by many, many people, the strongest border security bill that has passed Congress. It has been over in the Senate since last year, and they continue to ignore it because they have chosen to ignore the problem.

You saw it play out just days ago in the Senate when we sent over Articles of Impeachment for Secretary Mayorkas, who has failed miserably in his job of protecting America's homeland. That is his job. He is the Homeland Security Secretary, and you have seen him here on Capitol Hill testifying that our border is secure. It would be laughable if it wasn't so insulting to millions of Americans who know that is a lie.

Our border is not secure. In fact, since Joe Biden took office and took actions to open up our border, we have seen millions come across. Is it 8 million? Is it 10 million? The number we know is at least that high, if not higher.

We know people on the terrorist watch list have come into our country because we have caught some of them, but we haven't caught all of them.

We have seen thousands of Chinese nationals of military age coming into our country. Do you think they are coming in here to help be a part of the American Dream or coming to undermine it?

We know the answer to that question, too, which is why we continue to press our colleagues on the other side of the aisle, our colleagues in the Senate, and of course Joe Biden in the White House to get serious about this issue, but they refuse to.

We are not going to let this go. We are going to continue to bring this up. Mr. CISCOMANI brought this bill forward, and we will continue this debate.

If President Biden wants to ignore it, he knows, and the American people know, that President Biden has the legal authority today through executive action to secure the border because they watched him use that same executive action to open the border.

He ended remain in Mexico, which we restore in this bill. He mandated catch and release on our Border Patrol agents, who want to secure our border.

We talked to them. We have embedded with them. Many of us have gone down to the border and embedded with our Border Patrol agents. Mr. Speaker, they will tell you what is wrong.

The things that are needed to fix and secure the border are in this bill, but President Biden doesn't want to fix it. He knows he can fix it with a pen today. He has chosen not to because the far-left elements, the radical elements of his party, want an open border, and they are clear about it.

The President tries to act like he wants to secure the border, but then

when it comes time to actually negotiate, he is nowhere to be found.

Ultimately, the voters of this country are going to have a say in November. Do they want a secure border or not? They have a clear choice.

When Donald Trump was President, we had a secure border. He took those steps. Mexico didn't want remain in Mexico to be the policy at the time. That was asylum, by the way, which is what we are really talking about. It was President Trump who went back to Mexico and said: Either you are going to agree to this policy—it is a negotiation between two countries—or there are going to be consequences.

He laid out those consequences. Lo and behold, Mexico saw the light. Mexico recognized it made a lot more sense to agree to that policy with President Trump than to suffer the consequences, so we got remain in Mexico. It started to solve the problem, and then he ended catch and release.

He was building the wall. We funded this when we were a Republican majority working with President Trump. We funded construction of the wall, and hundreds of miles of wall were being built.

Joe Biden comes into office, and on day one, he mandated the end, the halt, of that construction of that wall. The wall was working, and Joe Biden knows it. He ended it because he wanted the border open.

Step by step, action by action, Joe Biden has opened the border. He refuses to negotiate with us on fixing the problem, but we are not going to walk away from this. We are going to continue to force this issue, to bring votes to the floor, to press the Senate to take this up.

At the end of the day, if Joe Biden still wants to continue to block this, still wants to continue to keep the border open, the voters are going to have the ultimate say in November, and I don't think he is going to like the answer.

He could do something about it right now. He refuses to. Ultimately, the people of this country will have a say if Joe Biden won't work with us, but we are going to continue to push it.

Mr. Speaker, I urge adoption of this piece of legislation that is so important to our national security.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the hypocrisy in this Chamber is so thick, you could cut it with a knife. Mr. SCALISE says H.R. 2 was sent to the Senate, and the Senate ignores the issue. The Senate didn't ignore the issue. The Senate negotiated, as was mentioned before, a very, very tough immigration bill—the toughest ever negotiated—by Senator LANKFORD, whose reputation is the second-most conservative Republican in the Senate.

It didn't pass. Why? Because former President Trump said: Don't pass anything. Don't pass H.R. 2. Don't pass the Senate bill. I want an issue. I don't want this issue solved. I don't want a solution. I want an issue for the campaign.

That is what the President said.

Congressman NEHLS got up and said the same thing. He said: Why should we give a win to a Democrat?

So don't tell me that anyone is serious about H.R. 2. They are not.

H.R. 2 is so draconian, the Senate would not give it more than 32 votes. We know that. We know that H.R. 2 is a fiction in the Senate.

We know that the Senate negotiated a very strong bill, but that bill could not advance because former President Trump said he didn't want it. He doesn't want anything to pass on this subject.

So don't tell me that the Republicans want a strong immigration bill and that the Democrats want open borders. Nobody wants open borders.

Mr. Speaker, there is something else. The Republicans rightly decry the catch-and-release policy, where someone claims asylum and is then released into the country for years until a trial date comes up to decide whether that asylum claim is valid and should be granted or whether the person should be deported.

That really is intolerable, but President Biden proposed a solution. The solution is very simple. He proposed an appropriation—I forget the amount—but an appropriation that would be sufficient so that those trials would be held in a matter of weeks, not years.

If someone claimed asylum, he has a right to claim it. He has a right to an adjudication. The adjudication would take place in several weeks. If the person's case was valid, asylum would be granted. If the person's claim was not granted, he would be swiftly deported.

You wouldn't have what they call this invasion. It is not an invasion. This country is composed of people who came through immigration. In the 1900s, there were 10,000 a day. They created the current United States, probably the ancestors of most of the people in this country.

Immigrants are not a curse. They are a blessing. We need them for our economy, but we need a legal system. The legal system can only occur if the adjudications can occur quickly. The President proposed the means of doing that, and the Republicans rejected that.

They rejected that. They rejected the tough bill in the Senate because President Trump said: I don't want a solution. I want an issue for the campaign.

□ 1200

Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thought we would come here today and have a reasoned opportunity to address this question.

Let me be very clear. I have been in this body long enough to say that we have had a time where Members have been here and we have had control of the border, in the interpretation that my Republicans might say. We have had a flow of immigrants. We have had processes, and we have had challenges. We have spoken to the issue of providing funding for these challenges.

Here is what the issue is. The issue is that we have a past President who sees in his jurisdiction and career to block the flow of immigrants who are building and continuing to work with us in working on this Nation.

They come from Ukraine. They may come from Israel. They may come from Palestine. They may come from Taiwan.

The SPEAKER pro tempore (Mr. NEWHOUSE). The time of the gentlewoman has expired.

Mr. NADLER. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Speaker, those individuals need processes and they need funding. We won't even give them war funding.

As a member of the Homeland Security Committee, I can tell you that the issue is that we are not bringing groups together who are fleeing persecution, which is what we are seeing in the individuals coming to the country now. They are fleeing persecution, and we want to reject—we want to reject the funding.

When I was on the Homeland Security Committee, we did not do that. We provided for the NGOs. It is shameful for us to think that we can live in this country and reject the NGOs, the nongovernmental entities, who are helping those who are in need.

That is how we did our work. When we did our work, we would be able to solve the problems. Those problems would be helping NGOs. Those problems would be making sure that we gave dollars to the agencies like Catholic Charities. Can anyone believe that we don't give money to Catholic Charities anymore?

The call that we have today, Mr. Speaker, and to my good friend, the whip of the House, working with our whip, the Honorable KATHERINE CLARK——

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

Ms. JACKSON LEE.—is that we need to work to help those who are most desperate and most poor——

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

Ms. JACKSON LEE.—to be able to make a difference. We are not doing that. We are rejecting that. We need to help this Nation. We are not doing that.

The SPEAKER pro tempore. The gentlewoman is no longer recognized.

Mr. MOORE of Alabama. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself the balance of my time for closing.

If House Republicans were serious about addressing the situation at the

border, they would work with Democrats on bipartisan legislation that could actually become law, as they did in the Senate. Time and again, Republicans have proven that they want the issue more than they want solutions.

Here we are again taking up virtually the same draconian bill as before, knowing that if it actually passes the House, it will surely go nowhere in the Senate.

In a Congress that has broken records for its chaos, dysfunction, and lack of accomplishments, this debate is one more for the record books.

Mr. Speaker, I urge Members to oppose this cruel and inhumane bill, and I yield back the balance of my time.

Mr. MOORE of Alabama. Mr. Speaker, I yield myself the balance of my time for closing.

We had Sheriff Daniels in the Judiciary Committee a few months ago now, and he said he had never seen the border as secure as it was in 2018 and never as broken as it is today. Our colleagues across the aisle often want to set the building on fire and then fund the fire department.

We have solutions to the problem on the southern border. We are not trying to make this a political issue. It is an issue of our time. The American people see it.

Mr. Speaker, I urge passage of H.R. 3602, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. MOORE) that the House suspend the rules and pass the bill, H.R. 3602, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. NADLER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

HONORING DR. KIRK CALHOUN

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, I rise today to honor and congratulate my friend Dr. Kirk Calhoun on the announcement of his retirement.

Dr. Calhoun has proudly served as the president of The University of Texas Health Science Center at Tyler since 2002 and as the president of the University of Texas at Tyler since 2020, making him the longest serving active president in the UT system.

Dr. Calhoun's leadership has led the UT Tyler system through tremendous growth and unification. Throughout his 22 years of public service, the institutions under his leadership have seen exponential growth, historic levels of giving to the community, and the launch of the first medical school in East Texas.

He has helped to expand academic research programs, forge partnerships with the community colleges, increase student scholarship offerings, and develop a strategic plan for integrating the health and academic enterprises of our UT system.

Dr. Calhoun leaves behind a legacy of excellence and service in our community. He is a hallmark in promoting collaboration and increasing educational opportunities. This milestone is a testament to his dedication, leadership, and unwavering commitment to the East Texas medical and academic communities.

Mr. Speaker, I congratulate Dr. Calhoun on 22 years. He will be missed but not forgotten.

HONORING CHULA VISTA ASSISTANT POLICE CHIEF PHIL COLLUM

(Mr. VARGAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VARGAS. Mr. Speaker, I rise today to honor Chula Vista Assistant Police Chief Phil Collum, a 29-year veteran of the department who we sadly lost to cancer. His service and his legacy will always be remembered.

Those who knew Assistant Police Chief Collum best emphasize his empathy, his compassion, and his reputation for being fair, his work ethic, and more than anything, his dedication to his community.

Community was at the heart of everything Assistant Police Chief Collum did. He gave the directive in 2022 to create the Community Engagement Division to help foster community relationships, and he personally led this division.

He was committed to building bridges between officers and the community they serve. Through the Community Engagement Division, he worked to make sure that the Chula Vista Police Department was actively connecting with community members, including residents, students, and businessowners.

Under his leadership, the division also worked to make sure community members were aware of how officers could help them.

Assistant Police Chief Collum was also deeply involved in charity work. He volunteered at his church. He went to Tijuana every month to support orphanages and help children in need as part of the Corazon de Vida Foundation. His empathy and his compassion for others were on full display.

Assistant Police Chief Collum was a true trailblazer. He was the Chula Vista Police Department's first Black lieutenant, first Black captain, and first Black assistant chief. He was also the first openly gay male officer in the department.

Mr. Speaker, we will remember him.

AUTISM ACCEPTANCE MONTH

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize April as Autism Acceptance Month. This April, we chose to celebrate differences that make us stronger.

Today, millions of adults and an estimated 1 out of every 68 children in the United States have been diagnosed with some form of autism spectrum disorder. Notwithstanding these diagnoses, Americans with autism make exceptional contributions across our Nation and around the world.

Mr. Speaker, during Autism Acceptance Month, let us renew our commitment to support the entire international autism community, including children and adults with autism, their families, and caregivers.

Together, we can increase access to information, encourage heightened understanding of autism, promote respect and dignity, and support the services that assist people with autism to reach their full potential.

HONORING THE LEGACY OF THE LUBAVITCHER REBBE, RABBI MENACHEM MENDEL SCHNEERSON

(Mr. LAWLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAWLER. Mr. Speaker, today, I rise to recognize Education and Sharing Day where we honor the enduring legacy of the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson. The Rebbe was not only a spiritual leader but also a beacon of hope and resilience.

Escaping the horrors of Nazi Europe, he found refuge in our great Nation where he revitalized a community shattered by the Holocaust.

Under his guidance, the Chabad-Lubavitch movement flourished, advocating for education and moral integrity as the cornerstones of a just society.

Chabad's vision is clear: Education is a fundamental pillar in cultivating a compassionate society. The work of Chabad groups across the country, especially in Rockland and Westchester Counties in New York, is critical.

In today's tumultuous times, Chabad's message is more relevant than ever. We face a resurgence of anti-Semitism here in the United States, which we see playing out daily on college campuses. In response, we must recommit ourselves to fighting for dignity, honesty, and justice for all.

As we approach the 30th anniversary of the Rebbe's passing, let's never cease working to create a Nation that truly serves as a beacon of hope and freedom to the world.

HONORING THE LIFE OF BRIGID KELLY

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WENSTRUP. Mr. Speaker, it is with a heavy heart that I rise today to honor the life of former Hamilton County Auditor Brigid Kelly who lost her battle with cancer on March 26, 2024.

Brigid lived an incredible life of service. She was a true public servant who focused on improving the lives of Ohio families. She worked to bridge the partisan divides and make a difference for our citizens, first as a Norwood city councilwoman, then as a State representative, and most recently as Hamilton County auditor.

While serving as representative, Brigid dedicated herself to easing the burdens that young families face. In every role she served, she did that. Brigid gave of herself to put constituents first, champion their needs, and attempt to ensure their lives could be made better. Her well-earned reputation of sincere civility was known and respected by all.

My prayers go out to all who knew and loved Brigid. The Cincinnati community, the State of Ohio, and our Nation mourn with her family and friends. May Brigid's memory continue to inspire us and future generations to serve our community with the same spirit of selfless service.

LIBERTY FIRST, LAST, AND ALWAYS

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, the bills that will come before this House this weekend, especially tomorrow, make our choices clear: liberty or tyranny, democracy or dictatorship, allies or enemies, resolve or accommodation, strength or surrender, rule of law or rule of rogues, security or vulnerability.

As Daniel Webster's inspirational missive carved into the marble above this rostrum challenges: Let us ask ourselves in our time and generation, may we not perform something worthy to be remembered?

Yes, liberty first, last, and always.

Through its historic fight against tyranny, Ukraine has reminded us how stark a choice the free world has.

Ukraine aspires to ascend into the coalition of free nations sheltered by NATO's shield. Ukraine will grow to prosper in the European Union.

Ukraine's warriors and people have inspired the world. Liberty demands this institution remain true to our Nation's founding principles.

Republicans and Democrats, Speaker JOHNSON, and Leader JEFFRIES are all working together so the majority can work its will, not minority factions.

Mr. Speaker, the middle has coalesced to meet Congress' first sworn duty to protect the Nation from all enemies, foreign and domestic. We will meet that obligation.

□ 1215

RECOGNIZING DEMETRIUS JONES

(Mr. MURPHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY. Mr. Speaker, I rise today to recognize an incredible hero from my district.

Earlier this month, an emergency unfolded in the town of Maysville, North Carolina, when a distressed driver rushed into the town hall, seeking urgent assistance for his wife.

Demetrius Jones, who serves as the finance officer in the town of Maysville, performed lifesaving measures on the individual until the fire and EMS services could arrive on the scene.

As a physician, I understand the critical importance of acting swiftly to intervene and preserve life. Demetrius' actions not only demonstrated extraordinary courage but also saved the life of someone in need.

Mr. Speaker, I thank Demetrius for his service to the community and for exemplifying what it means to step up for others in times of crisis and need.

EXPORTING OUR JOBS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, time and again around this facility, we will be in committee, and we will be having conversations, and what seems to be the biggest focus for a lot of the Democrats around here is climate change.

I ask them: What is the target here? What is the issue?

It seems to boil down to carbon dioxide, and they never seem to know what the actual composition of our atmosphere is of the carbon dioxide that we have. They don't know.

Yet, we have all these goals they want to set for how many electric cars we are going to have by what year, or what power plants, or getting rid of your leaf blower or your barbecue.

What it really boils down to is that CO_2 is only 0.04 percent of our atmosphere, and it is very beneficial to plants. Without it, we would not have plants, and without plants, we would not have us.

The hypocrisy of people is that they are trying to ratchet down CO_2 and put our American economy in peril. Exporting our economy and exporting our jobs to the Pacific Rim, to China, is going to be the result of this fallacy of the religion of climate change.

FUNDING WORLD ISSUES

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, this is a very difficult time for Members because we are talking about world issues. Tomorrow, we will be talking about world issues, as well, and that is the final adjournment.

If we do not do our work, the funding of the Ukraine money, the money for Indo-Pacific security, and the money for the struggling people who need 21st century peace, and, of course, Israel and the Palestinians.

This is the example. We can't get the southern border, but we can also not provide safety for our children. These are children around the world. I have fought for Russia to stop stealing Ukrainian children. We cannot do it without providing the war funding that we need, and we cannot do southern border protection, if you will, without understanding that it is not just war that you deal with at the southern border. You deal with human beings.

Having been here for a period of time, Mr. Speaker, I can tell you that we are dealing with immigration. Immigration is humanity.

So I ask the people who are here in this body to deal with humanity and to deal with our children. That means we will get all the funding bills, and, yes, we will get the bills that will not make playgrounds war zones. That is what we are doing.

Let's save our children and save them now.

ENROLLED JOINT RESOLUTION SIGNED

Kevin F. McCumber, Clerk of the House, reported and found truly an enrolled joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 98. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to ''Standard for Determining Joint Employer Status''.

ADJOURNMENT

Mr. LAMALFA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 19 minutes p.m.), the House adjourned until tomorrow, Saturday, April 20, 2024, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC–3846. A letter from the Chief, Legislative and Regulatory Staff, Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule — Raisins Produced From Grapes Grown in California; Increased Assessment Rate [Doc. No.: AMS-SC-23-0038]

received April 12, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

EC–3847. A letter from the Chief, Legislative and Regulatory Staff, Department of Agriculture, transmitting the Department's final rule — Highly Erodible Land and Wetland Conservation [Docket ID NRCS-2018-0010] (RIN: 0578-AA65) received April 9, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

EC–3848. A letter from the Chief, Legislative and Regulatory Staff, Commodity Credit Corporation, Department of Agriculture, transmitting the Department's final rule — Payment Limitation and Payment Eligibility [Docket ID: CCC-2019-0007] (RIN: 0560-AI49) received April 9, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

EC–3849. A letter from the Chief, Legislative and Regulatory Staff, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule — Milk Loss Program and Emergency Relief Program [Docket ID: FSA-2022-0016] (RIN: 0560-AI64) received April 9, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

EC–3850. A letter from the Chief, Legislative and Regulatory Staff, Commodity Credit Corporation, Department of Agriculture, transmitting the Department's final rule — Environmental Quality Incentives Program [Docket ID: NRCS-2019-0009] (RIN: 0578-AA68) received April 9, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

EC–3851. A letter from the Chief, Legislative and Regulatory Staff, Commodity Credit Corporation, Department of Agriculture, transmitting the Department's final rule — Conservation Stewardship Program (CSP) [Docket No.: NRCS-2019-0020] (RIN: 0578-AA67) received April 9, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

EC–3852. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — New Source Performance Standards for the Synthetic Organic Chemical Manufacturing Industry and National Emission Standards for Hazardous Air Pollutants for the Synthetic Organic Chemical Manufacturing Industry and Group I & II Polymers and Resins Industry [EPA-HQ-OAR-2022-0730; FRL-9327-02-OAR] (RIN: 2060-AV71) received April 4, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–3853. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Pennsylvania; Allegheny County Open Burning Revision and Addition of Mon Valley Air Pollution Episode Requirements [EPA-R03-OAR-2023-0565; FRL-11415-02-R3] received April 4, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–3854. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Implementation Plans for Air Quality Planning Purposes; State of Nevada; Clark County Second 10-Year Maintenance Plan for the 1997 8-Hour Ozone Standard [EPA-R09-OAR-2022-0955; FRL-10549-02-R9] received April 4, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–3855. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Silane, Hexadecyltrimethoxy-, Hydrolysis Products with Silica in Pesticide Formulations; Pesticide Tolerance Exemption [EPA-HQ-OPP-2021-0321; FRL-11813-01-OCSPP] received April 4, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–3856. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions and Confidentiality Determinations for Data Elements Under the Greenhouse Gas Reporting Rule [EPA-HQ-OAR-2019-0424; FRL-7230-01-OAR] (RIN: 2060-AU35) received April 4, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–3857. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 25-455, ''Comprehensive Policing and Justice Reform Technical Temporary Amendment Act of 2024'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Accountability.

EC–3858. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 25-456, ''Opioid Crisis and Juvenile Crime Public Emergencies Extension Authorization Temporary Amendment Act of 2024'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Accountability.

EC–3859. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 25-450, ''Rent Stabilized Housing Inflation Protection Continuation Temporary Amendment Act of 2024'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Accountability.

EC–3860. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 25-453, ''Litigation Support Fund Temporary Amendment Act of 2024'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Accountability.

EC–3861. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 25-454, ''Energy Benchmarking Reporting Extension Temporary Amendment Act of 2024'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Accountability.

EC–3862. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 25-449, ''Autonomous Vehicle Testing Permit Requirement Temporary Amendment Act of 2024'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Accountability.

EC–3863. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 25-452, ''Criminal Justice Coordinating Council Information Sharing Temporary Amendment Act of 2024'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Accountability.

EC–3864. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 25-451, ''Streatery Program and Endorsement Deadline Temporary Amendment Act of 2024'', pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Accountability.

EC–3865. A letter from the Manager, Branch of Listing and Policy Support, U.S Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Regulations for Interagency Cooperation [Docket No.: FWS-HQ-ES-2021-0104; FXES1114090FEDR-245-FF09E300000; Docket No.: NMFS-240325-0087] (RIN: 0648-BK48; 1018-BF96) received April 11, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC–3866. A letter from the Senior Trial Attorney, Office of Aviation Consumer Protection, Office of the Secretary, Department of Transportation, transmitting the Department's final rule — Clarification of Formal Enforcement Procedures for Unfair and Deceptive Practices [Docket No.: DOT-OST-2021-0142] (RIN: 2105-AF18) received April 10, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3867. A letter from the Senior Trial Attorney, Office of Aviation Consumer Protection, Office of the Secretary, Department of Transportation, transmitting the Department's guidance regarding interpretation of unfair and deceptive practices — Guidance Regarding Interpretation of Unfair and Deceptive Practices [Docket No.: DOT-OST-2019-0182] (RIN: 2105-ZA18) received April 10, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3868. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Water Act Methods Update Rule for the Analysis of Effluent [EPA-HQ-OW-2022-0901; FRL 9346-02-OW] (RIN: 2040-AG25) received April 4, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURGESS: Committee on Rules. House Resolution 1160. Resolution providing for consideration of the bill (H.R. 8034) making emergency supplemental appropriations to respond to the situation in Israel and for related expenses for the fiscal year ending September 30, 2024, and for other purposes; providing for consideration of the bill (H.R. 8035) making emergency supplemental appropriations to respond to the situation in Ukraine and for related expenses for the fiscal year ending September 30, 2024, and for other purposes; providing for consideration of the bill (H.R. 8036) making emergency supplemental appropriations for assistance for the Indo-Pacific region and for related expenses for the fiscal year ending September 30, 2024, and other purposes; providing for consideration of the bill (H.R. 8038) to authorize the President to impose certain sanctions with respect to Russia and Iran, and for other purposes; and providing for the concurrence by the House in the Senate amendment to H.R. 815; with an amendment (Rept. 118–466). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. THOMPSON of Mississippi (for himself, Mr. CARTER of Louisiana,

Ms. LEE of California, Ms. WILSON of Florida, Ms. CLARKE of New York, Mrs. WATSON COLEMAN, Ms. CROCKETT, Mrs. BEATTY, and Mr. COHEN):

H.R. 8081. A bill to terminate United States Secret Service protection for felons; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey:

H.R. 8082. A bill To provide that certain actions by the Federal Communications Commission shall have no force or effect; to the Committee on Energy and Commerce.

By Mr. BANKS (for himself, Mr. MEUSER, Mr. DUNCAN, Mrs. CAMMACK, Mr. WEBER of Texas, Mr. LAMALFA, and Mr. BABIN):

H.R. 8083. A bill to prohibit Federal funding for National Public Radio, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS (for himself and Ms. CRAIG):

H.R. 8084. A bill to amend title XIX of the Social Security Act to require States to verify certain eligibility criteria for individuals enrolled for medical assistance quarterly, and for other purposes; to the Committee on Energy and Commerce.

By Ms. CASTOR of Florida:

H.R. 8085. A bill to require the Federal Energy Regulatory Commission to promulgate regulations that accelerate the interconnection of electric generation and storage resources to the transmission system through more efficient and effective interconnection procedures; to the Committee on Energy and Commerce.

By Ms. CRAIG (for herself, Ms. KUSTER, and Mr. LEVIN):

H.R. 8086. A bill to amend the Federal Fire Prevention and Control Act of 1974 to update the fire prevention and control guidelines to require the mandatory installation of carbon monoxide alarms in all places of public accommodation, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ESPAILLAT (for himself, Ms. TLAIB, Mr. CARSON, Mr. SABLAN, Mrs. RAMIREZ, Mr. EVANS, and Mr. JOHNSON of Georgia):

H.R. 8087. A bill to reauthorize funding for the Solid Waste Infrastructure for Recycling Grant Program of the Environmental Protection Agency; to the Committee on Transportation and Infrastructure.

By Mr. FINSTAD (for himself and Ms. CRAIG):

H.R. 8088. A bill to authorize reimbursement to applicants for uniformed military service for co-payments of medical appointments required as part of the Military Entrance Processing Station (MEPS) process; to the Committee on Armed Services.

By Mr. MIKE GARCIA of California (for himself and Mr. PETERS):

H.R. 8089. A bill to amend title XIX of the Social Security Act to require certain additional provider screening under the Medicaid program; to the Committee on Energy and Commerce.

By Mr. GOLDMAN of New York (for himself, Mr. THOMPSON of Mississippi, and Mr. CARTER of Louisiana):

H.R. 8090. A bill to amend the Homeland Security Act of 2002 to establish a council within the Department of Homeland Security to coordinate departmental efforts to identify, address, and mitigate cross-functional impacts of global climate change with respect to the Department's programs and operations, and for other purposes; to the Committee on Homeland Security.

By Mr. GOOD of Virginia (for himself, Mr. PERRY, Mr. DUNCAN, Mr. BISHOP of North Carolina, Mrs. MILLER of Illinois, Mr. CLYDE, Mr. CRANE, Mr. JACKSON of Texas, and Mr. HARRIS):

H.R. 8091. A bill to prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content; to the Committee on Energy and Commerce.

By Mr. HUFFMAN (for himself and Ms. MCCOLLUM):

H.R. 8092. A bill to require the Administrator of the Environmental Protection Agency to carry out certain activities to protect communities from the harmful effects of plastics, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Agriculture, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE (for herself and Mr. MCCAUL):

H.R. 8093. A bill to amend the State Justice Institute Act of 1984 to authorize the State Justice Institute to provide awards to certain organizations to establish a State judicial threat intelligence and resource center; to the Committee on the Judiciary.

By Mr. KEAN of New Jersey:

H.R. 8094. A bill to amend title XIX of the Social Security Act to modify certain asset recovery rules; to the Committee on Energy and Commerce.

By Mr. KELLY of Mississippi (for himself, Mr. HORSFORD, and Mr. LAHOOD):

H.R. 8095. A bill to amend the Internal Revenue Code of 1986 to extend the energy credit with respect to electrochromic glass; to the Committee on Ways and Means.

By Mr. KHANNA (for himself, Ms. TLAIB, Ms. BUSH, Mr. CARSON, Ms. OCASIO-CORTEZ, Ms. ADAMS, Ms. OMAR, Mr. GARCÍA of Illinois, Mrs. WATSON COLEMAN, Ms. SCHAKOWSKY, Mrs. RAMIREZ, Ms. LEE of California, Ms. NORTON, Mr. BOWMAN, Mrs. HAYES, and Mr. POCAN):

H.R. 8096. A bill to amend the Commodity Exchange Act to prohibit trading of water and water rights for future delivery, and for other purposes; to the Committee on Agriculture.

By Ms. MALOY (for herself and Mr. OWENS):

H.R. 8097. A bill to reauthorize the Radiation Exposure Compensation Act; to the Committee on the Judiciary.

By Ms. STANSBURY (for herself, Mr. RASKIN, Ms. OMAR, Mr. CARTER of Louisiana, Mr. HUFFMAN, Ms. MCCOLLUM, Ms. NORTON, Mrs. RAMIREZ, Ms. SCHAKOWSKY, Mr. SCHIFF, and Ms. TOKUDA):

H.R. 8098. A bill to amend title 28, United States Code, to provide an Inspector General for the judicial branch, and for other purposes; to the Committee on the Judiciary.

By Mr. TORRES of New York (for himself and Mrs. KIM of California):

H.R. 8099. A bill to require the Director of the Federal Housing Finance Agency to assess the costs and benefits of requiring the enterprises obtain 2 rather than 3 credit reports and credit scores, and for other purposes; to the Committee on Financial Services.

By Mr. WALBERG (for himself, Mrs. DINGELL, Mr. BERGMAN, Mr. KILDEE, Mrs. MCCLAIN, Ms. STEVENS, Mr. MOOLENAAR, Ms. SLOTKIN, Mr. HUIZENGA, Ms. MOORE of Wisconsin, and Ms. STEFANIK):

H.R. 8100. A bill to provide for the issuance of a Great Lakes Restoration Semipostal Stamp; to the Committee on Oversight and Accountability, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURLISON (for himself, Mr. PERRY, and Mr. WEBER of Texas):

H.J. Res. 130. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Railroad Administration relating to ''Train Crew Size Safety Requirements''; to the Committee on Transportation and Infrastructure.

By Mr. GREEN of Texas:

H. Res. 1161. A resolution commemorating innocent civilian lives lost in Gaza, especially children; to the Committee on Foreign Affairs.

By Mr. CÁRDENAS (for himself, Mr. TRONE, Mr. WESTERMAN, and Mr. BACON):

H. Res. 1162. A resolution expressing support for the designation of April 2024 as ''Second Chance Month''; to the Committee on the Judiciary.

By Mr. NADLER:

H. Res. 1163. A resolution recognizing the cultural and educational contributions of the Youth America Grand Prix throughout its 25 years of service as the national youth dance competition of the United States; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY AND SINGLE SUBJECT STATEMENTS

Pursuant to clause 7(c)(1) of rule XII and Section 3(c) of H. Res. 5 the following statements are submitted regarding (1) the special powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution and (2) the single subject of the bill or joint resolution.

By Mr. THOMPSON of Mississippi:

H.R. 8081.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The single subject of this legislation is:

Termination of United States Secret Service protection for felons.

By Mr. SMITH of New Jersey:

H.R. 8082.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The single subject of this legislation is:

Broadband

By Mr. BANKS:

H.R. 8083.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

The single subject of this legislation is:

NPR

By Mr. BILIRAKIS:

H.R. 8084.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article 1, Section 8, Clause 18 of the Constitution of the United States.

The single subject of this legislation is:

This bill requires states to regularly check the Death Master File to verify that Medicaid enrollees are not deceased.

By Ms. CASTOR of Florida:
H.R. 8085.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 3
The single subject of this legislation is:
Electricity System Regulation
By Ms. CRAIG:
H.R. 8086.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3 of the U.S. Constitution.
The single subject of this legislation is:
carbon monoxide detectors in hotel rooms.
By Mr. ESPAILLAT:
H.R. 8087.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of Section 8 of Article I of the Constitution
The single subject of this legislation is:
Recycling
By Mr. FINSTAD:
H.R. 8088.
Congress has the power to enact this legislation pursuant to the following:
Art. I, Section 8, US Constitution.
The single subject of this legislation is,
Military
By Mr. MIKE GARCIA of California:
H.R. 8089.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
The single subject of this legislation is:
To prevent fraud by requiring states to quarterly check the Death Master File to ensure a Medicaid provider is not deceased before reenrolling.
By Mr. GOLDMAN of New York:
H.R. 8090.
Congress has the power to enact this legislation pursuant to the following:
''Under Article I, Section 8 of the Constitution, Congress has the power ''to make all Laws which shall be necessary and proper for carrying into the Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof''
The single subject of this legislation is:
To amend the Homeland Security Act of 2002 to establish a council within the Department of Homeland Security to coordinate departmental efforts to identify, address, and mitigate cross-functional impacts of global climate change with respect to the Department's programs and operations, and for other purposes.
By Mr. GOOD of Virginia:
H.R. 8091.
Congress has the power to enact this legislation pursuant to the following:
Article I Section VIII
The single subject of this legislation is:
To prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content.
By Mr. HUFFMAN:
H.R. 8092.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
The single subject of this legislation is:
Pollution Prevention
By Ms. JACKSON LEE:
H.R. 8093.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clauses 1 and 18 of the United States Constitution.
The single subject of this legislation is:
The bill will establish a State Judicial Threat Intelligence and Resource Center to provide technical assistance, training, and monitoring of threats for state and local judges and court personnel .
By Mr. KEAN of New Jersey:
H.R. 8094.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3 of the U.S. Constitution
The single subject of this legislation is:
To modify certain asset recovery rules.
By Mr. KELLY of Mississippi:
H.R. 8095.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1
The single subject of this legislation is:
Tax
By Mr. KHANNA:
H.R. 8096.
Congress has the power to enact this legislation pursuant to the following:
Article 1
The single subject of this legislation is:
Finance
By Ms. MALOY:
H.R. 8097.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8
The single subject of this legislation is:
To reauthorize the Radiation Exposure Compensation Act.
By Ms. STANSBURY:
H.R. 8098.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.
The single subject of this legislation is:
To amend title 28, United States Code, to provide an Inspector General for the judicial branch, and for other purposes.
By Mr. TORRES of New York:
H.R. 8099.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.
The single subject of this legislation is:
Financial Services
By Mr. WALBERG:
H.R. 8100.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
The single subject of this legislation is:
This bill directs the U.S. Postal Service to issue a semipostal stamp to contribute to funding operations supported by the Great Lakes Restoration Initiative.
By Mr. BURLISON:
H.J. Res. 130.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII of the United States Constitution
The single subject of this legislation is:
This is a Congressional Review Act resolution that disapproves of the rule submitted by the Federal Railroad Administration relating to ''Train Crew Size Safety Requirements'' and states such rule shall have no force or effect.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 40: Ms. WATERS.
H.R. 694: Ms. STANSBURY and Ms. ADAMS.
H.R. 789: Mr. GOLDMAN of New York, Mr. NORCROSS, Ms. STANSBURY, Ms. ADAMS, Ms. STEVENS, and Ms. SCANLON.
H.R. 902: Mr. LARSON of Connecticut.
H.R. 920: Mr. FITZPATRICK.
H.R. 936: Mr. CARTER of Georgia.
H.R. 1097: Mr. CASAR, Mr. ARMSTRONG, Mr. CRAWFORD, Mr. DUNN of Florida, Mr. HUIZENGA, Mr. LATURNER, Mr. LUCAS, Mr. SIMPSON, Mr. VAN DREW, Mrs. WAGNER, Mr. ZINKE, and Ms. LEGER FERNANDEZ.
H.R. 1385: Mr. TRONE.
H.R. 1403: Mrs. DINGELL.
H.R. 1447: Ms. OCASIO-CORTEZ.
H.R. 1619: Ms. JACKSON LEE, Ms. LEE of California, Ms. WATERS, Mr. CLYBURN, Ms. CLARKE of New York, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mr. IVEY, Mr. JACKSON of Illinois, and Mrs. SYKES.
H.R. 1632: Mr. GOOD of Virginia and Mr. ELLZEY.
H.R. 1666: Mr. LAWLER.
H.R. 1787: Mr. MOLINARO.
H.R. 1806: Mr. GUEST.
H.R. 1831: Mr. GARAMENDI and Mr. MAST.
H.R. 2406: Mr. FULCHER and Mr. VAN DREW.
H.R. 2407: Mr. JACKSON of Illinois and Mr. STAUBER.
H.R. 2474: Mr. CARSON and Ms. SCANLON.
H.R. 2708: Ms. KAMLAGER-DOVE, Mr. LARSEN of Washington, Mr. LAWLER, Mr. MENENDEZ, and Ms. SCHOLTEN.
H.R. 2742: Mr. ALLRED and Mr. BURCHETT.
H.R. 2748: Mrs. MILLER of Illinois.
H.R. 2803: Ms. LOFGREN and Mr. MENENDEZ.
H.R. 2941: Mrs. CHERFILUS-MCCORMICK.
H.R. 3061: Mr. FITZPATRICK.
H.R. 3086: Ms. HOULAHAN.
H.R. 3333: Mr. OGLES.
H.R. 3376: Mr. OGLES.
H.R. 3481: Ms. ADAMS, Ms. STANSBURY, and Ms. SHERRILL.
H.R. 3495: Ms. NORTON.
H.R. 3602: Mrs. KIGGANS of Virginia and Mr. D'ESPOSITO.
H.R. 4002: Ms. DELBENE.
H.R. 4007: Mr. PAPPAS.
H.R. 4052: Mr. VASQUEZ.
H.R. 4073: Mr. LANDSMAN.
H.R. 4089: Mr. FITZPATRICK.
H.R. 4175: Mr. FOSTER.
H.R. 4218: Mr. FITZPATRICK.
H.R. 4334: Ms. PORTER.
H.R. 4413: Mr. LALOTA.
H.R. 4646: Mr. RYAN.
H.R. 4756: Mr. SMITH of Washington, Mr. BOWMAN, Mr. GALLEGO, Mr. ALLRED, and Mr. STANTON.
H.R. 4769: Mr. VASQUEZ.
H.R. 4933: Mr. MULLIN and Ms. HOULAHAN.
H.R. 5085: Ms. SCHAKOWSKY and Ms. SCHOLTEN.
H.R. 5104: Mr. FITZPATRICK.
H.R. 5186: Mr. FITZPATRICK.
H.R. 5535: Mr. LOUDERMILK.
H.R. 5756: Mr. FITZPATRICK.
H.R. 5839: Mr. FITZPATRICK.
H.R. 5960: Ms. PEREZ.
H.R. 5976: Ms. OCASIO-CORTEZ.
H.R. 5995: Mr. DELUZIO.
H.R. 6056: Mr. FITZPATRICK.
H.R. 6150: Mr. FITZPATRICK.
H.R. 6155: Mr. FITZPATRICK.
H.R. 6322: Mr. MOSKOWITZ.
H.R. 6394: Mr. CARSON.
H.R. 6523: Mr. DONALDS.
H.R. 6618: Ms. BROWNLEY, Mr. SCHNEIDER, Mr. RASKIN, Mr. POCAN, Mr. TRONE, and Mr. JACKSON of Illinois.
H.R. 6727: Ms. CRAIG.
H.R. 6763: Mr. MORELLE, Mrs. PELTOLA, Mr. DUNN of Florida, and Mr. STEIL.
H.R. 6881: Mr. MCGOVERN.
H.R. 6926: Mr. DONALDS and Mr. FRY.
H.R. 6951: Mr. ROGERS of Kentucky and Mr. ARRINGTON.
H.R. 6960: Ms. HOULAHAN.
H.R. 6985: Mr. DONALDS.
H.R. 7083: Mr. DONALDS.
H.R. 7084: Mr. LANDSMAN.
H.R. 7108: Mr. KRISHNAMOORTHI.
H.R. 7109: Mr. STEIL.
H.R. 7187: Mr. CRANE.

H.R. 7218: Mr. BALDERSON and Ms. STANSBURY.
H.R. 7248: Mr. BURCHETT and Mr. SMITH of New Jersey.
H.R. 7297: Mr. DONALDS, Ms. VELÁZQUEZ, and Mr. PAPPAS.
H.R. 7524: Mr. CONNOLLY.
H.R. 7688: Mr. GOTTHEIMER and Mr. PAPPAS.
H.R. 7890: Mr. PFLUGER.
H.R. 7921: Mr. LALOTA, Ms. SLOTKIN, Mr. MOLINARO, and Mr. MOULTON.
H.R. 7924: Ms. DEAN of Pennsylvania.
H.R. 7925: Mr. CARTER of Georgia.
H.R. 7937: Mr. NEHLS, Mr. DONALDS, and Mr. MOORE of Alabama.
H.R. 8012: Mr. CARSON, Mr. FITZPATRICK, and Mr. KELLY of Mississippi.
H.R. 8018: Mr. BACON.
H.R. 8038: Mr. LAMBORN, Mr. FITZPATRICK, and Mr. CRENSHAW.
H.R. 8041: Mr. ELLZEY and Mr. MORAN.
H.R. 8042: Mr. DOGGETT.
H.J. Res. 72: Mr. GARAMENDI.
H.J. Res. 115: Mr. MORAN.
H.J. Res. 120: Mr. WILLIAMS of Texas.
H.J. Res. 126: Mr. BARR.
H.J. Res. 127: Mr. ROSENDALE, Mr. LAWLER, Mr. ISSA, and Mr. GOODEN of Texas.
H. Res. 376: Mr. CARTWRIGHT, Mr. GOLDMAN of New York, Ms. WILD, and Mr. DELUZIO.
H. Res. 946: Mr. PANETTA.
H. Res. 1019: Mr. LAWLER.
H. Res. 1066: Mr. PALLONE.
H. Res. 1103: Mr. GOSAR.
H. Res. 1153: Ms. MENG, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE, Mr. IVEY, Ms. NORTON, Mr. BOWMAN, Ms. KAMLAGER-DOVE, and Ms. WILSON of Florida.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. JODEY C. ARRINGTON

The provisions that warranted a referral to the Committee on the Budget in H.R. 8034 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The provisions that warranted a referral to the Committee on the Budget in H.R. 8035 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The provisions that warranted a referral to the Committee on the Budget in H.R. 8036 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The provisions that warranted a referral to the Committee on the Budget in H.R. 8038 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative Gimenez, or a designee, to H.R. 8038—21st Century Peace through Strength Act does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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Senate

The Senate met at 11 a.m. and was called to order by the Honorable CHRIS VAN HOLLEN, a Senator from the State of Maryland.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, strong to save, let Your still, small voice echo down time's corridors to renew our lawmakers and to lift their vision of one Nation under God. Inspire them to dedicate themselves to eternal values and to be unafraid of the consequences of following the highest standards. May they run from the success purchased at the cost of cowardice and cunning. Lord, guide them by Your living word, as You infuse them with a spirit of service, of vision, of excellence, and of passion for truth. Help them to see that nothing can separate them from Your love.

And, Lord, we thank You for the exemplary light of Your servant, Joe Lieberman.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 19, 2024.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRIS VAN HOLLEN, a Senator from the State of Maryland, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. VAN HOLLEN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

REFORMING INTELLIGENCE AND SECURING AMERICA ACT—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 7888, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 365, H.R. 7888, a bill to reform the Foreign Intelligence Surveillance Act of 1978.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SENATE SCHEDULE

Mr. SCHUMER. Mr. President, the Senate will continue working today to pass FISA reauthorization. We are still trying to see if there is a path to getting this bill done quickly, but disagreements remain on how to proceed. The work is not done, so we are going to keep at it.

We want to get FISA done as soon as we can, because it is very important for our national security. But, as everyone knows, any one Member can halt progress in this Chamber, so both sides need to fully cooperate if we want to get FISA done.

So for the information of my colleagues, Members should plan to be here over the weekend if necessary to work on both FISA and the supplemental.

The House is scheduled to take up the supplemental tomorrow. It would at last deliver critical aid to Ukraine, Israel, the Indo-Pacific, and humanitarian assistance. We will see how things go in the lower Chamber over the next day or so. And I hope the House gets this legislation passed without further delay.

If the House sends us a supplemental package, the Senate will move expeditiously to send it to the President's desk. The President has said if Congress passes the supplemental, he will sign it.

I hope the House gets this done very soon, because delay on this national security funding has cost America and cost our allies dearly. I met yesterday with the Ukrainian Prime Minister, who told me just how difficult the war has become for Ukrainian fighters who are now running out of ammo and air defenses and other basic needs. He told me that if America doesn't stand with Ukraine, they will lose the war. It is as simple as that.

In the few months that the House has sat on the supplemental funding, the war has clearly turned in Russia's favor. Their army has grown larger. Their munitions stores have expanded, and they enjoy support from nations like North Korea, Iran, and China.

Putin has long bet that sooner or later, American support for Ukraine

will wane. He said months ago on Russian TV that the ''free stuff'' from America is eventually going to run out. We dare not prove him right, because if he sees that the United States will not stop him in Ukraine, he may well conclude we won't stop him if he keeps going.

And on the other side of the world, the Chinese Communist Party may look at America's abandonment of Ukraine and wonder if we will similarly show weakness in the Indo-Pacific. Imagine the kind of signal American inaction would send to our friends in Japan and in the Philippines. Imagine what it would say to the people of Taiwan. That is not the world we want to live in.

Protecting democracy is not for the faint of heart. Sometimes it requires us to make difficult choices, but that is precisely what the American people sent us here to do. I hope we can finish the job very, very soon.

MICRON

Mr. President, on Chips and Science, yesterday, I shared that Micron—one of the most important chip manufacturers in the United States and the world—is receiving over $6 billion from my Chips and Science law to help build two mega fabs in Central New York and one in Idaho. This is a monumental step forward for Syracuse, Upstate New York, and for the country.

This is one of the largest single, direct, Federal investments ever for Upstate New York. We have had a number of chips funding announcements recently, but this is the very first one specifically for memory chips, which will become especially important as technologies like AI boost demand for these chips.

Best of all, this award will lead to 50,000 new good-paying jobs, and it will help Micron reach its goal of investing well over $100-plus billion to make advanced memory chips here in the United States.

So I will say it again because it is truly good news: With the Chips and Science law, we are rebuilding Upstate New York with good-paying middle-class jobs one microchip at a time, and we are rebuilding not just New York but communities from Ohio, to Texas, to Arizona and beyond, and the benefits in those States will spread as subcontractors and other suppliers around the country are called upon.

Most importantly, the investments being made by Chips and Science will mean lower costs for American consumers in the long run. We will be less vulnerable to supply chain disruptions like the one we saw in COVID, which sent prices skyrocketing on all sorts of electronic devices. By bringing chip production back here to the U.S., we can avoid this in the future.

This is precisely what I envisioned when I led the way on Chips and Science, working closely with bipartisan Members in the Senate and with the President and with Secretary Raimondo.

Let me thank President Biden and Secretary Raimondo for helping make these investments possible. With their vision and leadership, we are bringing manufacturing back to the U.S. We are revitalizing middle-class families. We are giving communities that have been left behind a second chance with new investments, new jobs, and new opportunity.

Getting Chips and Science was not easy. It took a lot of convincing and persistence. But today, we are starting to see why that effort was worth it. One announcement at a time, America is securing its place as the leader in the global semiconductor industry in this century.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

H.R. 7888

Mr. MCCONNELL. Mr. President, for the past 16 years, Federal law enforcement and intelligence professionals have used section 702 of the Foreign Intelligence Surveillance Act to identify and minimize foreign threats to U.S. national security. The carefully targeted authorities established back in 2008 are an essential tool for staying a step ahead of non-U.S. persons who seek to harm the American people, but unless the Senate acts today, those authorities will end tonight.

Our friends in the House understood the threat. On a bipartisan basis, they spent months working to craft sensible reforms to guard against future abuses, made changes to adapt the program to meet the demands of new technologies, and took tough votes against amendments that may sound good but would actually kill the program. The House deserves credit for reforming and reauthorizing this essential authority.

Now the Senate's choice is clear: We can pass the House's reform bill or, given the late hour and political reality, we can essentially doom the program to go dark. Pass the House's reform bill or give free rein to foreign intelligence operatives and terrorists to target America.

Over the past few days, a number of our colleagues have drawn some puzzling conclusions about the House-passed bill that would allow us to prevent section 702 from lapsing. We have heard that overdue reforms to bring this portion of the statute up to date with modern communications technology amount to a massive new dragnet to surveil innocent U.S. citizens. We have heard that if the House-passed reauthorization became law, a coffee shop's public internet would become a vector for the bulk collection of Americans' sensitive personal data.

Of course, the facts of the case are crystal clear. As I pointed out earlier this week, the Federal courts tasked with overseeing the appropriate use of section 702 authorities have already ruled that the fearmongering about new threats to U.S. citizens' privacy was completely unfounded.

Yesterday, we even heard the Democratic whip suggest that a lapse in authorities wouldn't really mean ''going dark'' even though they expire at 12 midnight. This is absurd. Big tech conglomerates do not provide these critical communications to the U.S. Government because they want to; they do so because the law compels them to. When that compulsion disappears, who are they going to listen to—their customers or the FBI, asking nicely?

Once section 702 expires, companies will stop complying. It will be up to the government to play a slow and painstaking game of Whac-a-Mole in court against an army of the most sophisticated lawyers in the country, and in the meantime, actionable intelligence will pass us right by.

This is not a hypothetical. It has actually happened before. Following a similar lapse in authority during the Bush administration, Attorney General Mukasey observed that providers ''delayed or refused compliance with our requests to initiate new surveillance of terrorist and other foreign intelligence targets under existing directives.'' He went on that this ''led directly to a degraded intelligence capability.''

China is on the march. Iran and its proxies are pushing the Middle East to the brink of war. Russian spies are reportedly plotting sabotage against U.S. military targets. Suspected terrorists are exploiting this crisis at our southern border. This is not the time to voluntarily degrade our ability to protect the American people. This is not the time for facile arguments about issues this legislation addresses head-on.

Today, power rests with the Senate. This is the end of the line. There is no one coming to relieve us of our duty. Just like the real-world consequences America will face if the House fails to pass a national security supplemental, there will be serious consequences if the Senate fails to do its job today.

The stakes of such an outcome are grave. The authorities in question today have quite literally been the only defense against would-be national security disasters. The year after section 702 was enacted, it was used to foil an active plot to bomb the subway in New York. As our colleague Senator CORNYN explained yesterday, section 702 was behind 70 percent of the intelligence community's surveillance of the cartels' synthetic narcotics operations last year.

The threats to America's security are flashing red. Our adversaries are as intent as ever on sowing chaos and violence, and a vote to send this critical legislation back to the House today is

a vote to make their job easier. The Senate must not let section 702 go dark.

SHOP ACT

Mr. President, on another matter, my Democratic colleagues like to complain about judge shopping. Of course, the real complaint is that regular Americans are succeeding in opposing liberal policies in court. We know this because when it comes to real-life judge shopping, our friends on the other side of the aisle don't seem to be particularly bothered.

I recently introduced a bill, the SHOP Act, that would stop the actual practice of judge shopping—that is, improperly steering a case to a judge or trying to knock judges off assigned cases because a litigant doesn't like them. The bill's language was based on an egregious and unethical pattern of conduct undertaken by two liberal advocacy groups in Alabama.

Well, it seems the far-left Consumer Financial Protection Bureau is in on the judge-shopping game. The CFPB was recently sued in Texas over its credit card late fee rule. After a whole lot of procedural wrangling, the case ended up before the Fifth Circuit, which ruled in favor of the rule's challengers, 2 to 1. The CFPB and its allies didn't like that. Just days after losing, the Agency filed a letter with the clerk of the court, alleging to have suddenly discovered that large credit card issuers have a financial stake in the litigation.

They didn't raise this when the case began, as required under court rules. Only afterward did they decide to take umbrage with the fact that the judge who ruled against them, Don Willett, has a son whose Coverdell education savings account includes a handful of shares in Citigroup.

Urged on by an army of Arabella Advisors, the CFPB argued that even though the case before Judge Willett didn't involve Citigroup, he had to recuse himself in case it affected the value of that stock.

In other words, after a judge ruled against them, the CFPB identified vague new parties-at-interest to ensnare the judge through his son's college savings account. What a tangled web they weave at the CFPB.

To its credit, the Judicial Conference's Code of Conduct Committee didn't buy this absurd contention. They unanimously ruled that Judge Willett was not required to recuse himself.

But in case anyone is wondering, this is what judge shopping looks like: Wait for a ruling against you and then argue late for sweeping recusal rules designed to target the judge you don't like and remove him.

Under my SHOP Act, this kind of behavior could result in severe discipline for lawyers who engage in it.

If any of our Democratic colleagues are interested in actually solving the problem of judge shopping, I hope they will join me as cosponsors.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

H.R. 7888

Mr. WYDEN. Mr. President, I rise this morning to discuss what happened at the end of the debate in the House of Representatives on section 702 of the Foreign Intelligence Surveillance Act.

Particularly, I am going to be talking about the sweeping new authorities that were slipped into the legislation at that time by the chair of the House Intelligence Committee.

Then I intend to respond to each of the major arguments that have been given over the last couple of days in an attempt to justify these expanded authorities in that provision that was added at the last moment and why they do not hold water.

The chair of the House Intelligence Committee called this amendment—expanding all of these authorities—he called it merely technical. I want to explain why it is not just technical and how it passed the House with virtually no debate.

As the Presiding Officer and I have talked about, this has never been considered—repeat, never been considered—here in the U.S. Senate, but Members of the Senate are now being told the same thing that came up in the House: Nothing to see here. It is technical. And it is all classified. So stop asking questions.

Now, I have spoken to a number of colleagues here, and I have urged them to just read the plain language of the provision. When they do so, they will see for themselves that this is actually a very substantial and dangerous expansion of warrantless surveillance authorities.

Under the provision, there would be virtually no limits to who can be forced into spying for the government. Any company that installs, maintains, or repairs Wi-Fi or other communications systems in any American business or home, for example, can be dragged into this. So can any other company that provides a service that gives its employees access to any communications equipment, which would include a server, a wire, a cable box, a Wi-Fi router, a phone, or a computer.

There are lots of examples here. Every office building in America has data cables running through it. Tens of thousands of commercial establishments offer Wi-Fi to their customers. Under this provision, landlords, the companies that maintain the cables and Wi-Fi, and any number of companies whose employees have access to any of that equipment can all be forced to cooperate with the government's surveillance.

Now, my view is there have been some pretty farfetched and misleading efforts to justify what the House of Representatives did at the last minute. So I am going to address each of the major arguments that I have heard in support of the House's dangerous expansion of surveillance authorities.

First, supporters of this provision just wave away the actual language of the provision and simply insist that no terrible thing is going to happen. But nobody has ever tried to explain why the plain language of this provision wouldn't authorize the government to force a huge number of ordinary Americans and American companies to spy for the government.

Second, the administration says it is going after a narrower set of companies, but, by the way, we are not going to hear anything about it because it is all secret. That is not how laws, especially surveillance authorities, ought to be written. I am a member of the Intelligence Committee, and I am familiar with these issues.

The sky is not falling. If the government has a narrower intent, Congress can take the time to consider whether legislation is needed to actually address it. But jamming through a last-minute provision that dramatically expands surveillance authorities in a way that would affect so many Americans is just not right. I think it is irresponsible, and I think we ought to think through the implications. And anybody who thinks the government won't eventually use its authorities to the greatest extent possible, maybe they have been asleep for the last 20 years, but it is certainly a fact.

Third, supporters of this provision spend a lot of time pointing to the exceptions, but the handful of narrow exceptions makes my point. It proves my point. If you are not on that short list, in effect, it is an admission that you can be forced to spy for the government. And the exceptions are clearly designed so as not to restrain the vast new authorities in any meaningful way. They are not even designed to work.

For example, the exceptions do not include commercial landlords or any company that installs, maintains, or repairs Wi-Fi or communications cables. So even if the government can't force a coffee shop to comply, it can force its landlord or the company that maintains the coffee shop's Wi-Fi to comply.

Fourth, supporters of the provision have said over and over again that section 702 only targets foreigners overseas. This is a red herring. The provision does not change the targeting rules, but it dramatically changes who can be forced to actually help the government. And you don't have to change the targeting rules to threaten Americans' privacy. If the government thinks that its foreign targets are communicating with people in the United States, they can go right to the source: the Wi-Fi, the phone lines, the servers

that transmit or store those communications. In my view, that is a stunning example of the government's ability to collect Americans' communications, with no changes in the targeting authority.

Finally, this brings me to a letter sent yesterday by the Department of Justice, which the chairman of the Intelligence Committee placed in the RECORD. I urge my colleagues to read that carefully. It goes on and on about how the bill doesn't change the fact that only foreigners overseas can be targeted.

The surest sign that you are losing an argument is when you try to change the subject, and that is what supporters of this provision and the Department of Justice are doing. The Department of Justice letter does not deny that the provision authorizes the government to force a broad set of Americans and American companies to assist with warrantless surveillance under section 702. In fact, the Department of Justice basically concedes that fact by promising that it will only apply the new authorities to certain companies on a secret list.

The Department of Justice is in the ''don't worry anybody'' department. They are basically saying: We won't ever use these sweeping authorities you are handing to us.

That commitment, in my view, is worth nothing. It is not even binding on this administration, and it certainly wouldn't be binding on future administrations. These FISA authorities, like all FISA authorities, are going to get used to their maximum extent. You can bet on it. The same Members of Congress who are touting this supposed act of restraint from the administration are going to be the first to demand that the government do more with these authorities.

Now, secret promises are not law. That is just an obvious fact. Giving the government vast new power on the premise that intelligence Agencies are not going to use it is just out of sync with history.

One other point about the Department of Justice letter: The Department of Justice has promised to tell Congress what is going on every 6 months. Not only is that inadequate; it would be a violation of the government's statutory obligation to keep the Congress fully and currently informed of intelligence activities. If they only update Congress every 6 months on something like this, they are basically thumbing their nose at the whole idea of congressional oversight.

This provision is fundamentally damaging to democracy. Americans should not be forced to spy for the government without a warrant. Ordinary businesses, big and small, should not be made extensions of government surveillance in a way that is going to put their relationship with their customers at risk. We have actually heard from a variety of companies that are concerned about just that: their customers being concerned about their privacy being invaded as a result of this and companies being hurt.

Americans shouldn't have to worry about whether the companies that service their workplaces, establishments they frequent, or even their homes are secretly spying for the government.

My view is this is a breathtaking change that was added at the last minute by the House of Representatives, expanding surveillance authorities. Until a week ago, there was a debate about reforms of section 702, and I would say, having been involved in a number of these debates, it is appropriate to have views of differing opinion on what reforms are necessary. But at least everybody was talking about the abuses of section 702 and how to fix them.

Now, all of a sudden, the Senate is being asked to dramatically expand the authorities of the Foreign Intelligence Surveillance Act in a way that is almost guaranteed—almost guaranteed—to result in abuses. And my own view is that it is shocking that with no publication, no hearings, no processing of a piece of legislation, and a single week to think about it, the Senate is being asked to give the government sweeping new authorities that could fundamentally change the relationship in this country between Americans and their government.

If the Senate passes this legislation today, my own view is the Senators are going to regret it. And when the eventual wave of abuses is exposed, nobody is going to be able to say now—given the fact we are airing specific responses to what the government said in an attempt to justify it, nobody is now going to be able to say they didn't see it coming. There are a number of us on both sides of the aisle who are pursuing an amendment to strike this dangerous provision. I am pushing very hard to remove this provision. It ought to just be struck—it is called section 25 in the House bill—and we are pushing very hard to see that is accomplished.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

H.R. 7888

Mr. CORNYN. Mr. President, the Senate is currently debating the reauthorization of section 702 of the Foreign Intelligence Surveillance Act. I call this the most important law that most Americans never heard of. But it is an essential tool for our intelligence community to protect the American people against a whole array of threats, as I will try to explain.

It is somewhat complicated, which means that it is important to make sure that we understand what the facts are and dispel any myths or any misconceptions about what exactly we are asking the Senate to vote on.

Unless the Senate takes action soon, section 702 of the Foreign Intelligence Surveillance Act will expire at midnight tonight. If that happens, the United States will lose access to valuable intelligence that is needed by our intelligence community to keep America safe. Our country's top intelligence officials have shared a number of success stories that demonstrate the far-reaching value of this authority. But the best I can tell, there is broad bipartisan consensus about the value of section 702. I have heard no one stand up and say: We should just let the authority lapse. And that is for good reason that you haven't heard that argument.

Section 702-acquired information has helped combat terrorism, disrupt drug trafficking, thwart cyber attacks, prevent our adversaries from trafficking in weapons of mass destruction, and much more.

Officials have also issued warnings that—in the starkest possible terms—about what a 702 lapse would do to our security missions. FBI Director Chris Wray said to allow 702 to expire would be ''an act of unilateral disarmament in the face of the Chinese Communist Party.'' So the stakes are extremely high.

I am glad that the Republican-led House passed a strong 702 reform bill last week. This is not a clean reauthorization of the existing bill. This is a reform bill which corrects many of the problems that we have experienced with section 702 in application, including some abuse by FBI officials and others. It is designed to prevent that inadvertent abuse and to hold people who abuse that authority accountable.

And to those who say, well, this reform bill has provisions in it that can be likewise abused by somebody who is intent on violating the law, I say there is no law that can prevent people from lying, cheating, and stealing. In other words, we could do our best to try to pass a law that protects the American people both in their privacy and their national security, but no one argues that we can prevent all abuses.

But we could go a long way—and this bill does it—to close up the opportunities to do that and to hold people accountable who do abuse the law by exposing them, potentially, to long prison sentences. This reform legislation increases transparency, as I said, prevents misuse of 702, and strengthens accountability within the FBI.

As Congress has debated this law, I have seen a lot of confusion and, occasionally, even some misinformation about this authority and the reforms being discussed. As the Senate prepares to vote on this bill, I think it is absolutely critical that we clear up a few of the most common misconceptions about section 702.

The first myth I want to address is that 702 was unconstitutional because

it allows widespread surveillance of American citizens without going to court and getting a warrant establishing probable cause. I have heard some people say, under this law, the intelligence community can spy on the American people. Nothing is further from the truth. Section 702 authority cannot be used to target any U.S. citizen, whether on American soil or elsewhere in the world. It is specifically aimed at foreign actors overseas that could pose a threat to the United States.

We all acknowledge that any investigation into any American citizen would require a warrant establishing probable cause issued by a judge, an impartial judge. That is our basic protection under the Fourth Amendment. This, in contrast, is not about targeting Americans in the United States but rather foreigners overseas. Even if the foreigner is in the United States, then section 702 would not allow that collection. There would need to be a warrant.

So the law contains robust safeguards to protect the privacy of U.S. persons and the House-passed bill includes even more provisions designed to strengthen those protections.

This first myth stems from, perhaps, a misunderstanding about what is called incidental collection of U.S. persons' data. When I use the term ''U.S. persons,'' I am including American citizens and legal permanent residents. That is why the generic term ''U.S. persons'' rather than ''U.S. citizens'' is used. For example, if an American is texting with a foreign terrorist who is a target of 702 collection, both sides of that conversation, that text, would be available. To be clear, though, the government would only see the American's communication in that one instance. Other texts, emails, and communications would remain untouched and require a warrant issued by the Foreign Intelligence Surveillance Court.

Multiple courts have examined the constitutionality of this incidental collection. The Second Circuit, the Ninth Circuit, the Tenth Circuit have all looked at it and said it does not violate the Fourth Amendment. The Eastern District of New York has, as well, as has the Foreign Intelligence Surveillance Court.

I might just pause there for a moment and remind people that the Foreign Intelligence Surveillance Court is a court created by Congress composed of three Federal judges, article III judges, appointed by the Chief Justice, who review these practices and procedures on a regular basis.

So you have three levels of oversight of these important tools. You have, at the Agency level, internal rules and regulations. You have the Senate and the House Intelligence Committees, on which I have the privilege of serving, that conducts oversight. Then you have the Foreign Intelligence Surveillance Court that makes sure that this balance between security and privacy are protected.

In every court that has looked at this issue, the court has determined that 702 complies with the Fourth Amendment insofar as incidental collection is concerned.

Section 702 does not authorize spying on the American people. You know, it reminds me of a saying of Mark Twain. Mark Twain said: ''A lie can travel halfway around the world in the time it takes the truth to put on its shoes.''

Unfortunately, some of these things get on social media, and people begin to believe them because they see it repeated, even though it is not true. This is a carefully crafted law designed to balance national security imperatives with individual privacy rights.

Myth No. 2: Congress could strengthen privacy protections and preserve 702 by adding a warrant requirement. This requires a little bit of an explanation. I mentioned the text between a target, a foreign target, and an American citizen and the incidental collection—that is the communication between those two—that would be revealed by 702. Then it is added to a database that can then be queried or explored by subsequent actions by intelligence Agencies, including the FBI.

Some would say: Well, in spite of the fact that no court has held that that incidental collection is unconstitutional or violates the Fourth Amendment, before the FBI or any part of the intelligence community wants to look at that lawfully collected data, it has to go to court and get a warrant. Again, this could require the government to show probable cause that some crime—maybe espionage, maybe some other crime—has been committed.

All of the officials who served in positions of responsibility in making sure that this capacity continues safely and respecting the rights of privacy, as well as the security of our country, has said that adding a warrant requirement to look at information that you already lawfully collected would decimate the effectiveness of section 702. This is unlike a traditional criminal investigation where warrants are issued based on probable cause because of criminal activity.

Intelligence gathering is unique because it involves monitoring foreign actors to detect and prevent threats before they occur. In other words, regular law enforcement doesn't go in and try to stop criminal acts before they occur.

Unfortunately, we are relegated to investigating and prosecuting crimes after they occur. That is the criminal law context.

Intelligence gathering is very different because it is designed to prevent terrible actions from occurring in the first place, like the 3,000 Americans that were killed on 9/11 when al-Qaida targeted the World Trade Center and the Pentagon.

As Director Wray has said:

In a technology environment where foreign threat actors can move to new communication accounts and infrastructure in a matter of hours—if not minutes—[section] 702 provides the agility we need to stay ahead.

Requiring a warrant for every inquiry into lawfully collected information in the 702 database would significantly hinder the ability to respond to emerging threats. Again, this is looking at information that every court that has looked at it has said is lawfully collected under the Fourth Amendment. Our intelligence community would be held to an impossible standard knowing the nationality and location of every single person that the foreigner and foreign land may be talking to before they could make any targeting decision.

The Senate has before it an amendment that would hold that no person—so that would include the entire intelligence community—may access information of a covered person except in limited circumstances. A covered person is broadly defined and would include incidental communications of U.S. persons, something which is already lawfully collected.

But the truth is, this amendment would hamper the 702 program in dangerous ways. If an amendment containing this language passes, the CIA or the NSA will be unable to monitor Hamas or ISIS terrorists abroad unless and until they can determine the national identities and physical locations of everyone that terrorist may be talking to, texting, or emailing with. It is an impossible burden.

The Senate is already expected to vote on an amendment to the House bill that injects a different type of massive legal hurdle in the 702 process. That would be similarly confining and limiting in terms of its effectiveness.

This amendment would dramatically expand the role of an amicus. Now, in the law we talk about amicus curiae, ''friends of the court.'' That is what an amicus is. That is an outside person coming in basically to provide legal advice or a briefing to a court to help the court make a decision.

And there already exists an amicus provision in the current law so that if the Foreign Intelligence Surveillance Court needs input or expertise or advice on a complex matter, it could ask for that. That already exists.

What this amendment would do, it would impose an amicus appointment on virtually every Foreign Intelligence Act title 1 matter and place, again, unworkable burdens on the Foreign Intelligence Surveillance Court and on the intelligence community seeking access to that information.

What that means, in practical terms, is that we would get bogged down in court proceedings and not just in front of the Foreign Intelligence Surveillance Court. This amendment would allow an appeal of the Foreign Intelligence Surveillance Court's decision presumably all the way to the Supreme Court.

Can you imagine in a time-sensitive national security matter that we are going to basically take a timeout so we

can appeal a case up and down the Federal judiciary, potentially to the Supreme Court? Who knows how long the delay might be.

The urgent intelligence request before the Foreign Intelligence Surveillance Court would become a means to gut section 702 through a series of legal delays. In effect, one actor who disagreed with the Foreign Intelligence Surveillance Court's determination would have the ability to stop what is already a constitutional and lawful program in its tracks.

This is a radical departure from the role of an amicus or friend of the court in normal court proceedings. The friend of the court, the amicus curiae, is there to provide expertise and help the court get it right, not to gum up the process or to become an adversary.

As I noted, agility is key to section 702. It gives our intelligence professionals timely and actual intelligence to keep Americans safe. Expanding the role of the amicus to turn them into an adversary to this process would hamper the program and, I believe, make it far less useful.

The House has already had a very thoughtful debate about this topic and I believe crafted a bill that expands amicus participation in a reasonable and productive way without shutting down the process.

Finally, myth No. 3: There will be no impact if section 702 expires tonight at midnight because other directives will replace it.

Well, like many misconceptions, this is based on a grain of truth. Earlier this month, the Foreign Intelligence Surveillance Court renewed the annual 702 certification and procedure process through April of 2025. Interestingly, as I mentioned, the Foreign Intelligence Surveillance Court, which includes three article III judges, lifetime-tenured judges, regularly sign off on the practices and procedures under section 702 and have found them to be lawful and constitutional.

And they have certified the current process through April of 2025, but that does not mean that the program can continue uninterrupted for another year. In the event of a lapse tonight at midnight, some communications and service providers will stop cooperating with the U.S. Government. That is exactly what happened in 2008 when the predecessor of section 702 called the Protect America Act briefly lapsed.

The Attorney General and Director of National Intelligence at the time wrote to Congress about the impact of a short-term lapse. They said:

> [Providers] delayed or refused compliance with our requests to initiate new surveillances of terrorists and other foreign intelligence surveillance targets under existing directives issued pursuant to the Protect America Act.

But they said, ultimately, the lapse ''led directly to a degraded intelligence capability.''

None of these American-based companies are going to cooperate with the intelligence community unless they have a law in place that provides them a requirement that they do so and the legal protections that go along with that.

Even though the Department of Justice could go to court and move to compel the companies to continue to cooperate under the current certification, litigation would inevitably lead to delays while vital intelligence is lost.

And I believe that without 702, there is no way these companies will be required to or be willing to cooperate. And there couldn't be a more dangerous time to put this gambit to the test.

Director Wray and the Director of National Intelligence, CIA Director Burns, all of the members of the intelligence community, the leaders, have said the number of threats facing America has never been greater, certainly not since World War II.

Iran and its terrorist proxies are attacking Israel; Russia is continuing its assault on Ukraine; and China is fueling instability in the Middle East. Section 702 underpins our ability to predict and respond to each of these threats, and we would be flying blind without 702.

So 702 misinformation runs rampant, but here are the facts: 702 complies with the Fourth Amendment. Every court that has considered the matter has reached that conclusion.

Section 702 is invaluable because it gives the United States timely and actionable intelligence. Warrant requirements for a dramatic amicus expansion would undercut that capability.

And finally, unless section 702 authority is extended today, our intelligence capabilities will take a hit. There is no question about it. We cannot count on these communication providers to keep providing information and cooperating once congressional authorization expires.

In conclusion, I would say there is a lot on the line today, and Congress cannot, in good conscience, deprive America's dedicated intelligence professionals of the authority they need to continue to keep our country safe. Section 702 of the Foreign Intelligence Surveillance Act is vital to our national security and must be extended as reformed in the House bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

FEDERAL AVIATION ADMINISTRATION

Mr. KAINE. Mr. President, I rise, alongside my colleague Senator WARNER, to comment on a near-miss incident that occurred yesterday at Reagan National Airport and what it means in the context of the FAA reauthorization bill that we are considering and will take up likely right after recess.

The incident yesterday was a big warning light flashing red, telling Congress not to take steps that would weaken the safety of this airport.

Yesterday morning, at 7:40 a.m., a Southwest Airlines plane and a JetBlue plane nearly collided while simultaneously attempting to cross the same runway. One flight was preparing to take off from runway 4, which is a smaller commuter runway, while the other was attempting to cross from an apron to the main runway, runway 1, that carries 90 percent of the flights in and out of DCA.

Yesterday was not an unusually busy day; it was a typically busy day on the Nation's busiest runway at DCA. And while the FAA is still investigating the incident, there is disturbing audio that is circulating that I hope every Member of this body will listen to.

In the audio, you can hear air traffic controllers frantically yelling at each plane over the communications to ''Stop! Stop!'' before both planes were able to halt their movements and narrowly avoid a collision.

We are all relieved that disaster was averted and that no injuries or damages occurred, thanks to the actions of the ATC professionals at DCA. But I am incredulous that in a discussion about reauthorizing the Federal Aviation Administration—a bill that is meant to make travel safer—some Members of Congress view this package as an opportunity to jam even more flights for their own personal convenience into a runway at DCA that is already overburdened and can't handle extra capacity. The gamble is exactly the opposite of improving public safety.

The Federal Aviation Administration and the regional airport commission created by Congress, the Metropolitan Washington Airports Authority, both agree that adding any flights—any flights—to DCA will increase delays due to the increased risk for incidents like this. Any flights into DCA will increase delays due to the increased risk for incidents like this.

DCA is a fraction of the size of our other two regional airports, Dulles and BWI, and the length of its runways are shorter. In fact, two of the runways are so short that 90 percent of the traffic—800 flights a day—has to be put onto the main primary runway.

Since 1986, Congress has recognized the capacity limits at DCA by restricting the number of nonstop flights that can originate out of DCA to airports outside of a 1,250-mile perimeter, with Dulles and BWI planned as the growth airports for the region's aviation needs.

However, in the past and right now, during discussions about FAA reauthorization, certain Members in both Houses have attempted and in some cases succeeded in making changes to these rules that have disrupted the balance in the airport system by adding additional flights from Reagan to destinations outside the perimeter. These changes have produced significant stress on DCA's facilities and created frustrations for travelers, businesses, and local residents.

We have been warning about this for over a year, but I hope that the incident yesterday may help Members finally take note of the evidence that the system is already overflowing its capacity, and we can't risk public safety by cramming more flights into and out of DCA.

The House of Representatives passed their version of the FAA reauthorization bill with a floor vote that resoundingly rejected additional flights at DCA on a bipartisan basis.

But, unfortunately, here in the Senate Commerce Committee, a package was produced that adds 10 more flights in and out of DCA without so much as an up-or-down vote on that provision.

While some may point to other safety features in the FAA reauthorization bill to help avoid near-misses in the future, I can't stand by and assume that adding safety risks by allowing more flights—my constituents will not tolerate that, and the 20-plus million people who fly into and out of DCA every year should not have to tolerate that.

So to sum up, a provision was added to the Senate FAA bill in committee that had been explicitly rejected by the House of Representatives, that has been warned against by the FAA, that jeopardizes safety, that negatively impacts the performance of three airports, and the provision was negotiated by a committee on which none of the Senators who represent the region sits.

This is unsatisfactory, and I am going to say to this body and then act in accord with what those air traffic controllers said yesterday: ''Stop! Stop!''

I yield to my colleague Senator WARNER.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, I want to first of all thank my dear friend and colleague from Virginia for his impassioned remarks. And I know that the Presiding Officer can't enter into these discussions, but as the gentleman who represents the neighboring State of Maryland, I think I can say, without fear of being contradicted, that the Virginia and Maryland delegations in the U.S. Senate are completely united in total agreement on this issue.

As Senator KAINE just pointed out, I think it is amazing that there has not been more news coverage of it yet. I hope that the paper of record, the Washington Post, actually covers some of these items, but two planes came within 300 feet of colliding at DCA on the runway.

Now, I am thankful there was no loss of life, but it is just plain unacceptable that this even happened. And, again, Senator KAINE said you don't have to take his word. You don't have to take my word. You can go online and listen to the audio from the control tower to understand just how frighteningly close we came to disaster. That we came so close to catastrophe yesterday makes it absolutely clear: It is just plain crazy that some are pushing to add even more flights to DCA's already overburdened runway.

Let me go through some of the stats. DCA averages 819 daily takeoffs and landings from its main runway. That is more than any other runway in the Nation. That is more than any runway at LAX, Chicago O'Hare, Atlanta Hartsfield, at Newark—you name it. The most overburdened runway in America is DCA.

Yesterday's near crash is a stark example of the burden this airport already faces. Again, how did we get here? Well, the airport was designed to accommodate 15 million passengers. Last year, 2023, in part thanks to, as my colleague said, over the years, chipping away on the perimeter rule—every 5 years when FAA comes up, people try to chip away. So last year, in part thanks to this chipping away, it broke an alltime record, DCA—25.5 million passengers. That is 10.5 million additional passengers beyond what DCA was designed for.

What does that result in? Well, you have the near catastrophe last night, yesterday, but in 2022, DCA—Reagan Airport—had the third worst cancellation rate amongst the Nation's busiest airports. As of today, the current status, 20 to 22 percent of flights into and out of Reagan experience delays averaging 67 minutes.

There are some who have argued that while Reagan is at capacity during peak hours, between 6 a.m. and midnight, additional flights could be added during nonpeak hours, after midnight and before 6 a.m.

First of all, I said to my colleague, I have not heard any airline coming in and begging for a 2 o'clock or 3 o'clock or 4 o'clock in the morning flight, and, frankly, I would be very skeptical there would be much consumer demand. Unlike my colleague, who is a morning person, I am known to be a little bit more of a night owl, but you are not going to find me climbing on an airplane at 3 a.m. in the morning.

Second, as we pointed out over and over, Reagan's runway is already the busiest runway in America. Any flexibility that still remains in Reagan's schedule after Congress has continually loaded it up with new flights over the years should not be made by Congress; it ought to be made by the operators of the airports in conjunction with the FAA to manage safety, timeliness, and delays.

If we don't do this, if we end up with the Senate position that at least the Commerce Committee has floated, if we end up anything close to what the Senate Commerce Committee has advocated, near crashes such as yesterday would become much more common.

For all the Members who already use this airport, think about that not only in terms of the overall safety but just how you climb on an airplane almost on a weekly basis.

The so-called five new slots, which means you have to come and go—that means 10 additional long-haul flights beyond the currently existing DCA 1,250-mile perimeter rule—would be flown almost exclusively, because they would go longer, with larger airplanes. Larger airplanes, again, take longer to taxi more people into the terminal, already straining Reagan's resources.

Considering yesterday's near crash and an average of 819 daily takeoffs and landings already, why would we sacrifice safety or, for that matter, just the ability to get in and out of the airport in a timely manner any more?

The safety of the flying public must be our primary focus. Yet we are now debating, as my colleague said, whether some lawmakers who want this added convenience are somehow more important than passenger safety. Incidents like this incident that happened yesterday, with the position of additional flights, would be happening on a much more common basis, would dramatically undermine the basic role of the FAA: the safety of the flying public.

We should not take that action when the FAA reauthorization comes up.

It is not often that we say in this body that we ought to listen to the House, but in this case, we ought to listen to the House. They had a full-flung debate on this issue, and an overwhelmingly bipartisan position came up with zero new flights out of Reagan.

I urge my colleagues to prioritize the safety of the flying public and reject any changes to slot and perimeter rules at Reagan in the FAA reauthorization bill we will take up shortly.

With that, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KELLY). Without objection, it is so ordered.

SUDAN

Mr. CARDIN. Mr. President, a year ago, artillery and gunfire erupted in the capital of Sudan. Smoke filled the air as people ran for their lives. It was the beginning of a vicious war between two armed factions: the SAF—the Sudanese Armed Forces—and the RSF—the paramilitary Rapid Support Forces.

In the last year, there has been absolute devastation in Sudan. At every turn, unarmed Sudanese have been in the crosshairs. These armed groups have committed extrajudicial killings. They have indiscriminately bombed civilian targets, like hospitals. They have used rape and sexual violence against women of certain ethnic groups as a weapon of war. They have razed cities and towns, killing inhabitants and strangling commerce and trade. They have destroyed farmlands and forced farmers to leave, preventing harvests. They have looted humanitarian supplies, attacked aid workers,

and blocked aid delivery. The World Food Programme's Sudan director said this May could bring ''unprecedented levels of starvation.''

According to the United Nations, more than 15,000 people have been reported killed, with an additional 10- to 15,000 in one town in Darfur alone.

Eight million people have fled their homes. Twenty-five million, including 14 million children, need humanitarian assistance, very basic materials like food, water, medicine, and clothing.

The president of Doctors Without Borders said:

Sudan is one of the worst crises the world has seen for decades.

As I speak, the town of Al Fashir is under siege. Millions of civilians are trapped in that city, which is controlled by the SAF. The people in this town have no access to aid, and the international community has no plan to protect them should the RSF mount a full-scale assault.

My colleague on the Senate Foreign Relations Committee, Senator BOOKER, has just come back from the region. He gave us a firsthand account of the hunger, the violence, and the trauma the Sudanese people are facing. Last week, Samantha Power testified in front of the Senate Foreign Relations Committee about the imminent famine. Just this week, the Raoul Wallenberg Centre for Human Rights released a report concluding that the RSF is committing genocide in Sudan.

The evidence is clear and overwhelming. We must take action now.

At this week's humanitarian conference in Paris, the United States announced an additional $100 million in aid to respond to the conflict. The United States has been the largest donor to date. The French are also saying they raised more than €2 billion. Money pledged is not money in hand, however, and we all need to do more.

I am pleased that when the Senate passed the security funding supplemental, it included more than $9 billion in additional humanitarian aid. Part of that humanitarian aid would go to help the people of Sudan.

I know there is bipartisan support for humanitarian aid in Congress. Yet, despite the heroic efforts of my colleagues on the Appropriations Committee, the foreign assistance budget for this year declined in some parts of USAID by as much as 10 percent. We need to expand the pie, not shrink it; otherwise, when we try to address one crisis, we have to take money from another emergency circumstance. We should not have to choose between saving starving Sudanese or saving starving Gazans. We should not have to choose between helping Haitians or helping Ukrainians. Every life is precious, and every day we wait matters.

I hope my colleagues in the House who are still debating the supplemental funding bill understand that. There are so many reasons why they need to pass the supplemental. I would have hoped they would have taken our bill and passed it. They now have a different formulation of it. I hope they will get to as soon as possible the supplemental funding bill.

Yes, it is critical for Ukraine—absolutely. They literally are depending on that supplemental to have the ammunition and support they need to defend themselves against Russia. It is important for our friends in the Middle East—for Israel. It is important for the Indo-Pacific. It is absolutely essential, the humanitarian aid that is included in that supplemental, for the people of Sudan.

Russia is relentlessly bombing and destroying Ukraine's oil and gas energy sector. Ukraine is running out of ammunition.

Secretary of Defense Lloyd Austin said:

Ukraine's survival is in danger.

Any delay in the supplemental funding means the security situation gets worse, just as the humanitarian situation gets worse.

Famine has been declared only twice in the past 13 years. Gaza and Sudan will be next unless we act.

Famine-prevention efforts have a good track record. In 2017, we prevented three out of four potential famines after Congress passed a supplemental appropriations bill.

America's strength is in our values. The global community depends upon our leadership. Our values demand that we don't stand by when people are starving. We have the capacity, and we certainly need to act and show that we live by actions on our values.

Ultimately, the only solution to the crisis in Sudan is for the two sides to sit down and negotiate peace. We have to stop the warring factions, and we have to stop the outside countries' support that have chosen sides here and are adding to the civil war that is taking place. But in the meantime, they must allow unfettered humanitarian access throughout the country.

As we mark the 1-year anniversary of the conflict, I want to say to the international community, to the Biden administration: My view as chair of the Senate Foreign Relations Committee is that we need to act now. We need other donors to step up and put their money where their mouths are now. We need to support Sudan's neighbors who are hosting countless refugees now. We need diplomatic talks to end the war in Sudan to resume now. It is time to set a date.

Finally, to my colleagues in the House: You need to act now to pass the supplemental appropriations bill that we sent to you in mid-February and provide a lifeline to the millions of Sudanese whose lives are on the line. We must not stand by idly and watch them perish.

I urge us all to act with urgency.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DURBIN). Without objection, it is so ordered.

AMBLER ACCESS PROJECT

Mr. SULLIVAN. Mr. President, I came to the floor of the Senate last night to talk about a big choice President Biden was going to make today. Unfortunately, he made the wrong choice for America, for our allies, for Alaska, for my constituents.

The choice was whether he was going to make a big decision to shut down two of the biggest resource development areas in America, a place we call the National Petroleum Reserve in Alaska in the Ambler Mining District of Alaska, some of the biggest deposits of critical minerals in America—in the world—and one of the biggest, most prolific basins for oil and gas in the world, where we in Alaska produce these minerals and these resources, which we need, better than anybody, with the highest environmental standards in the world.

The President shut them down today—shut them down today. It certainly hurt American workers and benefited the dictators of the world. He won't sanction Iran for oil and gas, but he sure as hell will sanction Alaska.

It is a little crazy. If you are an American watching: Why would we do that? I will get to that.

It is a real disappointment, a dispiriting day in Alaska. I talked about how infuriating this was, particularly for my constituents, workers, Alaskans, but particularly for the Inupiat Alaskan Native people who live on the North Slope of Alaska. One of these rules—the National Petroleum Reserve of Alaska rule—directly impacts them.

I am frustrated. Senator MURKOWSKI is very frustrated. Congresswoman PELTOLA is very frustrated. We put out a press release denouncing this decision this morning.

But the people who are really, really frustrated and, to be honest, insulted are these great Americans, these great indigenous leaders in my State because they are the ones this rule is going to impact. This rule is about the North Slope of Alaska, an incredible place. They are the leaders. They are the indigenous people who live there.

As I mentioned in my remarks last night, the Biden administration just won't listen to them at all. You want to talk about cancel voices for indigenous Americans? The Biden administration won't listen to them. This group of great Alaska Natives, as I mentioned last night, have come to Washington, DC. These are the elected leaders of the North Slope where this rule was solely going to impact. They came to Washington, DC—flew 4,000 miles eight different times—to meet with Secretary Haaland to say: Madam Secretary, this is our land. Don't do this. You are going to hurt our future.

You are going to hurt our prospects to live. We have been living there for 10,000 years.

Do you know how many times Secretary Haaland met with these great Americans—eight different trips to Washington, DC? Zero. Zero.

So, again, I will just show this real quickly. It is really important. This is the area of Alaska that I am talking about, the North Slope, right up here. This whole area is the North Slope of Alaska. It includes ANWR, the National Petroleum Reserve of Alaska. This is a rule that will impact this whole area. The size is about the size of Montana. We are a giant State.

These are the leaders. We have a borough, mayor, and borough assembly. We have Tribal leaders, leaders of Alaska Native corporations. These are all the elected Inupiat leaders.

This part of the State, that is where the rule was announced today, and every one of them tried to come here and say: President Biden, Secretary Haaland, don't do that to us. It is going to really harm us, and we know more about our land than you guys do. We have been living there 10,000 years.

These are great Americans. Their voices were canceled. But I will tell you, when I saw the press release from the President of the United States today and Secretary Haaland today on this decision, I don't think I have ever been more disgusted in my 9 years as a U.S. Senator from what I saw from this White House, from this President, and this Secretary of the Interior.

Here is why, Mr. President. You know me. I am a pretty calm guy. I don't use words like ''lying.'' OK. Here is what happened today. This administration won't listen to these great people—never did. So they are canceling their voices. Then, today, they are stealing their voices—stealing their voices. As I said, I have never seen anything more despicable than this. The Biden administration won't listen to these great Americans, but then when they put their press release out today, they are telling the rest of the country: We are doing this to benefit the indigenous people of the North Slope. That is in the press release. They won't listen to them because they don't want the rule and then they put the statement out today and they told the American people: We are doing this to help these great Americans.

Stunning.

Mr. President, that is what you call a baldfaced lie. So here is the statement from President Biden, himself, a couple of hours old, and he said:

> I am proud that my Administration is taking action to conserve more than 13 million acres [of their land] and to honor the culture, history, and enduring wisdom of Alaska Natives who have lived on and stewarded these lands since time immemorial.

That is the statement of the President of the United States. That is a baldfaced lie because he is saying: I am the President. I am doing it to help these great Alaska Native people. And guess what. They were totally opposed to this rule, and Secretary Haaland wouldn't even meet with them.

It gets worse. Here is Secretary Haaland's statement. She said: We are taking this action today to safeguard ''the way of life for the Indigenous people''—those people—''who have called this special place their home''—their home—''since time immemorial.'' That is Secretary Haaland.

This is just unbelievable. Like I said, I have never seen anything like this. The Biden administration won't listen to the indigenous people of the very place they are going to do a huge rule on, negatively impacting their lives, and then when they put the statement out on why they are doing it, they tell the rest of the country they are doing it to help them.

I have never seen such hypocrisy and lying from the President, from the Secretary of the Interior.

And by the way, a little bit of an aside—it is not just lying, it is unbelievable hypocrisy—particularly as it relates to the Secretary of the Interior. When she announced these proposed rules to lock up the North Slope of Alaska, she said she was going to do it because of the ''climate crisis and to deliver on the Biden administration's most ambitious climate agenda in history.''

So that is their rule. We are shutting down the North Slope of Alaska, hurt these great Americans because of the climate crisis. We are going to go after Alaska and the Inupiat Natives. So that was the goal. Ignore their voices.

But if Secretary Haaland was really interested in the climate crisis, I am wondering why she doesn't do more with regard to her own State—her own State. What am I talking about here?

In the first 2 years of the Biden administration, over half of all permits—9,000 Federal permits—to drill for oil and gas on Federal lands went to which State? Can anyone guess? Alaska? Hell, no. They are shutting us down every day. More than half—over 9,000 permits to drill for oil and gas on Federal lands—went to which State? You guessed it. New Mexico. Whose home State is that? Oh, my gosh, the Secretary of the Interior.

Get this number. And, look, if there is anyone in the press listening, can you please write this story? I am going to get to that in a minute.

At the beginning of the Biden administration, New Mexico—New Mexico is in the red, gray is Alaska. Alaska has been about steady for over a decade, about 500,000 barrels a day. That is a lot. We were a lot more at one point—steady. At the beginning of the Biden administration, New Mexico was about a million barrels a day. You know where they are now? Almost 2 million barrels a day. Whoa. Where are the radical environmentalists wanting to shut down New Mexico? Wait a minute. No one is touching New Mexico. They increased production under President Biden by a million barrels a day on Federal land. Where is our intrepid American press to write this story?

Think about this one. Think about the flip side of all this. A Republican administration gets elected. They say we are going to shut down the oil production of a Democrat State. We are going to crush the Native people in that Democrat State. We are not going to listen to them at all. And then we are going to make sure that that home State of the Republican Secretary of the Interior is going to be drill, baby, drill on Federal lands—2 million barrels a day, increased by a million barrels a day. And what is this administration doing? Folks are shutting down Alaska. We are steady at 500,000. Drill, baby, drill for Secretary Haaland and New Mexico on Federal lands.

If that story were happening right now, the New York Times, the Washington Post would be writing about it every day. They would be calling it a scandal. They would be looking for corruption. They would be calling for resignations. But this identical situation—I don't think the press has written about it once. No wonder the American people don't trust the media. It is such an obvious story of hypocrisy to write about and nobody does.

I am digressing here. I want to get back to what happened today. As I mentioned, the President and the Secretary put out statements today saying: Well, we did this to help the Inupiat Native people of Alaska on the North Slope.

It is a lie. It is a lie.

Let me get back to this. It is simply not true. How do we know? Because I am going to do what the Biden administration didn't do. I am going to give voice to my constituents who live in this place that just got shut down today.

Here is a press release from a group called the Voice of the Arctic Inupiat.

Mr. President, I ask unanimous consent to have this press release printed in the RECORD.

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

[From the VOICE of the Arctic Iñupiat, Apr. 19, 2024]

IN UNILATERAL NPR–A DECISION, BIDEN ADMINISTRATION CONTINUES TREND OF SILENCING INDIGENOUS ELECTED LEADERS

ANCHORAGE, AK.—Today, Indigenous elected leaders from Alaska's North Slope are unified in their outrage over the Biden administration's decision to advance its September 2023 Proposed Rule from the Department of Interior (DOI) to ''protect'' 13 million acres of our ancestral homelands and waters located within the National Petroleum Reserve in Alaska (NPR–A) from the very people that live there. The federal government's unilateral mandates will stymy decades of progress for the Indigenous North Slope Iñupiat, who have stewarded their homelands, which completely encompass the NPR–A, for over 10,000 years.

''The federal government has again excluded the Indigenous North Slope Iñupiat from policymaking by issuing a final rule for the NPR–A that does not reflect our communities' wishes,'' said Voice of the Arctic

Iñupiat President Nagruk Harcharek. ''This is a deeply concerning trend by an administration that regularly claims to be the most Indigenous friendly government on record. Yet, this administration's record does not live up to its own rhetoric. As a result, the final NPR–A rule will hurt the very residents the federal government purports to help by rolling back years progress, impoverishing our communities, and imperiling our Iñupiat culture. To quote one of our 20th century leaders, 'There's not much you can do when your own government says shut up. It hurts.' ''

Over 95% of the North Slope's tax revenue is derived from taxation on resource development infrastructure. These funds support essential services, like schools, health clinics, modern water and sewer systems, and world-class wildlife management and research supporting Indigenous subsistence traditions. The proliferation of these services is directly connected to significant increases in average lifespan for the North Slope Iñupiat from just 34 years in 1969 to 77 years today—the largest increase of its kind in the United States over that period.

''The DOI seems to believe that they care about this land more than we do,'' said North Slope Borough Mayor Josiah Patkotak. ''The elected leaders of the North Slope spoke in unison in opposition to this rule and the rulemaking process.'' To refuse to listen to our voices is to say that you know better—better than the people who have been this land's stewards for the past 10,000 years, and who depend on its continued health for their own survival. We deserve the same right to economic prosperity and essential services as the rest of this country and are being denied the opportunity to take care of our residents and community with this decision. It is insulting and, unfortunately, representative of the federal government's treatment of our Indigenous voices for decades.''

The North Slope Iñupiat were not consulted by federal officials prior to the Proposed Rule's announcement in September 2023 and learned of the new restrictions through the media. By excluding regional Indigenous communities from the policymaking table, the administration produced a deeply flawed rule that will impose dire economic consequences on the North Slope Iñupiat's communities and culture.

''On multiple occasions, the elected leadership of the North Slope shared with administration officials our unified opposition to this rule,'' said Arctic Slope Regional Corporation President and CEO Rex A. Rock, Sr. ''The Administration has chosen to ignore the consensus opinion of Indigenous organizations from our region. As stewards of the Arctic for millennia, the North Slope Iñupiat know our lands better than anyone else. Alongside our region's tribes, local governments, and Alaska Native village corporations, we will continue to fight to have our voices heard.''

Local Indigenous elected leaders made every effort to highlight the negative repercussions of the Proposed Rule to the White House and the DOI, but they were stonewalled repeatedly by federal officials more concerned with advancing their proposal than listening to the legitimate concerns of Indigenous people. DOI Secretary Deb Haaland herself ignored or denied at least eight meeting requests from North Slope Iñupiat elected leaders, including an inexcusable decision to deny a meeting during a recent multi-day trip to our home state of Alaska.

''As the North Slope's federally recognized Tribe, we have experienced a severe lack of process, meaningful engagement, including a lack of notice for tribal consultation something we are still waiting for to this day,'' said Iñupiat Community of the Arctic Slope Tribal Secretary Doreen Leavitt. ''As a federally recognized tribe, we are required to follow federal laws and policies when engaging in the government-to-government relationship, but this administration has failed to follow its own policies, executive orders, and department consultation guidelines.''

''This rule, and the process by which it has been finalized, is a setback for Olgoonik Corporation and the future generations who intend to continue living on the lands of their ancestors in our Iñupiat community of Wainwright,'' said Olgoonik Corporation President and CEO Hugh Patkotak, the ANCSA village corporation from Wainwright, AK and a private landowner neighboring the NPR–A. ''Today's final rule was not something we asked for, wanted, or support. As the neighboring landowner to the NPR–A, we are frustrated this rule could impede responsible infrastructure and economic development opportunities. I will reiterate what I've said previously, when a government entity writes rules about the area in which our people live and subside, they must come to us first. That didn't happen here.''

The 24-member Board of Directors for the Voice of the Arctic Iñupiat, which represents the vast majority of organizations on the North Slope, issued a resolution condemning the DOI's failure to follow its own guidelines, as well as executive orders from President Biden himself, outlining the department's legal obligation to consult with federally recognized tribes and Alaska Native Corporations on policies affecting their lands and people. Their position is shared by many Alaskans from across the state, as exemplified by the Alaska State Legislature's recent passage of the bipartisan HJR20, which urged the federal government to reverse its September 2023 decision on the NPR–A.

Mr. SULLIVAN. Let me talk a little bit about the Voice of the Arctic Inupiat. It is a nonprofit organization established in 2015 by the North Slope region's collective elected Inupiat Native leadership. It is dedicated to preserving and advancing the North Slope, the Inupiat culture, and economic self-determination.

It includes local governments, Alaska Native corporations, federally recognized Tribes, and Tribal nonprofits across that entire North Slope region.

The board of directors of the Voice previously issued a strong resolution in opposition to the Biden administration's NPR-A rule that went into effect today, impacting their ancestral homelands.

Just because it is really important, I want to give a sense of how many people. It is literally tens of thousands that the Biden administration is ignoring. The Voice of the Arctic Inupiat constitutes the following communities and organizations: Point Hope, Point Lay, Wainwright, Utqiagvik, Atqasuk, Anaktuvuk Pass, Nuiqsut, Kaktovik.

Members include the Arctic Slope Native Association, Atqasuk Corporation, the city of Atqasuk, the city of Kaktovik, the city of Wainwright, the Inupiat community of the Arctic Slope, the Native village of Atqasuk, the Native village of Kaktovik, the Native village of Point Lay, the North Slope Borough School District, the Olgoonik Corporation, the Ukpeagvik Inupiat Corporation, the Arctic Slope Regional Corporation, the city of Anaktuvuk Pass, the city of Barrow, the city of Point Hope, Ilisagvik College, the Kaktovik Inupiat Corporation, the Native village of Barrow, the Native village of Point Hope, the North Slope Borough, Nunamiut Corporation, the village of Wainwright, and the Tikigaq Corporation.

That is who is represented. That is tens of thousands of my constituents, and they are all against this rule. And they all live in the region where the rule is going to impact my State. And these are great people, by the way—whaling captains, veterans. Alaska Natives serve at higher rates in the military than any other ethnic group in the country—patriots. They love America. They are defenders of their culture. They are generous. They are humble. I am so honored to represent these great Americans as their Senator.

So here is her letter, and I am just going to quote from it because it shows just what a travesty and what a bunch of baloney the President of the United States and Secretary Haaland's statements were today. Remember, they wouldn't meet with these people—these great people—and now their statements say: We are doing it on their behalf.

So let's see what they said in their press release today—the elected Alaska Native leaders who, supposedly, had this rule done for them by Joe Biden's graciousness—a big lie. Here is the president of the Voice of the Arctic Inupiat, Nagruk Harcharek, who is a great American.

The federal government has again excluded the Indigenous North Slope Inupiat from policymaking by issuing a final rule for the NPR-A that does not reflect our communities' wishes.

Oh, I thought Deb Haaland and Joe Biden said it did.

He continues:

This is a deeply concerning trend by [the Biden] administration that regularly claims to be the most Indigenous friendly government on record. Yet, [the Biden] administration's record does not live up to its own rhetoric. As a result, the final NPR-A rule [issued today] will hurt the very residents the federal government purports to help by rolling back years [of] progress, impoverishing our communities, and imperiling our Inupiaq culture. To quote one of our [great] 20th century leaders, ''There's not much you can do when your own government says shut up. It hurts.''

That is the leader of the Voice in his press statement today. But Secretary Haaland and President Biden just put out a press statement saying: We did it to help that guy.

It is a lie—a big lie.

Let me get to some of the other leaders in this press statement. And by the way, if you are a national media journalist, can you please quote this, one of you guys, please? New York Times, you never—you never—listen to the voice of the Native people. You cancel them all the time. Washington Post, come on. Do your job. Quote these people. Don't just quote Haaland and Biden. It is frustrating.

OK. Here is the mayor of the North Slope Borough. So, remember, this is a big borough—huge, actually. Like I said, I think it is bigger than Montana. Josiah Patkotak—I happen to know him too. He is a great American, a wonderful leader. Here is what he said—the mayor, remember. He is elected, the borough mayor. He is an Inupiat Native. ''The [Department of the Interior] seems to believe that they [can] care about this land''—our land—''more than we do.''

Mayor Josiah Patkotak said:

The elected leaders of the North Slope spoke—

Native leaders—

in unison in opposition to this rule [during] the rulemaking process. To refuse to listen to our voices is to say that you—

Federal Government, Joe Biden, Secretary Haaland—

know better—better than the people who have been this land's stewards for the past 10,000 years, and who depend on its continued health for [our] own survival.

This is the mayor of the North Slope Borough. He continues:

We deserve the same right to economic prosperity and essential services as the rest of this country [as other fellow Americans] and are being denied the opportunity to take care of our residents and community with this decision [by the Biden administration.] It is insulting and, unfortunately, representative of the federal government's treatment of our Indigenous voices for decades.

So, Mr. President—and I am talking now to President Joe Biden—don't keep calling yourself the most important administration with Indigenous people. You are screwing the people of the North Slope of Alaska.

Let me continue. This is another leader, Tribal Secretary Doreen Leavitt, whom I also know, from a great family.

As the North Slope's federally recognized tribe, we have experienced a severe lack of [progress,] meaningful engagement, including a lack of notice for tribal consultation, something we are still waiting for to this day.

From the Biden administration.

As a federally recognized tribe, we are required to follow federal laws and policies when engaging in the government-to-government relationship, but [the Biden] administration has failed to follow its own policies, executive orders, and department consultation guidelines.

So that is the Tribal secretary. Let me give you a couple of other quotes. This is from the CEO of the Arctic Slope Regional Corporation, President and CEO Rex Rock, Sr., who is a really good friend of mine, like a brother to me.

He says:

On multiple occasions, the elected leadership of the North Slope shared with [the Biden] administration officials our unified opposition to this rule. The [Biden] administration has chosen to ignore the consensus opinion of Indigenous organizations from our region.

Remember, this rule only impacts their region. He continues:

As stewards of the Arctic for millennia, the North Slope Inupiat know our lands better than anyone else. Alongside our region's tribes, local governments, and Alaska Native village corporations, we will continue to fight to have our voices heard.

Well, they certainly weren't heard at all in this case. By the way, in their press release, they give this narrative, just so you know I am not making it up. Here is what they said about consultation. This is in their press release. I hope the New York Times writes this story.

Local Indigenous elected leaders made every effort to highlight the negative repercussions of the Proposed [NPR-A] Rule to the White House and the [Department of the Interior], but they were stonewalled repeatedly by federal officials more concerned with advancing their proposal than listening to the legitimate concerns of Indigenous people [of the North Slope.]

They continue:

Secretary Deb Haaland herself ignored or denied at least eight meeting requests from North Slope Inupiat elected leaders, including an inexcusable decision to deny a meeting during a recent multi-day trip to our home state of Alaska.

Wow. Wow. No kidding. I am like getting sick to my stomach here; I am so mad.

Let me end with one more quote from another great leader, the Olgoonik Corporation president and CEO, Hugh Patkotak, whom I also know well.

He says:

This [NPR-A] rule and the process by which it has been finalized is a setback for [our] Corporation and the future generations [of Alaska Natives] who intend to continue living on [our lands] the lands of [our] ancestors, in our Inupiat community of Wainwright.

There are private landowners neighboring the National Petroleum Reserve of Alaska.

He continues:

Today's final rule was not something we asked for, [was not something we] wanted, or [is something we] support.

This was imposed on them. But Joe Biden says they wanted it.

He continues:

As the neighboring landowner to the NPR-A, we are frustrated this rule could impede responsible infrastructure and economic development opportunities [for our community.] I will reiterate what I've said previously, when a government entity writes rules about the area in which our people live and subside, they must come to us first.

In this case, they never came to them at all—complete ignoring of the Alaska Native voices in my State.

''That didn't happen here,'' he concludes.

So let me conclude. As you can tell, I am frustrated. Senator MURKOWSKI is frustrated. Congresswoman PELTOLA is frustrated. The whole State of Alaska is frustrated.

As I mentioned, this is now 62 Executive orders and Executive actions exclusively focused on Alaska, from the Biden administration, to shut us down. The vast majority of the people I am honored to represent have been opposed to every single one of them, but this one is the ultimate insult, because the President of the United States today used his voice to lie to the American people and say: I am doing this on behalf of the Alaska Native people who live in the North Slope region.

That is a lie. And you just heard directly, and I hope the media writes it. But that is a lie. It is a sad and dispiriting day for me and my constituents, but, in particular, for the Native leaders of Alaska, whose voices were canceled. Secretary Haaland never listened to them.

That was a press conference we all did with the banner: ''Secretary Haaland, hear our voices.''

She didn't. By the way, that is her job—trust and responsibility for the Native people of America. She certainly failed on that today.

But, as I mentioned yesterday more broadly, this administration is fine with sanctioning Alaskans—Alaska Natives, in particular—but, heck, Iran, New Mexico, Venezuela, Russia, it is ''Drill, baby, drill'' in their parts of the world.

Both President Biden and Secretary Haaland didn't do their consultations and now have put out statements insulting these great people by saying that what they did today was to benefit them. It is going to harm them. You just heard their voices.

I am not canceling their voices. I am trying to lift up their voices. We all know what is really going on here, and that is President Biden doesn't care about these people. He is taking direction directly from the far left, the lower 48, ecocolonialists—what we call ecocolonialists—lower-48 radical environmental groups that come up and try to tell the Alaska Native people how to live their lives, and who don't give a damn about the indigenous people of the North Slope of Alaska, and whom the President thinks he needs for his reelection. So he is appeasing them.

He is certainly not listening to my constituents. Like the dictators in Moscow, Tehran, and Beijing, these ecocolonialists are overjoyed by this decision of the Biden administration to have shut down major resource development areas in America, while the Alaska Native people who have lived in the North Slope region for thousands of years are despondent, discouraged, and insulted.

So am I. But we, collectively, will continue to fight this administration and, when we have to, like today, expose the lies that they are telling to the American people.

I yield the floor.

The PRESIDING OFFICER (Mr. PADILLA). The Senator from Rhode Island.

Mr. REED. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. REED). Without objection, it is so ordered.

The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to speak for up to 30 minutes.

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

UNANIMOUS CONSENT REQUEST

Mr. LEE. Mr. President, as I explained on the Senate floor yesterday, the House FISA reauthorization bill, known as RISAA, has a lot of problems—more problems than a math book. Not only are the bill's purported reforms mostly fake—and where they are not fake, they are woefully inadequate—but the bill itself actually expands FISA. It expands FISA surveillance beyond where it has existed in the past.

In fact, RISAA authorizes the largest expansion of surveillance on U.S. domestic soil since the passage of the Patriot Act. Egregious Fourth Amendment violations against U.S. citizens will increase dramatically if this bill is passed into law as it stands now.

Fortunately, there is one thing standing between where that bill stands now and where that bill could be soon if we enact it without amendment, and that is the U.S. Senate.

Under article I, section 7, the same bill has to pass both Houses before it can be presented to the President for signature, veto, or acquiescence. RISAA, as amended by the Turner amendment, would allow the government to compel a huge range of ordinary U.S. businesses and individuals and other organizations, exempting only an odd assortment of entities, including hotels, libraries, and restaurants, to assist the U.S. Government in spying on American citizens.

Currently, the government conducts FISA 702 surveillance with the compelled assistance of what are known as electronic communication service providers, or ECSPs.

Historically, the definition of such an entity, of an ECSP, is including those entities with direct access to Americans' communications. Think, for example, Google or Microsoft, Verizon, et cetera.

This new provision would allow the government to compel warrantless surveillance assistance from any provider of any service that has access to equipment on which communications are routed and then stored.

This would include a huge number of U.S. businesses that provide Wi-Fi to their customers and, therefore, have access to routers and to communications equipment.

Now, apparently, this provision is a result of the intelligence community's ire at being told by the Foreign Intelligence Surveillance Act Court, or the FISC as it is sometimes described, that data centers or cloud computing do not, under existing law, have to comply with FISA-compelled disclosures.

House Intelligence Committee Members claimed that it was a narrow fix, a narrow fix that would allow the government to compel information from a single service provider—just one. Now, yesterday, right here on the Senate floor, my friend and colleague, the distinguished senior Senator from the State of Virginia and the chairman of the Intelligence Oversight Committee in the Senate spoke about this now infamous Turner amendment.

First and foremost, Senator WARNER admitted in that context that even he thinks the amendment could have been better drafted. This is, of course, putting it very mildly and indeed euphemistically. And instead of voting on correcting that language, language that could have drastic implications for the privacy and the Fourth Amendment rights of American citizens and grave implications for all kinds of businesses and other organizations in America, he would rather just pass the faulty, flawed, broad-as-can-be language passed by the House and then rely on promises from the intelligence community Agencies that they will not abuse this new expansion of their authority.

How does that sound to you as an American citizen? To anyone within the sound of my voice, do you really feel good about agreeing to that when you hear from one of our intelligence-gathering bodies, hey, you can trust us? Sure, this language is broad enough; it has got loopholes in it. You could drive a Mack truck, a 747, and an Airbus A380 through the loophole side by side; but, trust us, we won't treat it that way. Is that a good idea? I think not.

In fact, the entire premise of the Constitution—not just the Fourth Amendment but of the Constitution itself—is ''trust but verify.'' It is, we are not angels, we don't have access to angels to run our government, so we rely on rules. We don't rely on placing faith in governments. Faith is reserved for very different beings than those occupying the halls of the U.S. Government, whether they are in the intelligence Agencies or otherwise.

As a Federal lawmaker who has been lied to repeatedly throughout the years by various elements within our government, including some people within the Department of Justice and the FBI on the abuse of the authorities, these very same authorities that we are talking about here, forgive me if I am not just willing to take the word of the intelligence community.

We have a responsibility to our constituents, to voters everywhere, to Americans of every political stripe in every part of this country to protect them by getting this language right, by getting it right before it becomes law, not after when all we could say is, oh, we are sorry. Or, more likely, all that Members who support that could do is try to help them cover it up. That is not right.

Second, my esteemed colleague has either been entirely confused by the protestations of the intelligence community, or he, like the Department of Justice, would like to confuse you as to what this expansion of authority actually means, what it does.

They are suggesting that we are offended by this expansion, merely because it would allow them to target more individuals. That is not the problem, not at all. The problem is, rather, that this amendment is so broadly worded that it could subject any kind of service provider, even one providing services such as cleaning services or plumbing services, to participate in the secret, compelled disclosure process on which section 702 of FISA relies. Now, we are not concerned with new targets resulting from this legislation, as they seem to be suggesting quite mistakenly, but, rather, with the government conscripting any and every kind of service provider into its compelled disclosure scheme.

If DOJ wants to override the decisions of the FISC through an amendment, it must be done through an amendment tailored to precisely that task. Unfortunately, the Turner amendment is about as well-tailored as a muumuu or, better said, a tent—meaning there is no tailoring at all. They just threw it all in there. Like Prego spaghetti sauce, this thing is said to contain whatever they want it to contain.

Again, Senator WARNER yesterday acknowledged that this language was poorly crafted, but instead of taking this as an opportunity to amend it, to fix it so that it did what it was actually purported to be intended to do and to go no further than that and to incur no additional grave risk of further meddling, of creating problematic situations for law-abiding Americans everywhere, they suggest that this will be a problem for 2 years and then we can fix it or that it won't be a problem for the next 2 years because we can have faith and trust that they won't abuse it and then we can fix it for real. In fact, he is willing to work with anyone who thinks it is a problem to fix it anytime—just not now. He doesn't want to fix it now.

If the job is worth doing, it is worth doing it right now, the first time, not just so that we don't have to go back and correct it later but so that it doesn't create problems between now and 2 years from now when he proposes we address it for real. It is worth doing right today because the stakes are high. There is no reason not to fix this now and a lot of reasons why it will be problematic if we don't.

Now, let's talk about the statutory deadline for FISA collection for a minute. The administration acknowledges that under the law, it can and will continue to conduct FISA 702 surveillance collection even if 702 temporarily lapses while we debate this. That is because the FISA Court has approved a certification within the last week or so that allows the government to continue 702 collection until April 2025.

There is a provision of FISA that you might say sort of grandfathers in FISA

Court certifications even if the law itself expires, meaning the FISA 702 collection program can continue in its entirety, without exception, until April 10 or 11, 2025, even if FISA 702 temporarily lapses between now and then, because all that matters was that FISA 702 was active, intact, not having lapsed as of the moment on April 11, just over a week ago, when the latest certification was issued by the FISC.

Notably, the administration does not deny this. What it is saying instead is that companies will bring legal challenges and that they might refuse to comply with the government's directives to turn over communications.

What I would like to know is, what is their evidence for this? The fact that a few companies briefly refused—briefly—to cooperate with the government back in 2008 when the predecessor to section 702, the Protect America Act, expired?

Now, here is the problem with that argument: Those companies back in 2008 challenged this, and they lost in court. The FISA Court ruled in 2008 that surveillance could continue despite expiration of the law and that the companies had to comply.

So this legal issue was itself settled on those terms 16 years ago—not only that, but much more to the point here, Congress has actually made the law stronger, even clearer, even more direct since then, stronger on the government's side since then. The FISA Amendments Act includes language that wasn't in the Protect America Act saying that the FISA Court's approval remains valid notwithstanding any other provision of the law, including the sunset.

You see, that language was added for the first time in December of 2018 in the same legislation that FISA 702 was reauthorized until December of 2023. When we extended the effective date of FISA 702 back in December of 2023, extending it until tonight at midnight, that language was reupped. It was enacted again. So that same language is intact. There is absolutely no ambiguity here.

So it is absurd what they are saying, really. I mean, why would companies risk fines of $250,000 a day to make a legal argument that the FISA Court rejected 16 years ago? This is simply not a valid reason for us in the U.S. Senate to rush to enact laws as deeply flawed and as detrimental to American civil liberties as this one.

All I am asking for is votes on amendments. We have a reasonable list of nine amendments offered by a bipartisan group of Senators reflecting almost every point along the ideological continuum of the Senate. If Chairman WARNER and Senator SCHUMER would just stop blocking these votes, we could finish consideration of FISA today; we could wrap this up today. The problem is, they know the American people agree with us on these amendments. A lot of these are really, really popular. They agree with reforming this program to stop the warrantless surveillance of themselves, of the American of people.

So certain Members of the U.S. Senate are somehow afraid that these votes must not be considered, lest they pass, because they are really afraid of what would happen if—when they did pass. Think about that for a minute. They don't want us to cast votes on something not in spite of its lack of popularity but because of its popularity. That should concern us all.

To that end, I am going to try to move these things forward. Let's see if we can resolve this. I would love to be able to resolve this tonight, get it done tonight, get it over to the House of Representatives, which is still here, still in town. It is really convenient because, as they set this up a couple of centuries ago, we both work in the same building. They are just down the hall. I will personally walk it down there to them if that would help.

So I ask unanimous consent, Mr. President, that the motion to proceed—I will hold on to that for a moment, and I will continue.

Mr. President, I ask unanimous consent to extend my remarks for an additional up to 15 minutes.

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

Mr. LEE. So if that really is the concern—that is the concern I am hearing from some colleagues. A number of colleagues on both sides of the political aisle have been telling me—I have been talking about the need to vote on amendments. What a number of them are saying is: We can't do this because if we do it, it is going to expire, and if it expires even momentarily, it is going to be Armageddon; dogs and cats living together in the streets; stuff right out of the Book of Revelations; absolute chaos and pandemonium.

So if that is the case, let's get it done now, but it is not the case. FISA 702 collection is not going to end. And these same companies that objected in 2008 and lost when the law was much less in the government's favor than it is now will remember what happened, and all they have to do is read. It doesn't take a rocket scientist to read the language passed in 2018 and again in December of 2023 to make clear that that collection may and indeed will continue.

So in the spirit of moving this forward and getting it done tonight, I ask unanimous consent that the motion to proceed to H.R. 7888 be agreed to.

I ask further that the following amendments be the only amendments in order: Lee No. 1840, Paul No. 1829, Marshall No. 1834, Wyden No. 1820, Hirono No. 1831, Merkley No. 1822, Paul No. 1828, Durbin amendment No. 1832, and Paul amendment No. 1833; further, that the Senate vote on the above amendments in the order listed, with the Paul amendments Nos. 1828 and 1829 and Merkley amendment No. 1822 subject to 60 affirmative votes required for adoption; that upon disposition of the Paul amendment No. 1833, the bill be read a third time and the Senate vote on passage of H.R. 7888, as amended, if amended, with 60 affirmative votes required for passage and with 2 minutes for debate equally divided prior to each vote.

The PRESIDING OFFICER. Is there objection?

The Senator from Virginia?

Mr. WARNER. Mr. President, reserving the right to object, I appreciate my friend the gentleman from Utah's strong feelings on this bill. He has been consistent repeatedly.

I disagree. I believe 702 is one of the critical aspects of our national security regime. Literally 60 percent of the information that appears in the President's Daily Brief is obtained from section 702.

Again, I disagree with the gentleman as well in terms of the fact that we have seen—prior to 2008, when the preceding bill expired for a brief period of time, there are entities that said: We no longer have to participate with the government.

I think that is a risk we cannot afford to take with the vast array of challenges our Nation faces around the world.

I would also point out—and I know that for some of my colleagues, it has not been enough—the Senate FISA bill—the House FISA bill has 56 separate reforms in it. As a matter of fact, through processes that are already at least partially in process, we have seen the FBI's noncompliance rate on their own queries of 702 drop from about 30 percent noncompliant to less than 1 percent.

We have reforms that make sure there are no further batch queries; that there is not the kind of effort where people could simply have the right to query the 702 database without showing a reason; making sure as well, as critics have pointed out, that should an American who is an elected official, a religious figure, a journalist—a whole extra set of reforms there as well.

I believe we need to proceed on this. I know both sides are negotiating in good faith. I think those negotiations need to continue, and therefore I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the thoughtful words that have been presented by my friend and colleague, the distinguished Senator from Virginia, who also chairs the Senate's intelligence oversight committee. It is unfortunate that he is unwilling to have these amendments even considered—especially unfortunate because it appears to be predicated on the risk of FISA 702 lapsing. Unless we do something on this in the meantime, it is going to lapse at least for a period of time.

As I made clear a moment ago, the language we adopted in 2018 and that we reupped in December of last year,

2023, makes abundantly clear that FISA 702 collection can continue unabated through April of 2025 based on the recertification by the Foreign Intelligence Surveillance Act Court I believe on April 11. That is allowed to continue for 1 year following the certification as long as FISA 702 was still intact and not expired as of the moment of the certification, which it was.

But even if that were not the case, if what we are worried about here is the clock, look, I have drafted—and I can't speak for anyone other than myself, but I have drafted and would gladly accept, if that really is the concern, a short-term extension of FISA 702 if by doing so that would make the difference between us being able to consider these amendments, vote on them, and send it back to the House of Representatives without doing so under the threat of this amorphous and unsubstantiated fear that FISA 702 collection is going to go dark, which, of course, it is not.

But, look, once again we do find ourselves at the mercy of Senate Democratic leadership, with the majority leader in particular acting as the doorkeeper of the Senate, only allowing access to the floor to Senators who wish to offer their amendments and only if those amendments are amendments that the majority leader knows he can defeat. He is so determined to block amendments that he is willing to obstruct the quick passage of this bill.

Now, I just offered to speed up the consideration of the FISA reauthorization bill passed by the House—RISAA, as it is known—that many of its advocates desperately want to see passed before midnight today in exchange for votes on nine amendments—just votes, not guaranteed outcomes but just votes commensurate with, consistent with, what the rules of the Senate already allow, with nongermane amendments set at 60 and germane amendments set at a simple majority threshold. That is really not too much to ask, but Senator SCHUMER and the chairman of the Senate Select Committee on Intelligence wouldn't take the deal.

Why? Well, part of it is the time issue that I mentioned that an entity no less rightwing than the New York Times just earlier this week pointed out that argument really doesn't hold water, and if it does, I am happy to agree to a time agreement to extend it. The only other reason I can think of is there is a fear on the part of those who want RISAA to pass in exactly the form that the House of Representatives enacted it. They are afraid that some of these amendments might actually pass.

Now, six of these amendments are germane to the bill. So, yes, they could pass with a simple majority vote. And that is exactly why some in this Chamber won't allow these amendments to be voted on. They don't want reforms to the bill. They would rather let the bill expire instead of letting the Senate do its work and amend the bill in a manner consistent with the expressed desires and, indeed, the demand from many quarters among the electorate—left and right, east and west, north and south. That is a sad commentary on where we stand in the democratic process today.

Now, some might say that we can't pass these amendments because that would send it back to the House and then the House would have to repass it. But isn't that how the lawmaking process is supposed to work?

I mean, that is exactly how article 1, section 7, contemplates it. It is never meant to be super easy to pass legislation for a bicameral legislature, and that is, in fact, what we have.

Aren't we supposed to vote on amendments, not just for a show or a head pat but to improve the bill to see whether or not the House will take the modifications, rather than just assuming, as if we were adopting some sort of House legislative Chamber doctrine of infallibility, that what they wrote must be treated as if it were carved into stone and that we can't touch it. That is nonsense. That is not how this works. It is never how it was intended to work. It certainly should not be how it works in this circumstance—and not with a bill like this, where Americans at every point along the ideological continuum have concerns about this.

Now, there are a number of us in this Chamber who feel this way. I have some very good friends on the other side of the aisle with whom I frequently disagree on a wide variety of issues but with whom I agree closely on this issue. We are reflective of our constituencies and of the American people, generally.

And the House is actually in session this weekend. They are in the same building, still in session. So it is standing by ready to actually take up our amended bill whenever we can get it passed, but Senator SCHUMER and Senator WARNER are preventing us from performing one of our most basic duties. We have got one or two Members who are acting as doorkeepers to the Senate.

Meanwhile, the other 98 Members or so are being prevented from even having our improvements to the bill considered. And many of these, if not most of them, are pretty widely bipartisan.

So this sort of thing, when it happens, renders us something of a legislative rubberstamp. It is not something that we aspire to.

So, look, like I say, it is unfortunate that we couldn't come to an agreement on this. So I just ask the question: If the clock is really the enemy here, why not just extend it?

I stand ready and willing, speaking for myself, to extend the clock, whether it is for a few days or a week or—so that we can have time to consider it. I am willing to do that. If we won't do that, then maybe we are not really hearing the real reason for the opposition.

(Mr. BENNET assumed the Chair.)

(Ms. BUTLER assumed the Chair.)

(Mr. WELCH assumed the Chair.)

(Ms. BUTLER assumed the Chair.)

Mr. HICKENLOOPER. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WELCH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

VOTE ON MOTION

The question is on agreeing to the motion to proceed.

Ms. STABENOW. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Tennessee (Mr. HAGERTY), the Senator from Missouri (Mr. SCHMITT), and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 62, nays 30, as follows:

[Rollcall Vote No. 143 Leg.]

YEAS—62

Bennet	Gillibrand	Ricketts
Blumenthal	Graham	Risch
Booker	Grassley	Romney
Boozman	Hassan	Rosen
Britt	Heinrich	Rounds
Budd	Hickenlooper	Rubio
Butler	Hyde-Smith	Schatz
Cardin	Kaine	Schumer
Carper	Kelly	Shaheen
Casey	King	Sinema
Cassidy	Klobuchar	Smith
Collins	Lankford	Stabenow
Coons	Luján	Sullivan
Cornyn	McConnell	Thune
Cotton	Moran	Tillis
Crapo	Mullin	Warner
Duckworth	Murkowski	Welch
Durbin	Murphy	Whitehouse
Ernst	Ossoff	Wicker
Fetterman	Peters	Young
Fischer	Reed	

NAYS—30

Baldwin	Hoeven	Padilla
Barrasso	Johnson	Paul
Braun	Kennedy	Sanders
Brown	Lee	Scott (FL)
Cantwell	Lummis	Scott (SC)
Cramer	Markey	Tester
Cruz	Marshall	Tuberville
Daines	Menendez	Van Hollen
Hawley	Merkley	Warren
Hirono	Murray	Wyden

NOT VOTING—8

Blackburn	Hagerty	Vance
Capito	Manchin	Warnock
Cortez Masto	Schmitt	

The motion was agreed to.

REFORMING INTELLIGENCE AND SECURING AMERICA ACT

The PRESIDING OFFICER (Mr. KING). The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 7888) to reform the Foreign Intelligence Surveillance Act of 1978.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the only amendments in order to H.R. 7888 be the following: Paul No. 1829; Marshall No. 1834; Wyden No. 1820; Paul No. 1828; Durbin No. 1841, as modified; Lee No. 1840; further, that upon disposition of the amendments, the bill, as amended, if amended, be considered read a third time and the Senate vote on passage, with 60 affirmative votes required for adoption of the Paul amendments and on passage, as amended, if amended, with 2 minutes for debate, equally divided, prior to each vote, with Senator PAUL permitted to speak for up to 10 minutes prior to the vote on amendment No. 1829, all without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Hearing none, without objection, it is so ordered.

Mr. SCHUMER. Mr. President, we have good news for America's national security. Senators have reached an agreement that clears the way to approve the FISA reauthorization tonight.

For the information of my colleagues, we will have up to seven rollcall votes. First, we will vote on the six amendments and then final passage.

All day long, we persisted and persisted and persisted in the hopes of reaching a breakthrough, and I am glad we got it done. There was a great deal of doubt that we could get this done, but now we are on a glidepath to passing this bill.

Allowing FISA to expire would have been dangerous. It is an important part of our national security toolkit, and it helps law enforcement stop terrorist attacks, drug trafficking, and violent extremism. This legislation has been carefully tailored, and I am ready to work with colleagues on both sides of the aisle to keep strengthening protections for American citizens.

I thank all of my colleagues on both sides of the aisle for their good work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 1829

Mr. PAUL. Mr. President, the title of this amendment is the ''Fourth Amendment Is Not For Sale.''

The Fourth Amendment is no mere limitation of government power. The Fourth Amendment is fundamental to the concept of American liberty. The Fourth Amendment was a response to the British writs of assistance, which served as general warrants and permitted almost limitless searches of homes and ships of colonies. In 1761, an attorney named James Otis forcefully attacked the writs of assistance, and John Adams described that he was so inspired by Otis and the arguments that, then and there, the ''child of Independence'' was born.

The Fourth Amendment prohibits these kinds of general warrants. For a search to be reasonable, the Fourth Amendment dictates that the government must identify the individual, the items, and the location to be searched, but, today, all it takes to eviscerate the Fourth Amendment is some cash. The Electronic Communications Privacy Act already requires the government to seek a court order before compelling service providers to disclose contents and records, but this law does not restrict providers from voluntarily selling that information to nongovernmental third parties.

Due to this loophole in the law, American Government has effectively resurrected the idea of general warrants that the Founding Fathers were so appalled by. Thankfully, the House of Representatives voted to close that loophole. The House voted overwhelmingly this week for the Fourth Amendment Is Not For Sale Act.

I am so glad that the Fourth Amendment Is Not for Sale Act is popular; that Senator SCHUMER has been a cosponsor of this. I hope he will vote with us tonight.

But if he chooses not to vote with us tonight, the bill has passed the House. All he would need to do is bring it up in the next few weeks, and we could actually put it on the books.

Leaders of both parties from across the political spectrum have come together to say you shouldn't be able to buy your way around the Fourth Amendment. The Senate must not prove itself to be less concerned about the Fourth Amendment. I hope that we will take this up.

The data you transmit can reveal much about your life, such as where you work, where you drop off your child for daycare, whether you visit a gun range, who you associate with, your health data. Some of these applications sell that data to third-party brokers who then sell it to the government.

It may be concerning that some of your information is traded away, but we should insist that the Fourth Amendment should be respected so that individuals are not tracked and investigated without a warrant.

When law enforcement suspects you of a crime, the supreme law of the land is clear: Officers must demonstrate to a neutral judge in an open court that probable cause of a crime exists. In fact, if you want to find the people in our country who respect the Fourth Amendment, meet with any local police officer, any local sheriff. They know they don't come into your house. What has happened is the politicized aspects of our intel Agencies don't have the same respect for the Fourth Amendment that local law enforcement does.

According to Professor Matthew Tokson, a professor at the University of Utah, after the Supreme Court prohibited warrantless collection of cell phone location data in Carpenter v. United States, the government Agencies just began buying that information anyway. They were told not to by the Supreme Court. So they just went and purchased it and eviscerated a Supreme Court decision. This is something we should not tolerate.

A recent report by the inspector general of the Department of Homeland Security demonstrated that several DHS Agencies, including the Secret Service, bought Americans' phone location data without a court order. The IRS purchases location data without a court order. The FBI purchases your location data without an order—to just name a few. The NSA, the Defense Intelligence Agency—all have bought Americans' location data without a court order.

The embrace of this tactic proves that the feds will zealously exploit any loophole and test the limits of their authorities, to the detriment of our constitutionally protected liberties.

It is time to end the use of cash to purchase general warrants that the Fourth Amendment should have abolished over two centuries ago. Let's ensure that the Fourth Amendment is truly not for sale.

I ask for a ''yes'' vote.

Mr. President, I call up my amendment No. 1829 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 1829.

(The amendment is printed in the RECORD of April 18, 2024, under ''Text of Amendments.'')

The PRESIDING OFFICER. There will now be 2 minutes to debate equally divided on the Paul amendment No. 1829.

Ms. WARREN. Mr. President, I rise in opposition to the amendment. Before I get to the substance, let me remind my colleague, I think, of something we have discussed a lot.

Any amendment added to this bill at the moment is the equivalent of killing the bill. Many have said: If we go past midnight tonight, it doesn't really matter.

Already, telecom companies—a number—have contacted the Department of Justice saying: If this bill expires—as it will at midnight—they will stop complying with 702, one of the most critical components of our intelligence backbone.

The specifics of this amendment are opposed by every law enforcement agency in America. It also is opposed by a number of Jewish community groups, including B'nai B'rith and the Anti-defamation League.

I would agree with the Senator from Kentucky: We ought to have a debate about data brokers. But 702 is not the place to have it. As a matter of fact, the House decided not to include this in their discussion of 702.

If we pass this amendment, the only people who are going to be taken out from purchasing data will be law enforcement—not foreign companies, not foreign governments, or others.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Kentucky.

Mr. PAUL. The idea that we don't have time is a specious one. The only reason we wouldn't have time is because the supporters of this bill delayed to the last hour. We have 5 years to renew this. We delayed it until we have 4 hours left, and then we are told we can't amend it because we don't have enough time. That is a false argument.

The House is still here. They are going to be voting tomorrow. We should pass the good amendments today, send them to the House tomorrow. This is an argument that has been forced upon us by the supporters of FISA who want no debate, and they want no restrictions. They want no warrants, and they want nothing to protect the Americans. They want to allow whatever goes, whatever happens to happen, and to hell with the American individual citizen and the Bill of Rights.

I say: Don't listen to the people who don't want amendments and don't want debate, and let's pass this amendment.

VOTE ON AMENDMENT NO. 1829

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. PAUL. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Tennessee (Mr. HAGERTY), the Senator from Missouri (Mr. SCHMITT), and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 31, nays 61, as follows:

[Rollcall Vote No. 144 Leg.]

YEAS—31

Baldwin	Daines	Kennedy
Braun	Durbin	Lee
Cantwell	Hawley	Lummis
Coons	Hirono	Markey
Cramer	Hoeven	Marshall
Cruz	Johnson	Menendez
Merkley	Sanders	Warren
Murkowski	Sullivan	Welch
Murphy	Tester	Wyden
Murray	Tuberville	
Paul	Van Hollen	

NAYS—61

Barrasso	Gillibrand	Risch
Bennet	Graham	Romney
Blumenthal	Grassley	Rosen
Booker	Hassan	Rounds
Boozman	Heinrich	Rubio
Britt	Hickenlooper	Schatz
Brown	Hyde-Smith	Schumer
Budd	Kaine	Scott (FL)
Butler	Kelly	Scott (SC)
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Lankford	Smith
Cassidy	Luján	Stabenow
Collins	McConnell	Thune
Cornyn	Moran	Tillis
Cotton	Mullin	Warner
Crapo	Ossoff	Whitehouse
Duckworth	Padilla	Wicker
Ernst	Peters	Young
Fetterman	Reed	
Fischer	Ricketts	

NOT VOTING—8

Blackburn	Hagerty	Vance
Capito	Manchin	Warnock
Cortez Masto	Schmitt	

The PRESIDING OFFICER. On this vote, the yeas are 31, the nays are 61.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 1829) was rejected.

The PRESIDING OFFICER. The majority leader.

SENATOR COLLINS 9,000TH VOTE

Mr. SCHUMER. Mr. President, now, before we move on, I would like to acknowledge a rare milestone that is just about to be achieved on this coming vote in the Senate. Our dear colleague from Maine, Senator SUSAN COLLINS, will cast her nine-thousandth consecutive rollcall vote.

(Applause, Senators rising.)

She has never—never—missed a single rollcall vote in her entire career. Who else can claim that? Raise your hand. Even the freshmen can't claim that.

I congratulate Senator COLLINS on this historic accomplishment. It puts her in rare company in the history of the Chamber.

Senator COLLINS and I, of course, belong to different parties, but she has the enormous respect of those of us on this side of the aisle as well as her own colleagues. And I have been grateful for the chance to work with her in recent years on many issues. So we all have applauded her great work.

I yield the floor to my colleague and friend, Senator MCCONNELL.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I would like to thank the majority leader for his acknowledgement of this historic moment.

The senior Senator from Maine, our good friend, is about to cast, as we all know, her nine-thousandth consecutive rollcall vote.

Quite literally, as the occupant of the Chair knows, Senator COLLINS has never failed to discharge the most fundamental duty of her office.

According to the Historical Office, only one Senator in history has managed a longer streak of consecutive votes—and let's just say, Senator COLLINS is closing in on that record as well.

I hope our colleague is as proud of this accomplishment as we are of her. One thing is for certain: She didn't reach the milestone by accident. Senator COLLINS arrived as a freshman already well aware of the obligations of public service. After all, she was raised by not one but two smalltown mayors.

And as our colleagues know, one of those distinguished mayors—her mother, Patricia—passed away earlier this year, right as the government funding she had stewarded was nearing the finish line.

It was a situation that made the tension we have all felt at times between the demands of the Senate and of family. But as always, the example of the senior Senator from Maine was instructive: poised under pressure, prepared for any outcome, and as determined as ever to do right by the people she represents.

Day after day, year after year, our senior-most appropriator has demonstrated through her dedication that if you do your homework and show up to vote, most everything else will fall in line.

So I would like to add my congratulations to my good friend Senator COLLINS on this tremendous milestone. The people of Maine are lucky to have her.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Republican whip.

Mr. THUNE. Mr. President, if I might, again, 9,000 is remarkable—the ''iron'' Senator. And she was asked by the Washington Post 12 years ago why she had never missed a vote, why she made a decision to make every vote. And this is what she said:

> I think it's important at this time, when public confidence in Congress is very low, to demonstrate to my constituents that I really care about doing a good job for them.

For 27 straight years and 9,000 straight votes, she has delivered every single day for the people of Maine, for the people of this country. And I am grateful to have the privilege and opportunity to serve with her, as I think every single one of us is—not only those who are here today but those who have come before. It is a remarkable achievement.

Senator COLLINS, thank you. Thank you for your record. Thank you for your example.

(Applause.)

The PRESIDING OFFICER. And the Chair conveys his heartfelt congratulations and pride to his colleague.

Thank you, SUSAN, for all you have done.

AMENDMENT NO. 1834

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Mr. President, I call up my amendment No. 1834 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kansas [Mr. MARSHALL] proposes an amendment numbered 1834.

The amendment is as follows:

(Purpose: To strike the prohibition on political appointees being involved in the approval of queries by the Federal Bureau of Investigation)

On page 3, strike line 16 and all that follows through page 4, line 12, and insert the following:

(b) REQUIREMENT FOR SENIOR LEADERSHIP TO APPROVE FEDERAL BUREAU OF INVESTIGATION QUERIES.—Subparagraph (D) of section 702(f)(3), as added by subsection (d) of this section, is amended by inserting after clause (v) the following:

''(vi) REQUIREMENT FOR SENIOR LEADERSHIP TO APPROVE FEDERAL BUREAU OF INVESTIGATION QUERIES.—The procedures shall require that the Director of the Federal Bureau of Investigation or the Attorney General be included in the Federal Bureau of Investigation's prior approval process under clause (ii).''.

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, on the Marshall amendment No. 1834.

The Senator from Kansas.

Mr. MARSHALL. Mr. President, during the last administration, we saw career, unelected bureaucrats, many of whom were FBI agents, actively work against our Commander in Chief.

Now, in this bill, we are giving unilateral control over section 702 to those same career staff who have a record of abusing their power. As written, section 2(b) of the bill would prohibit political appointees from being within the process of approving section 702 queries. This means there is no accountability for these agents by the FBI Director or Attorney General.

Regardless of who is President, they and their politically appointed FBI Director and Attorney General should have full control of the Agencies and Departments they are leading.

We must make FBI and DOJ leadership accountable for eventual section 702 abuses. We should require the Attorney General and FBI Director to sign off on 702 investigations.

As this is such a momentous vote, it would be great that it also passed. So, with that, I urge your ''yes'' vote.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, actually, what the bill does is it requires, especially in cases of politically sensitive queries, that it be approved by a supervisor to take it out of the hands of the career individuals who in the past have or potentially have abused this authority.

Now, there are two ways to skin this cat. The challenge of the political appointees is twofold. The first is it is a political appointee. There is a person who owes their job to the party in power in the White House.

And so the thinking was that if you put someone like that in charge, it actually might lend itself to this being abused for political use.

The second is, it is actually harder to hold political appointees accountable. As we saw this week, the only way to get rid of, for example, the Attorney General would be to impeach them.

In this particular case, if it is a supervisor, that supervisor could be fired. Everyone in these Departments is ultimately accountable to the Attorney General and/or the FBI Director.

And I would add one more point. Another reform that is in this bill that is important to point to is that the compensation of the FBI Director will now be directly tied to how the Department performs every single year on the audit of compliance with 702.

So I urge this amendment be defeated.

VOTE ON AMENDMENT NO. 1834

The PRESIDING OFFICER. The question is on the amendment.

Mr. MARSHALL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Tennessee (Mr. HAGERTY), the Senator from Missouri (Mr. SCHMITT), and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 17, nays 75, as follows:

[Rollcall Vote No. 145 Leg.]

YEAS—17

Braun	Kennedy	Paul
Daines	Lee	Scott (FL)
Grassley	Lummis	Scott (SC)
Hawley	Marshall	Sullivan
Hyde-Smith	Mullin	Tuberville
Johnson	Murkowski	

NAYS—75

Baldwin	Fetterman	Reed
Barrasso	Fischer	Ricketts
Bennet	Gillibrand	Risch
Blumenthal	Graham	Romney
Booker	Hassan	Rosen
Boozman	Heinrich	Rounds
Britt	Hickenlooper	Rubio
Brown	Hirono	Sanders
Budd	Hoeven	Schatz
Butler	Kaine	Schumer
Cantwell	Kelly	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Lankford	Stabenow
Cassidy	Luján	Tester
Collins	Markey	Thune
Coons	McConnell	Tillis
Cornyn	Menendez	Van Hollen
Cotton	Merkley	Warner
Cramer	Moran	Warren
Crapo	Murphy	Welch
Cruz	Murray	Whitehouse
Duckworth	Ossoff	Wicker
Durbin	Padilla	Wyden
Ernst	Peters	Young

NOT VOTING—8

Blackburn	Hagerty	Vance
Capito	Manchin	Warnock
Cortez Masto	Schmitt	

The amendment (No. 1834) was rejected.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1820

Mr. WYDEN. I call up my amendment No. 1820 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for himself and Ms. LUMMIS, proposes an amendment numbered 1820.

The amendment is as follows:

(Purpose: To strike section 25, relating to definition of electronic communication service provider)

Beginning on page 87, strike line 14 and all that follows through page 90, line 4.

The PRESIDING OFFICER. There will be 2 minutes of debate equally divided on the Wyden amendment No. 1820.

The Senator from Oregon.

Mr. WYDEN. Mr. President, this bipartisan amendment strikes a dangerous provision that was slipped in at the last moment in the House of Representatives and has never been considered or examined here in the Senate. The provision dramatically expands warrantless surveillance by authorizing the government, for countless typical Americans and American companies, to secretly assist in their surveillance. If there is one thing we know, expansive surveillance authorities will always be used and abused.

Let's do the right thing and vote aye to strike the horribly drafted, sweeping new surveillance authorities that we will surely regret.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I oppose this amendment. When 702 was drafted in 2008, the telecom world was very different than it is today. Things like cloud and data centers didn't exist.

I disagree with my colleague's definition of the amendment. I have a letter here from the Attorney General that says that under this new definition, section 702 could never be used to target any entity inside the United States, including, for example, business, home, or place of worship. I will work with colleagues to further refine this definition within the IAA bill that we take up this year.

I yield the balance of my time to Senator RUBIO.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Briefly, this is actually pretty narrowly tailored even though it is written in the way it is. It is tough to talk about in this setting. The information is available to all the Members and has been now for 5 or 6 days.

It is actually narrowly tailored to a very specific problem that was identified by the court. Basically the FISA

Court of Review said that if there is an unintended gap in coverage revealed by their interpretation, you have to go to Congress to fix it. That is what this tries to do. It is important.

As I said, that information has been available to Members in the appropriate setting for the last few days.

I hope we can defeat this amendment. It is actually a 21st-century solution to a unique problem in an era in which telecommunications is rapidly evolving, and so are our adversaries.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, this matter that came from the House of Representatives has not been narrowly drafted. It is not technical. The reason you know that is they keep coming up with exceptions. The rule is so broad, and then they keep adding all these exceptions. This is a deeply flawed proposal that comes from the House.

I urge my colleagues to vote yea on this.

VOTE ON AMENDMENT NO. 1820

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WYDEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Tennessee (Mr. HAGERTY), the Senator from Missouri (Mr. SCHMITT), and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 34, nays 58, as follows:

[Rollcall Vote No. 146 Leg.]

YEAS—34

Baldwin	Hoeven	Paul
Barrasso	Johnson	Sanders
Booker	Kennedy	Scott (FL)
Braun	Lee	Scott (SC)
Brown	Lummis	Tester
Cantwell	Markey	Tuberville
Coons	Marshall	Van Hollen
Cramer	Menendez	Warren
Daines	Merkley	Welch
Durbin	Murphy	Wyden
Hawley	Murray	
Hirono	Padilla	

NAYS—58

Bennet	Cotton	Hickenlooper
Blumenthal	Crapo	Hyde-Smith
Boozman	Cruz	Kaine
Britt	Duckworth	Kelly
Budd	Ernst	King
Butler	Fetterman	Klobuchar
Cardin	Fischer	Lankford
Carper	Gillibrand	Luján
Casey	Graham	McConnell
Cassidy	Grassley	Moran
Collins	Hassan	Mullin
Cornyn	Heinrich	Murkowski
Ossoff	Rubio	Thune
Peters	Schatz	Tillis
Reed	Schumer	Warner
Ricketts	Shaheen	Whitehouse
Risch	Sinema	Wicker
Romney	Smith	Young
Rosen	Stabenow	
Rounds	Sullivan	

NOT VOTING—8

Blackburn	Hagerty	Vance
Capito	Manchin	Warnock
Cortez Masto	Schmitt	

The amendment (No. 1820) was rejected.

The PRESIDING OFFICER. There will be 2 minutes equally divided for debate on the Paul amendment No. 1828.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 1828

Mr. PAUL. I call up my amendment No. 1828.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 1828.

The amendment is as follows:

(Purpose: To prohibit the use of authorities under the Foreign Intelligence Surveillance Act of 1978 to surveil United States persons, to prohibit queries under such Act using search terms associated with United States persons, and to prohibit the use of information acquired under such Act in any criminal, civil, or administrative proceeding or as part of any criminal, civil, or administrative investigation.)

At the end, add the following:

SEC. 26. LIMITATION ON AUTHORITIES IN FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.—

(1) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

"TITLE IX—LIMITATIONS

"SEC. 901. LIMITATIONS ON AUTHORITIES TO SURVEIL UNITED STATES PERSONS, ON CONDUCTING QUERIES, AND ON USE OF INFORMATION CONCERNING UNITED STATES PERSONS.

"(a) DEFINITIONS.—In this section:

"(1) PEN REGISTER AND TRAP AND TRACE DEVICE.—The terms 'pen register' and 'trap and trace device' have the meanings given such terms in section 3127 of title 18, United States Code.

"(2) UNITED STATES PERSON.—The term 'United States person' has the meaning given such term in section 101.

"(3) DERIVED.—Information or evidence is 'derived' from an acquisition when the Government would not have originally possessed the information or evidence but for that acquisition, and regardless of any claim that the information or evidence is attenuated from the surveillance or search, would inevitably have been discovered, or was subsequently reobtained through other means.

"(b) LIMITATION ON AUTHORITIES.—Notwithstanding any other provision of this Act, an officer of the United States may not under this Act request an order for, and the Foreign Intelligence Surveillance Court may not under this Act order—

"(1) electronic surveillance of a United States person;

"(2) a physical search of a premises, information, material, or property used exclusively by, or under the open and exclusive control of, a United States person;

"(3) approval of the installation and use of a pen register or trap and trace device to obtain information concerning a United States person;

"(4) the production of tangible things (including books, records, papers, documents, and other items) concerning a United States person; or

"(5) the targeting of a United States person for the acquisition of information.

"(c) LIMITATION ON QUERIES OF INFORMATION COLLECTED UNDER SECTION 702.—Notwithstanding any other provision of this Act, an officer of the United States may not conduct a query of information collected pursuant to an authorization under section 702(a) using search terms associated with a United States person.

"(d) LIMITATION ON USE OF INFORMATION CONCERNING UNITED STATES PERSONS.—

"(1) DEFINITION OF AGGRIEVED PERSON.—In this subsection, the term 'aggrieved person' means a person who is the target of any surveillance activity under this Act or any other person whose communications or activities were subject to any surveillance activity under this Act.

"(2) IN GENERAL.—Except as provided in paragraph (3), any information concerning a United States person acquired or derived from an acquisition under this Act shall not be used in evidence against that United States person in any criminal, civil, or administrative proceeding or as part of any criminal, civil, or administrative investigation.

"(3) USE BY AGGRIEVED PERSONS.—An aggrieved person who is a United States person may use information concerning such person acquired under this Act in a criminal, civil, or administrative proceeding or as part of a criminal, civil, or administrative investigation.".

(2) CLERICAL AMENDMENT.—The table of contents preceding section 101 of such Act is amended by adding at the end the following:

"TITLE IX—LIMITATIONS

"Sec. 901. Limitations on authorities to surveil United States persons, on conducting queries, and on use of information concerning United States persons.".

(b) LIMITATIONS RELATING TO EXECUTIVE ORDER 12333.—

(1) DEFINITIONS.—In this subsection:

(A) AGGRIEVED PERSON.—The term "aggrieved person" means—

(i) a person who is the target of any surveillance activity under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities), or successor order; or

(ii) any other person whose communications or activities were subject to any surveillance activity under such Executive order, or successor order.

(B) PEN REGISTER; TRAP AND TRACE DEVICE; UNITED STATES PERSON.—The terms "pen register", "trap and trace device", and "United States person" have the meanings given such terms in section 901 of the Foreign Intelligence Surveillance Act of 1978, as added by subsection (a).

(2) LIMITATION ON ACQUISITION.—Where authority is provided by statute or by the Federal Rules of Criminal Procedure to perform physical searches or to acquire, directly or through third parties, communications content, non-contents information, or business records, those authorizations shall provide the exclusive means by which such searches or acquisition shall take place if the target of the acquisition is a United States person.

(3) LIMITATION ON USE IN LEGAL PROCEEDINGS.—Except as provided in paragraph

(5), any information concerning a United States person acquired or derived from an acquisition under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities), or successor order, shall not be used in evidence against that United States person in any criminal, civil, or administrative proceeding or as part of any criminal, civil, or administrative investigation.

(4) LIMITATION ON UNITED STATES PERSON QUERIES.—Notwithstanding any other provision of law, no governmental entity or officer of the United States shall query communications content, non-contents information, or business records of a United States person under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities), or successor order.

(5) USE BY AGGRIEVED PERSONS.—An aggrieved person who is a United States person may use information concerning such person acquired under Executive Order 12333, or successor order, in a criminal, civil, or administrative proceeding or as part of a criminal, civil, or administrative investigation.

(c) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to abrogate jurisprudence of the Supreme Court of the United States relating to the exceptions to the warrant requirement of the Fourth Amendment to the Constitution of the United States, including the exigent circumstances exception.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, Benjamin Franklin warned us that those who would trade liberty for security might wind up with neither, but somewhere along the way, we lost our courage. It takes courage to defend the Constitution. It takes courage to defend the Fourth Amendment. It takes courage to understand that, even when people are guilty of crimes, we let them have lawyers. We have open courts. We have an adversarial process.

People think: Well, gosh, a murderer gets a lawyer.

Yes, everybody in our system gets a lawyer, at least under the system of the Fourth Amendment. But as we became fearful of terrorists, we said: Well, we can't exist under the Constitution. We have to lower the standard of the Fourth Amendment.

So in 1978, we set up FISA, and it went after foreigners under a different standard. It was probable cause, not of a crime but probable cause that you are associated with a foreign government.

And for even myself, I am fine with that for foreigners. But for Americans, we still have the Constitution. So my amendment would simply say this: You can investigate all the foreigners you want under 702, under FISA, whatever you wish for foreigners, but for Americans you go to an article III court. They work.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PAUL. We have prosecuted over 300 terrorists in article III courts, and we could do it.

My amendment says that FISA would only be utilized on foreigners, not Americans.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I rise in opposition to this amendment. This amendment would have the effect of basically destroying section 702.

Unfortunately, over the last 20 years—Anwar al-Awlaki, Robert Hanssen, Faisal Shahzad—there have been a number of American citizens who created terrorists acts that 702 has been used for.

As a matter of fact, many times, when you start the investigation, you don't know if the individual is an American or a foreigner. I respectfully ask us to defeat the amendment and give the balance of my time to Senator RUBIO.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Anwar al-Awlaki was an American-born cleric who became a leader of al-Qaida. Syed Farook was born in America, and he murdered 14 people in a terrorist attack in San Bernardino. The brothers that committed the Boston marathon—one was naturalized, and the other was a lawful permanent resident. I could go on and on.

If we had suspected them of terrorism, we would not have been able to—and none of these were prevented. But if these cases emerged today and you suspected them of terrorism, under this amendment, you would not have been able to surveil them to prevent the terrorist attack. Afterward, you could have gone after them, but now it is too late to prevent the terrorist attack. That is what this amendment would—that is the harm that this amendment, if passed, would create, and I urge you to vote against it.

The PRESIDING OFFICER. All time is expired.

VOTE ON AMENDMENT NO. 1828

The question is on agreeing to the amendment No. 1828.

Mr. PAUL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Tennessee (Mr. HAGERTY), the Senator from Missouri (Mr. SCHMITT), and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 11, nays 81, as follows:

[Rollcall Vote No. 147 Leg.]

YEAS—11

Braun	Kennedy	Paul
Daines	Lee	Scott (FL)
Hawley	Lummis	Tuberville
Johnson	Marshall	

NAYS—81

Baldwin	Gillibrand	Reed
Barrasso	Graham	Ricketts
Bennet	Grassley	Risch
Blumenthal	Hassan	Romney
Booker	Heinrich	Rosen
Boozman	Hickenlooper	Rounds
Britt	Hirono	Rubio
Brown	Hoeven	Sanders
Budd	Hyde-Smith	Schatz
Butler	Kaine	Schumer
Cantwell	Kelly	Scott (SC)
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Lankford	Smith
Cassidy	Luján	Stabenow
Collins	Markey	Sullivan
Coons	McConnell	Tester
Cornyn	Menendez	Thune
Cotton	Merkley	Tillis
Cramer	Moran	Van Hollen
Crapo	Mullin	Warner
Cruz	Murkowski	Warren
Duckworth	Murphy	Welch
Durbin	Murray	Whitehouse
Ernst	Ossoff	Wicker
Fetterman	Padilla	Wyden
Fischer	Peters	Young

NOT VOTING—8

Blackburn	Hagerty	Vance
Capito	Manchin	Warnock
Cortez Masto	Schmitt	

The PRESIDING OFFICER. On this vote the yeas are 11, the nays are 82.

Under the previous order, requiring 60 affirmative votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 1828) was rejected.

The PRESIDING OFFICER. There will be two minutes for debate, equally divided, on the Durbin amendment No. 1841, as modified.

The Senator from Illinois.

AMENDMENT NO. 1841, AS MODIFIED

Mr. DURBIN. I call up my amendment No. 1841, as modified, and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 1841, as modified.

The amendment is as follows:

(Purpose: To prohibit warrantless access to the communications and other information of United States persons)

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON WARRANTLESS ACCESS TO THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.

(a) DEFINITION.—Section 702(f) is amended in paragraph (5), as so redesignated by section 2(a)(2) of this Act—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

''(B) The term 'covered query' means a query conducted—

''(i) using a term associated with a United States person; or

''(ii) for the purpose of finding the information of a United States person.''.

(b) PROHIBITION.—Section 702(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(f)) is amended—

(1) by redesignating paragraph (5), as redesignated by section 2(a)(1) of this Act, as paragraph (8);

(2) in paragraph (1)(A) by inserting ''and the limitations and requirements in paragraph (5)'' after ''Constitution of the United States''; and

(3) by inserting after paragraph (4), as added by section 16(a)(1) of this Act, the following:

''(5) PROHIBITION ON WARRANTLESS ACCESS TO THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no officer or employee of any agency that has access to unminimized communications or information obtained through an acquisition under this section may access communications content, or information the compelled disclosure of which would require a probable cause warrant if sought for law enforcement purposes inside the United States, acquired under subsection (a) and returned in response to a covered query.

''(B) EXCEPTIONS FOR CONCURRENT AUTHORIZATION, CONSENT, EMERGENCY SITUATIONS, AND CERTAIN DEFENSIVE CYBERSECURITY QUERIES.—Subparagraph (A) shall not apply if—

''(i) the person to whom the query relates is the subject of an order or emergency authorization authorizing electronic surveillance, a physical search, or an acquisition under this section or section 105, section 304, section 703, or section 704 of this Act or a warrant issued pursuant to the Federal Rules of Criminal Procedure by a court of competent jurisdiction;

''(ii)(I) the officer or employee accessing the communications content or information has a reasonable belief that—

''(aa) an emergency exists involving an imminent threat of death or serious bodily harm; and

''(bb) in order to prevent or mitigate the threat described in item (aa), the communications content or information must be accessed before authorization described in clause (i) can, with due diligence, be obtained; and

''(II) not later than 14 days after the communications content or information is accessed, a description of the circumstances justifying the accessing of the query results is provided to the Foreign Intelligence Surveillance Court, the congressional intelligence committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate;

''(iii) such person or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent for the access on a case-by-case basis; or

''(iv)(I) the communications content or information is accessed and used for defensive cybersecurity purposes, including the protection of a United States person from cyber-related harms;

''(II) other than for such defensive cybersecurity purposes, no communications content or other information described in subparagraph (A) are accessed or reviewed; and

''(III) the accessing of query results is reported to the Foreign Intelligence Surveillance Court.

''(C) MATTERS RELATING TO EMERGENCY QUERIES.—

''(i) TREATMENT OF DENIALS.—In the event that communications content or information returned in response to a covered query are accessed pursuant to an emergency authorization described in subparagraph (B)(i) and the subsequent application to authorize electronic surveillance, a physical search, or an acquisition pursuant to section 105(e), section 304(e), section 703(d), or section 704(d) of this Act is denied, or in any other case in which communications content or information returned in response to a covered query are accessed in violation of this paragraph—

''(I) no communications content or information acquired or evidence derived from such access may be used, received in evidence, or otherwise disseminated in any investigation by or in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof; and

''(II) no communications content or information acquired or derived from such access may subsequently be used or disclosed in any other manner without the consent of the person to whom the covered query relates, except in the case that the Attorney General approves the use or disclosure of such information in order to prevent the death of or serious bodily harm to any person.

''(ii) ASSESSMENT OF COMPLIANCE.—Not less frequently than annually, the Attorney General shall assess compliance with the requirements under clause (i).

''(D) FOREIGN INTELLIGENCE PURPOSE.—

''(i) IN GENERAL.—Except as provided in clause (ii) of this subparagraph, no officer or employee of any agency that has access to unminimized communications or information obtained through an acquisition under this section may conduct a covered query of information acquired under subsection (a) unless the query is reasonably likely to retrieve foreign intelligence information.

''(ii) EXCEPTIONS.—An officer or employee of an agency that has access to unminimized communications or information obtained through an acquisition under this section may conduct a covered query of information acquired under this section if—

''(I)(aa) the officer or employee conducting the query has a reasonable belief that an emergency exists involving an imminent threat of death or serious bodily harm; and

''(bb) not later than 14 days after the query is conducted, a description of the query is provided to the Foreign Intelligence Surveillance Court, the congressional intelligence committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate;

''(II) the person to whom the query relates or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent for the query on a case-by-case basis;

''(III)(aa) the query is conducted, and the results of the query are used, for defensive cybersecurity purposes, including the protection of a United States person from cyber-related harms;

''(bb) other than for such defensive cybersecurity purposes, no communications content or other information described in subparagraph (A) are accessed or reviewed; and

''(cc) the query is reported to the Foreign Intelligence Surveillance Court; or

''(IV) the query is necessary to identify information that must be produced or preserved in connection with a litigation matter or to fulfill discovery obligations in a criminal matter under the laws of the United States or any State thereof.

''(6) DOCUMENTATION.—No officer or employee of any agency that has access to unminimized communications or information obtained through an acquisition under this section may access communications content, or information the compelled disclosure of which would require a probable cause warrant if sought for law enforcement purposes inside the United States, returned in response to a covered query unless an electronic record is created that includes a statement of facts showing that the access is authorized pursuant to an exception specified in paragraph (5)(B).

''(7) QUERY RECORD SYSTEM.—The head of each agency that has access to unminimized communications or information obtained through an acquisition under this section shall ensure that a system, mechanism, or business practice is in place to maintain the records described in paragraph (6). Not later than 90 days after the date of enactment of the Reforming Intelligence and Securing America Act, the head of each agency that has access to unminimized communications or information obtained through an acquisition under this section shall report to Congress on its compliance with this procedure.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 603(b)(2) is amended, in the matter preceding subparagraph (A), by striking '', including pursuant to subsection (f)(2) of such section,''.

(2) Section 706(a)(2)(A)(i) is amended by striking ''obtained an order of the Foreign Intelligence Surveillance Court to access such information pursuant to section 702(f)(2)'' and inserting ''accessed such information in accordance with section 702(f)(5)''.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Throughout our history and certainly since 9/11, we have been focused on a challenge: Can we keep America safe and still honor our Constitution?

I have been engaged in this debate for quite a few years, and I continue with it this evening. Over the course of our history, we have seen section 702 misused by our government: 3.4 million American conversations were monitored in 1 year; another, 200,000.

This modification I am suggesting, suggested by the Privacy and Civil Liberties Oversight Board, would mean that the Agency would have to report for warrants 80 cases a month. That is not too much when we are dealing with hundreds of thousands of targets and millions of conversations.

Yes, we can protect the constitutional Bill of Rights and keep our country safe. We have got to be mindful that this requires vigilance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, it is illegal for the U.S. Government or any of its Agencies to spy on American citizens. It is illegal. And nothing in this bill changes that. The fact is, the House has passed a reform bill which has made it far less likely for there to be abuses, inadvertent and otherwise, and it has real accountability measures that will punish people who abuse these necessary tools.

The fact of the matter is 702 applies to foreigners overseas, not Americans here in the United States. And where there is incidental collection, court after court after court has said it does not violate the Fourth Amendment. There is no constitutional violation. And if the intelligence Agencies want to look further at an American citizen, they have to go to the Foreign Intelligence Surveillance Court and get a warrant to show probable cause that a crime has been committed.

If we pass this requirement, it will simply benefit our foreign adversaries—Russia, China, Iran, Hamas—just to name a few.

The PRESIDING OFFICER. The Senator's time has expired.

VOTE ON AMENDMENT NO. 1841, AS MODIFIED

The question is on agreeing to the amendment.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Tennessee (Mr. HAGERTY), the Senator from Missouri (Mr. SCHMITT), and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 42, nays 50, as follows:

[Rollcall Vote No. 148 Leg.]

YEAS—42

Baldwin	Hirono	Murray
Barrasso	Hoeven	Padilla
Booker	Johnson	Paul
Braun	Kaine	Sanders
Brown	Kennedy	Scott (FL)
Butler	Lee	Scott (SC)
Cantwell	Luján	Smith
Coons	Lummis	Sullivan
Cramer	Markey	Tester
Cruz	Marshall	Tuberville
Daines	Menendez	Van Hollen
Durbin	Merkley	Warren
Hawley	Murkowski	Welch
Heinrich	Murphy	Wyden

NAYS—50

Bennet	Gillibrand	Risch
Blumenthal	Graham	Romney
Boozman	Grassley	Rosen
Britt	Hassan	Rounds
Budd	Hickenlooper	Rubio
Cardin	Hyde-Smith	Schatz
Carper	Kelly	Schumer
Casey	King	Shaheen
Cassidy	Klobuchar	Sinema
Collins	Lankford	Stabenow
Cornyn	McConnell	Thune
Cotton	Moran	Tillis
Crapo	Mullin	Warner
Duckworth	Ossoff	Whitehouse
Ernst	Peters	Wicker
Fetterman	Reed	Young
Fischer	Ricketts	

NOT VOTING—8

Blackburn	Hagerty	Vance
Capito	Manchin	Warnock
Cortez Masto	Schmitt	

The amendment (No. 1841), as modified, was rejected.

The PRESIDING OFFICER. There will be 2 minutes of debate, equally divided, on Lee amendment No. 1840.

The Senator from Utah.

AMENDMENT NO. 1840

(Purpose: To appropriately address the use of amici curiae in Foreign Intelligence Surveillance Court proceedings and to require adequate disclosure of relevant information in Foreign Intelligence Surveillance Act of 1978 applications.)

Mr. LEE. Mr. President, I call up my amendment No. 1840, and I ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 1840.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, in 2020, 77 Members of this body voted for this amendment, and I would love to see the same result today.

According to the IG report following the Crossfire Hurricane investigation, there were a lot of FBI employees who appeared before the FISA Court who had made substantial misrepresentations to the FISA Court. It is one of the things that can happen in a nonadversarial courtroom setting. That is why this amendment that most of us voted for just 4 years ago does two things.

First, it beefs up the ability to have amicus curiae representation so that there is an extra set of eyes, not individual lawyers representing any one single person, but an extra set of eyes there to defend the rights of individual Americans—individual Americans—about 50,000 of whom are queried without any warrant, in a typical quarter, as recently as 2 years ago.

The second thing it does is it requires the disclosure to the court of all material, exculpatory evidence, or impeachment evidence—what we would call, in a courtroom, Brady and Giglio evidence—to the court.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LEE. This is not too much. We should all be able to support this just as 77 of us did in 2020.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, there is some validity here, and the bill begins to cover some of it, but there is more we can do to fix this.

In Crossfire Hurricane, particularly in the case of Carter Page, the FBI agents lied to the court, and they inserted a dossier that proved to be opposition research, which you no longer can do under the reforms of this bill. You can no longer also include things like press media accounts of the case before them.

The function of this would be, on the other hand—and this is a real application because they would have probably brought it beyond that setting. Manuel Rocha was a spy in the Cuban Government, working for us as an Ambassador. Now he would have some advocate there arguing on his behalf in the court, someone who doesn't even have to have an intelligence background, and you may potentially even have to provide that advocate with intelligence information as exculpatory even though it really isn't exculpatory.

So this, as drafted, is problematic in the context of what we are trying to fix here, especially in light of the reforms that are already coming in as part of the bill.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, this is the last amendment. If we can get this bill passed before 12 midnight, we will meet our goal. I commit to working with all to make sure that we continue to review the amicus proceedings in the next Intel authorization. So I urge Senators to reject the amendment.

VOTE ON AMENDMENT NO. 1840

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment.

Mr. LEE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been called for.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Missouri (Mr. SCHMITT), and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 40, nays 53, as follows:

[Rollcall Vote No. 149 Leg.]

YEAS—40

Baldwin	Hawley	Padilla
Barrasso	Hirono	Paul
Booker	Hoeven	Sanders
Braun	Johnson	Scott (FL)
Britt	Kennedy	Scott (SC)
Brown	Lee	Sullivan
Cantwell	Lummis	Tester
Coons	Markey	Tuberville
Cramer	Marshall	Van Hollen
Cruz	Menendez	Warren
Daines	Merkley	Welch
Durbin	Murkowski	Wyden
Grassley	Murphy	
Hagerty	Murray	

NAYS—53

Bennet	Graham	Risch
Blumenthal	Hassan	Romney
Boozman	Heinrich	Rosen
Budd	Hickenlooper	Rounds
Butler	Hyde-Smith	Rubio
Cardin	Kaine	Schatz
Carper	Kelly	Schumer
Casey	King	Shaheen
Cassidy	Klobuchar	Sinema
Collins	Lankford	Smith
Cornyn	Luján	Stabenow
Cotton	McConnell	Thune
Crapo	Moran	Tillis
Duckworth	Mullin	Warner
Ernst	Ossoff	Whitehouse
Fetterman	Peters	Wicker
Fischer	Reed	Young
Gillibrand	Ricketts	

NOT VOTING—7

Blackburn	Manchin	Warnock
Capito	Schmitt	
Cortez Masto	Vance	

The amendment (No. 1840) was rejected.

The PRESIDING OFFICER. Under the previous order, the bill is considered read a third time.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. There will now be up to 2 minutes of debate equally divided.

The majority leader.

Mr. SCHUMER. Mr. President, in the nick of time, bipartisanship has prevailed here in the Senate. We are reauthorizing FISA right before it expires at midnight—20 minutes before midnight, as the time is now. This bill now goes to the President's desk.

All day long, we persisted and persisted and persisted in trying to reach a breakthrough. In the end, we have succeeded, and we are getting FISA done. Democrats and Republicans came together and did the right thing for our country's safety. It wasn't easy. People had many different views. But we all know one thing: Letting FISA expire would be dangerous. It is an important part of our national security to stop acts of terror, drug trafficking, and violent extremism.

Thank you to all of my Senate colleagues on both sides of the aisle for their good work in getting this done.

ORDER OF BUSINESS

Now, for the information of the Senate, after this vote, we will have no further votes this evening. We are working on an agreement for consideration of the supplemental. Without an agreement, we will vote on laying down the supplemental as soon as we receive it from the House tomorrow. But we are working on the agreement now.

MARK WARNER has done a great job here as chairman of the Intelligence Committee, and I yield to him for 30 seconds.

Mr. WARNER. I thank Senator SCHUMER.

I just want to say I know these issues are tough. I appreciate all of the members of the Intelligence Committee, particularly Senator RUBIO.

For the areas that still need improvement, we commit to work with you to make this incredibly important tool more efficiently and effectively overseen as well.

I urge adoption of the bill.

The PRESIDING OFFICER. Is there further debate?

VOTE ON H.R. 7888

The bill having been read the third time, the question is, Shall the bill pass?

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Missouri (Mr. SCHMITT), and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 60, nays 34, as follows:

[Rollcall Vote No. 150 Leg.]

YEAS—60

Barrasso	Graham	Reed
Bennet	Grassley	Ricketts
Blumenthal	Hassan	Risch
Boozman	Heinrich	Romney
Britt	Hickenlooper	Rosen
Budd	Hyde-Smith	Rounds
Cardin	Kaine	Rubio
Carper	Kelly	Schatz
Casey	Kennedy	Schumer
Cassidy	King	Shaheen
Collins	Klobuchar	Sinema
Coons	Lankford	Smith
Cornyn	Luján	Stabenow
Cotton	McConnell	Sullivan
Crapo	Moran	Thune
Duckworth	Mullin	Tillis
Ernst	Murkowski	Warner
Fetterman	Ossoff	Whitehouse
Fischer	Padilla	Wicker
Gillibrand	Peters	Young

NAYS—34

Baldwin	Hawley	Paul
Blackburn	Hirono	Sanders
Booker	Hoeven	Scott (FL)
Braun	Johnson	Scott (SC)
Brown	Lee	Tester
Butler	Lummis	Tuberville
Cantwell	Markey	Van Hollen
Cramer	Marshall	Warren
Cruz	Menendez	Welch
Daines	Merkley	Wyden
Durbin	Murphy	
Hagerty	Murray	

NOT VOTING—6

Capito	Manchin	Vance
Cortez Masto	Schmitt	Warnock

The PRESIDING OFFICER. On this vote, the yeas are 60, the nays are 34.

Under the previous order requiring 60 votes for the passage of this bill, the bill is passed.

The bill (H.R. 7888) was passed.

SIGNING AUTHORITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the senior Senator from Virginia be authorized to sign duly enrolled bills or joint resolutions from April 20, 2024, through April 21, 2024.

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

SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT—MOTION TO PROCEED

Mr. SCHUMER. Mr. President, I move to proceed to Calendar No. 211, H.R. 3935.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 211, H.R. 3935, a bill to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

PREVENTING CHILD TRAFFICKING ACT OF 2024

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 3687 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. 3687) to direct the Office for Victims of Crime of the Department of Justice to implement anti-trafficking recommendations of the Government Accountability Office.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill 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 bill (S. 3687) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3687

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Preventing Child Trafficking Act of 2024''.

SEC. 2. DEFINITIONS.

In this Act, the term ''anti-trafficking recommendations'' means the recommendations set forth in the report of the Government Accountability Office entitled ''Child Trafficking: Addressing Challenges to Public Awareness and Survivor Support'', which was published on December 11, 2023.

SEC. 3. IMPLEMENTATION OF ANTI-TRAFFICKING PROGRAMS FOR CHILDREN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Office for Victims of Crime of the Department of Justice, in coordination with the Office on Trafficking in Persons of the Administration for Children and Families, shall implement the anti-trafficking recommendations.

(b) REPORT.—Not later than 60 days after the date on which the Office for Victims of Crime implements the anti-trafficking recommendations pursuant to subsection (a), the Director of the Office for Victims of Crime shall submit a report to the Committee on the Judiciary of the Senate and Committee on the Judiciary of the House of Representatives that explicitly describes the steps taken by the Office to complete such implementation.

FEDERAL JUDICIARY STABILIZATION ACT OF 2024

Mr. SCHUMER. Mr. President, I ask unanimous consent the Committee on the Judiciary be discharged from further consideration of S. 3998 and the

Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3998) to provide for the permanent appointment of certain temporary district judgeships.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed; the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 3998) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3998

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Judiciary Stabilization Act of 2024''.

SEC. 2. TEMPORARY JUDGESHIPS IN THE DISTRICT COURTS.

(a) EXISTING JUDGESHIPS.—The existing judgeships for the district of Hawaii, the district of Kansas, and the eastern district of Missouri authorized by section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note) and the existing judgeships for the northern district of Alabama, the district of Arizona, the central district of California, the southern district of Florida, the district of New Mexico, the western district of North Carolina, and the eastern district of Texas authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note) shall, as of the effective date of this Act, be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(b) TABLES.—In order that the table contained in section 133 of title 28, United States Code, will, with respect to each judicial district, reflect the changes in the total number of permanent district judgeships authorized as a result of subsection (a) of this section, such table is amended—

(1) by striking the items relating to Alabama and inserting the following:

''Alabama:	
Northern	8
Middle	3
Southern	3'';

(2) by striking the item relating to Arizona and inserting the following:

''Arizona	13'';

(3) by striking the items relating to California and inserting the following:

''California:	
Northern	14
Eastern	6
Central	28
Southern	13'';

(4) by striking the items relating to Florida and inserting the following:

''Florida:	
Northern	4
Middle	15
Southern	18'';

(5) by striking the item relating to Hawaii and inserting the following:

''Hawaii	4'';

(6) by striking the item relating to Kansas and inserting the following:

''Kansas	6'';

(7) by striking the items relating to Missouri and inserting the following:

''Missouri:	
Eastern	7
Western	5
Eastern and Western	2'';

(8) by striking the item relating to New Mexico and inserting the following:

''New Mexico	7'';

(9) by striking the items relating to North Carolina and inserting the following:

''North Carolina:	
Eastern	4
Middle	4
Western	5''; and

(10) by striking the items relating to Texas and inserting the following:

''Texas:	
Northern	12
Southern	19
Eastern	8
Western	13''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act and the amendments made by this Act.

RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate Resolutions: S. Res. 657, S. Res. 658, S. Res. 659.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to. (The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Republican Leader, pursuant to the provisions of Public Law 114–196, the appointment of the following individual to serve as a member of the United States Semiquincentennial Commission. Member of the Senate: The Honorable Lisa Murkowski of Alaska.

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

FISA

Mr. VAN HOLLEN. Mr. President, our intelligence community relies on a range of tools to protect Americans from threats originating from abroad. One of them is section 702 of the Foreign Intelligence Surveillance Act—FISA—which is used to gather information related to foreign individuals located outside of the United States and has produced valuable information to help uncover terrorist plots and thwart attacks. I strongly support maintaining that important capability. At the same time, I have long been concerned that, without adequate safeguards, section 702 can be abused in a way that violates Americans' Fourth Amendment rights and unnecessarily intrudes on their privacy, including for ''backdoor'' searches. That is why I have long pushed for guardrails to prevent governmental overreach and abuse.

Despite the fact that surveillance under this section is supposed to be limited to certain foreign nationals abroad, a FISA Court opinion released in July 2023 stated that the FBI conducted approximately 40,000–50,000 warrantless ''backdoor'' search queries of section 702 communications data targeting U.S. persons per quarter in 2022. Moreover, over the course of 2022, government data shows that the FBI's rate of compliance with the FISA Court-approved querying standard has risen to approximately 98 percent, which means the rate of violations is 2 percent. While that may sound like an impressive compliance rate, it still amounts to 4,000 violations each year.

I acknowledge and appreciate that the bill before us includes some reforms to strengthen privacy protections for Americans. It codifies newly implemented internal practices that the FBI has adopted to address many of the abuses that have arisen. However, I believe that those protections can and should be further strengthened. The major issue involves those occasions in which the FBI or other U.S. Government Agencies determine that a foreign target is communicating with an American citizen. The Privacy and Civil Liberties Oversight Board—PCLOB—found that the majority of the FBI's U.S. person queries of section 702 information that are conducted yield little or no results. In 2022, the PCLOB found that the FBI accessed content following U.S. person queries only 1.58 percent of the time. In these few cases, the question arises as to whether and under what circumstances the U.S. Government should be able to review the contents of the communication of an American citizen. Senator DURBIN offered an amendment, which I supported, to require the FBI to obtain a warrant prior to viewing the content of

Americans' communications, subject to very important exceptions when exigent circumstances exist, when the U.S. person consents, and for certain cybersecurity imperatives. I am disappointed that this amendment was not adopted.

Another way to obtain the benefits of section 702 foreign intelligence collection without weakening the Fourth Amendment and privacy protections of Americans is to ensure that those interests are adequately represented and heard before the FISA Court. In 2015, Congress established amici who can advise the court, if requested, on new and significant issues. The involvement of amici has improved the FISA Court process, but their role could be strengthened. That is why I supported the Lee-Welch amendment, which requires amici participation in additional cases that have the potential to create precedent and allows amici to raise novel or significant privacy or civil liberties issue, rather than waiting to be requested by the FISC Court. The failure to adopt this amendment misses an opportunity to strengthen advocacy for privacy and civil liberties in FISA Court proceedings.

I am also deeply concerned by a provision, added at the eleventh hour in the House to greatly expand the type of providers that the U.S. Government could compel to produce information under section 702. I understand that this provision was added after the Foreign Intelligence Surveillance Court—FISC—ruled that the government could not use section 702 to compel a data center's compliance with an order to produce communications. The decision was predicated on whether a data center qualified as an ''electronic communications service provider'' under the law. This new definition, while intended to clarify the term to account for changing technology, broadly includes ''any other service provider who has access to equipment that is being or may be used to transmit or store wire or electronic communications.'' While I accept the representations from the Attorney General and others that this language is not intended to open the door to requiring a slew of service providers to comply with government demands to intercept communications, its plain language is very broad. It would, for example, require a company that installs, maintains, or repairs Wi-Fi or other communications systems to provide communications under section 702 to the government, all while being barred from telling anyone about the surveillance they helped conduct. While I appreciate the administration's commitment to apply this new definition exclusively to cover the type of service provider at issue in the litigation before the FISC, I believe there are ways to more narrowly achieve the administration's goal without providing the open-ended authority that is currently included in the bill. That is why I support Senator WYDEN's amendment to remove the new definition to give us time to tailor the language to meet the administration's purposes. I am disappointed that the Wyden amendment did not pass. The Senate should not be stampeded into passing sweeping new authorities with the assurance that it will be ''fixed'' later. We should fix it now.

Another troubling new provision added in the House that should be remedied here in the Senate is the expansion of searches of the section 702 database for individuals traveling to the United States. Under current practice, in addition to standard vetting to determine national security threats, individuals seeking visas to work or travel in the U.S. for the first time can be subject to terrorism-related queries of the database. The House bill allows for searches of a potentially far broader group of travelers—including existing visa holders returning to the U.S. from abroad—and a broader variety of searches. Again, with sufficient time, I believe we could meet the goal of effectively vetting visitors to the United States without authorizing powers that could easily be abused.

Section 702, while critical to our intelligence capabilities, must be reformed to protect constitutional and privacy rights. We have time to resolve these issues. The administration contends that without the immediate reauthorization of section 702 by midnight on April 19, 2024, the authority will lapse. However, we know that the Department of Justice obtained a renewed certification from the FISC, extending the authorization of active section 702 surveillance orders until April 2025. Section 404 of the FISA Amendments Act of 2008 makes clear that such certifications remain valid until their expiration.

While I agree that we need to congressionally reauthorize this authority, I am concerned that we are short-circuiting robust, bipartisan discussions in Congress on needed reforms and to correct problems in the House-passed bill. When dealing with matters of such import, we should not be pressured by an artificial deadline into passing a flawed law. Therefore, while I support the underlying authority in section 702, I voted against this legislation tonight because more must be done to protect Americans from its possible misuse.

FEDERAL AVIATION ADMINISTRATION

Mr. CARDIN. Mr. President, every 5 years, Congress comes together to reauthorize the Federal Aviation Administration—FAA. This reauthorization includes legislative changes related to aviation safety, new technology, support for the aviation industry and its workforce and more.

In July 2023, the House defeated an amendment to the bill proposing the addition of 14 flights to Ronald Reagan Washington National Airport—DCA.

However, the Senate Commerce-approved bill includes an amendment to introduce 10 additional flights to the airport. This proposal to add flights at an already strained DCA would adversely affect service quality, increase delays, and lead to more cancellations for all passengers.

Yesterday, DCA experienced a close call as two planes narrowly avoided a collision. This incident echoes a similar incident in March 2023 where two planes almost collided on DCA's runway. These near-misses underscore the critical need to safeguard the airport from additional flight operations.

DCA was originally designed to accommodate 15 million passengers. The airport is now projected to handle 25 million passengers this year.

In 2022, DCA ranked third in the Nation for its high cancellation rate among the busiest airports. Today, approximately 20–22 percent of flights departing and arriving at the airport are affected, leading to an average delay of 67 minutes.

The DCA slot-perimeter rule serves as a crucial mechanism for managing congestion and restricting nonstop flights at DCA. Its primary objective is to maintain a delicate operational and economic equilibrium among DCA, Dulles International Airport—IAD—and Baltimore/Washington International Thurgood Marshall Airport—BWI.

DCA and Washington Dulles International Airports—IAD—were federally designed and operate as a unified system on behalf of the government. Recognizing the constraints imposed by aircraft noise and community impact at DCA, Congress implemented the slot and perimeter rules. Dulles International was strategically positioned to serve as both the primary airport for regional growth and as an international gateway.

Ensuring operational stability has also facilitated a harmonious relationship with Thurgood Marshall Baltimore Washington International—BWI—ensuring that the broader interests of the region are effectively addressed. Our airports play a pivotal role in granting Maryland, the District of Columbia, and Virginia access to the global economy, thereby generating employment opportunities and fostering regional growth.

The connectivity offered by our regional aviation network has been a driving force behind the relocation of major corporate headquarters such as SAIC, Hilton Hotels, Nestle USA, and Volkswagen of America to the area.

Changes to the slot perimeter rule at DCA will have profound impact on the economies of Maryland and Virginia, negatively impact service, and delays and place a strain on an already overburdened DCA.

The safety of the public should be of the utmost concern in the FAA bill. And increasing slots at this airport undermines that safety.

As passenger volumes recover from the pandemic impacts and return to

serving nearly 75 million annual passengers, the need to maintain the balance of air service across all three airports is amplified.

My colleagues and I who represent the States of the National Capital Area region welcome a collaborative and open process should changes to our region's airports' operations be necessary. We ask that colleagues respect the need to work with us when changes are sought. As the House and Senate work toward a final FAA reauthorization bill, we oppose any proposals to add additional flights at DCA.

ADDITIONAL STATEMENTS

REMEMBERING DEPUTY JERMYIUS YOUNG

● Mr. TUBERVILLE. Mr. President, on April 5, Alabama lost Montgomery County Sheriff Deputy Jermyius Young to injuries sustained in a duty-related car crash. Deputy Young began working as a correctional officer at the Montgomery County Jail at the age of 18 while waiting to turn 21, the age required to attend the police academy. He joined the police academy as soon as he could and then became a sheriff's deputy for the county. He also served as a specialist with the U.S. Army Reserves 206th Transport Company out of Opelika.

Nicknamed ''Smiley'' by his parents for his positive demeanor, which was always accompanied by a huge smile, Deputy Young was an inspiration to everyone around him. Whether on or off the clock, he continually sought ways to help his community. He specifically invested his time volunteering with young people who aspired to be in law enforcement, like him.

''Deputy Young was a role model, not just for other deputies, but for me, as well. He was a fine law enforcement officer. He was loyal, unselfish, efficient, and he always came to work with a smile on his face. He came in wanting to make a difference. He was dedicated to the community and dedicated to making a difference,'' said Montgomery County Sheriff Derrick Cunningham.

There is no doubt that in Deputy Young's 21 years of life, he made a difference—in his community and in our State. Alabama mourns the loss of Deputy Young, but we also celebrate the legacy of courage and selflessness that he established. I join Alabamians in expressing our deepest gratitude for his courageous service.●

MESSAGES FROM THE HOUSE

ENROLLED JOINT RESOLUTION SIGNED

At 11:29 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.J. Res. 98. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to ''Standard for Determining Joint Employer Status''.

The enrolled joint resolution was subsequently signed by the President pro tempore (Mrs. MURRAY).

ENROLLED BILL SIGNED

At 12:57 a.m. (April 20, 2024), a message from the House of Representatives, delivered by Mr. McCumber, the Clerk of the House of Representatives, announced that the Speaker has signed the following enrolled bill:

H.R. 7888. An act to reform the Foreign Intelligence Surveillance Act of 1978.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. WARNER).

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4162. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Other Solid Waste Incinerators - Air Curtain Incinerators Title V Permitting Provisions'' (FRL No. 7547.3–01–OAR) received in the Office of the President of the Senate on April 17, 2024; to the Committee on Environment and Public Works.

EC–4163. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Iowa; State Implementation Plan and State Operating Permits Program'' (FRL No. 11722–02–R7) received in the Office of the President of the Senate on April 17, 2024; to the Committee on Environment and Public Works.

EC–4164. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Virginia; 1997 8-Hour Ozone National Ambient Air Quality Standard Second Maintenance Plan for the Fredericksburg Area'' (FRL No. 11261–02–R3) received in the Office of the President of the Senate on April 17, 2024; to the Committee on Environment and Public Works.

EC–4165. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''PFAS National Primary Drinking Water Regulation Rulemaking'' ((RIN2040–AG18) (FRL No. 8543–02–OW)) received in the Office of the President of the Senate on April 17, 2024; to the Committee on Environment and Public Works.

EC–4166. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; District of Columbia; Removal of Stage II Gasoline Vapor Recovery Program Requirements'' (FRL No. 9915–02–R3) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC–4167. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Implementation Plans for Air Quality Planning Purposes; State of Nevada; Clark County Second 10-Year Maintenance Plan for the 1997 8-Hour Ozone Standard'' (FRL No. 10549–02–R9) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC–4168. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Pennsylvania; Alleghany County Open Burning Revision and Addition of Mon Valley Air Pollution Episode Requirements'' (FRL No. 11415–02–R3) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC–4169. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Water Act Methods Update Rule for the Analysis of Effluent'' ((RIN2040–AG25) (FRL No. 9915–02–R3)) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC–4170. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions and Confidentiality Determinations for Data Elements Under the Greenhouse Gas Reporting Rule'' ((RIN2060–AU35) (FRL No. 7230–01–OAR)) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC–4171. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''New Source Performance Standards for the Synthetic Organic Chemical Manufacturing Industry and National Emission Standards for Hazardous Air Pollutants for the Synthetic Organic Chemical Manufacturing Industry and Group I and II Polymers and Resins Industry'' ((RIN2060–AV71) (FRL No. 9327–02–OAR)) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC–4172. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777a; to the Committee on Armed Services.

EC–4173. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777a; to the Committee on Armed Services.

EC–4174. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled ''Joint Safety Council Chairman's Annual Statement of Compliance and Semi-Annual Report to Congress''; to the Committee on Armed Services.

EC–4175. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals that the Department of Defense requests be enacted during the second session of the 118th Congress; to the Committee on Armed Services.

EC–4176. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals that the Department of Defense requests be enacted during the second session

of the 118th Congress; to the Committee on Armed Services.

EC–4177. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13338 with respect to Syria; to the Committee on Banking, Housing, and Urban Affairs.

EC–4178. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13894 with respect to the situation in and in relation to Syria; to the Committee on Banking, Housing, and Urban Affairs.

EC–4179. A communication from the Deputy Director of Congressional Affairs, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revision of License Requirements of Certain Cameras, Systems, or Related Components'' (RIN0694–AI45) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Banking, Housing, and Urban Affairs.

EC–4180. A communication from the Associate General Counsel for Legislation and Regulations, Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Expanding the Fair Housing Testing Pool for FHIP and FHAP Funded Entities'' (RIN2529–AB07) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Banking, Housing, and Urban Affairs.

EC–4181. A communication from the Deputy Director of Congressional Affairs, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Clarification of Controls on Radiation Hardened Integrated Circuits and expansion of License Exception GOV'' (RIN0694–AJ38) received in the Office of the President of the Senate on April 11, 2024; to the Committee on Banking, Housing, and Urban Affairs.

EC–4182. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Clarifying Amendments to the Error Correction Rule'' (RIN1904–AE87) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Energy and Natural Resources.

EC–4183. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Petroleum-Equivalent Fuel Economy Calculation'' (RIN1904–AF47) received in the Office of the President of the Senate on April 11, 2024; to the Committee on Energy and Natural Resources.

EC–4184. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program for Appliance Standards: Procedures, Interpretations, and Policies for Consideration in New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Commercial/Industrial Equipment'' (RIN1904–AF13) received in the Office of the President of the Senate on April 17, 2024; to the Committee on Energy and Natural Resources.

EC–4185. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Update of the Communications Uses Program, Cost Recovery Fee Schedules, and Section 512 of FLPMA for Rights-of-Way'' (RIN1004–AE60) received in the Office of the President of the Senate on April 17, 2024; to the Committee on Energy and Natural Resources.

EC–4186. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Waste Prevention, Production Subject to Royalties, and Resource Conservation'' (RIN1004–AE79) received in the Office of the President of the Senate on April 17, 2024; to the Committee on Energy and Natural Resources.

EC–4187. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for Residential Clothes Washers'' (RIN1904–AF58) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Energy and Natural Resources.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEE:

S. 4197. A bill to amend the FISA Amendments Act of 2008 to provide for an extension of certain authorities under title VII of the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

By Mr. SULLIVAN:

S. 4198. A bill to amend title 38, United States Code, to ensure direct access for families to national cemeteries, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. YOUNG (for himself, Mr. COONS, Mr. LANKFORD, Mr. PADILLA, Mr. CRUZ, Ms. HIRONO, Mr. TILLIS, and Mr. LUJÁN):

S. 4199. A bill to authorize additional district judges for the district courts and convert temporary judgeships; to the Committee on the Judiciary.

By Mr. LEE (for himself and Mr. MARSHALL):

S. 4200. A bill to amend title 5, United States Code, to provide for the publication, by the Office of Information and Regulatory Affairs, of information relating to rule making, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KING (for himself, Mr. RISCH, Ms. BALDWIN, Ms. COLLINS, Mrs. SHAHEEN, Mr. CRAPO, Mr. PETERS, Mr. BRAUN, Mr. MANCHIN, Mr. WICKER, Ms. SMITH, and Mr. BROWN):

S. Res. 657. A resolution celebrating the 152nd anniversary of Arbor Day; considered and agreed to.

By Mr. REED (for himself, Mr. SCOTT of South Carolina, Mr. BARRASSO, Mr. BOOZMAN, Mr. BRAUN, Mr. BUDD, Mrs. CAPITO, Mr. CASSIDY, Ms. COLLINS, Ms. CORTEZ MASTO, Mr. CRAMER, Mr. CRAPO, Mr. DAINES, Mr. DURBIN, Ms. HASSAN, Mrs. HYDE-SMITH, Mr. KING, Mr. MANCHIN, Mr. RISCH, Mr. ROMNEY, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT of Florida, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, Mr. YOUNG, Mr. PETERS, and Mr. TUBERVILLE):

S. Res. 658. A resolution designating April 2024 as ''Financial Literacy Month''; considered and agreed to.

By Mr. GRAHAM (for himself and Mr. SCOTT of South Carolina):

S. Res. 659. A resolution commending the University of South Carolina Gamecocks women's basketball team for winning the 2024 National Collegiate Athletics Association Women's Basketball National Championship; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. BUDD):

S. Res. 660. A resolution supporting the goals and ideals of National Public Safety Telecommunicators Week; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 242

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 242, a bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, or adult child, or another related individual, who has a serious health condition, and to allow employees to take, as additional leave, parental involvement and family wellness leave to participate in or attend their children's and grandchildren's educational and extracurricular activities or meet family care needs.

S. 566

At the request of Mr. LANKFORD, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 566, a bill to amend the Internal Revenue Code of 1986 to modify and extend the deduction for charitable contributions for individuals not itemizing deductions.

S. 871

At the request of Mr. LUJÁN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 871, a bill to amend section 7014 of the Elementary and Secondary Education Act of 1965 to advance toward full Federal funding for impact aid, and for other purposes.

S. 928

At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 928, a bill to require the Secretary of Veterans Affairs to prepare an annual report on suicide prevention, and for other purposes.

S. 1149

At the request of Mr. HEINRICH, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Alabama (Mrs. BRITT) were added as cosponsors of S. 1149, a bill to amend the Pittman-Robertson Wildlife Restoration Act to make supplemental

funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies, and for other purposes.

S. 1409

At the request of Mr. BLUMENTHAL, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1409, a bill to protect the safety of children on the internet.

S. 1792

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1792, a bill to amend title 38, United States Code, to modify the program of comprehensive assistance for family caregivers of veterans, and for other purposes.

S. 2626

At the request of Mr. RUBIO, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 2626, a bill to impose sanctions with respect to the Supreme Leader of Iran and the President of Iran and their respective offices for human rights abuses and support for terrorism.

S. 2767

At the request of Mr. BROWN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 2767, a bill to amend title XVI of the Social Security Act to update the resource limit for supplemental security income eligibility.

S. 3356

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3356, a bill to amend title 18, United States Code, to modify the role and duties of United States Postal Service police officers, and for other purposes.

S. 3452

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 3452, a bill to authorize the Secretary of Veterans Affairs to determine the eligibility or entitlement of a member or former member of the Armed Forces described in subsection (a) to a benefit under a law administered by the Secretary solely based on alternative sources of evidence when the military service records or medical treatment records of the member or former member are incomplete because of damage or loss of records after being in the possession of the Federal Government, and for other purposes.

S. 3775

At the request of Ms. COLLINS, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 3775, a bill to amend the Public Health Service Act to reauthorize the BOLD Infrastructure for Alzheimer's Act, and for other purposes.

S. 3982

At the request of Mr. REED, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 3982, a bill to amend the Agricultural Marketing Act of 1946 to establish the Expanding Access to Local Foods Program, and for other purposes.

S. 3998

At the request of Mr. CRUZ, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3998, a bill to provide for the permanent appointment of certain temporary district judgeships.

S. 4075

At the request of Mr. HAGERTY, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 4075, a bill to prohibit payment card networks and covered entities from requiring the use of or assigning merchant category codes that distinguish a firearms retailer from a general merchandise retailer or sporting goods retailer, and for other purposes.

S. 4123

At the request of Ms. BALDWIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 4123, a bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of personal service income earned in pass-thru entities.

S. 4163

At the request of Mr. RISCH, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 4163, a bill to require a report on the United States supply of nitrocellulose.

S. 4171

At the request of Mr. BLUMENTHAL, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 4171, a bill to amend the Natural Gas Act to protect consumers from excessive rates, and for other purposes.

S. 4185

At the request of Mr. MERKLEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 4185, a bill to authorize appropriations for climate financing, and for other purposes.

S.J. RES. 63

At the request of Mr. CASSIDY, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S.J. Res. 63, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to ''Employee or Independent Contractor Classification Under the Fair Labor Standards Act''.

S.J. RES. 65

At the request of Mr. MCCONNELL, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S.J. Res. 65, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to ''Reconsideration of the National Ambient Air Quality Standards for Particulate Matter''.

S.J. RES. 72

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S.J. Res. 72, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Securities and Exchange Commission relating to ''The Enhancement and Standardization of Climate-Related Disclosures for Investors''.

S. RES. 450

At the request of Mr. MARKEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 450, a resolution expressing the sense of the Senate that paraprofessionals and education support staff should have fair compensation, benefits, and working conditions.

S. RES. 629

At the request of Mr. DURBIN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. Res. 629, a resolution condemning the arbitrary arrest of United States citizens by the Government of the Russian Federation and calling for the immediate and unconditional release of such citizens.

S. RES. 642

At the request of Mr. KENNEDY, the name of the Senator from Alabama (Mr. TUBERVILLE) was added as a cosponsor of S. Res. 642, a resolution urging all members of the North Atlantic Treaty Organization to oppose confirmation of a new Secretary General, if the candidate was a former leader of a member country which did not spend 2 percent of gross domestic product (GDP) on defense.

S. RES. 644

At the request of Mr. MARKEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. Res. 644, a resolution expressing support for the designation of April 1, 2024, through April 30, 2024, as ''Fair Chance Jobs Month''.

S. RES. 651

At the request of Mr. SCHATZ, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 651, a resolution designating April 2024 as ''Preserving and Protecting Local News Month'' and recognizing the importance and significance of local news.

S. RES. 656

At the request of Mr. PETERS, the names of the Senator from Texas (Mr. CRUZ) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. Res. 656, a resolution supporting the goals and ideals of National Safe Digging Month.

AMENDMENT NO. 1820

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1820 proposed to H.R.

7888, a bill to reform the Foreign Intelligence Surveillance Act of 1978.

AMENDMENT NO. 1832

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1832 intended to be proposed to H.R. 7888, a bill to reform the Foreign Intelligence Surveillance Act of 1978.

SUBMIITED RESOLUTIONS

SENATE RESOLUTION 657—CELEBRATING THE 152ND ANNIVERSARY OF ARBOR DAY

Mr. KING (for himself, Mr. RISCH, Ms. BALDWIN, Ms. COLLINS, Mrs. SHAHEEN, Mr. CRAPO, Mr. PETERS, Mr. BRAUN, Mr. MANCHIN, Mr. WICKER, Ms. SMITH, and Mr. BROWN) submitted the following resolution; which was considered and agreed to:

S. RES. 657

Whereas Arbor Day was founded on April 10, 1872, to recognize the importance of planting trees;

Whereas Arbor Day is a time to recognize the importance of trees and an opportunity for communities to gather and plant for a greener future;

Whereas Arbor Day is observed in all 50 States and across the world;

Whereas participating in Arbor Day activities promotes civic participation and highlights the importance of planting and caring for trees and vegetation;

Whereas Arbor Day activities provide an opportunity to convey to future generations the value of land and stewardship;

Whereas working forests have contributed to an increase in the number of trees planted in the United States and are sustainably managed, with less than 2 percent of working forests nationally harvested each year;

Whereas a key factor in preventing forest conversion and deforestation is keeping forests productive;

Whereas working forests are a critical part of a nature-based solution to climate change, and by providing a continuous cycle of growing, harvesting, and replanting, active forest management maximizes the ability to sequester and store carbon and improves forest resilience;

Whereas private forests play an important role in conserving at-risk and declining species, and collaborative conservation efforts can benefit species while also helping to keep forests as forests;

Whereas sustainably grown wood can be used in a wide variety of resilient infrastructure and building applications—from traditional timber framing to high-tech mass timber—and as a natural, renewable, and biodegradable material, the significant use of wood building materials in buildings and bridges helps decrease global carbon emissions;

Whereas the Arbor Day Foundation and the Tree City USA program have been committed to greening cities and towns across the country since 1976, and, in that time, more than 3,600 communities have made the commitment to becoming Tree City USA communities;

Whereas Tree City USA communities are home to more than 153,000,000 individuals in the United States who are dedicated to core standards of sound urban forestry management and who dedicate resources and time to urban forestry initiatives, which helps make their communities and our country a better place to live;

Whereas National Arbor Day is observed on the last Friday of April each year; and

Whereas April 26, 2024, marks the 152nd anniversary of Arbor Day: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes April 26, 2024, as ''National Arbor Day'';

(2) celebrates the 152nd anniversary of Arbor Day;

(3) supports the goals and ideals of National Arbor Day; and

(4) encourages the people of the United States to participate in National Arbor Day activities.

SENATE RESOLUTION 658—DESIGNATING APRIL 2024 AS ''FINANCIAL LITERACY MONTH''

Mr. REED (for himself, Mr. SCOTT of South Carolina, Mr. BARRASSO, Mr. BOOZMAN, Mr. BRAUN, Mr. BUDD, Mrs. CAPITO, Mr. CASSIDY, Ms. COLLINS, Ms. CORTEZ MASTO, Mr. CRAMER, Mr. CRAPO, Mr. DAINES, Mr. DURBIN, Ms. HASSAN, Mrs. HYDE-SMITH, Mr. KING, Mr. MANCHIN, Mr. RISCH, Mr. ROMNEY, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT of Florida, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, Mr. YOUNG, Mr. PETERS, and Mr. TUBERVILLE) submitted the following resolution; which was considered and agreed to:

S. RES. 658

Whereas, according to the report entitled ''Economic Well-Being of U.S. Households in 2022'' by the Board of Governors of the Federal Reserve System, self-reported financial well-being fell sharply and was among the lowest observed since 2016;

Whereas, according to the 2021 Federal Deposit Insurance Corporation National Survey of Unbanked and Underbanked Households—

(1) approximately 4.5 percent of households, representing 5,900,000 households in the United States, are unbanked and, therefore, have limited or no access to savings, lending, and other basic financial services; and

(2) an estimated 14.1 percent of households, representing 18,700,000 households in the United States, are underbanked;

Whereas, according to a report entitled ''Financial Capability of Adults with Disabilities'' by the National Disability Institute and the Financial Industry Regulatory Authority, people with disabilities were more likely to struggle with the key components of financial capability, which are making ends meet, planning ahead, managing financial products, and financial knowledge and decisionmaking, and could benefit from targeted financial education;

Whereas, according to the statistical release of the Federal Reserve Bank of New York for the fourth quarter of 2023 entitled ''Household Debt and Credit Report''—

(1) outstanding household debt in the United States has increased by $3,350,000,000,000 since the end of 2019;

(2) outstanding student loan balances have increased steadily during the last decade to nearly $1,600,000,000,000; and

(3) delinquency rates increased for all debt types except student loans;

Whereas the 2023 Employer Survey of the Employee Benefits Research Institute reported that financial wellness benefits, including broad-based financial education, are a tool to improve worker satisfaction and productivity;

Whereas the 2024 Survey of the States conducted biennially by the Council for Economic Education showed that, compared to the 2022 Survey of the States, 12 more States have passed legislation requiring students to take a financial education course, resulting in 10,000,000 more students gaining access to financial education before graduating from high school;

Whereas, in 2024, research by Tyton Partners, in conjunction with Next Gen Personal Finance, found a lifetime benefit of approximately $100,000 for students who completed personal finance education in high school;

Whereas expanding access to the safe, mainstream financial system will provide individuals with less expensive and more secure options for managing finances and building wealth;

Whereas quality personal financial education is essential to ensure that individuals are prepared—

(1) to make sound money management decisions about credit, debt, insurance, financial transactions, and planning for the future; and

(2) to become responsible workers, heads of household, investors, entrepreneurs, business leaders, and citizens;

Whereas financial education in schools in the United States is critical to a long-term financial inclusion strategy to reach students who are not able to get sufficient personal finance guidance at home;

Whereas increased financial literacy—

(1) empowers individuals to make wise financial decisions; and

(2) reduces the confusion caused by an increasingly complex economy;

Whereas a greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth; and

Whereas, in 2003, Congress—

(1) determined that coordinating Federal financial literacy efforts and formulating a national strategy is important; and

(2) in light of that determination, passed the Financial Literacy and Education Improvement Act (20 U.S.C. 9701 et seq.), establishing the Financial Literacy and Education Commission: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2024 as ''Financial Literacy Month'' to raise public awareness about—

(A) the importance of personal financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe Financial Literacy Month with appropriate programs and activities.

SENATE RESOLUTION 659—COMMENDING THE UNIVERSITY OF SOUTH CAROLINA GAMECOCKS WOMEN'S BASKETBALL TEAM FOR WINNING THE 2024 NATIONAL COLLEGIATE ATHLETICS ASSOCIATION WOMEN'S BASKETBALL NATIONAL CHAMPIONSHIP

Mr. GRAHAM (for himself and Mr. SCOTT of South Carolina) submitted the following resolution; which was considered and agreed to:

S. RES. 659

Whereas, on Sunday, April 7, 2024, the University of South Carolina women's basketball team (referred to in this preamble as the ''Gamecocks'') won the National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') 2024 Women's Basketball National Championship (referred to in

this preamble as the ''championship game'') by defeating the University of Iowa by a score of 87 to 75 in Cleveland, Ohio;

Whereas the Gamecocks led at halftime, 49–46, and never relinquished that lead for the remainder of the game;

Whereas the victory by the Gamecocks in the championship game—

(1) made the Gamecocks 1 of 10 NCAA women's basketball teams to complete an undefeated season;

(2) marked the second time in 3 years that the Gamecocks won the National Championship; and

(3) earned the highest television ratings for a National Championship Game in the history of college women's basketball and the highest of any college basketball game, men's or women's, for the 2023–2024 season;

Whereas the head coach of the Gamecocks, Dawn Staley, was named the 2024 Werner Ladder Naismith Coach of the Year;

Whereas the Gamecocks displayed outstanding dedication, teamwork, and sportsmanship throughout the 2023–2024 collegiate women's basketball season in achieving the highest honor in women's college basketball and earning a record of 38 wins and 0 losses; and

Whereas the Gamecocks have brought pride and honor to the State of South Carolina: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of South Carolina Gamecocks for winning the 2024 National Collegiate Athletic Association Women's Basketball National Championship;

(2) recognizes the on-court and off-court achievements of the players, coaches, and staff of the University of South Carolina's women's basketball team; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the President of the University of South Carolina, Michael D. Amiridis;

(B) the Head Coach of the University of South Carolina women's basketball team, Dawn Staley; and

(C) the Athletics Director of the University of South Carolina, Ray Tanner.

SENATE RESOLUTION 660—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

Ms. KLOBUCHAR (for herself and Mr. BUDD) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 660

Whereas public safety telecommunications professionals play a critical role in emergency response;

Whereas the work that public safety telecommunications professionals perform goes far beyond simply relaying information between the public and first responders;

Whereas, when responding to reports of missing, abducted, and sexually exploited children, the information obtained and actions taken by public safety telecommunications professionals form the foundation for an effective response;

Whereas, when a hostage taker or suicidal individual calls 911, the first contact that individual has is with a public safety telecommunications professional, whose negotiation skills can prevent the situation from worsening;

Whereas, during crises, public safety telecommunications professionals, while collecting vital information to provide situational awareness for responding officers—

(1) coach callers through first aid techniques; and

(2) give advice to those callers to prevent further harm;

Whereas the work done by individuals who serve as public safety telecommunications professionals has an extreme emotional and physical toll on those individuals, which is compounded by long hours and the around-the-clock nature of the job;

Whereas public safety telecommunications professionals should be recognized by all levels of government for the lifesaving and protective nature of their work;

Whereas major emergencies and natural disasters highlight the dedication of public safety telecommunications professionals and their important work in protecting the public and police, fire, and emergency medical officials; and

Whereas public safety telecommunications professionals are often called as witnesses to provide important testimony in criminal trials: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the week of April 14 through 20, 2024, as ''National Public Safety Telecommunicators Week'';

(2) supports the goals and ideals of National Public Safety Telecommunicators Week;

(3) honors and recognizes the important and lifesaving contributions of public safety telecommunications professionals in the United States; and

(4) encourages the people of the United States to remember the value of the work performed by public safety telecommunications professionals.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1837. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table.

SA 1838. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1839. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1840. Mr. LEE (for himself and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra.

SA 1841. Mr. DURBIN (for himself, Mr. CRAMER, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra.

TEXT OF AMENDMENTS

SA 1837. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

Beginning on page 87, strike line 14 and all that follows through page 90, line 4.

SA 1838. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON WARRANTLESS ACCESS TO THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.

(a) DEFINITION.—Section 702(f) is amended in paragraph (5), as so redesignated by section 2(a)(2) of this Act—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

''(B) The term 'covered query' means a query conducted—

''(i) using a term associated with a United States person; or

''(ii) for the purpose of finding the information of a United States person.''.

(b) PROHIBITION.—Section 702(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(f)) is amended—

(1) by redesignating paragraph (5), as redesignated by section 2(a)(1) of this Act, as paragraph (8);

(2) in paragraph (1)(A) by inserting ''and the limitations and requirements in paragraph (5)'' after ''Constitution of the United States''; and

(3) by inserting after paragraph (4), as added by section 16(a)(1) of this Act, the following:

''(5) PROHIBITION ON WARRANTLESS ACCESS TO THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no officer or employee of the United States may access communications content, or information the compelled disclosure of which would require a probable cause warrant if sought for law enforcement purposes inside the United States, acquired under subsection (a) and returned in response to a covered query.

''(B) EXCEPTIONS FOR CONCURRENT AUTHORIZATION, CONSENT, EMERGENCY SITUATIONS, AND CERTAIN DEFENSIVE CYBERSECURITY QUERIES.—Subparagraph (A) shall not apply if—

''(i) the person to whom the query relates is the subject of an order or emergency authorization authorizing electronic surveillance, a physical search, or an acquisition under this section or section 105, section 304, section 703, or section 704 of this Act or a warrant issued pursuant to the Federal Rules of Criminal Procedure by a court of competent jurisdiction;

''(ii)(I) the officer or employee accessing the communications content or information has a reasonable belief that—

''(aa) an emergency exists involving an imminent threat of death or serious bodily harm; and

''(bb) in order to prevent or mitigate the threat described in subitem (AA), the communications content or information must be accessed before authorization described in clause (i) can, with due diligence, be obtained; and

''(II) not later than 14 days after the communications content or information is accessed, a description of the circumstances justifying the accessing of the query results is provided to the Foreign Intelligence Surveillance Court, the congressional intelligence committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate;

''(iii) such person or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent for the access on a case-by-case basis; or

''(iv)(I) the communications content or information is accessed and used for the sole purpose of identifying targeted recipients of malicious software and preventing or mitigating harm from such malicious software;

''(II) other than malicious software and cybersecurity threat signatures, no communications content or other information are accessed or reviewed; and

''(III) the accessing of query results is reported to the Foreign Intelligence Surveillance Court.

''(C) MATTERS RELATING TO EMERGENCY QUERIES.—

''(i) TREATMENT OF DENIALS.—In the event that communications content or information returned in response to a covered query are accessed pursuant to an emergency authorization described in subparagraph (B)(i) and the subsequent application to authorize electronic surveillance, a physical search, or an acquisition pursuant to section 105(e), section 304(e), section 703(d), or section 704(d) of this Act is denied, or in any other case in which communications content or information returned in response to a covered query are accessed in violation of this paragraph—

''(I) no communications content or information acquired or evidence derived from such access may be used, received in evidence, or otherwise disseminated in any investigation by or in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof; and

''(II) no communications content or information acquired or derived from such access may subsequently be used or disclosed in any other manner without the consent of the person to whom the covered query relates, except in the case that the Attorney General approves the use or disclosure of such information in order to prevent the death of or serious bodily harm to any person.

''(ii) ASSESSMENT OF COMPLIANCE.—Not less frequently than annually, the Attorney General shall assess compliance with the requirements under clause (i).

''(D) FOREIGN INTELLIGENCE PURPOSE.—

''(i) IN GENERAL.—Except as provided in clause (ii) of this subparagraph, no officer or employee of the United States may conduct a covered query of information acquired under subsection (a) unless the query is reasonably likely to retrieve foreign intelligence information.

''(ii) EXCEPTIONS.—An officer or employee of the United States may conduct a covered query of information acquired under this section if—

''(I)(aa) the officer or employee conducting the query has a reasonable belief that an emergency exists involving an imminent threat of death or serious bodily harm; and

''(bb) not later than 14 days after the query is conducted, a description of the query is provided to the Foreign Intelligence Surveillance Court, the congressional intelligence committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate;

''(II) the person to whom the query relates or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent for the query on a case-by-case basis;

''(III)(aa) the query is conducted, and the results of the query are used, for the sole purpose of identifying targeted recipients of malicious software and preventing or mitigating harm from such malicious software;

''(bb) other than malicious software and cybersecurity threat signatures, no additional contents of communications acquired as a result of the query are accessed or reviewed; and

''(cc) the query is reported to the Foreign Intelligence Surveillance Court; or

''(IV) the query is necessary to identify information that must be produced or preserved in connection with a litigation matter or to fulfill discovery obligations in a criminal matter under the laws of the United States or any State thereof.

''(6) DOCUMENTATION.—No officer or employee of the United States may access communications content, or information the compelled disclosure of which would require a probable cause warrant if sought for law enforcement purposes inside the United States, returned in response to a covered query unless an electronic record is created that includes a statement of facts showing that the access is authorized pursuant to an exception specified in paragraph (5)(B).

''(7) QUERY RECORD SYSTEM.—The head of each agency that conducts queries shall ensure that a system, mechanism, or business practice is in place to maintain the records described in paragraph (6). Not later than 90 days after the date of enactment of the Reforming Intelligence and Securing America Act, the head of each agency that conducts queries shall report to Congress on its compliance with this procedure.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 603(b)(2) is amended, in the matter preceding subparagraph (A), by striking '', including pursuant to subsection (f)(2) of such section,''.

(2) Section 706(a)(2)(A)(i) is amended by striking ''obtained an order of the Foreign Intelligence Surveillance Court to access such information pursuant to section 702(f)(2)'' and inserting ''accessed such information in accordance with section 702(f)(5)''.

SA 1839. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON WARRANTLESS ACCESS TO THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.

(a) DEFINITION.—Section 702(f) is amended in paragraph (5), as so redesignated by section 2(a)(2) of this Act—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

''(B) The term 'covered query' means a query conducted—

''(i) using a term associated with a United States person; or

''(ii) for the purpose of finding the information of a United States person.''.

(b) PROHIBITION.—Section 702(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(f)) is amended—

(1) by redesignating paragraph (5), as redesignated by section 2(a)(1) of this Act, as paragraph (8);

(2) in paragraph (1)(A) by inserting ''and the limitations and requirements in paragraph (5)'' after ''Constitution of the United States''; and

(3) by inserting after paragraph (4), as added by section 16(a)(1) of this Act, the following:

''(5) PROHIBITION ON WARRANTLESS ACCESS TO THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no officer or employee of any agency that receives any information obtained through an acquisition under this section may access communications content, or information the compelled disclosure of which would require a probable cause warrant if sought for law enforcement purposes inside the United States, acquired under subsection (a) and returned in response to a covered query.

''(B) EXCEPTIONS FOR CONCURRENT AUTHORIZATION, CONSENT, EMERGENCY SITUATIONS, AND CERTAIN DEFENSIVE CYBERSECURITY QUERIES.—Subparagraph (A) shall not apply if—

''(i) the person to whom the query relates is the subject of an order or emergency authorization authorizing electronic surveillance, a physical search, or an acquisition under this section or section 105, section 304, section 703, or section 704 of this Act or a warrant issued pursuant to the Federal Rules of Criminal Procedure by a court of competent jurisdiction;

''(ii)(I) the officer or employee accessing the communications content or information has a reasonable belief that—

''(aa) an emergency exists involving an imminent threat of death or serious bodily harm; and

''(bb) in order to prevent or mitigate the threat described in subitem (AA), the communications content or information must be accessed before authorization described in clause (i) can, with due diligence, be obtained; and

''(II) not later than 14 days after the communications content or information is accessed, a description of the circumstances justifying the accessing of the query results is provided to the Foreign Intelligence Surveillance Court, the congressional intelligence committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate;

''(iii) such person or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent for the access on a case-by-case basis; or

''(iv)(I) the communications content or information is accessed and used for the sole purpose of identifying targeted recipients of malicious software and preventing or mitigating harm from such malicious software;

''(II) other than malicious software and cybersecurity threat signatures, no communications content or other information are accessed or reviewed; and

''(III) the accessing of query results is reported to the Foreign Intelligence Surveillance Court.

''(C) MATTERS RELATING TO EMERGENCY QUERIES.—

''(i) TREATMENT OF DENIALS.—In the event that communications content or information returned in response to a covered query are accessed pursuant to an emergency authorization described in subparagraph (B)(i) and the subsequent application to authorize electronic surveillance, a physical search, or an acquisition pursuant to section 105(e), section 304(e), section 703(d), or section 704(d) of this Act is denied, or in any other case in which communications content or information returned in response to a covered query are accessed in violation of this paragraph—

''(I) no communications content or information acquired or evidence derived from such access may be used, received in evidence, or otherwise disseminated in any investigation by or in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof; and

''(II) no communications content or information acquired or derived from such access may subsequently be used or disclosed in any other manner without the consent of the person to whom the covered query relates, except in the case that the Attorney General approves the use or disclosure of such information in order to prevent the death of or serious bodily harm to any person.

''(ii) ASSESSMENT OF COMPLIANCE.—Not less frequently than annually, the Attorney General shall assess compliance with the requirements under clause (i).

''(D) FOREIGN INTELLIGENCE PURPOSE.—

''(i) IN GENERAL.—Except as provided in clause (ii) of this subparagraph, no officer or employee of any agency that receives any information obtained through an acquisition under this section may conduct a covered query of information acquired under subsection (a) unless the query is reasonably likely to retrieve foreign intelligence information.

''(ii) EXCEPTIONS.—An officer or employee of any agency that receives any information obtained through an acquisition under this section may conduct a covered query of information acquired under this section if—

''(I)(aa) the officer or employee conducting the query has a reasonable belief that an emergency exists involving an imminent threat of death or serious bodily harm; and

''(bb) not later than 14 days after the query is conducted, a description of the query is provided to the Foreign Intelligence Surveillance Court, the congressional intelligence committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate;

''(II) the person to whom the query relates or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent for the query on a case-by-case basis;

''(III)(aa) the query is conducted, and the results of the query are used, for the sole purpose of identifying targeted recipients of malicious software and preventing or mitigating harm from such malicious software;

''(bb) other than malicious software and cybersecurity threat signatures, no additional contents of communications acquired as a result of the query are accessed or reviewed; and

''(cc) the query is reported to the Foreign Intelligence Surveillance Court; or

''(IV) the query is necessary to identify information that must be produced or preserved in connection with a litigation matter or to fulfill discovery obligations in a criminal matter under the laws of the United States or any State thereof.

''(6) DOCUMENTATION.—No officer or employee of any agency that receives any information obtained through an acquisition under this section may access communications content, or information the compelled disclosure of which would require a probable cause warrant if sought for law enforcement purposes inside the United States, returned in response to a covered query unless an electronic record is created that includes a statement of facts showing that the access is authorized pursuant to an exception specified in paragraph (5)(B).

''(7) QUERY RECORD SYSTEM.—The head of each agency that conducts queries shall ensure that a system, mechanism, or business practice is in place to maintain the records described in paragraph (6). Not later than 90 days after the date of enactment of the Reforming Intelligence and Securing America Act, the head of each agency that conducts queries shall report to Congress on its compliance with this procedure.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 603(b)(2) is amended, in the matter preceding subparagraph (A), by striking '', including pursuant to subsection (f)(2) of such section,''.

(2) Section 706(a)(2)(A)(i) is amended by striking ''obtained an order of the Foreign Intelligence Surveillance Court to access such information pursuant to section 702(f)(2)'' and inserting ''accessed such information in accordance with section 702(f)(5)''.

SA 1840. Mr. LEE (for himself and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; as follows:

On page 19, strike line 22 and all that follows through page 24, line 10, and insert the following:

(b) USE OF AMICI CURIAE IN FOREIGN INTELLIGENCE SURVEILLANCE COURT PROCEEDINGS.—

(1) EXPANSION OF APPOINTMENT AUTHORITY.—

(A) IN GENERAL.—Section 103(i)(2) is amended—

(i) by striking subparagraph (A) and inserting the following:

''(A) shall, unless the court issues a finding that appointment is not appropriate, appoint 1 or more individuals who have been designated under paragraph (1), not fewer than 1 of whom possesses privacy and civil liberties expertise, unless the court finds that such a qualification is inappropriate, to serve as amicus curiae to assist the court in the consideration of any application or motion for an order or review that, in the opinion of the court—

''(i) presents a novel or significant interpretation of the law;

''(ii) presents significant concerns with respect to the activities of a United States person that are protected by the first amendment to the Constitution of the United States;

''(iii) presents or involves a sensitive investigative matter;

''(iv) presents a request for approval of a new program, a new technology, or a new use of existing technology;

''(v) presents a request for reauthorization of programmatic surveillance; or

''(vi) otherwise presents novel or significant civil liberties issues; and''; and

(ii) in subparagraph (B), by striking ''an individual or organization'' each place the term appears and inserting ''1 or more individuals or organizations''.

(B) DEFINITION OF SENSITIVE INVESTIGATIVE MATTER.—Section 103(i) is amended by adding at the end the following:

''(12) DEFINITION.—In this subsection, the term 'sensitive investigative matter' means—

''(A) an investigative matter involving the activities of—

''(i) a domestic public official or political candidate, or an individual serving on the staff of such an official or candidate;

''(ii) a domestic religious or political organization, or a known or suspected United States person prominent in such an organization; or

''(iii) the domestic news media; or

''(B) any other investigative matter involving a domestic entity or a known or suspected United States person that, in the judgment of the applicable court established under subsection (a) or (b), is as sensitive as an investigative matter described in subparagraph (A).''.

(2) AUTHORITY TO SEEK REVIEW.—Section 103(i), as amended by paragraph (1) of this subsection, is amended—

(A) in paragraph (4)—

(i) in the paragraph heading, by inserting ''; AUTHORITY'' after ''DUTIES'';

(ii) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and adjusting the margins accordingly;

(iii) in the matter preceding clause (i), as so redesignated, by striking ''the amicus curiae shall'' and inserting the following: ''the amicus curiae—

''(A) shall'';

(iv) in subparagraph (A)(i), as so redesignated, by inserting before the semicolon at the end the following: '', including legal arguments regarding any privacy or civil liberties interest of any United States person that would be significantly impacted by the application or motion''; and

(v) by striking the period at the end and inserting the following: ''; and

''(B) may seek leave to raise any novel or significant privacy or civil liberties issue relevant to the application or motion or other issue directly impacting the legality of the proposed electronic surveillance with the court, regardless of whether the court has requested assistance on that issue.'';

(B) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(C) by inserting after paragraph (6) the following:

''(7) AUTHORITY TO SEEK REVIEW OF DECISIONS.—

''(A) FISA COURT DECISIONS.—

''(i) PETITION.—Following issuance of an order under this Act by the Foreign Intelligence Surveillance Court, an amicus curiae appointed under paragraph (2) may petition the Foreign Intelligence Surveillance Court to certify for review to the Foreign Intelligence Surveillance Court of Review a question of law pursuant to subsection (j).

''(ii) WRITTEN STATEMENT OF REASONS.—If the Foreign Intelligence Surveillance Court denies a petition under this subparagraph, the Foreign Intelligence Surveillance Court shall provide for the record a written statement of the reasons for the denial.

''(iii) APPOINTMENT.—Upon certification of any question of law pursuant to this subparagraph, the Court of Review shall appoint the amicus curiae to assist the Court of Review in its consideration of the certified question, unless the Court of Review issues a finding that such appointment is not appropriate.

''(B) DECLASSIFICATION OF REFERRALS.—For purposes of section 602, a petition filed under subparagraph (A) of this paragraph and all of its content shall be considered a decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review described in paragraph (2) of section 602(a).''.

(3) ACCESS TO INFORMATION.—

(A) APPLICATION AND MATERIALS.—Section 103(i)(6) is amended by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—

''(i) RIGHT OF AMICUS.—If a court established under subsection (a) or (b) appoints an amicus curiae under paragraph (2), the amicus curiae—

''(I) shall have access, to the extent such information is available to the Government, to—

''(aa) the application, certification, petition, motion, and other information and supporting materials, including any information described in section 901, submitted to the Foreign Intelligence Surveillance Court in connection with the matter in which the amicus curiae has been appointed, including access to any relevant legal precedent (including any such precedent that is cited by the Government, including in such an application);

''(bb) an unredacted copy of each relevant decision made by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review in which the court decides a question of law, without regard to whether the decision is classified; and

''(cc) any other information or materials that the court determines are relevant to the duties of the amicus curiae; and

''(II) may make a submission to the court requesting access to any other particular materials or information (or category of materials or information) that the amicus curiae believes to be relevant to the duties of the amicus curiae.

''(ii) SUPPORTING DOCUMENTATION REGARDING ACCURACY.—The Foreign Intelligence Surveillance Court, upon the motion of an amicus curiae appointed under paragraph (2) or upon its own motion, may require the Government to make available the supporting documentation described in section 902.''.

(B) CLARIFICATION OF ACCESS TO CERTAIN INFORMATION.—Section 103(i)(6) is amended—

(i) in subparagraph (B), by striking ''may'' and inserting ''shall''; and

(ii) by striking subparagraph (C) and inserting the following:

''(C) CLASSIFIED INFORMATION.—An amicus curiae designated or appointed by the court shall have access, to the extent such information is available to the Government, to unredacted copies of each opinion, order, transcript, pleading, or other document of the Foreign Intelligence Surveillance Court and the Foreign Intelligence Surveillance Court of Review, including, if the individual is eligible for access to classified information, any classified documents, information, and other materials or proceedings.''.

(4) DEFINITIONS.—Section 101 is amended by adding at the end the following:

''(q) The term 'Foreign Intelligence Surveillance Court' means the court established under section 103(a).

''(r) The term 'Foreign Intelligence Surveillance Court of Review' means the court established under section 103(b).''.

(5) TECHNICAL AMENDMENTS RELATING TO STRIKING SECTION 5(C) OF THE BILL.—

(A) Subsection (e) of section 603, as added by section 12(a) of this Act, is amended by striking ''section 103(m)'' and inserting ''section 103(l)''.

(B) Section 110(a), as added by section 15(b) of this Act, is amended by striking ''section 103(m)'' and inserting ''section 103(l)''.

(C) Section 103 is amended by redesignating subsection (m), as added by section 17 of this Act, as subsection (l).

(6) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of enactment of this Act and shall apply with respect to proceedings under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) that take place on or after, or are pending on, that date.

(c) REQUIRED DISCLOSURE OF RELEVANT INFORMATION IN FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 APPLICATIONS.—

(1) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

''TITLE IX—REQUIRED DISCLOSURE OF RELEVANT INFORMATION

''SEC. 901. DISCLOSURE OF RELEVANT INFORMATION.

''The Attorney General or any other Federal officer or employee making an application for a court order under this Act shall provide the court with—

''(1) all information in the possession of the applicant or agency by which the applicant is employed that is material to determining whether the application satisfies the applicable requirements under this Act, including any exculpatory information; and

''(2) all information in the possession of the applicant or agency by which the applicant is employed that might reasonably—

''(A) call into question the accuracy of the application or the reasonableness of any assessment in the application conducted by the department or agency on whose behalf the application is made; or

''(B) otherwise raise doubts with respect to the findings that are required to be made under the applicable provision of this Act in order for the court order to be issued.

''SEC. 902. CERTIFICATION REGARDING ACCURACY PROCEDURES.

''(a) DEFINITION OF ACCURACY PROCEDURES.—In this section, the term 'accuracy procedures' means specific procedures, adopted by the Attorney General, to ensure that an application for a court order under this Act, including any application for renewal of an existing order, is accurate and complete, including procedures that ensure, at a minimum, that—

''(1) the application reflects all information that might reasonably call into question the accuracy of the information or the reasonableness of any assessment in the application, or otherwise raises doubts about the requested findings;

''(2) the application reflects all material information that might reasonably call into question the reliability and reporting of any information from a confidential human source that is used in the application;

''(3) a complete file documenting each factual assertion in an application is maintained;

''(4) the applicant coordinates with the appropriate elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), concerning any prior or existing relationship with the target of any surveillance, search, or other means of investigation, and discloses any such relationship in the application;

''(5) before any application targeting a United States person (as defined in section 101) is made, the applicant Federal officer shall document that the officer has collected and reviewed for accuracy and completeness supporting documentation for each factual assertion in the application; and

''(6) the applicant Federal agency establish compliance and auditing mechanisms on an annual basis to assess the efficacy of the accuracy procedures that have been adopted and report such findings to the Attorney General.

''(b) STATEMENT AND CERTIFICATION OF ACCURACY PROCEDURES.—Any Federal officer making an application for a court order under this Act shall include with the application—

''(1) a description of the accuracy procedures employed by the officer or the officer's designee; and

''(2) a certification that the officer or the officer's designee has collected and reviewed for accuracy and completeness—

''(A) supporting documentation for each factual assertion contained in the application;

''(B) all information that might reasonably call into question the accuracy of the information or the reasonableness of any assessment in the application, or otherwise raises doubts about the requested findings; and

''(C) all material information that might reasonably call into question the reliability and reporting of any information from any confidential human source that is used in the application.

''(c) NECESSARY FINDING FOR COURT ORDERS.—A judge may not enter an order under this Act unless the judge finds, in addition to any other findings required under this Act, that the accuracy procedures described in the application for the order, as required under subsection (b)(1), are actually accuracy procedures as defined in this section.''.

(2) TECHNICAL AMENDMENTS TO ELIMINATE AMENDMENTS MADE BY SECTION 10 OF THE BILL.—

(A) Subsection (a) of section 104 is amended—

(i) in paragraph (9), as amended by section 6(d)(1)(B) of this Act, by striking ''and'' at the end;

(ii) in paragraph (10), as added by section 6(d)(1)(C) of this Act, by adding ''and'' at the end;

(iii) in paragraph (11), as added by section 6(e)(1) of this Act, by striking ''; and'' and inserting a period;

(iv) by striking paragraph (12), as added by section 10(a)(1) of this Act; and

(v) by striking paragraph (13), as added by section 10(b)(1) of this Act.

(B) Subsection (a) of section 303 is amended—

(i) in paragraph (8), as amended by section 6(e)(2)(B) of this Act, by adding ''and'' at the end;

(ii) in paragraph (9), as added by section 6(e)(2)(C) of this Act, by striking ''; and'' and inserting a period;

(iii) by striking paragraph (10), as added by section 10(a)(2) of this Act; and

(iv) by striking paragraph (11), as added by section 10(b)(2) of this Act.

(C) Subsection (c) of section 402, as amended by subsections (a)(3) and (b)(3) of section 10 of this Act, is amended—

(i) in paragraph (2), by adding ''and'' at the end;

(ii) in paragraph (3), by striking the semicolon and inserting a period;

(iii) by striking paragraph (4), as added by section 10(a)(3)(C) of this Act; and

(iv) by striking paragraph (5), as added by section 10(b)(3)(C) of this Act.

(D) Subsection (b)(2) of section 502, as amended by subsections (a)(4) and (b)(4) of section 10 of this Act, is amended—

(i) in subparagraph (A), by adding ''and'' at the end;

(ii) in subparagraph (B), by striking the semicolon and inserting a period;

(iii) by striking subparagraph (E), as added by section 10(a)(4)(C) of this Act; and

(iv) by striking subparagraph (F), as added by section 10(b)(4)(C) of this Act.

(E) Subsection (b)(1) of section 703, as amended by subsections (a)(5)(A) and (b)(5)(A) of section 10 of this Act, is amended—

(i) in subparagraph (I), by adding ''and'' at the end;

(ii) in subparagraph (J), by striking the semicolon and inserting a period;

(iii) by striking subparagraph (K), as added by section 10(a)(5)(A)(iii) of this Act; and

(iv) by striking subparagraph (L), as added by section 10(b)(5)(A)(iii) of this Act.

(F) Subsection (b) of section 704, as amended by subsections (a)(5)(B) and (b)(5)(B) of section 10 of this Act, is amended—

(i) in paragraph (6), by adding ''and'' at the end;

(ii) in paragraph (7), by striking the semicolon and inserting a period;

(iii) by striking paragraph (8), as added by section 10(a)(5)(B)(iii) of this Act; and

(iv) by striking paragraph (9), as added by section 10(b)(5)(B)(iii) of this Act.

(G)(i) The Attorney General shall not be required to issue procedures under paragraph (7) of section 10(a) of this Act.

(ii) Nothing in clause (i) shall be construed to modify the requirement for the Attorney General to issue accuracy procedures under section 902(a) of the Foreign Intelligence Surveillance Act of 1978, as added by paragraph (2) of this subsection.

SA 1841. Mr. DURBIN (for himself, Mr. CRAMER, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON WARRANTLESS ACCESS TO THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.

(a) DEFINITION.—Section 702(f) is amended in paragraph (5), as so redesignated by section 2(a)(2) of this Act—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

''(B) The term 'covered query' means a query conducted—

''(i) using a term associated with a United States person; or

''(ii) for the purpose of finding the information of a United States person.''.

(b) PROHIBITION.—Section 702(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(f)) is amended—

(1) by redesignating paragraph (5), as redesignated by section 2(a)(1) of this Act, as paragraph (8);

(2) in paragraph (1)(A) by inserting ''and the limitations and requirements in paragraph (5)'' after ''Constitution of the United States''; and

(3) by inserting after paragraph (4), as added by section 16(a)(1) of this Act, the following:

''(5) PROHIBITION ON WARRANTLESS ACCESS TO THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no officer or employee of the Federal Bureau of Investigation may access communications content, or information the compelled disclosure of which would require a probable cause warrant if sought for law enforcement purposes inside the United States, acquired under subsection (a) and returned in response to a covered query.

''(B) EXCEPTIONS FOR CONCURRENT AUTHORIZATION, CONSENT, EMERGENCY SITUATIONS, AND CERTAIN DEFENSIVE CYBERSECURITY QUERIES.—Subparagraph (A) shall not apply if—

''(i) the person to whom the query relates is the subject of an order or emergency authorization authorizing electronic surveillance, a physical search, or an acquisition under this section or section 105, section 304, section 703, or section 704 of this Act or a warrant issued pursuant to the Federal Rules of Criminal Procedure by a court of competent jurisdiction;

''(ii)(I) the officer or employee accessing the communications content or information has a reasonable belief that—

''(aa) an emergency exists involving an imminent threat of death or serious bodily harm; and

''(bb) in order to prevent or mitigate the threat described in item (aa), the communications content or information must be accessed before authorization described in clause (i) can, with due diligence, be obtained; and

''(II) not later than 14 days after the communications content or information is accessed, a description of the circumstances justifying the accessing of the query results is provided to the Foreign Intelligence Surveillance Court, the congressional intelligence committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate;

''(iii) such person or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent for the access on a case-by-case basis; or

''(iv)(I) the communications content or information is accessed and used for defensive cybersecurity purposes, including the protection of a United States person from cyber-related harms;

''(II) other than for such defensive cybersecurity purposes, no communications content or other information described in subparagraph (A) are accessed or reviewed; and

''(III) the accessing of query results is reported to the Foreign Intelligence Surveillance Court.

''(C) MATTERS RELATING TO EMERGENCY QUERIES.—

''(i) TREATMENT OF DENIALS.—In the event that communications content or information returned in response to a covered query are accessed pursuant to an emergency authorization described in subparagraph (B)(i) and the subsequent application to authorize electronic surveillance, a physical search, or an acquisition pursuant to section 105(e), section 304(e), section 703(d), or section 704(d) of this Act is denied, or in any other case in which communications content or information returned in response to a covered query are accessed in violation of this paragraph—

''(I) no communications content or information acquired or evidence derived from such access may be used, received in evidence, or otherwise disseminated in any investigation by or in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof; and

''(II) no communications content or information acquired or derived from such access may subsequently be used or disclosed in any other manner without the consent of the person to whom the covered query relates, except in the case that the Attorney General approves the use or disclosure of such information in order to prevent the death of or serious bodily harm to any person.

''(ii) ASSESSMENT OF COMPLIANCE.—Not less frequently than annually, the Attorney General shall assess compliance with the requirements under clause (i).

''(D) FOREIGN INTELLIGENCE PURPOSE.—

''(i) IN GENERAL.—Except as provided in clause (ii) of this subparagraph, no officer or employee of the Federal Bureau of Investigation may conduct a covered query of information acquired under subsection (a) unless the query is reasonably likely to retrieve foreign intelligence information.

''(ii) EXCEPTIONS.—An officer or employee of the Federal Bureau of Investigation may conduct a covered query of information acquired under this section if—

''(I)(aa) the officer or employee conducting the query has a reasonable belief that an emergency exists involving an imminent threat of death or serious bodily harm; and

''(bb) not later than 14 days after the query is conducted, a description of the query is provided to the Foreign Intelligence Surveillance Court, the congressional intelligence committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate;

''(II) the person to whom the query relates or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent for the query on a case-by-case basis;

''(III)(aa) the query is conducted, and the results of the query are used, for defensive cybersecurity purposes, including the protection of a United States person from cyber-related harms;

''(bb) other than for such defensive cybersecurity purposes, no communications content or other information described in subparagraph (A) are accessed or reviewed; and

''(cc) the query is reported to the Foreign Intelligence Surveillance Court; or

''(IV) the query is necessary to identify information that must be produced or preserved in connection with a litigation matter or to fulfill discovery obligations in a criminal matter under the laws of the United States or any State thereof.

''(6) DOCUMENTATION.—No officer or employee of the Federal Bureau of Investigation may access communications content, or information the compelled disclosure of which would require a probable cause warrant if sought for law enforcement purposes inside the United States, returned in response to a covered query unless an electronic record is created that includes a statement of facts showing that the access is authorized pursuant to an exception specified in paragraph (5)(B).

''(7) QUERY RECORD SYSTEM.—The Director of the Federal Bureau of Investigation shall ensure that a system, mechanism, or business practice is in place to maintain the records described in paragraph (6). Not later than 90 days after the date of enactment of the Reforming Intelligence and Securing America Act, the Director of the Federal Bureau of Investigation shall report to Congress on its compliance with this procedure.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 603(b)(2) is amended, in the matter preceding subparagraph (A), by striking '', including pursuant to subsection (f)(2) of such section,''.

(2) Section 706(a)(2)(A)(i) is amended by striking ''obtained an order of the Foreign Intelligence Surveillance Court to access such information pursuant to section 702(f)(2)'' and inserting ''accessed such information in accordance with section 702(f)(5)''.

ORDERS FOR SATURDAY, APRIL 20, 2024

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9 a.m. on Saturday, April 20; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; and that upon the conclusion of morning business, the Senate resume consideration of the motion to proceed to Calendar No. 211, H.R. 3935.

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

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 1:29 a.m., adjourned until Saturday, April 20, 2024, at 9 a.m.

EXTENSIONS OF REMARKS

HONORING CHIEF PHIL COLLUM

HON. JUAN VARGAS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. VARGAS. Mr. Speaker, I rise today to honor Chula Vista Assistant Police Chief Phil Collum, a 29-year veteran of the department who we sadly lost to cancer. His service and his legacy will always be remembered.

Those who knew Assistant Police Chief Collum best emphasize his empathy, his compassion, his reputation for being fair, his work ethic, and more than anything, his dedication to his community.

Community was at the heart of everything Assistant Police Chief Collum did. He gave the directive in 2022 to create the Community Engagement Division to help foster community relationships—and he personally led this division.

He was committed to building bridges between officers and the community they serve. Through the Community Engagement Division, he worked to make sure that the Chula Vista Police Department was actively connecting with community members including residents, students, and business owners.

Assistant Police Chief Collum was also deeply involved in charity work. He volunteered at his church. He went to Tijuana every month to support orphanages and help children in need as part of the Corazón de Vida Foundation—his empathy and compassion for others on full display.

And, Assistant Police Chief Collum was a true trailblazer. He was the Chula Vista Police Department's first Black lieutenant, first Black captain, and first Black assistant chief.

He was also the first openly gay male officer in the department. In his own words, during an interview in 2022, Assistant Police Chief Collum said that he was proud to be a member of the LGBTQ community. He was proud to be a law enforcement officer. He was proud of his husband. He was proud of his community. And that he wanted to celebrate that.

I can't think of a better way to sum up his incredible contributions to our community. He broke down barriers and was a role model for so many.

Assistant Police Chief Collum is survived by his loving husband, William Lopez, and my heart is with his family, his friends, his colleagues, and our entire community as we mourn this immense loss.

We will always remember Assistant Police Chief Collum.

HONORING NELSON CRUZ AND LA VOZ HISPANA

HON. JESÚS G. "CHUY" GARCÍA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. GARCÍA of Illinois. Mr. Speaker, I rise today to honor Nelson Cruz and La Voz Hispana, a music shop owned by the Cruz family, which has served the Chicagoland area for more than 60 years.

"Musica y Cultura", the slogan for La Voz Hispana encompasses what it has represented for Chicago.

You will find people in the neighborhood who remember buying their first guitar or first set of bongós there. Mothers took their kids to La Voz Hispana for music lessons, and the shop also helped promote new Latino artists as they passed through Chicago.

It was my favorite Latin Jazz store to visit. I bought records, tapes, cd's, maracas, a guiro and a triangle there.

This neighborhood spot will be missed by many.

I wish Nelson an enjoyable retirement, which I'm sure will be full of music (Le deseo a Nelson que disfrute su retiro, que seguro estará lleno de música).

CONGRATULATING LARRY FOSTER

HON. TERESA LEGER FERNANDEZ
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Ms. LEGER FERNANDEZ. Mr. Speaker, I rise today to honor Larry Foster of the Navajo Nation for his induction into the North American Indigenous Athletics Hall of Fame. This honor demonstrates the outstanding leadership and athletic achievement of Mr. Foster. It is a hallmark of his commitment and dedication.

Foster was a student at Window Rock High School in Arizona where he earned All State and All Conference Honors in baseball, football, and basketball from 1966 to 1969. Upon graduating high school, he continued to play baseball at Bacone Juniors College in Muskogee, Oklahoma and later Adam State College in Alamosa, Colorado. He was named as the Rocky Mountain Athletic Conference Batting Champion in 1971 with a batting average of .442.

After college Foster played semi-pro baseball and was a nine-time All Tournament outfield and batting champion and continued to play in All Indian baseball tournaments from 1964 to 1976.

Foster now resides in Gallup, New Mexico with his wife Mattie Foster. He continues to be an active member of his community, including being a local sportswriter Ná baą hózhǫ́ (Congratulations), Mr. Foster. We are grateful for his contribution to sports in New Mexico.

CONDEMNING IRAN'S UNPRECEDENTED DRONE AND MISSILE ATTACK ON ISRAEL

SPEECH OF
HON. AL GREEN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2024

Mr. GREEN of Texas. Madam Speaker, and still I rise, supporting the overall intent of H. Res. 1143, condemning Iran's unprecedented drone and missile attack on Israel.

However, while supporting much of the intentions of this resolution, I believe that it is imperative to make clear that, as this resolution affirms Israel's right to "respond to this aggression through military, diplomatic, economic, and other necessary means," I do not intend my vote in favor of the resolution to be taken as an endorsement of any military action Prime Minister Netanyahu might take in response. We stand at a dangerous time for the region, and any response to Iran's attack should be measured with the goal of achieving lasting regional peace.

In advancing this resolution, let us not forget our steadfast, ironclad dedication to upholding international peace.

CELEBRATING BORICUA COLLEGE

HON. RITCHIE TORRES
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. TORRES of New York. Mr. Speaker, Boricua College is a cutting-edge higher education institution founded in 1974, by members of New York's Puerto Rican community. It is a majority minority institution, primarily serving Latino nontraditional students. Not only is Boricua College important for the population it serves but is also unique in its approach to education. Its focus on humanistic learning is one of a kind and creates a distinct learning environment serving a unique student population.

Boricua College provides an environment for historically excluded nontraditional students to reach their potential, while giving them space to explore their own cultures and the cultures of their peers across their three New York City campuses, Brooklyn, Manhattan, and the South Bronx.

The college has an extensive faculty consisting of many Latino academics, providing a wide array of perspectives, and creating possibility models for the students attending Boricua College.

Their unique approach to education uses the Five Ways of Learning method. These include individualized attention, colloquium, experiential studies, theoretical studies, and cultural studies. By focusing on all five of these, Boricua College students receive a well-rounded, practical, and meaningful education experience.

Leadership development is also central to the mission of the college. Boricua College engages and empowers all their students through encouraging the development of students' critical thinking skills and cultural competency to ignite the spark of leadership in their entire student population.

I would like to Congratulate Boricua College on 50 years of providing outstanding education and I look forward to seeing the institution's continuous dedication to their students and the community.

REMEBERING CHIEF WARRANT OFFICER THREE, (RET) CARTER SMYRE, JR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a loving husband, outstanding father, proud grandfather, astute entrepreneur, distinguished military officer, faithful man of God and friend of longstanding, Chief Warrant Officer Three, (Ret) Carter Smyre, Jr. Sadly, CWO3 Smyre transitioned from labor to reward on April 12, 2024. A homegoing celebration attended by friends and family will be held on April 19, 2024, at the Ward Chapel AME Church in Columbus, Georgia.

The extraordinary life story of CWO3 Carter Smyre, Jr. began with his birth to the union of the late Staff Sergeant Carter Smyre, Sr. and Mrs. Selma Tinsley Smyre on June 7, 1925, in Griffin, Georgia. Following the example of his father, young Carter Smyre, Jr. set out to blaze his own path in the United States Army. One of his proudest moments was graduating from the U.S. Army Aviation School at Fort Rucker, (now Fort Novosel) Alabama. For 25 years, he served his country, rising through the ranks and ultimately being appointed by the Secretary of the Army as Chief Warrant Officer Three—a technical leader, trainer, operator, maintainer, sustainer, integrator, and advisor. CWO3 Smyre's life was always the epitome of the Army values of loyalty, duty, respect, selfless service, integrity, honor, and personal courage—values which give soldiers direction, purpose, and motivation to be, know, and do what is right. And for 98 years that has been his legacy.

Following his retirement from the Army, Carter Smyre owned and operated a grocery store, worked 10 years as a real estate agent at Carter Realty Company and then founded his own company, Smyre Realty Company which he operated for 42 years. He had immense joy when he was able to help others realize the dream of home ownership and because of his commitment to his craft and excellence, former Governor Joe Frank Harris appointed him to the Georgia Residential Housing and Finance Authority Board of Directors where he served the entire State of Georgia.

It has been said that "The true person of success is not the person that climbs the ladder of this life with both hands but who climbs with one hand and reaches back with the other." Chief Warrant Officer Smyre always reached back to help others throughout the Chattahoochee Valley Area to include his beloved East Carver Heights Community, the Moderns Club and the Path Seekers Civic and Social Club to name a few.

On a personal note, CWO3 Smyre was a special friend and was "family" to my wife, Vivian, and me. He encouraged us to pursue our dreams and supported us every step of the way as he did for so many others who have been blessed by his wise advice, counsel, and mentorship. He led by example and because of that sterling example, others, including his beloved son, former State Representative Calvin Smyre, have thrived in service to others.

Carter Smyre accomplished much in life but none of this would have been possible without the grace of God, the love and support of his late wife, Mrs. Mildred Bass Smyre; his current wife, P.J. Glover; his devoted son, former State Representative and U.S. Representative/Public Delegate to the 78th United Nations General Assembly, Calvin Smyre; his late daughter Gwendolyn Smyre-Foster, grandchildren, great-grandchildren and other extended family members.

Mr. Speaker, I ask my colleagues in the House of Representatives to join my wife, Vivian, and me, along with the 765,000 people of Georgia's Second Congressional District in celebrating the extraordinary life of Chief Warrant Officer Three (Ret) Carter Smyre, Jr. and in extending our deepest condolences to his family, friends and all who mourn his loss. May we all be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks, and months ahead.

CELEBRATING THE 50TH ANNIVERSARY OF AGEGUIDE NORTHEASTERN ILLINOIS

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. FOSTER. Mr. Speaker, I rise today to celebrate the 50th anniversary of AgeGuide Northeastern Illinois, an organization dedicated to supporting and empowering older adults to live with dignity and independence. As one of 622 Area Agencies on Aging throughout the United States, established by Congress to implement the Older Americans Act, AgeGuide stands as a representation of excellence in its field.

When AgeGuide Northeastern Illinois was established in 1974, the Illinois Department on Aging designated it as the Area Agency on Aging for DuPage, Kane, Kankakee, Grundy, Lake, McHenry, and Will Counties. For half a century, AgeGuide has provided invaluable services and resources to seniors, ensuring that they are well taken care of and respected in our society.

On this momentous occasion, we honor the dedication and hard work of the staff, volunteers, and supporters of AgeGuide Northeastern Illinois who have tirelessly worked towards improving the lives of older adults. Their compassion, generosity, and determination have made a lasting impact on our community, and we are truly grateful for their dedication.

Mr. Speaker, I am proud to represent such a proactive and collaborative organization that has positively transformed the lives of countless individuals and I ask my colleagues to join me in celebrating AgeGuide Northeastern Illinois' remarkable 50 years of service, advocacy, and empowerment for our seniors.

NO U.S. FINANCING FOR IRAN ACT OF 2023

SPEECH OF

HON. VAL T. HOYLE

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2024

Ms. HOYLE of Oregon. Mr. Speaker, on Monday, April 15, I will vote No on H.R. 5921, the No Financing for Iran Act. While I agree with the bill's stated goal of preventing the Iranian government from accessing the U.S. financial system, the bill goes much further than that and has several issues.

Unfortunately, H.R. 5921 as written would likely inflict significant harm on small businesses in Oregon and across the country. The bill includes provisions to prevent the Export-Import Bank of the U.S. (Exlm Bank) from financing projects associated with Iran's government. However, under current U.S. policy, Exlm is already prohibited from doing business with the government of Iran and Iran-related sanctioned persons (as are all U.S. government entities and U.S. persons).

As Ranking Member WATERS has noted, H.R. 5921's duplicative provisions will impose overly burdensome requirements on the Exlm Bank, which would dramatically increase the cost, processing time, and resources needed to review transactions and help American small businesses. The bill would also put American small businesses at a disadvantage to foreign competitors when exporting their goods abroad.

Given my own work with the Exlm Bank before holding elected office, I know how reliant small businesses engaging in international trade in Oregon and across the country are on the services provided. I cannot support legislation that undermines the Exlm Bank's ability to serve American businesses.

In addition, the bill seeks to prevent Iran from accessing Special Drawing Rights (SDRs)—an international reserve asset that many developing countries around the world rely on—through the International Monetary Fund (IMF). However, Iran is already prevented from having access to SDRs thanks to current U.S. sanctions, meaning this bill is unnecessary.

In practice, the bill would actually prevent increases of SDRs to all countries. This is because the IMF process for approving SDR distributions is a simple up-or-down vote on whether there should be a distribution of SDRs to all IMF member countries—there is no avenue at the IMF for SDR votes on individual member countries. As a result, this bill would likely cause significant hardship for many developing IMF member countries around the world.

The U.S. Treasury Department is also opposed to these provisions, stating that this bill would deny the IMF and U.S. Treasury "a tool for promptly responding to global economic crises and preventing spillovers to the U.S. economy."

BLACK MATERNAL HEALTH WEEK AND CRISIS

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mrs. BEATTY. Mr Speaker, I rise today in recognition of Black Maternal Health Week, to urgently address the ongoing epidemic surrounding the mortality and health of Black mothers, and to implore this esteemed body to take decisive action on legislation that can help reverse this alarming reality.

Women in America are tragically dying at a higher rate from pregnancy-related causes than in any other developed nation. The disparities are even more stark for Black women, who are three times more likely to die from pregnancy-related causes than their white counterparts. This heartbreaking statistic is rooted in a long history of systemic racism and bias. Studies reveal that Black women facing severe injuries or pregnancy complications, or simply seeking assistance, are often dismissed or overlooked in healthcare settings that should prioritize their care—a stark truth regardless of socioeconomic status. A recent study highlighted that even the wealthiest Black mothers and their babies face twice the risk of mortality compared to their white counterparts. This disparity transcends income, as high-income Black women and low-income white women experience similar rates of childbirth-related deaths. Additionally, many nonaffluent Black mothers lack access to safe housing, affordable transportation, and nutritious food—essential elements that profoundly impact maternal health. Systemic injustice in our health care and other national capabilities threatens the lives and well-being of all Black mothers, who are unequivocally American mothers.

We cannot allow these inequities to persist when potential solutions exist. I urge my esteemed colleagues to rally behind the efforts and legislation of the Black Maternal Caucus, dedicated to addressing these pressing concerns and championing the welfare of Black mothers. A crucial step forward is the passage of The Black Maternal Health Momnibus Act, H.R. 3305 comprising 13 vital bills aimed at tackling this crisis and promoting healthcare equity for Black mothers. The Momnibus encompasses measures to enhance healthcare and economic support for Black mothers, bolster our federal and community capacity to understand and rectify this crisis, and expand and diversify our perinatal workforce to better serve Black mothers. This monumental legislation is cosponsored by 193 of my House Democratic colleagues, 32 senators, and backing from 200 stakeholder organizations.

The Momnibus Act can be a vital first step in forging an America where Black mothers can flourish. Let us unite in our commitment to ensure the health and well-being of all mothers, regardless of race or socioeconomic status, as we strive towards a future where every mother receives the care and support she deserves.

HONORING SGT. JOHN ASHE

HON. CHUCK EDWARDS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. EDWARDS. Mr. Speaker, I rise today to honor Henderson County, N.C. resident Sgt. John Ashe in recognition of his service.

This month, Sgt. Ashe retired from the Henderson County Sheriff's Office after a long and decorated career in law enforcement. He most recently worked as an officer in the Henderson County courthouse, where he developed a close relationship with my district staff.

Throughout John's 26 years in law enforcement, he worked in detention, warrant squad, criminal investigations as a general investigator, and as a narcotics detective, in animal enforcement, and was on the sniper team.

John and his wife, Lisa, have been blessed to share their lives with Meghen, Bryan and Bella, whom they cherish and adore.

I thank Sgt. Ashe for his brave and tireless service to Henderson County, and I wish him best of luck on all the hunting trips in his retirement.

RECOGNIZING DR. VICTOR ALICEA

HON. RITCHIE TORRES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. TORRES of New York. Mr. Speaker, Dr. Victor G. Alicea, Ph.D., is the founding President of Boricua College. He began his tenure at the College in 1974. During his time at Boricua College, he has proven his steadfast leadership and commitment to moving the institution forward at a time of unprecedented challenge to the health and financial well-being of colleges and universities across the nation.

''The present is the only pathway that connects our past with our future,'' Dr. Victor G. Alicea, is often heard to remark. Always present in the ''here and now'' Victor Gabriel Alicea has worked tirelessly for the education and flourishing of all people of New York City. He is the founder and president of Boricua College for the past 48 years.

Dr. Victor G. Alicea was born in Ponce, Puerto Rico and spent his childhood in New York City's East Harlem ''El Barrio'' and in Harlem. Victor Alicea has worked throughout his life combining intellectual strength and his vast knowledge of education and human polity with the caring he has for people. He has participated and led numerous institutes in public administration, group dynamics, community organization, health and mental health care services and is a practicing social worker, educator, planner, consultant to various community development programs and is a psychotherapist in private practice.

One of President Alicea's foremost commitments has been to New York City, a city he loves. He has served on Mayor Dinkins's Advisory Committee on Appointments. In 1990 Dr. Alicea was appointed Vice Chairman of the New York City Planning Commission by Mayor David Dinkins, and in July, 1995 was named to a second term by Mayor Rudolph Giuliani, finally serving for eleven years. He also served on Mayor Giuliani's Special Panel on the Health and Hospitals Corporation, and was appointed by Governor Pataki as a Commissioner of the New York State Energy Research and Development Authority (NYSERDA) and served as Secretary of the Board of Directors of Banana Kelly Community Improvement Association, Inc. Currently serves as Member of the Board of Trustees of the NYS Higher Education Services Corporation (HESC).

In 2022, Dr. Alicea completed 48 years as the founding President of Universidad Boricua/Boricua College during which time the College has grown from one floor in a building in Williamsburg Brooklyn, and 26 students, to three campus centers with 800 students and 40 full-time faculty members, in three buildings including a campus in Manhattan, and the recently completed $47 million campus building for the Bronx Campus, making it a tri-Borough College, the progression has been from graduating three students in 1976 to over fourteen thousand by 2023.

Dr. Alicea's recent inclusion in City & State's 2023 Higher Education Power 100 list is a testament to his unwavering commitment to serving our community and advancing education. As the longest-serving president of a private college in New York State, Dr. Alicea's legacy is one of transformative leadership and a tireless pursuit of excellence.

There are many more years to come for this colossal intellectual giant to serve the people of this great City. Typical of this self-reflecting man that his greatest pride and pleasure has been how much he has learned from the faculty and staff who helped to create the College, and the thousands of students and families that have been touched by Boricua College.

RECOGNIZING NATIONAL RENDERING DAY

HON. BRUCE WESTERMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. WESTERMAN. Mr. Speaker, I rise today in recognition of the 2nd Annual National Rendering Day. The burden of responsibility for feeding the world extends beyond the farm. Rendering plays a critical role in ensuring we can meet the growing global demand for food, feed, and fuel, while helping reduce food waste and loss. By recycling unused animal products, renderers create valuable ingredients from resources that would otherwise take up enormous amounts of precious landfill space. Renderers also collect billions of pounds of used cooking oil from restaurants and food manufacturers for upcycling into products and sustainable fuels, like biodiesel.

Rendering not only creates alternative, sustainable fuels to power trucks, trains, water vessels and other vehicles but also feeds our beloved household pets. Rendering is the largest industry involved in prevention of food loss and waste and is an important component of a bio-circular economy.

Renderers play an important role in reducing food loss and waste, sustainably recycling valuable agricultural resources, and positively contributing to local, state, and national and international economies. U.S. renderers contribute $10 billion in annual economic activity

across the country and include many small businesses that help drive the American economy and define the American dream.

I am honored to represent many great rendering companies in the 4th District of Arkansas. I am grateful for the role of rendering in producing America's feed and fuel, and reducing food waste and loss by repurposing products we don't eat for other practical needs. Today on National Rendering Day, please join me in recognizing renderers' countless contributions to strengthening the U.S. economy and protecting the environment.

HONORING THE LIFE OF DR. ROBERT BUNGER ZUFALL

HON. MIKIE SHERRILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Ms. SHERRILL. Mr. Speaker, I rise to recognize Dr. Robert Bunger Zufall, a beloved community healthcare leader from New Jersey. Dr. Zufall dedicated his life to serving others and leaves an incredible legacy in New Jersey's Eleventh Congressional District and beyond.

Dr. Zufall was born in Middleton, New York and raised in Irvington, New Jersey. He graduated from Princeton University and served our country in the Navy during World War II before continuing his education at Harvard Medical School. From his leadership in the military as U.S. Army First Lieutenant and Captain in the medical corps, to his service as a physician at Bellevue Hospital and Dover General Hospital, Dr. Zufall dedicated his life to caring for others.

Dr. Zufall's most well-known achievement is the creation of Zufall Health, a Federally Qualified Health Center serving communities across Northern New Jersey. After several medical service trips to Peru, he and his wife Kay committed themselves to providing healthcare to those in need closer to home. Initially a once-a-week, one-room clinic, Zufall has since expanded to seven counties and two mobile sites that serve 48,000 New Jerseyians annually. The clinic has received many accolades, including the Jefferson Award given to Dr. Zufall and Kay in 2009. Dr. Zufall, known lovingly by many as ''Dr. Bob,'' worked tirelessly to make sure that all New Jersey residents regardless of means have affordable access to healthcare.

Dr. Zufall deeply cherished his family and enjoyed spending time with his wife Kay, children Kathryn, Margaret, Ellen, Nancy, and David, his three siblings, nine grandchildren, and eleven great-grandchildren.

On March 5, 2024, Dr. Robert Zufall peacefully passed away at the age of 99. The selfless manner in which Dr. Zufall served his community is an inspiration to us all. He will not be forgotten and his impact will continue to be felt in New Jersey for generations to come.

COMMEMORATING THE 30TH ANNIVERSARY OF THE OPPORTUNITY CENTER FOR THE HOMELESS

HON. VERONICA ESCOBAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Ms. ESCOBAR. Mr. Speaker, I rise to commemorate the 30th anniversary of the Opportunity Center for the Homeless.

Since its inception on January 3rd, 1994, the Opportunity Center has been a steadfast refuge for homeless adults, originally focusing on men but expanding to accommodate the increasing number of women seeking shelter. Through this evolution, it has established permanent and transitional housing options to offer stability and hope to those in need.

Central to the Center's philosophy is the principle of recovery to service. It proudly stands as the largest employer of homeless individuals in the El Paso community, with close to 60 percent of its staff having lived experience with homelessness. This practice not only provides employment but also fosters a sense of purpose, self-worth, empathy, and dignity among its employees. In a landmark achievement in October 2011, the Opportunity Center became the first homeless shelter in the United States to receive excess food from schools, thanks to Congressional clarification on food donation regulations. This initiative has since provided over 1.2 million meals in 2023 alone, nourishing those in need and exemplifying the Center's commitment to holistic support.

Founded by Ray Tullius, a U.S. Army veteran and Golden Nugget award recipient, the Center is dedicated to aiding veterans facing homelessness and has assisted countless individuals. By fostering collaboration among stakeholders, such as service providers, educational institutions, and local governments, the Opportunity Center ensures high-quality care and compassion for those experiencing homelessness.

Today, it is my privilege to honor the Opportunity Center for its 30-year legacy of service, resilience, and compassion. May it continue to make a profound impact on the lives of our community for many years to come.

FOURTH AMENDMENT IS NOT FOR SALE ACT

SPEECH OF

HON. JOAQUIN CASTRO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2024

Mr. CASTRO of Texas. Mr. Chair, I rise concerning my vote on H.R. 4639.

This bill raises important issues that must be addressed by Congress. Law enforcement agencies should not be able to circumvent due process by buying information about the targets of their operations from third-party data brokers. The American people need a solution that covers federal, state, and local governments to ensure that their rights are fully protected.

During legislative negotiations on H.R. 4639, members raised concerns about conflicting possible interpretations of this bill that were not addressed before it came to the floor. As currently drafted, it is not clear whether H.R. 4639 appropriately covers federal, state, and local governments or whether the scope is limited to only cover the federal government. I also have concerns about restrictions that H.R. 4639 would impose on the Intelligence Community's ability to protect our national security by collecting data on foreign individuals operating abroad.

Given the ambiguity over the scope of H.R. 4639 and the challenges this bill would create for our ability to monitor foreign threats to the United States, I will vote PRESENT. I am hopeful these issues will be addressed by the Senate as they consider this legislation.

RECOGNIZING THE 50TH ANNIVERSARY OF THE INTERNATIONAL FERTILIZER DEVELOPMENT CENTER (IFDC)

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. ADERHOLT. Mr. Speaker, hunger and food insecurity are issues that plague many nations around the world. Luckily, within the district that I represent, there is an international organization working to alleviate this concern by working with farmers around the world to improve agricultural practices and teaching about advancements in fertilizer technology.

Founded in October 1974, the International Fertilizer Development Center (IFDC) was created to fill a gap found in the inability to field international calls for assistance by the Tennessee Valley Authority's National Fertilizer Development Center.

After just shy of three years in operation, the IFDC was designated a public international organization in March 1977.

On this 50th anniversary, the staff that makes up the IFDC are working just as hard as they were on day one to make sure people around the world do not just have access to food, but have the knowledge needed to grow this food so that they can create a sustainable agricultural process that will feed generations.

The IFDC is headquartered in Muscle Shoals, Alabama, and currently operates in over 25 countries. President and CEO Henk van Duijn, along with the rest of the International Fertilizer Development Center's Global Management Team, Dr. Oumou Camara, Chris Holt, Douglas Kerr, and Dr. Upendra Singh, make up an outstanding team that delivers needed expertise to countries around the world.

I want to thank each and everyone at the International Fertilizer Development Center for their 50 years of service to the international community. They have provided a way for people across the world to grow food and feed their communities. Congratulations to them on their incredible achievements and for representing the very best of the United States by making significant contributions to the international community. I look forward to continued great work and the success of everyone at IFDC.

HONORING CARLO A. SCISSURA, PRESIDENT AND CEO OF THE NEW YORK BUILDING CONGRESS

HON. NICOLE MALLIOTAKIS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Ms. MALLIOTAKIS. Mr. Speaker, I include in the RECORD the following Proclamation honoring Carlo A. Scissura, President and CEO of The New York Building Congress:

Whereas Carlo A. Scissura Esq., President & CEO of The New York Building Congress, was honored on April 18, 2024, by the National Italian American Foundation in recognition of his service and contributions to the Italian-American community.

Whereas Carlo A. Scissura was born and raised in Bensonhurst and is a lifelong Brooklyn resident, currently residing in Bay Ridge with his daughter, Teresa Rose. Scissura is a proud graduate of Pace University and Pace Law School. He had his private law practice in Dyker Heights before joining the Brooklyn Borough President's Office. Scissura previously served on the staffs of New York State Senator Vincent Gentile and Assemblyman Peter Abbate.

Whereas for nearly five years, Carlo A. Scissura previously served as Chief of Staff and General Counsel to Brooklyn Borough President Marty Markowitz. Scissura restructured operations at Borough Hall, drove the borough's economic development, and collaborated extensively with the Mayor's Office, City Council, and Economic Development Corporation. Carlo also served on the boards of the EDC, the Brooklyn Navy Yard Development Corporation, and the Brooklyn Public Library.

Whereas Carlo A. Scissura is a member of the Boards of the Brooklyn Navy Yard Development Corp., The New York City Regional Economic Development Council, ACE Mentorship, Salvadori Center, and the Friends of the BQX. Carlo is a former member of Community Board 11 in Brooklyn and the District 20 School Board and Community Education Council. Scissura is also the Chair of the Federation of Italian-American Organizations, where he has led the opening of the new Italian Cultural and Community Center in Brooklyn.

Whereas in January 2017, Carlo A. Scissura was named President & CEO of The New York Building Congress. Under his leadership, Carlo and his team have achieved significant growth in membership and visibility across New York City and the surrounding region. They have maintained a strong focus on securing infrastructure investments from city, state, and federal governments. Membership has soared by over 200 percent, reaching more than 2,200 members. Additionally, the Chamber has been nationally recognized for creating exemplary models in business development, outreach, technical assistance, and regional branding. Thanks to Carlo's leadership, the New York Building Congress is stronger and more influential than ever.

Whereas Carlo A. Scissura was the Chair of the Brooklyn-Queens Expressway redevelopment panel and oversaw the replacement of the BQE from the Atlantic Avenue interchange to Sands Street in Brooklyn. Scissura received numerous honors for his contributions.

The people of New York City are thankful for years of Scissura's advocacy, development, contributions, and revitalization efforts throughout the five boroughs for the betterment of all New Yorkers.

CELEBRATING THE GRAND OPENING OF THE FOOD SHED CO-OP

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. FOSTER. Mr. Speaker, I rise today to extend my heartfelt congratulations to the Food Shed Co-op family on their achievement in organizing and establishing a community-owned grocery store. The concept of establishing a cooperative emerged from discussions among a group of friends seeking to strengthen their community. They collectively decided to create a community-owned store in McHenry County, embarking on an unpredictable and awe-inspiring journey. Their dedication to bringing this dream to fruition is truly commendable.

Food Shed Co-op is more than a simple grocery store, it is a symbol of the determination of the community. It is committed to providing everyone with access to fresh, locally sourced, and sustainably produced food. With a mission to support local farmers and producers, reduce environmental impact, and foster a sense of community, Food Shed Co-op is a shining example of what can be achieved when like-minded individuals come together for a common cause.

Nearly 2,100 people purchased equity shares in the co-op, reflecting the strong support of the community during the project's development and grand launch. This steady belief in Food Shed Co-op's mission speaks volumes about the community's commitment to building a vibrant, neighborhood-focused supermarket that is accessible to everyone.

I am proud to represent such an innovative group of individuals who continually strive to uplift their community and applaud the vital work they are doing to create a healthier and more sustainable future in McHenry County. I ask my colleagues to join me in recognizing Food Shed Co-op in celebrating their grand opening.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT THE SLOGAN, ''FROM THE RIVER TO THE SEA, PALESTINE WILL BE FREE'' IS ANTISEMITIC AND ITS USE MUST BE CONDEMNED

SPEECH OF

HON. VAL T. HOYLE

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2024

Ms. HOYLE of Oregon. Mr. Speaker, I will vote in support of H. Res. 883, a non-binding resolution that condemns the use of a slogan that has been used by some individuals and groups for antisemitic purposes, including as a rallying cry to deny the right to self-determination of the Jewish people or even to eliminate the State of Israel from the Jordan River to the Mediterranean Sea.

I believe the antisemitic use of this slogan should rightfully be condemned. For example, this slogan has been widely used by terrorist entities—including Hamas, the Palestinian Islamic Jihad and Hezbollah—to encourage future attacks on Israel, the Jewish community and Jewish institutions. With antisemitism and antisemitic attacks on the rise in the U.S. and around the world, we must swiftly condemn antisemitism in all its forms.

However, this resolution should have been written better. For example, H. Res. 883, fails to acknowledge that some who use the phrase do so to advocate for Palestinian liberation and equality, and others—including some members of the Jewish community—use the phrase to advocate for an end to the Israeli control and annexation of the West Bank and Gaza. The resolution should have noted that this slogan is not always intended to be used as antisemitic and not all who use the phrase are antisemitic.

As with other resolutions this Congress, H. Res. 883 also fails to condemn antisemitic acts from those on the far-right, including white nationalists who have increasingly promoted antisemitic conspiracy theories and have threatened the lives and livelihoods of Jewish Americans.

H. Res. 883 also treats the slogan ''from the river to the sea'' as one-sided. However, this phrase has also been used by right-wing Israelis—including by Prime Minister Netanyahu himself in January—to deny the right to self-determination of the Palestinian people.

Let me be clear: I believe that both Israelis and Palestinians have a right to their own state. That's why I strongly support a two-state solution where Israelis and Palestinians recognize each other's right to live in peace and have prosperity.

I also unequivocally condemn all forms of antisemitism, and I am appalled by the significant rise in antisemitism we've seen in recent years and especially after Hamas's October 7th terrorist attacks on Israel. If the House Republican majority were serious about tackling antisemitism, they would support President Biden's National Strategy to Counter Antisemitism, would quit trying to defund the Office of Civil Rights for Title VI enforcement which protects Jewish students, and would increase funding for the High-Risk Nonprofit Grant Program to secure Jewish institutions as a start. I urge House Republicans to prioritize real action to combat hate, rather than continue to waste time and resources on nonbinding resolutions.

That's why I've cosponsored legislation that thoughtfully and powerfully condemns the rise of antisemitism in the United States and calls on Congress to support the above substantive actions to tackle antisemitism, which congressional Republicans have so far refused to do.

FOURTH AMENDMENT IS NOT FOR SALE ACT

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2024

Ms. MCCOLLUM. Mr. Chair, I rise in opposition to H.R. 4639, the Fourth Amendment Is Not For Sale Act.

As Ranking Member of the Defense Appropriations Subcommittee, my priority is our national security and to protect Americans from foreign threats. Our Intelligence Community agencies at times purchase what is known as ''commercially available information'' from data brokerage companies to gather information on foreign spies and bad actors, and to protect America from malign foreign influence. When they purchase this data, they cannot be certain that it is entirely free of any U.S. citizen's information. In order to protect citizens, agencies are already required to take steps to ensure that this incidentally obtained data is removed.

However, these data brokerage companies collect the personal information of Americans through their social media profiles, public records, and other commercial sources. They then sell this information to companies, organizations, or any entity with an interest in collecting data on American citizens—including foreign adversaries like China, Russia, or even cartels. H.R. 4639 would do nothing to keep any of these other entities from exploiting and sharing American's data.

Instead of prohibiting our own intelligence agencies from accessing commercially available information to obtain foreign intelligence, we must take steps to address the broader vulnerability of Americans' data. Congress needs to take steps to protect Americans, not undermine our Intelligence agencies and put the United States at a deep disadvantage against our adversaries.

REMEMBERING COLONEL RALPH PUCKETT, JR., USA (RET.)

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a loving husband, dedicated father, committed soldier and dear friend of longstanding, Colonel Ralph Puckett, Jr., USA (Ret.). Sadly, Colonel Puckett passed away on April 8, 2024. He leaves behind a legacy of service that will be emulated by many for years to come. A memorial service honoring his remarkable life will be held on April 20, 2024, at the National Infantry Museum Parade Field adjacent to Fort Moore, Georgia.

Colonel Puckett was born on December 8, 1926, in Tifton, Georgia. He graduated from Baylor High School and then enrolled at Georgia Tech before enlisting in the United States Army during World War II. Colonel Puckett graduated from the United States Military Academy at West Point in 1949. He was assigned as Infantry Lieutenant for the Eighth U.S. Army Ranger Company when the Korean War began.

On November 25, 1950, during the Korean conflict, the First Lieutenant began a multiday operation with the Eighth Army Ranger Company, a company composed of 51 U.S. and nine Korean Soldiers against a barrage of Chinese Troops on Hill 205. During the initial assault, Colonel Puckett exposed himself to enemy fire, rallying pinned down U.S. troops to advance and take the hill from its defenders. In the following hours, the temperatures dropped, and the Chinese attempted to retake the hill. Colonel Puckett radioed an artillery strike to stop the enemy's advance.

Over the course of the attacks, Colonel Puckett sustained several wounds to his left shoulder, feet, thighs, and buttocks. Despite being severely wounded, he was still able to command his company and call on artillery to avert enemy attacks before being carried to safety by two of his troops.

During his 22-year career, Colonel Puckett received many awards including the Distinguished Service Cross twice, along with two Silver Stars for valor, two Bronze Star medals, and five Purple Hearts. In 1992, he became one of the first people to be inducted into the United States Army Ranger Hall of Fame.

Because of his courageous valor and after many years of efforts on his behalf, Colonel Puckett was awarded the Medal of Honor by President Joseph R. Biden on Friday, May 21, 2021.

Colonel Puckett gave himself to his country and to so many for so long. As such, he is one of our nation's most decorated war heroes. Even after his military service ended, he found a way to give back to those who came after him. He remained very active with military affairs, including volunteering with the Ranger Brigade. Colonel Puckett also served as an executive with Outward Bound, a nonprofit educational organization that exposes students, especially those from cities, to wilderness settings.

Colonel Puckett accomplished much in his life, but none of this would have been possible without the grace of God, and the enduring love and support of his wife, Jean, and their children Martha and Thomas.

Mr. Speaker, I ask my colleagues to join my wife, Vivian, and me, along with the 765,000 people of Georgia's Second Congressional District in celebrating the life and legacy of Colonel Ralph Puckett, Jr., USA (Ret.). Moreover, we extend our deepest condolences to his family, friends, and all who mourn his loss. May they all be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks, and months ahead.

RECOGNIZING KEVIN O'KEEFE

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2024

Mr. NADLER. Mr. Speaker, I rise today to recognize the tremendous accomplishments of Kevin O'Keefe, a dedicated community leader in East Midtown Manhattan.

Kevin has demonstrated an unwavering commitment to our community through his roles as the founder and president of the St. Vartan Park Conservancy, the president of the Manhattan East Community Association, a member of Manhattan Community Board 6, a trustee of the Murray Hill Neighborhood Association, a board member of the Stuyvesant Cove Park Association, an advisory board member of the Village Trip, a coach, an entrepreneur, a writer, a husband, and a father.

In these roles, Kevin has led multiple initiatives to increase the quality of life in East Midtown. In 2019, he led a major advocacy campaign to reopen an East Midtown garden and lawn after decades of closure. Since then, thousands of individuals have enjoyed their time inside the now-public green space.

As a member of Manhattan Community Board 6, Kevin led an initiative for members of the public to make presentations to the board to better understand community needs. In this capacity, he also serves as a committee chair and member of the Youth and Education Committee and Health and Human Services Committee.

Furthermore, Kevin's commitment extends to youth sports and education. He is a former all-American athlete who volunteers as a sports coach, heading the track and field program at a local East Midtown school and running ''Swish You Were Here,'' a community basketball net-replacement initiative.

Kevin is also an entrepreneur and accomplished writer. He is the author of the nonfiction bestseller The Average American, which follows O'Keefe's journey to find the nation's most statistically average person. The book has inspired many people to find a middle ground when talking with those with differing views and has earned accolades from former President Barack Obama. In his professional life, he has led New York Sports Tours and other prominent brands and companies.

On April 25, 2023, Kevin was honored at the Samuel J. Tilden Democratic Club's 70th anniversary gala with the Platinum Anniversary Award for Distinguished Service.

Mr. Speaker, it is with great respect and admiration that we recognize Kevin O'Keefe for his outstanding service and leadership. His dedication not only enhances the vibrancy of East Midtown but also sets a commendable example of civic engagement and community spirit. We are grateful for his contributions and proud to count him as a distinguished member of our community.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 7888, Reforming Intelligence and Securing America Act.

Senate

Chamber Action

Routine Proceedings, pages S2907–S2939

Measures Introduced: Four bills and four resolutions were introduced, as follows: S. 4197–4200, and S. Res. 657–660. **Page S2932**

Measures Passed:

Reforming Intelligence and Securing America Act: By 60 yeas to 34 nays (Vote No. 150), Senate passed H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978, by the order of the Senate of Friday, April 19, 2024, 60 Senators having voted in the affirmative, and after taking action on the following amendments proposed thereto: **Pages S2907–28**

Rejected:

By 31 yeas to 61 nays (Vote No. 144), Paul Amendment No. 1829, to append the Fourth Amendment Is Not For Sale Act. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S2921–22**

By 17 yeas to 75 nays (Vote No. 145), Marshall Amendment No. 1834, to strike the prohibition on political appointees being involved in the approval of queries by the Federal Bureau of Investigation. **Pages S2922–23**

By 34 yeas to 58 nays (Vote No. 146), Wyden/Lummis Amendment No. 1820, to strike section 25, relating to definition of electronic communication service provider. **Pages S2923–24**

By 11 yeas to 81 nays (Vote No. 147), Paul Amendment No. 1828, to prohibit the use of authorities under the Foreign Intelligence Surveillance Act of 1978 to surveil United States persons, to prohibit queries under such Act using search terms associated with United States persons, and to prohibit the use of information acquired under such Act in any criminal, civil, or administrative proceeding or as part of any criminal, civil, or administrative investigation. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S2924–25**

By 42 yeas to 50 nays (Vote No. 148), Durbin Modified Amendment No. 1841, to prohibit warrantless access to the communications and other information of United States persons. **Pages S2925–27**

By 40 yeas to 53 nays (Vote No. 149), Lee/Welch Amendment No. 1840, to appropriately address the use of amici curiae in Foreign Intelligence Surveillance Court proceedings and to require adequate disclosure of relevant information in Foreign Intelligence Surveillance Act of 1978 applications. **Pages S2927–28**

During consideration of this measure today, Senate also took the following action:

By 62 yeas to 30 nays (Vote No. 143), Senate agreed to the motion to proceed to consideration of the bill. **Pages S2920–21**

Preventing Child Trafficking Act: Committee on the Judiciary was discharged from further consideration of S. 3687, to direct the Office for Victims of Crime of the Department of Justice to implement anti-trafficking recommendations of the Government Accountability Office, and the bill was then passed. **Page S2928**

Federal Judiciary Stabilization Act: Committee on the Judiciary was discharged from further consideration of S. 3998, to provide for the permanent appointment of certain temporary district judgeships, and the bill was then passed. **Pages S2928–29**

Arbor Day 152nd Anniversary: Senate agreed to S. Res. 657, celebrating the 152nd anniversary of Arbor Day. **Page S2929**

Financial Literacy Month: Senate agreed to S. Res. 658, designating April 2024 as ''Financial Literacy Month''. **Page S2929**

Commending University of South Carolina Women's Basketball team: Senate agreed to S. Res.

659, commending the University of South Carolina Gamecocks women's basketball team for winning the 2024 National Collegiate Athletics Association Women's Basketball National Championship. **Page S2929**

Measures Considered:

Securing Growth and Robust Leadership in American Aviation Act—Agreement: Senate began consideration of the motion to proceed to consideration of H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs. **Page S2928**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 9 a.m., on Saturday, April 20, 2024. **Page S2939**

Appointments:

United States Semiquincentennial Commission: The Chair announced, on behalf of the Republican Leader, pursuant to the provisions of Public Law 114–196, the appointment of the following individual to serve as a member of the United States Semiquincentennial Commission: Senator Murkowski. **Page S2929**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that Senator Warner be authorized to sign duly enrolled bills or joint resolutions from April 20, 2024 through April 21, 2024. **Page S2928**

Messages from the House: **Page S2931**

Executive Communications: **Pages S2931–32**

Additional Cosponsors: **Pages S2932–34**

Statements on Introduced Bills/Resolutions: **Pages S2934–35**

Additional Statements: **Page S2931**

Amendments Submitted: **Page S2935**

Record Votes: Eight record votes were taken today. (Total—150) **Pages S2920–25, S2927–28**

Adjournment: Senate convened at 11 a.m., on Friday, April 19, 2024, and adjourned at 1:29 a.m., on Saturday, April 20, 2024, until 9 a.m., on the same day. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2939.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 20 public bills, H.R. 8081–8100; and 4 resolutions, H.J. Res. 130; and H. Res. 1161–1163, were introduced. **Pages H2557–58**

Additional Cosponsors: **Pages H2559–60**

Report Filed: A report was filed today as follows:

H. Res. 1160, providing for consideration of the bill (H.R. 8034) making emergency supplemental appropriations to respond to the situation in Israel and for related expenses for the fiscal year ending September 30, 2024, and for other purposes; providing for consideration of the bill (H.R. 8035) making emergency supplemental appropriations to respond to the situation in Ukraine and for related expenses for the fiscal year ending September 30, 2024, and for other purposes; providing for consideration of the bill (H.R. 8036) making emergency supplemental appropriations for assistance for the Indo-Pacific region and for related expenses for the fiscal year ending September 30, 2024, and for other purposes; providing for consideration of the bill (H.R. 8038) to authorize the President to impose certain sanctions with respect to Russia and Iran, and for other purposes; and providing for the concurrence by the House in the Senate amendment to H.R. 815, with an amendment (H. Rept. 118–466). **Page H2557**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bost to act as Speaker pro tempore for today. **Page H2525**

Recess: The House recessed at 10:05 a.m. and reconvened at 10:30 a.m. **Page H2532**

Israel Security Supplemental Appropriations Act, 2024, Ukraine Security Supplemental Appropriations Act, 2024, Indo-Pacific Security Supplemental Appropriations Act, 2024, 21st Century Peace through Strength Act, and Removing Extraneous Loopholes Insuring Every Veteran Emergency Act—Rule for Consideration: The House agreed to H. Res. 1160, providing for consideration of the bill

(H.R. 8034) making emergency supplemental appropriations to respond to the situation in Israel and for related expenses for the fiscal year ending September 30, 2024; providing for consideration of the bill (H.R. 8035) making emergency supplemental appropriations to respond to the situation in Ukraine and for related expenses for the fiscal year ending September 30, 2024; providing for consideration of the bill (H.R. 8036) making emergency supplemental appropriations for assistance for the Indo-Pacific region and for related expenses for the fiscal year ending September 30, 2024; providing for consideration of the bill (H.R. 8038) to authorize the President to impose certain sanctions with respect to Russia and Iran; and providing for the concurrence by the House in the Senate amendment to H.R. 815, with an amendment, by a yea-and-nay vote of 316 yeas to 94 nays, Roll No. 142, after the previous question was ordered without objection.

Pages H2526–32, H2532–33

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed.

Transnational Criminal Organization Illicit Spotter Prevention and Elimination Act: H.R. 3602, amended, to prohibit the intentional hindering of immigration, border, and customs controls.

Pages H2533–55

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of today and appears on page H2533.

Adjournment: The House met at 9 a.m. and adjourned at 12:19 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR SATURDAY, APRIL 20, 2024

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the **SENATE**

9 a.m., Saturday, April 20

Senate Chamber

Program for Saturday: Senate will continue consideration of the motion to proceed to consideration of H.R. 3935, Securing Growth and Robust Leadership in American Aviation Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Saturday, April 20

House Chamber

Program for Saturday: Consideration of H.R. 8038—21st Century Peace through Strength Act. Consideration of H.R. 8036—Indo-Pacific Security Supplemental Appropriations Act, 2024. Consideration of H.R. 8035—Ukraine Security Supplemental Appropriations Act, 2024. Consideration of H.R. 8034—Israel Security Supplemental Appropriations Act, 2024.

Extensions of Remarks, as inserted in this issue

HOUSE

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